

Party Politics, Economic Agenda and Trade Unions: Nepali Context of Experience

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Political economy of every nation requires naturally an adequate combination of politics, economic activities and socio-cultural realities in order to speed up the overall process of development. The Nepali context of politics is always in such a transition that economic agenda has never been given emphasis by the ruling parties. Thus lip-service has been dominant in the overall scenario and hence the issues of labour have not been considered by the state power. Based on the imported policy norms, policy makers have been basically guided by the IFI prescriptions and ground realities of the nation & working people are being ignored all the time.

In this context as a responsible trade union confederation, GEFONT Nepal has been in continuous efforts to intervene in policy matters. With its approach of policy intervention for achieving a pro-worker state by changing the state-character of capital-tilt, GEFONT started its move to gain power through unionization & mobilization of overwhelming mass of agricultural wage workers in addition to the formal sectors of employment, so that the stagnant character of Nepali society could be shaken adequately. So it moved forward with a policy of minimum wage declaration in every village body of the government, which compelled the national government to declare national minimum wage for agricultural workers in 1999. Strategy of organizing the informal economy workers in order to compel the government and policy makers to think also in a labour-angle and to diversify their technocratic approach of looking at capital, investment, business class and FDI. For instance the Nepali economy is currently based on remittances from abroad, but ruling groups and policy makers are focussed on statistics of remittances and not even bothering for a moment about the hardships of the remittance senders.

In this background, as a student of labour economics and as an active trade unionist, I have been a witness of changes on feudal society of Nepal, ups & downs of politics and actors, status quoists & radicals as well as emerging possibilities. So This paper will highlight on power equations of Nepal & its society, impacts of organizational activities and trade unions and continued efforts of a trade union centre to work for positive & fast changes in a multilateral frame of endeavour.

The paper will be based on published materials of Unions, statistics available and experiences as an actor & observer. Secondary information in the light of historical and analytical frame will be taken into consideration for looking into the past and into the forthcoming future. Definitely pro-labour approach will be dominant. As Nepali society and the state is passing through a very difficult transition and society

is in the phase of heavy instability, options and possibilities may be many where the author will be selective.

Thus the paper will focus on:

- Character of nepali state & society and changing power equations
- Efforts of trade unions for a pro-worker change
- Possibilities within uncertainties & instabilities

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1. Nepali State & Society

Feudalism is still victimising Nepali people and working masses, however the monarchy has been chased out from the rule, politics and national scene. Capitalism is increasing fast through fast growing consumerism. Production is backward but consumption is modernised on the basis of demonstration effect and ever increasing imports. The money to finance consumption and to the changed pattern of consumption is coming through remittances from abroad and real estate business of land-sale & purchase.

Power equation previously before 1990 was led by landlords and rich farmers when there was absolute monarchy. After 1990, the popular mass movement with a sacrifice of more than 49 people was successful to compel the then king to accept his space within constitutional periphery, the result was expansion of business class with its fast increased access to the power. Thus from land, the power started to tilt towards finance capital and broadly the state moved slowly to a regime of capital/capitalist dominated zone of power. In the year 2001, the constitutional monarch with all his family was massacred in a mysterious event in the midnight in his own Narayanhiti palace. Then his brother came to the throne, who was much more ambitious and too eager to snatch more and more power.

With armed force basically loyal to the palace, he could grab all power and declare himself the chairman of Cabinet in the year 2005. At that time, there was so-called peoples war led by Maoist communist party, in the name of suppressing the violent conflict, he had thought that his autocratic move of snatching power negating all democratic norms would be supported by international community. His guess were wrong. The mainstream political parties CPN-UML and NC had highly significant support against his autocratic power grab.

The mainstream political parties were successful to convince the terror-based Maoist party to come to peaceful movement, they joined hand against autocratic king and April movement of 2006 was successful to defeat the monarch-autocracy. Republican democracy has been introduced and the country formally took the path of federalism from unitary nature of the state.

Now among three broad category of class demarcation – feudal class, business class and working class, the feudal class is deteriorating very fast from the viewpoint of economic and political influence, however feudalism in socio- cultural practices will remain though in a declining trend for many forthcoming years. Business class on the other hand is expanding its influence in the streets of power & new palaces of power-games, in case of coalition governments, collapse and rise of various equations of government formation have been financed by these business class people in a number of junctures of the recent political history of Nepal. The influence of business class has increased and expanded very fast from 1990 and is ever growing.

Every political party is, of course, in close connections with business class, particularly CPN Maoist with its thousands of YCL cadres and whole-timer party cadres, they have ties with business groups also unfair ones. As unfair ones need support from political parties, they design ties to please the top leaders of the political parties. Hence, the issue of workers are normally ignored by political leaders and they back up the issue of business class knowingly/unknowingly.

Now after 2006 popular mass movement, Working class has also been more effective and its influence though increasing from 1990 has now become sharp, but still the degree of influence of Business class is at higher level. The degree of influence of feudal class is lower than the degree of influence of working class. Still the power equation in rural society is dominated by the residues of feudal class.

2. Employment Situation and institutional reforms

Employment situation in the country is at a very difficult stage, where national transition has created high focus on political instability and economic agenda are not in priority of the state and major political parties. Investment is declining and thus employment deteriorating. The number of self employed and unpaid family workers is very high as a reflection of underemployment and open unemployment. Caused by unemployment and underemployment as well as disguised unemployment, a phenomena of brain drain, skill drain and muscle drain has taken higher and higher speed.

Every year around 400,000 new workers enter in the labour market of Nepal, but job is not available and around 50,000 are absorbed. As a result large number of workers go abroad for work and hence remittance has become the backbone of the consumption and aggregate demand of the economy. Since economic activities are slow and investment is very low, export earnings are lagging far behind compared to expenditures in imports. Tourism industry as a complement has anyhow maintained our balance of payment position. Growth of agricultural production is at a low rate of within 2%, sometimes even declining, service sector is flourishing much but not backed up by manufacturing, as manufacturing sector or industrial sector is almost stagnant and declining in some sub sectors due to heavy political instability.

Workers are low-paid and deprived of even minimum wages. Social security coverage is very small, however significant efforts in recent years have come up with new possibilities and some achievements. Discrimination in work places in general and based on gender are still in practice, though reduced to a considerable extent because of our continuous activities against discrimination.

Employment in Nepal

Indicator	Total	Female	Male
Total number of employed persons	11, 779,000	6,259,000	5,520,000
urban	1,535,000	680,000	855,000
Rural	10,244,000	5,580,000	4,664,000
Paid Employees	1,991,000	521,000	1,470,000
Self Employed	9,786,000	5,740,000	4,046,000
Unpaid family workers	5,387, 000	4,034,000	1,353,000
Children at work	2,097,000	1,138,000	959,000

Labour Legislation could not be revised/amended during recent years as focus of the nation is in constitution drafting through Constituent Assembly. The effort to influence the constitution process and to include relevant labour agenda in the constitution is going on. The discussion for designing of new labour laws is continued during these 5 years. The labour Act, Trade Union Act, Social Security Act, Unemployment Insurance Act and National Labour Commission Act are under discussion both in the bipartite and tripartite frames. But before the finalization of new Constitution, there is weak possibility of finalization of these laws, however Social security Act is extremely necessary as social security fund has already been introduced.

The process of Institutional reforms is also under chaos. Labour administration is weak and inefficient. There is no Labour Inspection System, whatever exists is just the factory inspection system dependent on few mechanical engineers of the only 10 labour offices of the country. The labour Market is in anarchy and employers understand the language of only violent groups. The demands of Registered & genuine trade unions are being ignored by the managers and undue demands of violent groups are taken care immediately by them. This type of behaviour has pushed the labour market to more confrontation from the good negotiation strategy. But even in such a situation GEFONT's effort to minimize disturbances in and to ensure smooth functioning of labour market is in continuation. GEFONT's Emphasis to social dialogue along with struggles, pressures, movement and lobbying in addition to policy interventions is significant. Some unions have misused labour militancy to fulfil their vested political & financial interests, which naturally have adverse impact on the effectiveness of social dialogue. But our continued efforts have lessened the adversities. In order to make social dialogue effective, we have tried to unify the voices of trade unions in common issues including, wages, social security, labour laws, labour commission & other burning problems.

We have been in discussion with other national trade union centres in order to introduce industrial unionism and national sectoral industrial bargaining system. it is our realization that curent practice of

collective bargaining based on enterprise level union has not been fruitful to the long run benefits of the workers.

3.Trade unions for pro-worker change

Political transition in Nepal is at a difficult stage, where uncertainties have grabbed every aspect of national life. After a decade long violent conflict, Constitution drafting process through the election of Constituent Assembly is in progress but very slow due to non-consensus among the major political parties. Formation of Government has always been an issue of heavy touse among the major political parties as there is no clear majority of any party in the CA. The unstable political scenario definitely reflects itself in every part of both organizational and informal frames of activities. Trade unions are also adversely affected by the current situation of transitional hardships.

There are four major trade union centres in functioning at present – General Federation of Nepalese Trade unions(GEFONT), Nepal Trade Union Congress-Independent (NTUC-I) All Nepal Trade Union Federation(ANTUF) and Confederation of Nepalese Professionals (CoNEP). Others are "political union groups" associated with certain political parties, whose members are hardly visible in Enterprises/workplaces. GEFONT and NTUC-I are the affiliates of ITUC. A common Office of ITUC-Nepal Affiliates Committee (ITUC-NAC) is also in functioning.

Out of a total workforce of 11.78 millions, regular wage workers as paid employees are at 16.9%. However the unionised workforce also covers a part of self employed workers. All of the paid employees are still not covered by trade union membership, considerable part is out of union boundary. However union coverage of formal sector workers is significant, but the number in the formal sector is very small, based on Nepal Labour Force survey of 2008, share of informal employment in total employment is 96.2%. Thus the union focus should shift towards informal economy.

Considering the need of fast unionization for change in the lives of the working people, Organizing, educating and mobilizing should be the priority agenda of trade union organizations focussing attention on both formal and informal sectors of employment. However a stupid style of work reflected in "multi-union competition and unhealthy rivalry focussed in accessible places leaving many other places without unions" pushed us particularly GEFONT to go jointly on common issues.

GEFONT started cooperation with NTUC and developed Joint Secretariate in 2004 which became very important for joint actions both in political and labour market issues. This Joint Board has now been renamed as ITUC- Nepal Affiliates Council. Later on from 2007 December, Joint Trade union Coordination Centre (JTUCC) has been developed with the involvement of 7 national centres and a process of harmony among trade unions has been pushed ahead. We have been successful to a considerable extent to reduce the confrontation in Labour market in this transitional period

In JTUCC, all four major unions as well as three other smaller ones are working together. Though there are differences and negations against each other, we have anyhow managed to harmonise relations among trade unions. Particularly the relations of Trade union centres with ANTUF are always intermingled in disharmonies, due to its rampant physical assault against other unions. Thanks to the

collective hard efforts of tolerant national centres at JTUCC, the degree of aggressiveness is decreasing remarkably.

Labour market at present is in disorder. Economic agenda has not been given priority by the political parties and hence whether single party or coalition government comes to the power, situation remains the same. Unemployment is growing and the phenomena of workers going abroad for job is constantly increasing. Altogether 5.3 % of the Nepali workforce is in Foreign Employment and one third of the total household receive remittance from abroad in one way or another. In addition, large numbers of unskilled workers seasonally cross the border and work mostly as casual workers in Indian cities and farms, which is normally off the record.

Achievements in recent years may be categorised into political achievements and labour market achievements. Political instability has remained a crucial factor in Nepal. After the successful mobilization of workers in Mass movement of April 2006 against autocratic monarchy through collaboration among GEFONT, NTUC and other Trade Unions, Constituent Assembly election has been conducted. We could influence CA election through our campaign with labour agenda. GEFONT has been successful to send 4 leaders in Constituent Assembly to draft constitution as well as to act as Member of Parliament, also NTUC-I with 1, ANTUF with 1 and FENEPT with 1, however few less than half a dozen are from Trade Union background though not working currently as trade union activists

Workers' mobilization during the recent years has been highly significant. GEFONT's Mobilization in 2010 feb 2 for ratification of ILO Convention 87 concerning Freedom of Association & Social security Fund has been effective. After introducing the Social Security Fund based on 1% Social Security Tax, Tripartite Board has been formed in the lead of Ministry of Finance and 4 schemes on Unemployment insurance, maternity benefit, sickness benefit and invalidity compensation are already selected, however a lot of homework is yet to be done for effective implementation. The recent negotiation in March 25 with employers' organizations has assured 20% contribution from employers in social security Fund added to the 1% social security tax paid by the workers & 10 % provident fund contribution by the workers. Contribution of the government is not declared and we are lobbying and pressurising in this regard.

Significant Wage increases nationally in addition to increase through local level collective bargaining particularly at an interval of every two year has been developed as a norm of our labour market.

With focus on the issue of migrant workers, GEFONT has continued interaction with policy makers to divert their attention from the statistics of Remittances to the hardships of unsafe/undocumented Nepali workers. We have developed GEFONT Support Groups of Nepali migrant workers in various destinations and linked them with receiving country trade union centres. We have signed MoU with National trade union centres in Korea and Malaysia for the protection of migrant workers. Awareness creation, trainings, various preventive measures, legal aid services and campaigns have become regular part of our work on the issue of foreign employment and migrant workers.

Substantial work has been done on Gender issue and for equality, 1/3 rd representation of women workers in every structure of GEFONT and its affiliates has become the norm.

4. Organizing

Three categories of workers are in the big enterprises – clerical, regular and peripheral (mostly casual) . Clerical & regular workers are more or less organized, but periphery-attached and casual workers are still out of the union boundary. These workers with informal character even in the formal sector are not much unionised. To organize & mobilise them for high strength to ensure pro-workers change is the need of the time. So from 5th National Congress GEFONT has reviewed the entire organizational structures. Structure of organization has been revised and training to the activists from central level to the grass root level have been conducted with high focus on GEFONT policy, programme, structure and pro-worker transformation of Nepali society. Location based structures and GEFONT community clubs are being established in workers residential areas

Strengthening of existing sectors and initiatives in new sectors have been given high mobilization priority. GEFONT includes a total of 29 National Affiliate federations grouped under 9 union councils in accordance with the nature of employment & work. Out of the 29 national federations, three are federations of 100% women members – Nepal Home-based workers Union, National Beautician Union of Nepal and Nepal Health Volunteers Trade Union. Thus, non-traditional areas of employment where there was no initiatives previously for unionizing has also been taken into consideration by GEFONT. Also the Geographical coverage has been expanded from 46 districts to 61 districts within recent 2 years

Dispute settlement mechanism of GEFONT has been made more effective by introducing 3-tier system of handling the disputes. Collective bargaining activities have been given more effectiveness by team moves and trainings. Interaction among the unions have been pushed forward for Industry-level sectoral collective bargaining system instead of existing enterprise based collective bargaining.

In the Interim Constitution of the country, We have been successful to insert trade union rights in the fundamental rights chapter. Also it has been a success that national Labour Commission as quasi-judicial body for fair & prompt justice to the workers have been provisioned in the Interim Constitution through our pressure. However, the problem of implementation is heavy and still National Labour Commission could not be formed.

It is also mentionable that even the Right to Strike has been accepted by the CA Committee for Fundamental Rights & Basic Principle to include as Fundamental right of the workers in the draft of the new Constitution due to our continued efforts & lobbying in addition to Freedom of Association, right to work and right to social security.

Trade union rights basically right to organize is available even to the government employees of civil service including the workers in the public enterprises. The self employed workers have also been provided the right to form unions. Thus Agriculture, industry and services both in the public and private sector have trade union rights in principle, however there are hurdles in implementation and uninterrupted exercise.

Based on the policy of 'not mere representation but active participation', GEFONT has been working for gender equality in every aspect of Nepali working life – in workplace, society and home. One third

representation in every committee is the norm that GEFONT is practising. In addition, women dominant sectors of employment have been taken into high focus in organizing also.

National Women conference have been organized in March 8-9, 2010 with the theme 'Equal rights, Decent work and respectful life'. Common women workers agenda have been developed among the major trade union confederations and submitted to Constituent Assembly, it is also published and popularised among the masses through various awareness creating programmes. South Asian Regional Women Trade Unionists Conference was also organized in 2003 and 2008 by GEFONT. The issue of representation of Women everywhere in institutions, policy bodies and monitoring/implementation bodies have been adopted by the nation. Now empowerment of women workers and institutionalization of achievements is the major agenda where we have focussed our attention. The issue of *work-life balance* is now in agenda from the celebration of 8 March International women workers Day of 2011

Organizing and mobilizing the youths in the trade union movement has been highly significant during recent years in our organization. Nepali trade union movement is younger compared to movement in neighbourhood countries. Open air environment to labour movement became possible only after 1990. The first generation of 1950's was already retired due to adverse political situation and suppressive environment in the country, where political parties as well as trade union organizations were banned by the absolute monarchy from 1960. In underground existence particularly from 1978, young activists as second generation of trade union movement in Nepal, started to reorganize the movement. Entire leadership was young and naturally there was no need of youth committees at that time.

In the 5th National Congress of 2009 April 4-7, GEFONT decided to develop youth committees in every level of organizational structures and include National Youth Committee President as NEC member of GEFONT. The National Youth workers' Conference was organized in 2010 with adoption of GEFONT youth policy, a national workplan for youth worker and Leadership election. After the National conference, Zonal conference of youth workers have been conducted in all 12 zones as well as 32 districts. Creative and organizational activities through youth committees are being conducted in various districts and zones.

5.Challenges

- Managing the political transition with minimum hardships to the workers is a real challenge ahead of us. Associated with this challenge is the effort to influence Constitution drafting in order to include labour agenda in an effective manner- workers rights as fundamental rights (Freedom of Association, Right to work, Right to Social security and Right to strike), representation of workers in every policy and implementation/monitoring/evaluation bodies from local level to federal states and central level. We have been successful through joint efforts to insert the above mentioned four rights in the Fundamental Rights chapter of the Draft by Fundamental Rights & Basic Principles Committee and also various labour agenda in the drafts of various committees of CA. But it is a challenge to get these rights in the final stage of the constitution.

- Unemployment has been gaining its size larger and larger, so employment generation and to make existing employment more gainful is a real challenge in our labour market. Unstable labour market needs more institutional reforms to ensure investment friendly, wage-led, employment-led growth in the economy.
- Nationally continuous price-hike with inflationary pressure and fast upward trend of food prices compared to low wages for overwhelming majority of the workers is another macro economic challenge. Pressures, lobbying and struggles to increase wages as well as to gain various benefits to balance the opposing economic forces needs strategies in the changed context.
- Top priority is to be given to ensure social security coverage to workers both in the formal and informal sectors of employment through reliable & stable system. Designing of very practical schemes and effective benefit distribution is very difficult as Nepali experience is very little.
- To ensure safe migration and protection to the Nepali migrant workers abroad is another challenge which we are facing from the very beginning. Remittance has been vital in the economy and the lives of the working people, but the remittance senders are always ignored by policy makers. How to protect them and particularly to woman migrant workers in the destination countries is a national challenge where the role of trade union movement is crucial
- Developing a harmonious relations and at least healthy & fair competition among trade unions in order to unify the voice of the workers and to pressure the state for pro-worker policies is a challenge which should be addressed adequately and responsibly through ITUC-NAC, JTUCC and GUF based affiliate committees

6.Possibilities within heavy uncertainties & instabilities

As a responsible trade union confederation, GEFONT Nepal has been in continuous efforts to intervene in policy matters. With its approach of policy intervention for achieving a pro-worker state by changing the state-character of capital-tilt, GEFONT started its move to gain power through unionization & mobilization of overwhelming mass of agricultural wage workers in addition to the formal sectors of employment, so that the stagnant character of Nepali society could be shaken adequately. So it moved forward with a policy of minimum wage declaration in every local body of the government – the Village Development Committees, which compelled the national government to think about agricultural wages.

GEFONT was already working for the liberation of Bonded workers under Kamaiya system from 1995 by the formation of a separate federation of bonded labourers called Kamaiya liberation Forum. In order to make them free agri-labourers, ensuring minimum wages to them in cash became the prerequisite. During 1997/98, from the western plain areas of Nepal where there was the practice of bonded labour system, GEFONT started Minimum wage declaration Campaign. In every VDC the elected body was of 47 persons including chairman & vice chairman with 5 members from each of the 9 Wards. GEFONT in cooperation with like-minded

organizaions working for human right and labour right, started dialogue with the elected board of VDCs to declare MW applicable within the area of the VDC concerned. It created a new sensation and hit the stagnant character of the rural life.

Then movement with twin objectives continued – to liberate the bonded Kamaiya workers from debt-bondage and ensure minimum wages to all agricultural workers of the country. GEFONT's Federation of Agricultural Workers of Nepal (FAWN) continued the activities hand in hand with GEFONT. In 1997 we also started Minimum wage demand by kamaiyas by filing their application in VDC offices. GEFONT also started Appeal Movement to request Landlords/rich farmers to free their Kamaiyas unconditionally, if they freed them their names would be published with photos as ideal citizens. Altogether 17 persons freed their kamiayas and a poster was published by GEFONT as ideal citizens. After Appeal Movement, we formed Kamiaya Concern Group as a colaboration among TUs, NGOs/INGOs, Government units and ILO itslef, where movement part was shouldered by GEFONT and relief/IGP/education/health services were undertaken by other stakeholders of KCG. Finally government after series of meetings with various stakeholders and in expert consultation with Local ILO, declared national daily minimum wage for agricultural workers - NRs. 60 in 1999 (less than \$ 1). In the year 2000, the movement against the use of bonded labour gained momentum as the number of partners increased more and more and the Parliament of Nepal finally declared freedom to Kamaiya workers and canceled all debts. The rehabilitation of the free-declared Kamiaya workers became a very difficult task which is finally settled in a cooperation between Government, GEFONT & TUs, I/NGOs and UN Agencies including ILO

During the entire period various significant struggles both at national and local have been launched by GEFONT alone. Thus the strategy of organizing-educating-mobilizing the informal economy workers has created heavy pressure in order to compel the government and policy makers to think also in a labour-angle and to diversify their one-sided technocratic approach of looking at capital, investment, business class and FDI. Similarly the recent move from a couple of years to organize Women health volunteers in Union by GEFONT has been very much significant. These women volunteers are scattered in urban and rural areas in every ward of VDCs and Municipalities and provide health services at the doors of the households. To organize them means access of GEFONT not only in the factories and workplaces, but also in each of the doors in cities, villages & in communities. Formation and functioning of GEFONT Workers Community Clubs is also a new initiative to establish union work in the communities as a significant shift in the attitudes & style of union work. Naturally we expect all these organizing-educating-mobilizing initiatives will create pressure to the policy-makers, political parties and state itse. If the pressure could be multiplied, state will have no option than to go into a pro-worker track.

Introduction of social security with wider coverage is now at preliminary stage which may pave way for non-liberal way of welfare state and socialist norms. The priority focus of GEFONT and other trade unions is social security system to design and implement most effectively. A national social protection framework is also under exercise in National Planning Commission due to our

pressure which will cover social assistance and welfare as well as charity programmes of the state address the problems working poor by ensuring a safety net for all.

While passing through a narrow path of difficult transition, there is naturally no option to optimism. In recent past years working people have been mobilised for transformation and political transformation has gained momentum. Involvement of trade unions and working people in the political movement for full-fledged democracy has produced real outcomes in the form of democratic republic. Fight to end social discrimination including gender discrimination has also gained momentum but we have to go a long way to achieve the desired results. Hence even in present day uncertainties and instabilities, we are fighting with widespread frustrations among Nepali working people and our members & activists. In these moments we look towards those countries which have marched through incomparably hard days worse than ours. We are working in a unified frame to make union intervention as much as effective in order to ensure a wider & influential political space for workers & trade unions so that a New Nepal can emerge addressing the hopes and urgent needs of the working people in a decent frame of lives.

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