NATIONAL CONFERENCE REPORT

INTERNATIONAL DOMESTIC WORKERS DAY 2023



AMKAS NEPAL

DHARAPATI-3 MAHARAJGUNJ

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ABBREVIATION

AMKAS	:	Aaprabasi Mahila Kamdar Samuha
COVID-19	:	Coronavirus Disease - 2019
CSOs	:	Civil Society Organizations
DoFE	:	Department of Foreign Employment
DW	:	Domestic Worker
MDW	:	Migrant Domestic Worker
FEB	:	Foreign Employment Board
GAATW	:	The Global Alliance Against Traffic in Women
GBV	:	Gender Based Violence
GoN	:	Government of Nepal
GEFONT	:	General Federation of Nepalese Trade Unions
Hon.	:	Honorable
ILO	:	International Labor Organization
ILO C189	:	International Labor Organization Convention 189
IOM	:	International Organization for Migration
MoLESS	:	Ministry of Labor, Employment and Social Security
NHRC	:	National Human Rights Commission
NNSM	:	National Network for Safer Migration
NWC	:	National Women Commission
RWMWs	:	Returnee Women Migrant Workers
SC	:	Solidarity Centre
TAF	:	The Asia Foundation

BACKGROUND

a) Domestic Workers in Nepal

Globally, the International Labour Organization (ILO) estimates that there are at least 67 million domestic workers, excluding child laborers (ILO, 2021). Furthermore, statistics show that approximately 80 percent of domestic workers worldwide are female (ILO, 2021). In Nepal specifically, it is estimated that there are around 200,000 domestic workers, with the majority being female (Home Workers' Union Nepal, 2020). This data aligns with the global trend of domestic work being predominantly performed by women. According to a rapid assessment conducted by the Home Workers' Union Nepal of General Federation of Nepalese Trade Unions (GEFONT), the impact of COVID-19 on domestic workers in Nepal has been severe (Home Workers' Union Nepal, 2020). The assessment revealed that 85 percent of domestic workers in Nepal lost their jobs due to the pandemic and are currently unemployed (Home Workers' Union Nepal, 2020).

These job losses have resulted in serious decent work deficits for domestic workers, who are often excluded from social and labor protection (Home Workers' Union Nepal, 2020). The lack of protection exacerbates the challenges faced by domestic workers, many of whom come from socially disadvantaged backgrounds and have limited access to education (ILO, 2021).

The COVID-19 pandemic has had distinct impacts on different groups of domestic workers in Nepal. Live-in domestic workers have experienced a significant increase in their workload as all family members are at home, limiting their time for rest and self-care. On the other hand, live-out domestic workers have faced challenges due to transportation restrictions, making it difficult for them to commute and earn a living. Wage theft and exploitative working conditions have also been reported among some domestic workers during the pandemic. Overall, the pandemic has further marginalized this already disadvantaged workforce, emphasizing the need for improved support and working conditions.

b) Women Migrant Workers for Domestic Work

Women migrants in Nepal face significant challenges, including discrimination, poverty, and limited job opportunities. According to the International Labor Organization (ILO), around 400,000 Nepali

Workers migrate for employment each year, and women account for around 30% of these migrants

(ILO, 2020). Many of these women migrate to Gulf countries such as Saudi Arabia, Qatar, Kuwait, Oman and the United Arab Emirates to work as domestic workers.

Despite being a popular employment option, domestic workers often face poor working conditions and low wages. According to a study by Amnesty International, domestic workers in Qatar and the UAE typically work for 12-16 hours a day, six days a week, and earn an average monthly salary of USD 200-275 (Amnesty International, 2014). Moreover, domestic workers are often subjected to physical and sexual abuse, with limited access to justice or support services.

The Nepali government has taken steps to protect the rights of migrant domestic workers, including signing bilateral agreements with destination countries and setting up a welfare fund for returning migrants. However, implementation of these measures has been limited. According to a report by Human Rights Watch, the Nepali government's welfare fund for returning migrants received only USD 30,000 in funding in 2020, which is insufficient to provide meaningful support to returnees (Human Rights Watch, 2021).

Women migrants in Nepal also face challenges related to documentation and legal status. Many women migrate without proper documentation or with fraudulent documents, making them vulnerable to abuse and exploitation. According to a study by the International Organization for Migration (IOM), around 54% of Nepali female migrants interviewed reported not having a passport when they migrated (IOM, 2019). Moreover, even when they have legal status, women migrants often face discrimination and limited access to basic services such as healthcare and education.

Overall, the situation of women migrants in Nepal is complex and multifaceted, with a range of economic, social, and political factors contributing to their vulnerability. International Domestic Workers Day provides an opportunity to highlight the challenges faced by domestic workers, including women migrants in Nepal, and to advocate for their rights and protections.

RATIONALE

Based on the above data, it is clear that women migrants as well as national domestic workers in Nepal face numerous challenges, including discrimination, poverty, and limited job opportunities. Many women migrate to other countries in search of employment opportunities, with domestic work being a popular option. However, domestic workers often face poor working conditions, long hours, low wages, and abuse.

Despite the government's efforts to protect the rights of domestic workers, implementation has been limited, and the ban on women traveling to Gulf countries for domestic labor raises the risk of exploitation and human trafficking. The ratification of ILO C189 and lifting the ban on women migrant workers are crucial steps towards protecting their rights and ensuring a safe and dignified migration process. The welfare fund set up for returning migrants received only a small amount of funding in 2020, which is insufficient to provide meaningful support to returnees.

Since its establishment, AMKAS Nepal has been actively advocating for the rights and protection of migrant domestic workers. One of its key priorities has been to push for the ratification of the International Labour Organization (ILO) Convention 189, which sets labor standards for domestic workers and provides important protections for this vulnerable workforce. AMKAS Nepal has organized a range of events, consultations, and campaigns to raise awareness about the importance of ratifying the convention and to pressure the government to take action.

For example, in December 2021, AMKAS Nepal held a consultation program focused on the ratification of ILO C189. This event brought together stakeholders from government, civil society, and the private sector to discuss the importance of ratification and to develop strategies for advocacy and implementation. Similarly, in July 2021, AMKAS Nepal organized a media consultation on a draft petition calling for the lifting of the discriminatory ban on women migrant workers and the ratification of ILO C189. The event aimed to engage the media in the campaign and to generate broader public awareness about the issue.

AMKAS Nepal has also engaged in direct advocacy with government stakeholders. In November 2021, the organization held a roundtable meeting with government officials to discuss the need for ratification and to develop an action plan for advocacy and implementation. Similarly, on International Domestic

Workers Day in 2022, AMKAS Nepal submitted a petition on the ratification of ILO C189 to the Minister of Labor.

In addition to its advocacy work, AMKAS Nepal has launched the Marigold Campaign to address the challenges faced by women migrant workers. This campaign aims to raise awareness about the issues and to provide support and services to migrant workers. The organization has also provided direct assistance to individual workers in need, such as by helping them to access legal services and obtain documentation.

Overall, AMKAS Nepal has been a tireless advocate for the rights and protection of migrant domestic workers in Nepal, particularly women migrants. Through its advocacy, campaigns, and direct assistance, the organization has helped to raise awareness about the challenges faced by this vulnerable workforce and to push for policy change and implementation.

The National Conference for the Ratification of ILO Convention 189 happening on The International DomesticWorkers' Day, 16th June 2023 is based on the same motive in-order to continue what has been being done and has following objectives:

- To raise awareness among the concerned governmental and non-governmental stakeholders on the issues of domestic workers right.
- To pressurize GoN to ratify ILO C189, C095 and C190 and lift gender discriminatory ban on domestic migrant workers
- To commemorate Int'l Domestic Workers Day in a grand way along with domestic workers from all 7 provinces of Nepal and concerned stakeholders.
- Wider dissemination of Marigold Campaign
- Collect data through discussion to file writ petition for the ratification of International Labor Instruments to GoN.

INAUGURAL/OPENING SESSION



The inaugural session was moderated by Meera Rayamajhi, EC Member of AMKAS Nepal who began by welcoming everybody and thanked AMKAS Nepal for the opportunity. Ms. Rayamajhi started the opening session by chairing the guests to the dais. Ms. Puspa Thapa, chair of AMKAS Nepal Chaired the session, while the Secretary of MOLESS Hon. Kewal Bhandari was chaired as the Chief Guest. Ms. Kripa Basnet representing ILO, Ms. Binita Jirel from Solidarity Centre and Ms. Sita Bhandari from NWC were also there as guest on the dais. As a symbol of respect to the domestic workers oil lamp was lit by domestic workers along with the Chief Guest to inaugurate the program followed by the National Anthem by all participants.



Bijaya Rai Shrestha, Executive Director of AMKAS Nepal was invited to deliver a presentation. She began by acknowledging that 12 years has passed since the ratification of ILO C189 appreciating the support that AMKAS Nepal has received from its partner organizations and other bodies of government in its effort for the ratification. She also cherished the presence of women domestic workers from different parts of Nepal. She highlighted that domestic work was one of the oldest professions globally, expressing its importance and advocating that it needs to be respected and dignified. Furthermore, she affirmed that the discourse on this topic started in 1945 at ILO conferences. She concluded her presentation by urging all stakeholders including Government to

join hands for the ratification of the ILO C 189 as it protects the basic human rights of the most vulnerable group the domestic workers both within and migrant domestic workers.



Ms. Basnet, representing the ILO, highlighted the importance of the care sector and women's contributions to it during her presentation. She emphasized the need to make work in this sector more dignified. Ms. Basnet shared findings from a study that explored the impact of public investment on enhancing the dignity of women's work. She mentioned that the ILO initiated this project in five countries, including Nepal, but it was adversely affected by the COVID-19 pandemic. Ms. Basnet emphasized that resources allocated to the care sector should be viewed as investments, capable of generating returns for the economy. Throughout her presentation, she provided additional relevant facts and figures.



Hon. Kewal Bhandari, the chief guest, expressed his return to MoLESS after ten years. He acknowledged the greater challenges faced by domestic workers abroad compared to those in Nepal. He highlighted the difficulties experienced by women in Nepal due to social structure and culture, with women from the Khas-Arya communities facing additional pressure. Hon. Bhandari emphasized the importance of providing justice to women involved in paid and unpaid care work. He stressed the need to ratify ILO C189 and expressed his commitment to working towards its passage. He recognized that this convention has the potential to improve the situation of domestic workers in both domestic and foreign labor markets.

Ms. Sita Bhandari from NWC addressed the issue of discrimination in domestic work, highlighting equal rights in the Constitution of Nepal. She emphasized the need for a change in societal mindset towards domestic work. She shared a story illustrating discriminatory behavior towards domestic workers and

emphasized the contribution of remittances to the national economy, yet the lack of secure and dignified lives for workers.



Ms. Binita Jirel stressed the importance of domestic work and the lack of respect and recognition for domestic workers. She highlighted challenges such as discrimination and low wages, advocating for the ratification of ILO C189 to secure rights and dignity for domestic workers.

Ms. Puspa Thapa, Chairperson of AMKAS Nepal, expressed gratitude to all attendees, including the chief and special guests, participants, board of directors, employees, and technical staff. She officially concluded the first session of the event.

During the session, talented national and migrant domestic workers made valuable contributions. Sapana, and internal domestic worker from Gharelu Shramik Manch, Saptari, recited a poem and shared her experience of changing her name due to caste discrimination during job searches in Kathmandu. Sangita Mahatara, member of AMKAS Bardiya, discussed how women returning from working abroad face different perceptions but continue to face the challenges at work back home. She also performed a song and highlighted AMKAS Bardiya's awareness programs on foreign labor employment.



Mina Timilsina from Lalitpur expressed her pride in the event and the respect she has for domestic work. She shared lessons learned from her experience as a domestic worker and emphasized the importance of employers respecting women working in their homes. Poonam Manandhar Thapa from Nepalgunj expressed happiness in attending the event and hearing about the struggles faced by domestic workers in Gulf countries. Sharda Maskey from Dharan raised concerns about domestic workers lacking labor permits due to traveling undocumented during the ban period.

Uma Sedhai shared an incident of physical abuse suffered by a domestic worker and highlighted the need for constant advocacy to address such injustices. She discussed AMKAS Morang's efforts on the issue. Mina Rimal Bajgai from Morang, who worked in Japan and Israel as a caregiver, emphasized the importance of learning the language of the destination country before traveling for employment. She shared her experience with language barriers while working in Israel.

Chetana Shreng, a former domestic worker in Hong Kong, spoke about unpaid care work and the issue of caste discrimination in Nepal, emphasizing the need for change. The contributions from these domestic workers shed light on various challenges faced in their work and the importance of addressing them.

PLENARY SESSION



The plenary session was moderated by Sunil Neupane, a journalist who has been especially covering issues on foreign labor employment. Mr. Neupane began by sharing that in the past he used to believe that women should not be allowed to work as domestic workers abroad as he felt that it was unsafe but changed his belief after speaking to women from different districts of Nepal.

Setting the stage for the discussion, Mr. Neupane invited esteemed panelists to join him on stage. Alongside him were Mr. Jeewan Shrestha from AHTB, Adv. Nisha Baniya, Hon. Rama Koirala Poudyal, a member of parliament, and Mr. Kabiraj Upreti, Undersecretary of MoLESS. To provide context, Mr. Neupane shared relevant data on domestic work.

Panel Discussion

Mr. Shrestha from AHTB discussed the cases received by ATHB related to domestic work. He highlighted instances where people travel abroad for domestic work through airports or Indian border crossings, and his office and police stations have dealt with cases of exploitation abroad. He shared that the bureau has placed a desk at the airport to encourage people to not go abroad for domestic work and also mentioned that the bureau has information on issues such as human trafficking, sexual exploitation, long working hours, physical abuse, and problems due to language barriers among others.

The moderator then asked Mr. Shrestha about the challenges faced by bodies like AHTB in terms of rescue and legal protection if there were no ban. Mr. Shrestha explained that the government does not have records of individuals who have migrated to countries restricted by Nepal's government.

Moving on to the next panelist, Adv. Nisha Baniya, the moderator inquired about the efforts made since the ban on domestic workers. Ms. Baniya pointed out that the terms and conditions of employment, such as working hours, remuneration, and job descriptions, are unclear. She emphasized that both the constitution and international laws recognize that domestic workers should be treated on par with other professions. . Ms. Baniya also expressed that as a Trade Unionist she had always fought for the rights and benefits of domestic workers and committed that this is not only AMKAS Nepal’s issue but everybody’s issue and support this Marigold Campaign for the ratification of ILO C 189 and lifting of the ban on women migrants.

Mr. Neupane shared the recommendation from the parliamentary committee, which stated that women domestic workers should not be allowed to go abroad for employment without guarantees of safety. He expressed his view that the ban is not a solution and called for exploring ways to facilitate safe migration and ensure decent labor standards. Mr. Neupane also outlined the seven points set by the parliamentary committee regarding basic terms and conditions for sending domestic workers abroad.



Hon. Rama Koirala Poudyal, a member of parliament, responded to the committee's points, emphasizing that domestic work in foreign employment is not a choice but a compulsion. She highlighted the indispensability of foreign employment for the state and acknowledged the government's failure to ensure that workers receive the minimum wages set by the government. Hon. Poudyal expressed her commitment to promoting labor rights during her tenure. She also expressed her commitment being part of GFONT for the need of the ratification of this important convention the ILO C189. She ended saying that she will put her best effort and that she is together with AMKAS Nepal in this campaign.

Mr. Neupane then directed a question to Mr. Kabiraj Upreti, Undersecretary of MoLESS, regarding the ministry's preparation on the discussed issue. Mr. Upreti clarified that it is the ministry's responsibility to implement the directions provided by the parliamentary committee. He acknowledged the need for a clearer policy on foreign employment and highlighted differing perspectives among parliamentarians. Some argue against sending people for foreign employment, while others believe that until employment opportunities are created within the country, sending people abroad is necessary. This creates a compulsion to send individuals overseas for foreign employment.

Moving on, Mr. Neupane inquired about the ministry's response to the demands and proposals from countries like Malaysia and Saudi Arabia for domestic workers from Nepal. Mr. Upreti explained that MoLESS cannot make independent decisions and requires coordination with other ministries and government bodies, resulting in a lengthy process. He provided an example of an ongoing dialogue with the Malaysian government, where the Ministry of Labor has requested information on their policies regarding domestic workers and their treatment.

Open Discussion



During the open discussion, participants raised insightful questions. Chetana Shreng inquired about the number of women who have been ensured safety since the ban and questioned the age limit. Laxmi Gurung from Jhapa asked whether families of workers who entered on a visit visa could complete the insurance and labor permit process from Nepal. Mr. Upreti clarified that individuals with a labor permit can pay for social security online or through their families. However, labor permits are not issued on the first visit visa, and one must return to Nepal to acquire it. He further stated that the ban is a matter to be initiated by the Ministry of Relations regarding work process modification/correction and that this seems harsh and needs to be looked at.

Ms. Ambika from Sarlahi raised question asking what efforts has Nepal Government put to lift the ban and stop unsafe migration. She has heard many reintegration programs for returnee migrants as the local level but till now never had the chance to participate. Hon. Rama Koirala responded to her question urging her to explore from her own community the ward office and her municipality office for information on reintegration initiatives for women as a whole rather than asking for returnee women migrants. There are ample opportunities for women at community level where AMKAS Nepal also can support its members.

Concluding the session, Mr. Neupane posed final questions to the panelists. Mr. Upreti was asked about the prospects of lifting the ban. He explained that it is the ministry's duty to implement the directions from the parliamentary committee until the ban is lifted. He also emphasized the need to address the issue internationally and expressed optimism that positive developments will emerge soon. Adv. Nisha Baniya was questioned about ensuring the safety and protection of Nepali citizens. She stressed the lack of access to justice and called for commitment from Nepali embassies and government agencies. Additionally, she highlighted the expensive nature of legal aid abroad and emphasized the importance of diplomatic relations in addressing this issue.

CLOSING SESSION



The National Conference, originally planned for a maximum of 60 participants, exceeded expectations with 101 attendees. Bijaya Rai Shrestha, the moderator of the closing session, provided an overview of the program and expressed appreciation for the contributions of guests and presenters. She emphasized the importance of collective efforts to ratify ILO C189, expressing hope after listening to all the speakers. The closing session was chaired by Hari Thapa from NNSM, and Hon. Kamala Kumari Parajuli from NWC served as the Chief Guest.

Kamal Thapa Chhetri from NHRC emphasized the necessity of developing a system that allows domestic workers to work with dignity. He congratulated AMKAS for introducing the Marigold Campaign for a more effective pressure to the policy makers and ended congratulating all for a successful National Conference.

Chetana Shreng was delivered a closing remark on behalf of the all the domestic workers who participated in the Conference. Ms. Shreng raised concerns about the age limit, considering it a potential

violation of human rights, and urged for its prompt removal. She thanked AMKAS Nepal for organizing such a conference bringing in more than 100 to participate. She expressed that this is also an opportunity for all of them to build their capacity and the need more of such gatherings of domestic workers so that they can raise their issue from community to national level.

Hon. Kamala Kumari Parajuli, in her capacity as the chief guest, shared her observations from Nepal and foreign countries, highlighting the significant presence of women as domestic workers. She recognized the managerial skills, talents, and craftsmanship exhibited by women in this profession. She shared many cases that NWC had dealt and solved which many were heart touching, used as evidences in bringing justice for many who had no access to justice. She ended by saying that NWC were also with AMKAS Nepal in this campaign and invited AMKAS Nepal for more collaboration for a more effective advocacy for the ratification of ILO C 189 and lifting of the ban on women migrants.

Hari Thapa, the session chair from NNSM, extended greetings to all participants, contributors, and organizers. He emphasized the importance of striking a balance between work, leisure, and family connections for domestic workers. He also expressed NNSM's commitment with AMKAS Nepal for the ratification of the ILO C 189, the marigold campaign. He praised AMKAS Nepal for organizing such an important program successfully with a strong commitment to support AMKAS Nepal wherever possible. Finally he thanked all participants and declared the closing of the one day National Conference.

RECOMMENDATIONS/KEY HIGHLIGHTS:

- Bijaya Rai Shrestha mentioned that domestic work was one of the oldest professions globally and expressed the importance of it and that it needs to be respected.
- Kripa Basnet said that the resources necessary for the care sector should be viewed as an investment instead of an expense since it has the potential to generate returns for the economy.
- Hon. Kewal Bhandari highlighted that it is important to ratify ILO C189.
- Sita Bhandari explained that the mindset towards domestic work needs to change.
- Binita Jirel stressed that the current policies and regulations are not sufficient to secure the rights and a dignified life for domestic workers and therefore it is necessary to ratify ILO C189.
- Mina Timilsina said that employers must respect domestic workers.
- Uma Sedhai said that the issue needs to be raised constantly for the campaign.
- Mina Rimal Bajgai highlighted the importance of learning the language of the destination country prior to moving there.
- Sunil Neupane spoke about how the ban is not the solution and instead ways should be explored to facilitate safe migration and ensure a decent labor standard.
- Hon. Rama Koirala Poudyal assured that she will remain committed to promote the cause of labor during her tenure.
- Kabiraj Upreti pointed out that there is a need for a clearer policy on foreign employment.
- Bijaya Rai Shrestha highlighted the need to work together in order to ratify ILO C189.
- Kamal Thapa Chhetri emphasized on the need to develop a system where domestic workers work in a dignified manner.
- Chetana Shreng stressed that the age bar needs to be removed as soon as possible.

Annex 1

AGENDA

Moderator: Bijaya Kumari Rai Shrestha and Meera Rayamajhi

Chief Guest : **1. Honorable Secretary, Ministry of Labor, Employment and Social Security** **2. Honorable Chairperson, National Women Commission**		
Time : 09:00 am – 5:00 pm		
Venue: Basera Boutique Hotel, Hanumansthan, Kathmandu.		
Time	**Activities**	**Remarks**
9:00 – 9:30	Breakfast + Registration	AMKAS Volunteers
I. Inaugural / Opening Session (Semi Formal)		
9:30 – 10:15	Lightning of Candle	Moderator: Meera Rayamajhi
	National Anthem	
	Welcome Poem or Song by RWMW	

10:15 – 11:15	Chairing of Guest followed by their welcome remarks	- **Chief Guest Hon. Secretary, MoLESS** - Chair of the session Ms. Puspa Thapa - NWC Representative - ILO Representative - IOM Representative - TAF Representative - Solidarity Center
	Video Playback of Marigold Campaign	

	Highlights of Objectives of the Conference	E.D. Bijaya Rai Shrestha will give a quick overview of AMKAS Nepal and how it has been campaigning to ratify ILO C189 from its establishment.
11:15 – 11:45	Sharing of Findings of Care Economy Study + Q/A Session	Kripa Basnet, ILO, NPC
11:45 – 12:00	Token of Love Distribution and Closing	Ms. Puspa Thapa

12:00 – 13: 00	**LUNCH BREAK**	
II. Plenary Session **Moderator Mr. Sunil Neupane**		
13:00 - 14:00	**Opening with a Poem by RWMW and/or remarks from DW in Nepal** **Panel Discussion**	Each panelist shall be posed with preset questions by Moderator in-order to begin the discussion. 1. Mr. Kabiraj Upreti 2. Ms. Rama Koirala Poudyal 3. Mr. Jeewan Shrestha 4. Adv. Nisha Baniya
14:00 – 15:00	Open Floor	Open Discussion Session with Government, Policy Makers and Migrant Domestic Workers
15: 00 – 15:30	Closing Session	The first session will be closed by the Moderator by summarizing the debate and providing updates on points to be included in the outcome document of the conference. Each of the Panelists will be provided with Token of Love by our focal points **Ms. Sangita Mahatara and Ms. AmalaChamling**

15:30 – 16:00	**TEA BREAK**	
III. Closing Session **Moderator Ms. Bijaya Kumari Rai Shrestha**		
16:00 – 16:45	Chairing of Guests	- Chief Guest Hon. Chair, NWC - Chair of the Session, Mr. Hari Thapa, Chair Person, NNSM - Special Guests: 1. Mr. Dwarika Upreti, Executive Director, FEB 2. Mr. Laxman Basnet, Secretary, SARTUC 3. Mr. Kamal Thapa Chhetri, NHRC
	Story Telling / songs / poems by DWs	Both inter and intra DWs will share their stories / songs/ poems related to their experience as DWs.
16:45 – 17:00	Token of Love Distribution to Guests and Sharing of Closing Remarks. Formal Closing of the Session with remarks from Chair of the Session.	