EXAMINING A RIGHTS BASED APPROACH TO THE DEVELOPMENT OF THE EX-KAMAIYAS OF WESTERN NEPAL

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ABSTRACT

Although the Nepalese government outlawed slavery in 1926, it has persisted in different forms. One of them is known as the Kamaiya system of agricultural bonded labor. In 1994 the government recognized its existence and in 2000 a government decree annulled the debts of Kamaiyas and declared the system illegal and punishable by law.

This thesis explores the government's development initiatives towards the ex-Kamaiyas and examines whether these initiatives are compatible with a rights based approach to development. A conceptual framework of the rights based approach was used to frame the field research.

The research concludes that though the declaration complies with the right to freedom, the government programme to rehabilitate the ex-Kamaiyas through providing land is inadequate: a large number of ex-Kamaiyas are yet to receive their legal land entitlement as they were left out of the initial survey to identify bonded laborers, and a group of ex-Kamaiyas declined to accept government entitlement. The development initiatives lack ex-Kamaiya participation and are not in accordance with the principle of a rights based approach to development. A large number of ex-Kamaiyas are still suffering poverty and rights abuses. The findings of the research further show that a new exploitative system has emerged called *Jirayat* that has elements similar to that of bonded labor, namely very low or no wages and unlimited working hours.

KEYWORDS: BONDED LABOR/ NEPAL/ KAMAIYAS/ HUMAN RIGHTS/ RIGHTS BASED APPROACH TO DEVELOPMENT.

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