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U.S. Department of State

Nepal Country Report on Human Rights Practices for 1996

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NEPAL

Nepal is a constitutional monarchy with a parliamentary form of government and an independent judiciary. In 1990 the King, formerly an absolute monarch, legalized political parties after which an interim government promulgated a new constitution. The King retains important residual powers, but has dissociated himself from direct day-to-day government activities. The democratically elected Parliament consists of the House of Representatives (lower house) and the National Council (upper house). Since 1990 Nepal has held three national elections, two for the Parliament and one for local officials. International observers considered these elections to be generally free and fair. The Government changed in September 1995 and the transfer of power to the new coalition was peaceful and orderly. However, in February the leaders of the United People's Front launched a "People's War" in central Nepal, which has been waged through killings and bombings involving both soldiers and civilians.

The National Police Force maintains internal security, assisted as necessary by the Royal Nepalese Army. Police reaction to the insurgency led to allegations that unwarranted force was used against prisoners and noncombatants. The army is traditionally loyal to the King and avoids overt involvement in domestic politics. The police are subject to civilian control, but local officials have wide discretion in maintaining law and order. The police committed human rights abuses.

Nepal is an extremely poor country, with an annual per capita gross domestic product of approximately \$200. Over 80 percent of its 20 million people support themselves through subsistence agriculture. Principal crops include rice, wheat, maize, jute, and potatoes. Tourism and the export of carpets and

garments are the major sources of foreign exchange. Foreign aid accounts for more than half the development budget. The economy is mixed with 54 public sector firms. Eight former government firms have been privatized since 1992.

Since political reform began in 1990, Nepal has made progress in its transition to a more open society with greater respect for human rights. However, problems remain, and the Government fails to enforce all the Constitution's provisions. The police continue to abuse detainees, using torture as punishment or to extract confessions. The Government rarely investigates allegations of police brutality or takes action. There were also allegations that police killed unarmed civilians in the course of operations against the insurgents, and while in custody. The authorities use arbitrary arrest and detention, and prison conditions remain poor. Judicial susceptibility to political pressure and corruption, long delays before trial, and lengthy pretrial detention remain problems. The Government continues to impose some restrictions on freedom of religion and expression. Lower castes and women suffer widespread discrimination. Trafficking in women and girls, violence against women, forced labor, and child labor also remain serious problems.

In July Parliament unanimously enacted a bill to establish a permanent human rights commission with the authority to investigate human rights abuses.

The insurgents committed numerous human rights abuses, including killings, bombings, and mutilations.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

On a number of occasions, the Government is alleged to have used unwarranted lethal force against persons suspected of involvement in the "People's War" in central Nepal.

Some human rights groups have reported several instances of police killings in the districts affected by the unrest. Some of these incidents occurred during armed combat, but several allegedly involved unarmed civilians. An investigation team of prominent human rights groups reported that Tilak Ram Budha, the elected village development committee chairman of Kot Gaon in Rolpa district and political representative of the United People's Front (UPF), was shot by the police on April 12, reportedly while in custody after arrest. The team also reported that iman Singh Rokka of Uwa village in Rolpa died while being transferred to a jail under police custody. In this case, a medical doctor reportedly stated that the cause of death was chronic jaundice. The general perception, given the the brutality of insurgent attacks against civilians, is that the police have shown restraint.

The insurgents were responsible for numerous human rights abuses. Launched in February by UPF leaders Baburam Bhattarai and Pushpa Kamal Dahal, the "People's War" is a self-declared Maoist insurgency. Guerrillas, usually armed with homemade guns, explosives, knives, and sticks, attacked landowners, government officials, and government facilities in a number of districts. The Government responded to the insurgency by sending more than 1,500 police to the affected districts. Fifty-five persons died in the subsequent violence, most of them killed by the insurgents.

b. Disappearance

There were no reports of politically motivated disappearances.

Two student activists that the police took into custody in 1993 and 1994 remain missing. The Supreme Court has investigated these disappearances, but the police maintain that they are not holding the students.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution and criminal law prohibit torture; however, the police often use beatings and torture to punish suspects or to extract confessions. The Government has failed to conduct thorough and independent investigations of reports of police brutality and has refused to take significant disciplinary action against officers involved. Police are often unwilling to investigate and discipline fellow officers, and people are afraid to bring cases against police for fear of reprisals. The Constitution provides for compensation for victims of torture, and a bill providing for such compensation was passed by Parliament in September. The Government has begun human rights education for the police force.

Human rights groups have reported instances of torture in areas affected by the "People's War." On March 7, Jhakku Prasad Subedi, the elected UPF chairman of the Rolpa District Development Committee, was reportedly so severely beaten while in police custody that he was unable to walk for 25 days. Dozens of other male detainees reported torture inflicted on them by police. Women in these areas have reported instances of rape and sexual abuse by the police.

Human rights groups have also documented Maoist violence in these areas, including the severing of arms and limbs. The Maoists have specifically targeted opposition political leaders, local elites, and suspected informers. On February 25, four persons shouting Maoist slogans seriously assaulted Communist Party of Nepal-United Marxist Leninist (UML) worker Bhim Bahadur Bhandari. On February 27, Maoist activists cut off the left hand and right hand fingers of Narajit Basnet, the brother of the Nepali Congress Party (NCP) president of his village development committee.

Prison conditions are poor. Overcrowding is common in prisons and authorities sometimes handcuff or fetter detainees. Women are normally incarcerated separately from men, but in similar conditions. The Government has not implemented a provision in the 1992 Children's Act calling for the establishment of a juvenile home and juvenile court. Consequently, children are sometimes incarcerated with adults--either as criminals or with an incarcerated parent. The Department of Prisons says that 75 noncriminal dependent children remain in prison, but the number of child prisoners charged or convicted of a crime is unknown.

There has been some improvement in prison conditions. The authorities are more likely to transfer sick prisoners to hospitals than they were in the past. Due to the inadequacy of medical facilities in the country, the authorities sometimes place the mentally ill in jails under inhumane conditions. The Government permits local human rights groups to visit prisons.

d. Arbitrary Arrest, Detention, or Exile

The Constitution stipulates that the authorities must arraign or release a suspect within 24 hours of arrest, but the police often violate this provision. Under the Public Offenses Act of 1970, the police must obtain warrants for an arrest unless a person is caught in the act of committing a crime. For many offenses, the case must be filed in court within 7 days of arrest. If the court upholds the detention, the law authorizes the police to hold the suspect for 25 days to complete their investigation, with a possible extension of 7 days. However, the police often hold prisoners longer. The Supreme Court has on occasion ordered the release of detainees held longer than 24 hours without a court appearance.

Detainees do not have the legal right to receive visits by family members and they are permitted access to lawyers only after the authorities file charges. In practice the police grant access to prisoners on a basis that varies from prison to prison. Persons have a right to legal representation and a court appointed lawyer, but government lawyers or access to private attorneys is provided only on request. Consequently, those unaware of their rights may not have legal representation. There is a system of bail, but bonds are usually too expensive for most citizens. According to the Department of Prisons, over half of the 6,000 people imprisoned are awaiting trial. Due to court backlogs, a slow appeals process, and poor access to legal representation, it is common for persons to be held for periods longer than their sentences after conviction.

Under the Public Security Act, the authorities may detain persons who allegedly threaten domestic security and tranquility, amicable relations with other states, and relations between citizens of different classes or religions. Persons whom the Government detains under the Act are considered to be in preventive detention and are not brought to trial.

The 1991 amendments to the Public Security Act allow the authorities to extend periods of detention after submitting written notices to the Home Ministry. The police must notify the district court of the detention within 24 hours, and it may order an additional 6 months of detention before authorities file official charges.

Other laws, including the Public Offenses Act, permit arbitrary detention. This Act and its many amendments cover such crimes as disturbing the peace, vandalism, rioting, and fighting. Under this Act, the Government detained hundreds of civil servants during a 55-day antigovernment strike in 1991. Human rights monitors express concern that the Act vests too much discretionary power in the Chief District Officer (CDO), the highest ranking civil servant in each of the country's 75 districts. The Act authorizes the CDO to order detentions, to issue search warrants, and to specify fines and other punishments for misdemeanors without judicial review.

Under the Public Offenses Act hundreds of people were arrested on March 18 for staging a peaceful protest of the human rights situation organized by Amnesty International (AI) in Kathmandu in China. Although most were released the same day, several AI officers and 14 Tibetans were held in jail for up to 7 days, some without charge.

Human rights groups allege that the police have used arbitrary arrest and detention during the "People's War" to intimidate communities considered sympathetic to the Maoists. In one example, Jun Maya Rokaya, a UPF representative in the Uwa Village Development Committee, was reportedly arrested without a warrant on March 14 and kept in police custody for 2 months before being presented before a court.

The Constitution prohibits exile; it is not practiced.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary and the Supreme Court has demonstrated independence. However, lower level courts remain vulnerable to political pressure. In addition, bribery of lower level judges and court staff is endemic.

The Supreme Court has ruled that important provisions in the 1992 Labor Act and in the 1991 Nepal Citizenship Act are unconstitutional. In 1995 the Court also decided that the dissolution of the Parliament at the request of a former Prime Minister was unconstitutional, and ordered the body

restored.

Appellate and district courts have become increasingly independent, although they sometimes bend to political pressure. In Rolpa, one of the districts most affected by the "People's War," human rights groups have accused the district courts of acting in complicity with CDO's in violating detainees' rights. These groups allege that arrest without a warrant, prolonged detention without trial, and police torture occur in these areas.

The judicial system consists of three levels: district courts, appellate courts, and the Supreme Court. The King appoints judges on the recommendation of the Judicial Council, a constitutional body chaired by the Chief Justice. The Council is also responsible for the assignment of judges, disciplinary action, and other administrative matters. Judges decide cases; there is no jury system.

Delays in the administration of justice are a severe problem. The Supreme Court has a backlog of approximately 11,000 cases, which it expects will take 5 years to clear. A case appealed to the Supreme Court may take more than 10 years to conclude.

The Constitution provides for the right to counsel, equal protection under the law, protection from double jeopardy, protection from retroactive application of the law, and for public trials, except in some security and customs cases. All lower court decisions, including acquittals, are subject to appeal. The Supreme Court is the court of last appeal, but the King may grant pardons. The King can also suspend, commute, or remit any sentence. On the recommendation of the Government, the King often pardons up to 12 prisoners--if they have served 75 percent of their sentence and shown good behavior--on national holidays.

Military courts adjudicate cases concerning military personnel, who are immune from prosecution in civilian courts. In 1992 the Supreme Court ruled that military courts may no longer try civilians for crimes involving the military services.

The authorities may prosecute terrorism or treason cases under the Treason Act. Specially constituted tribunals hear these trials in closed sessions. No such trials took place during the past 2 years.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Government generally respected the privacy of the home and family. Search warrants are required before search and seizure except in cases involving suspected security and narcotics violations. As amended, the Police Act of 1955 empowers the police to issue warrants for search and seizure in criminal cases upon receipt of information about criminal activities. Within 24 hours of their issuance, warrants in misdemeanor cases must be approved by the CDO. Court judges must approve them in felony cases.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution specifies that all citizens shall have freedom of thought and expression and that the Government may not censor any news item or other reading material. Nevertheless, the Constitution prohibits speech and writing that would threaten the sovereignty and integrity of the Kingdom; disturb

the harmonious relations among people of different castes or communities; promote sedition, defamation, contempt of court, or crime; or contradict decent public behavior or morality.

The Press and Publications Act provides for the licensing of publications and the granting of credentials to journalists. The Act includes penalties for violating these requirements. The Act also prohibits publication of material that, among other things, promotes disrespect toward the King or royal family; that undermines security, peace, order, the dignity of the King, and the integrity or sovereignty of the Kingdom; that creates animosity among people of different castes and religions; or that adversely affects the good conduct or morality of the public. The regulation also provides a basis for banning foreign publications. However, foreign publications are now widely available.

There are hundreds of independent vernacular and English newspapers representing various political points of view, most have a small circulation and limited impact. The Government owns the daily Language newspaper with the largest circulation. Editors and writers at the Government newspaper practice self-censorship and generally reflect government policy. Ruling political parties have influenced the editorial policy of the government newspaper to their advantage. However, despite the sensitivity of the Government to the "People's War," the press has not faced overt pressure to report on it in a particular way. Views of human rights groups, the statements of the police, and the press releases of UPF leader Bhattarai have all been reported in the local press.

The Government owns and controls the major radio and television stations. Radio reaches the greatest number of people and has the largest influence. Programming currently reflects a broader range of interests and political viewpoints than prior to the political transformation in 1990, but still closely follows the government line. The Government does not restrict access to foreign radio broadcasts or to the purchase of television satellite dishes that can access international news from the British Broadcasting Corporation (BBC) and the Cable News Network (CNN). A small but growing number of Nepalis have access to foreign news.

The Broadcast Act of 1993 allows private parties to broadcast television and FM radio, but implementation by the Government has been slow. Private broadcasters sometimes waited years for the Government to assign them a bandwidth and issue the operating license. There are two private television stations (cable and microwave), which have been operating for over a year in the Kathmandu valley. They provide mainly entertainment programming and do no local research or reporting.

There has been much debate about liberalizing the media and privatizing government-owned media. This debate has put pressure, so far successfully resisted, on successive governments to open the air waves and divest government-controlled printing operations.

The Government limits academic freedom to the same extent as the media. No overt efforts to enforce these limitations were reported this year.

b. Freedom of Peaceful Assembly and Association

Although the Constitution provides for freedom of assembly, this right may be restricted by law on vague grounds such as undermining the sovereignty and integrity of the State or disturbing law and order. Persons protesting Chinese human rights policy were arrested and detained in March before and during peaceful protests (see Section 1.d.).

c. Freedom of Religion

The Constitution describes Nepal as a Hindu Kingdom, although it does not establish Hinduism as the state religion. The majority of citizens are Hindu. The Constitution permits the practice of all religions and prohibits discrimination on the basis of caste except for traditional religious practices at Hindu temples.

Although the Government has generally not interfered with the practice of other religions, conversion is prohibited and punishable with fines or imprisonment, the police occasionally harass members of minority religions. Some groups are concerned that the ban on proselytizing limits the expression of non-Hindu religious belief. Foreigners convicted of proselytizing can be expelled from the country.

Eleven Christians were arrested in September 1994 for proselytizing. They were convicted by the Ilam district court and sentenced to 2 years' imprisonment in August 1995. The case received considerable international attention. The 11 were held in prison until they were pardoned by the King and released unconditionally in November 1995.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for freedom of movement and residence, and the Government generally does not restrict travel abroad. However, the Government restricts travel to some areas near the Chinese border for foreign tourists and for foreign residents, such as Tibetans residing in Nepal. The Government allows citizens abroad to return, and is not known to revoke citizenship for political reasons.

The Government has no official refugee policy and is party to neither the 1951 U.N. Convention relating to the Status of Refugees nor the 1967 Protocol. However, it does provide asylum for refugees and has cooperated with the office of the United Nations High Commissioner for Refugees (UNHCR), and with other humanitarian organizations, in assisting refugees from Bhutan and Tibet (China). The UNHCR has maintained an office in Kathmandu since 1989. Since 1959 the Government has accepted approximately 20,000 Tibetan refugees, many of whom still reside in the country. Since 1991 it has also provided asylum to more than 90,000 Bhutanese refugees, the great majority of whom are now living in UNHCR-administered camps in eastern Nepal.

In the mid-1960's, the Government suspended issuance of identification cards to Tibetans. Undocumented Tibetan residents face difficulties in obtaining basic citizens' rights and are unable to travel abroad or access such services as banking. The UNHCR donates blank resident identification cards to the Government for Tibetans. In early 1995, the Government reversed this policy and resumed issuance of identification cards to Tibetans. By mid-July issuance of identification cards to virtually all 7,300 Tibetan residents outside the Kathmandu valley was completed. However, approximately 4000 Tibetan refugees within the Kathmandu valley still remain without identification cards.

China and the Government of Nepal tightened control of movement across their border in 1986, but both sides have enforced these restrictions haphazardly. Police and customs officials occasionally harass Tibetan asylum seekers who cross the border from China. Border police often extort money from Tibetans in exchange for passage. With the change from a Communist Party government to a coalition government headed by the Nepal Congress Party, the former practice of forcibly returning asylum seekers to China has stopped, and there were no reports of forced expulsion of Tibetan asylum seekers in 1996.

There are approximately 91,000 ethnic Nepali refugees from Bhutan in UNHCR-administered camps in southeastern Nepal. An additional 15,000 to 20,000 refugees reside outside the camps in either Nepal or India. The total represents approximately one-sixth of Bhutan's estimated pre-1991 population.

The UNHCR monitors the condition of the Bhutanese refugees and provides for their basic needs. The Government accepts the refugee presence as temporary, on humanitarian grounds, but offers little more than a place to stay. The Government officially restricts refugee freedom of movement and work, but does not strictly enforce its policies. Living conditions in the camps have improved dramatically since 1992. Adequate clean water is available and health, sanitation, and nutrition standards are acceptable. Violence has sometimes broken out between camp residents and the surrounding local population. The UNHCR and other donors and relief organizations have defused tensions through a refugee affected areas assistance plan aimed at improving conditions in communities adjacent to the camps.

In 1993 the Governments of Nepal and Bhutan formed a joint committee to resolve the refugee problem and to determine different categories of refugees in preparation for future repatriation. Seven rounds of bilateral talks have been held, but with little concrete progress. The Government expressed concern during the latest round of talks in April that many refugees would become stateless if Bhutan refuses to take them back. The lack of progress in bilateral negotiations has led to increased frustration in the camps, and to a recent campaign of "peace marches" by refugees seeking to return to Bhutan.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens, through their elected representatives, have the right to amend the Constitution with the exception of certain basic principles that they may not change--sovereignty vested in the people, the multiparty system, fundamental rights, and the constitutional monarchy.

Parliamentary elections are scheduled at least every 5 years. Midterm elections may be called if the ruling party loses its majority, loses a vote of no confidence, or calls for elections. The Constitution grants suffrage to all citizens of age 18 and over.

A three-party coalition, which now has a majority in Parliament, passed a no-confidence motion against the previous minority government in September 1995. That coalition formed a new government later that same month.

The House of Representatives, or lower house, may send legislation directly to the King by majority vote. The National Council, or upper house, may amend or reject lower house legislation, but the lower house can overrule its objections. The upper house may also introduce legislation and send it to the lower house for consideration.

The King exercises certain powers with the advice and consent of the Council of Ministers. These include exclusive authority to enact, amend, and repeal laws relating to succession to the throne. The King's income and property are tax-exempt and inviolable, and no question may be raised in any court about any act performed by the King. The Constitution also permits the King to exercise emergency powers in the event of war, external aggression, armed revolt, or extreme economic depression. In such an emergency, the King may suspend without judicial review many basic freedoms, including the freedoms of expression and assembly, freedom from censorship, and freedom from preventive detention. However, he may not suspend habeas corpus or the right to form associations. The King's declaration of a state of emergency must be approved by a two-thirds majority of the lower house of the Parliament. If the lower house is not in session, the upper house exercises this power. A state of emergency may be maintained for up to 3 months without legislative approval and up to 6 months, renewable only once for an additional 6 months, if the legislature grants approval.

The Constitution bars the registration and participation in elections of any political party that is based on "religion, community, caste, tribe, or region," or that does not operate openly and democratically.

There are no specific laws that restrict women, indigenous peoples, or minorities from participating in the Government or in political parties. Conservative traditions limit the roles of women and of some castes and tribes in the political process. The Constitution requires that women constitute 5 percent of each party's candidates for the House of Representatives. Seven of the 205 members of the lower house of the current Parliament are women. In the upper house, 4 of the 60 members are women.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There are a dozen nongovernmental (NGO) human rights organizations. These include the Human Rights Organization of Nepal (HURON), the Informal Sector Services Center (INSEC), the International Institute for Human Rights, Environment, and Development (INHURED), and the Forum for the Protection of Human Rights (FOPHUR). The Nepal Law Society also monitors human rights abuses and a number of NGO's focus on specific areas such as torture, child labor, women's rights, or ethnic minorities. Groups are free to publish reports on human rights abuses. The Government has also allowed groups to visit prisons and prisoners. The Government rarely arrests or detains those reporting on human rights problems. However, one worker for FOPHUR was reportedly arrested on February 18 without warrant or charge and held incommunicado for 6 days before release.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution specifies that the State shall not discriminate against citizens on grounds of religion, race, sex, caste, or ideology. However, there is still a caste system. Discrimination against lower castes and women remains common, especially in rural areas.

Women

There is no law against domestic violence, which is widespread. In one study, 50 percent of the respondents said that they know someone who was the victim of domestic violence. Little public attention is given to violence against women in the home; the Government makes no special effort to combat it. Rape and incest are also problems, particularly in rural areas. There is a law against rape of nonprostitute women which imposes sentences of from 3 to 5 years. In the case of rape of prostitutes, sentences range from a fine of 500 rupees (\$9.00) to 1 year's imprisonment.

The dowry tradition is strong, with greater prevalence in the Terai region. Killing of brides because of defaults on dowry payments is rare, but does occur. More common is the physical abuse of wives by the husband and the husband's family to obtain additional dowry or to force the woman to leave to enable the son to remarry.

Trafficking in women and girls remains a deeply ingrained social problem in several of the country's poorest areas. Estimates of the number of girls and women working as prostitutes in India range between 40,000 and 100,000. The best available data suggest that approximately 5,000 to 7,000 girls between the ages of 10 and 18 are lured or abducted into prostitution each year. Prostitution is also a problem in the Kathmandu valley. A children's human rights group in Nepal states that 20 percent of prostitutes are younger than 16 years old. In many cases, parents or relatives sell women and young girls into sexual slavery. Among the Badini and Devaki of western Nepal, religious prostitution remains a problem.

There is legislation to protect women from coercive trafficking, but it is not well enforced. The fear of the spread of AIDS by returning prostitutes has discouraged the Government from promoting the rehabilitation of prostitutes. Government efforts focus more on preventing voluntary prostitution. The

Ministry of Labor and Social Welfare sponsors job and skill training programs in several poor districts known for sending prostitutes to India. Several NGO's have similar programs.

Although the Constitution provides protections for women, including equal pay for equal work, the Government has not taken significant action to implement its provisions. Women face discrimination, particularly in rural areas, where religious and cultural tradition, lack of education, and ignorance of the law remain severe impediments to their exercise of basic rights such as the right to vote or to hold property in their own names.

Women have benefited from changes in marriage and inheritance laws. In 1994 the Supreme Court struck down provisions of the Citizenship Law that discriminated against foreign spouses of Nepalese women. However, many other discriminatory laws still remain. According to legal experts, there are more than 20 laws that discriminate against women. For example, the law grants women the right to divorce, but on narrower grounds than those applicable to men. The law on property rights also favors men in its provisions for inheritance, land tenancy, and the division of family property. In August 1995, the Supreme Court also ordered the Council of Ministers to enact legislation within 1 year giving women property rights in regard to inheritance and land tenancy equal of those of men. As of year's end, however, such legislation had not been introduced in Parliament.

According to the 1991 census, the female literacy rate is 26 percent, compared with 57 percent for men. Human rights groups report that girls attend secondary schools at a rate half that of boys. There are now many NGO's focused on integrating women into society and the economy. These NGO's work in the areas of literacy, small business, skills transfer, and against trafficking in women and girls.

There are a growing number of women's advocacy groups and nearly all political parties have their own women's group. Members of Parliament have begun working for the passage of tougher laws for crimes of sexual assault, but have had little success so far.

Children

The Government provides free primary education for children of ages 6 to 12, but many families cannot afford school supplies or clothing. Schools charge fees for further education. Free health care is provided through government clinics, but they are poorly equipped and too few in number to meet the demand. Community-based health programs assist in the prevention of childhood diseases and provide primary health care services. Due to poor or nonexistent sanitation in rural areas many children are at risk from severe and fatal illnesses.

The Child Act of 1992 provides legal protection for children in the workplace and in criminal proceedings. Although it calls for the establishment of child welfare committees and orphanages, the Government has established few such facilities. The Labor Act of 1992 prohibits employment of minors under 14 years of age, but employers, particularly in the informal sector or agriculture, widely ignore the law.

Children under the age of 16 work in all sectors of the economy. Children's rights groups estimate that up to half of all children work. As recently as early 1994, the carpet industry employed large numbers of children, an estimated 23,000, nearly one-third of all workers in that industry. Due to negative publicity in consumer nations, children now account for approximately 5 percent of the carpet industry's employees, about 6,000 workers (see Section 6.d.). A consortium of carpet manufacturers is moving to establish a certification system for carpets made without child labor. The Ministry of Labor is i