International cooperation paving the way for a unified trade union actions to support decent work in Nepal

By Manoranjan Pegu, Regional Coordinator for South Asia, Trade Union Solidarity Centre of Finland (SASK) and Juha Vauhkonen, Head of International Operations, Trade Union Solidarity Centre of Finland (SASK)

Introduction

The trade union movement of Nepal is one of the youngest and most dynamic one in South Asia. The origins of the Nepal Trade Union movement were in 1947, when factory workers in Biratnagar agitated for better wages and working conditions. Within last 25 years, the Nepal Trade Union movement has made remarkable progress in organizing workers and becoming more united. Nepal as a society is at a political transitional stage from a feudal autocratic system to a democratic rule of law. A violent people's movement took place between 1996−2005 where more than 13,000 people sacrificed their lives to establish a democratic republic, which was finally declared by the first constitutional assembly in May 2008.

The new democratic republic constitution was passed in September 2015, which replaced the interim constitution of 2007. Therefore, scope for the Nepalese trade union movement was to lobby and advocate for a new constitution which adheres to the principle of Decent Work, minimum wages and safe working conditions. Instrumental tool for accomplishment of the process was creation of the Joint Trade Union Coordination Centre (JTUCC), a platform for common campaigning of the trade union movement for Decent Work and workers’ rights in Nepal.

Established formally in 2007, the JTUCC has ten national trade union confederation as affiliates and represents 1.7 million dues paying members under its fold. The creation of JTUCC enhanced the campaigning for the common issues of the Nepali trade union movement like minimum wage campaign and quality collective bargaining in workplaces; while simultaneously strengthening the unity of key JTUCC organizations and improve internal coherence and management capacity of the organization.

Why is JTUCC important?

The JTUCC has been gaining international recognition as the model of ‘Trade Union Unity’ and rightfully so. JTUCC has a constitution, official recognition from the government and a binding unity from its member national centers, which makes it different from ceremonial trade union unity models, seen in Asia, where unions mostly come together for specific campaigns or joints strikes, as seen in Indonesia or India.

The JTUCC has been able to successfully lead the trade union movement in Nepal and help it to achieve considerable success. Recent successes include, increase in minimum wages, new labor law and social security for all. The JTUCC has spearheaded the trade union movement in Nepal and has been able to organize more than 16 % of the workforce in the country, which is the highest in the region. To put in context, India has less than 9 % organizing rate, while Bangladesh and Pakistan
averages about 5 to 7% organizing rate. Each member of the JTUCC pays affiliation fees to it. As of 31st December 2017, JTUCC has more than 1.68 million paying members, with more than 1 million NPR collected as dues each year. The long-term goal of the JTUCC is to become a single union for all workers, irrespective of colors and ideology. And if recent successes are anything to go by, it does not look like a very distant dream. But how success has been achieved?

International solidarity as a tool for building the capacity of JTUCC

JTUCC engaged with Trade Union Solidarity Centre of Finland (SASK) in 2005 when SASK started operating in the country. SASK is the development cooperation organisation of the Finnish trade union movement. Its work is guided by the values of the international trade union movement and the tradition of solidarity, the guidelines of the International Labour Organization and the United Nations' Universal Declaration of Human Rights (1948) stating that "Everyone has the right to form and to join trade unions for the protection of his interests".

SASK's special expertise relates to the increasing of positive interaction between the Global South and the Finnish civil society, particularly the Finnish trade union movement. SASK is able to provide its partner organizations (like JTUCC) with expertise in long-term negotiations under the principle of mutual agreement, in which the Finnish and the Nordic competences are the best in the world. SASK makes use of the in-depth competences of the Finnish trade unions, relating to negotiating skills and advocacy of issues important to workers, and thereby supports the empowerment of workers in the Global South. SASK's work strengthens trade unions as parties to the civil societies in the Global South. Smooth cooperation is founded on a sense of partnership and mutual respect as was the case with JTUCC.

One of SASK affiliates and founders, The Central Organisation of Finnish Trade Unions (SAK) has played significant role over the years in cooperation with JTUCC and SASK. SAK is a Finnish labour confederation representing over 900,000 employees organised in 18 affiliated trade unions. SAK's mission is to build a humane, secure and equitable world of work, and to realise a society based on trust in which effective labour legislation, comprehensive collective agreements and long-term bargaining give employees faith in a better future. SAK has offered its in-depth expertise in interest representation and political advocacy to improve JTUCC’s capability and capacity in Nepal so that JTUCC is better equipped to safeguard Nepalese workers' rights and interests.

SASK works under a long-term commitment to strengthen trade unions' competences in interest representation and to improve their functioning capability in the Global South so that they be better equipped to safeguard workers' rights and interests. In SASK's view, the most sustainable means to combat poverty and inequality in the world is Decent Work that brings living wage to sustain the workers. The most sustainable way to decrease poverty among working people is through collective bargaining agreement and social policies that result in working people having a part in the development, economic growth and prosperity of their nation. This requires good labour relations and organised trade unions that are capable of participating in labour negotiation processes and policy formulation work concerning e.g. the accountability of business. Poverty and inequality also decrease through the promotion of participation and empowerment as well as through the increasing
of the freedom of civil society to operate. With such activities, trade union movement (as is the case with JTUCC) promote more just societal development.

Democratic, organised trade unions participating in national level negotiation processes form an essential part of a free civil society in all parts of the world. A key goal of the trade union movement is the ensuring of the fundamental rights at work as a part of universal human rights applicable to all. As a social movement that demands change, the trade union movement is able to promote more even income distribution and to function as a counterweight to practices that cause inequality in society. When working in this way, the movement forms a force that increases the stability and safety of societies. A society marked by inequality does not promote economic growth, and economic growth without equitable income distribution mechanisms does not lead to the decreasing of poverty. In order to prevent poverty due to inequality from growing within societies, it is important that trade union movement globally adhere to the fundamental rights at work specified by the ILO and to people's right to living wages. When implemented, these decrease inequality within societies as well as poverty due to inequality.

A trade union is the most effective organization who is able to monitor the actualisation of these rights and can influence their actualisation through negotiations with the employer and government. When the trade union movement is strong and capable enough, it is able to exert influence and negotiate even at the national level, which is the case in the Nordic countries. When it is permitted to become organised at the level of the nation and at that of the enterprise, it is possible to ensure the actualisation of all workers' human rights. SASK together with its affiliates works to effect changes in societal structures and systems and to influence the circumstances of the entire working population. When that work succeeds (as in the case of JTUCC), millions of people in Global South will benefit from the efforts of the trade union movement supported by SASK.

The improvement of the trade unions' interest representation capability (in this case JTUCC) is a central feature of the SASK's development cooperation program. The instruments for that work include project cooperation, increasing the partner's competence through mentoring and exchanges of experts (offered by SAK), labour market research, support to organisations carrying out research relating to working life in the south, and support to South-with-South and South-with-North networking.

Over the course of more than a decade long support from SASK, JTUCC has developed into a strong organization, with its own structures and professionalism, office, a secretariat and its own financial resources. Till 2017, SASK was the only organization to have a formal cooperation with JTUCC and the objective of the cooperation has always been to strengthen the trade union movement of Nepal by supporting the unity and common agenda for Decent Work.

Over a decade-long cooperation started in 2009 when SASK supported the JTUCC in organizing the Nepal Forum in ILO Geneva. Till 2012, SASK continued to support JTUCC by helping them to organize the labor conferences and campaigns. Formal project cooperation with JTUCC started in 2012, when JTUCC formally represented the trade unions in Nepal in the minimum wage
Case study

negotiations with the government. Since then, SASK has supported JTUCC in achieving the following excellent results:

- The first JTUCC Labor parliament was held in 2015. In the same year, the first JTUCC women conference was also held;
- JTUCC is not only recognized by the government as the sole representative of the trade union movement in Nepal, but they also achieved 10% representation in the legislature;
- In 2018, JTUCC was also able to secure an increase of 34 USD in minimum wages in Nepal after a 2 year-long campaign, supported by SASK;
- SASK also supported the campaigns for the new labor law and contributory social security in Nepal, which were successfully achieved in 2017.

Efforts for Unity

To truly understand the magnitude of the efforts it took for the unions to unify, and form JTUCC, a basic understanding of the union movement in Nepal is a must. Trade unions in Nepal like in other South Asian nations are divided on the basis of ideology and its affiliation to the political parties. The origins of the Nepali Trade Union movement were in 1947, when factory workers in Biratnagar in Nepali agitated for better wages and working conditions. The political leaders soon entered the scene and began to lead the movement. The leaders however, were divided on ideological lines; between Congress (Secular Bourgeois) and Communist (Marxist) lines. While there was a steady growth in numbers in the trade union movement, it began to face resistance and oppression from the Rana Regime.

By 1976, a strong student movement emerged in Nepal, who were supporting the already existing peasants struggle. Industrial areas in Balaju and Biratnagar also saw considerable workers resistance. The workers now were more conscious about a strong trade union movement and by 1979 formed the Nepal Independent Workers’ Union, which in 1989 merge into General Federation of Nepalese Trade Unions (GEFONT) affiliated to the Communist Party of Nepal (Marxist-Leninist) then. Since the late 90s, the unions in Nepal faced fierce competition among themselves and by 1997, cracks began to emerge in the trade union movement when DECONT was formed after splintering from the already existing NTUC (National Trade Union Congress).

In April 2006, trade unions like GEFONT, NTUC, DECONT and CONEP participated in the peoples struggle against monarchy and went on strike for 19 days, which ousted the monarchy. However, the cracks in the movement became much bigger after April 2006, when the Maoists, entered the workplaces and started to organize workers. They launched vehement attack on the existing unions and targeted them as foreign funded, NGOised movement. Despite this, the campaign for single unionism continued, ultimately leading to the formation of JTUCC in 2007. By 2007, the All Nepal Federation of Trade Unions (ANTUF, the Maoists) also joined in where the unions adopted a Common Minimum Agenda and signed a Comprehensive Peace Accord. By October 2008, the first conference of JTUCC was organized and a formal shape was given to the unity where seven national
centers signed the code of conduct. By 2009, the trade unions organized a Nepal forum in ILO conference in Geneva to inform the international movement about JTUCC. Today, the JTUCC has formal structures like the Presidium, JTUCC Women’s committee, Labor Parliament, JTUCC Industrial Councils and a fully functioning secretariat.

The trade union movement is the largest organized mass movement in Nepal. They have played a crucial role in building peace and creating stability in the country where tradition of democracy is onset. At this juncture they also have an outstanding opportunity to lobby and advocate for a worker friendly legislation in Nepal so that workers' rights and decent working conditions are formally recognized and implemented today also in the future.