



Convention on the Rights of the Child

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Committee on the Rights of the Child

Consideration of the reports submitted by States parties under article 44 of the Convention

Third to fifth periodic reports of States parties due in 2010

Nepal*

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Acronyms and abbreviations

AIDS	Acquired Immuno-Deficiency Syndrome
ANC	Antenatal Care
ARI	Acute Respiratory Infection
ART	Antiretroviral Therapy
BCC	Behavioural Change Communication
CA	Constituent Assembly
CAAFAG	Children Associated with Armed Forces and Armed Groups
CABA	Children Affected by AIDS
CB-IMCI	Community Based Integrated Management of Childhood Illness
CB-NCP	Community Based New-born Care Package
CBOs	Community Based Organizations
CBS	Central Bureau of Statistics
CCT	Conditional Cash Transfer
CCWB	Central Child Welfare Board
CDC	Curriculum Development Centre
CDD	Control of Diarrhoeal Diseases
CEOC	Comprehensive Emergency Obstetric Care
CFLG	Child Friendly Local Governance
CLTS	Community Led Total Sanitation
CMR	Crude Mortality Rate
CPA	Comprehensive Peace Agreement
CRC	Convention on the Rights of the Child
CRO	Child Rights Officer
CRPD	Convention on the Rights of Persons with Disabilities
CTEVT	Centre for Technical Education and Vocational Training
CWIN	Child Workers in Nepal Concerned Centre
DACC	District AIDS Coordination Committee
DCPC	District Child Protection Committee
DCWB	District Child Welfare Board
DDC	District Development Committee
DoE	Department of Education
DPT	Diphtheria Polio and Tetanus
DWC	Department of Women and Children
ECD	Early Childhood Development
EFA	Education for All
FCHV	Female Community Health Volunteer
FM	Frequency Modulation
FNJ	Federation of Nepalese Journalists
GBV	Gender Based Violence
GDP	Gross Domestic Product

GNDI	Gross National Disposable Income
GNI	Gross National Income
GoN	Government of Nepal
HIV	Human Immuno-deficiency Virus
HP	Health Post
ICCPR	International Covenant on Civil and Political Rights
ILO	International Labour Organization
IMR	Infant Mortality Rate
IOM	International Organization for Migration
ISP	Internet Service Provider
JJCC	Juvenile Justice Coordination Committee
MCH	Mother and Child Health
MCHW	Mother and Child Health Worker
MDG	Millennium Development Goal
MoE	Ministry of Education
MoFA	Ministry of Foreign Affairs
MoHA	Ministry of Home Affairs
MoHP	Ministry of Health and Population
MoFALD	Ministry of Federal Affairs and Local Development
MoLJCAPA	Ministry of Law Justice Constituent Assembly and Parliamentary Affairs
MoLE	Ministry of Labour and Employment
MoPR	Ministry of Peace and Reconstruction
MoWCSW	Ministry of Women, Children and Social Welfare
NACC	National AIDS Coordination Committee
NAOSC	National Alliance of Organizations for Street Children
NBA	Nepal Bar Association
NCASC	National Centre for AIDS and STD Control
NDHS	National Demographic Health Survey
NER	Net Enrolment Rate
NFDIN	National Foundation for Development of Indigenous Nationalities
NFDN	National Federation of Disabled Nepal
NFHP	National Family Health Program
NGO	Non-Governmental Organization
NHRC	National Human Rights Commission
NIC	National Information Commission
NIP	National Immunization Program
NJA	National Judicial Academy
NLFS	National Labour Force Survey
NPA	National Plan of Action
NPC	National Planning Commission
NWC	National Women Commission
NWP	National Water Plan
ODA	Official Development Assistance

ODF	Open Defecation Free
ORC	Outreach Clinics
PAF	Poverty Alleviation Fund
PEP	Post Exposure Prophylaxis
PHC	Primary Health Care
PHCC	Primary Health Care Centre
PHRC	Peace Human Rights and Civic education
PLC	Para Legal Committee
PMTCT	Prevention of Mother to Child Transmission
PPC	Pre-Primary Class
PRSP	Poverty Reduction Strategy Paper
RCU	Refugee Coordination Unit
RMDC	Rural Micro-finance Development Corporation
SAARC	South Asian Association for Regional Cooperation
SAIEVAC	South Asian Initiative to End Violence Against Children
SDIP	Safe Delivery Incentive Program
SLC	School-Leaving Certificate
SLTS	School Led Total Sanitation
SMC	School Management Committee
SRH	Sexual and Reproductive Health
SSRP	School Sector Reform Program
STI	Sexually Transmitted Infection
SWC	Social Welfare Council
TA	Technical Assistance
TYIP	Three-Year Interim Plan
TYP	Three-Year Plan
U5MR	Under-Five-Mortality Rate
UCCAN	Universal Access for Children Affected by AIDS in Nepal
UNDP	United Nations Development Program
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNMIN	United Nations Mission in Nepal
USA	United States of America
USD	United States Dollar
VCPC	Village Child Protection Committee
VCT	Voluntary Counselling and Testing
VDC	Village Development Committee
VHW	Village Health Worker
WCO	Women and Children Office
WFP	World Food Program

I. Introduction

1. Nepal ratified the Convention on the Rights of the Child (CRC) on 14 September 1990. Its Second Periodic Report has already been considered by the Committee on the Rights of the Child. Covering the period from April 2004 to October 2010, the present report combines the third, fourth and fifth periodic reports of Nepal. The present report is submitted by the Government of Nepal (GoN) pursuant to article 44, paragraph 1 (b) of the CRC that highlights measures adopted and the progress made in guaranteeing the enjoyment of the rights recognized in the CRC. The report includes changes, developments and achievements since 2004, and responds to the relevant concluding observations on the second periodic report (CRC/C/15/Add.260) of Nepal by the Committee on the Rights of the Child in relevant sections and articles.

2. After the peaceful People's Movement in April 2006 and signing of the Comprehensive Peace Agreement (CPA) in November 2006, Nepal is undergoing a series of socio-economic and political transformation within an overall framework of democratic polity. The mandate of the Movement was for peace, change, stability, and the establishment of a competitive multiparty democratic system of governance, rule of law, promotion and protection of human rights of people, full press freedom, and independent judiciary based on democratic values and norms. Human rights including child rights remain at the centre of the peace process and drafting of the new constitution, which in turn stands anchored in the principles of democracy, equity, inclusion and participation. The decision of the democratically elected Constituent Assembly (the "CA") to declare Nepal as a Federal Democratic Republic on 28 May 2008 represents a rare peaceful transformation in the contemporary history. The transformation process firmly establishes the political, economic, cultural, and social rights of the people, as the bedrock of Nepal's democratic process. People have come to the centre stage from the periphery, exclusion, and disadvantaged zone. People from diverse backgrounds now participate in decisions that shape their destiny. Nepal is presently engaged in building national democratic institutions to consolidate democratic gains, expedite the process of socio-economic transformation, and take the peace process to meaningful conclusion with the writing of a democratic constitution through the CA.

II. Methodology and consultation process

3. A drafting committee¹ chaired by the Secretary of the Ministry of Women, Children and Social Welfare (MoWCSW), with representatives from different Ministries, UNICEF and non-governmental organizations was formed to prepare the present Report. UNICEF provided two facilitators in assisting the drafting committee under its technical assistance. A series of consultations were held in drafting, refining and finalizing the Report. In addition, two regional consultative workshops, one each in Biratnagar and Nepalgunj, were conducted with the support of the respective District Child Welfare Boards (DCWBs) in order to make the district level stakeholders aware of the process of reporting. The workshops were also helpful to collect regional experiences and the developments made in ensuring the rights of the child as well as to understand the existing challenges that need to be addressed.

¹ Refer to annex VIII of the present report for the list of members and respective organizations represented in the committee.

4. A national consultation on the draft report was organized to obtain inputs from various stakeholders, including development partners and civil society. The final draft was also shared among the relevant stakeholders.

5. A child-friendly approach was adopted during the consultations with children so that they could also understand the process and importance of a state report under the Convention on Rights of the Child, recognise their role in the process, and voice their concerns. The major outcomes of and inputs from the consultations have been cited under appropriate sections and articles.

6. Due importance has been given to the fact that the rights set forth in the Convention are indivisible and interrelated, and to analysing them from a holistic perspective.

7. The Report has been prepared in accordance with the treaty-specific guidelines (CRC/C/58/Rev. 2) regarding the form and content of periodic reports (covering from 2002 to 2010) to be submitted by State parties under article 44, paragraph 1 (b), of the CRC, adopted by the Committee at its fifty-fifth session (13 September-1 October 2010).

III. Treaty-specific report

A. General measures of implementation (arts. 4, 42 and 44, para. 6, of the Convention)

8. The CPA consists of a number of commitments related to the rights of the child, including an end to misuse of schools, teachers and students for political purposes. Article 7.6 of CPA also aims to ensure the rights of women and children and commits to provide special protection to children and women, prohibiting all types of violence against women and children, such as child labour, sexual exploitation, harassment, and abuse.

9. The Interim Constitution of Nepal, 2007 (“Constitution”) is the fundamental law. It keeps democracy, peace, prosperity, progressive socioeconomic changes and sovereignty, integrity, independence and dignity of the country at the centre and provides a political system that fully upholds, inter alia, the universally recognized basic human rights and establishes rights of all citizens to education, health, housing, employment and food sovereignty. Its cardinal focus is on proportional inclusion, constructive recognition of diversity and attainment of social justice through inclusive, democratic and progressive restructuring of the state.

10. The Constitution protects the rights of the child as a fundamental right and incorporates: right to identity and name; right to nurturing, basic health and social security; right against physical, mental or other form of exploitation; right of the helpless, orphaned, mentally retarded, displaced, vulnerable and conflict victims and street children to special facilities from the State; right of minors against their employment, engagement or use in a factory, mine and other similar hazardous work.

11. A range of rights is recognized as absolute and non-derogable, which cannot be suspended even in the state of emergency. These include- the right to life, equality, personal liberty, justice, social justice, environment, health, education and culture, employment and social security, labour, religion, freedom to form political parties and associations, rights of the child and women, rights against torture, exploitation, exile, untouchability, racial discrimination and closure or seizure of media or press, and right to constitutional remedies and the remedy of *habeas corpus*. The rights guaranteed by the Constitution with respect to child are described under the subsequent sections of the Report.

12. In pursuance of the recommendations of the Committee on the Rights of the Child in its concluding observations on the initial and second periodic reports, Nepal has become party to various Conventions during the reporting period. It ratified (a) the Optional Protocol to CRC on the Involvement of Children in Armed Conflict in 2007; (b) the ILO Convention No. 105 concerning Abolition of Forced Labour in 2007; (c) the ILO Convention No. 169, concerning Indigenous and Tribal Peoples in 2007; (d) the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography in 2006; (e) the Optional Protocol to Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 2006; (f) the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution in 2006; (g) the Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol in 2010; (h) the SAARC Convention on Regional Arrangements for Promotion of Child Welfare in South Asia in 2006; and (i) the ILO Convention No. 182 concerning Worst Forms of Child Labour in 2004.

13. Nepal has also signed the SAARC Colombo Statement on Children of South Asia, declared on 10 July 2009 to enhance and make effective child protection efforts - Nepal has enacted the Domestic Violence (Control and Punishment) Act, 2009, and the Human Trafficking (Control) Act, 2007, during the reporting period. In addition, the GoN enforced Human Trafficking (Control) Regulation, 2008. Amendments were also made in 2008 to the relevant Chapter in *Muluki Ain* (General Code) with regard to abduction of children.

14. The National Policy and Plan of Action on Disabilities, 2006 (formulated in line with the Extended Decade Work Plan (2003-2012) for Asia Pacific Region on People with Disabilities) have been implemented. The National Plan of Action (NPA) for Reintegration of Children Affected by Armed Conflict, 2007 has been implemented. The GoN has been implementing the National Plan of Action for Preventing and Responding to Gender-Based Violence (GBV) since November 2009. The NPA on GBV has provided a solid framework for action in favour not only of women, but also of children, and in particular, young girls. The NPA against Trafficking in Women and Children for Commercial and Sexual Exploitation has been implemented. Similarly, the National Master Plan on Child Labour (2004/14) has been implemented. The development of a National Child Policy is in the process.

15. The Ministry of Federal Affairs and Local Development (MoFALD), in collaboration with development partners, has developed conceptual framework and guidelines on Child Friendly Local Governance (CFLG), in particular, provisioning child protection and referral mechanism. It has been implemented in 23 districts and is in the process of covering all the 75 districts of the country. Under the CFLG, District and Village Child Protection Committees (VCPCs) are envisioned. The MoFALD has included a provision in the blended block grant guidelines for Village Development Committee (VDC), Municipalities and District Development Committees (DDC) to allocate 15 per cent of their capital grant to fund activities targeted for declaring child-friendly VDC, Municipality and DDC under the CFLG framework. Local bodies have also started programs to top-up this budget by going beyond 15 per cent ceiling in those VDCs adopting child friendly local governance strategies.

16. The Comprehensive Standard for Operation and Management of Residential Child Care Home has been formulated by MoWCSW in close collaboration with Central Child Welfare Board (CCWB) in 2009 and child homes are being monitored for its compliance. An Emergency Child Rescue Fund has been established as envisioned in the current Three Year Plan (TYP).

17. The Juvenile Justice Coordination Committee (JJCC) established in 2007. The National Poverty Alleviation Fund (PAF) has been supporting the infrastructure development for children's education and health. The GoN is implementing The Gender Equality and Empowerment of Women Project from 2007.

18. After two years of negotiations and intensive consultations, an Action Plan, drawn up pursuant to Security Council Resolution 1612 and the recommendation of Security Council Working Group on Children and Armed Conflict, was adopted for the discharge of the disqualified Maoist army personnel verified as minors, as part of the decision to discharge all disqualified personnel. Between January and February 2010, Verified Minors (2,973) and Late Recruits (1,035) were discharged from the Maoist cantonments.

19. With the completion of the discharge process, the UN interagency approach was extended to provide rehabilitation support to the discharged. A set of four packages, which include options for vocational training, micro-enterprise, education and health-related training have been offered to the discharged minors and late-recruits through UNDP (vocational training and micro-enterprise), UNICEF (education) and UNFPA (health-related trainings), while the ILO has complemented efforts by enhancing capacity of trainers.

20. The GoN has pursued the process of consulting with children's representatives during plan and policy formulation processes at the national and local levels. In addition, the CA initiated consultations with children in the process of preparing the new constitution by interacting with child clubs and network of child clubs.

21. Over 13,291 child clubs have been formed in 52 districts. CCWB, in collaboration with development partners, has been implementing child-friendly VDC and Municipality programs in 16 districts.

22. The GoN has recruited Child Rights Officers (CROs) in 50 districts so far and has a plan to reach the remaining 25 districts in the near future. The CROs have worked closely with DCWBs, and Women and Children Offices (WCOs) in protecting the rights of the child. Various development partners and civil society organizations are supporting this initiative and providing training to the CROs. The work of CROs is making an impact at the district level in protecting the rights of the child.

23. Under Section 23 of Chapter 2 of the Election Code of Conduct, 2007, political parties and candidates are prohibited from involving children under 16 in any kind of procession, mass meeting or rally, or in any election-related publicity activity.

1. Remedies for violations

24. Nepal has a comprehensive legal regime for the protection of the rights of the child. The Children's Act, 1992 incorporates almost all the rights of the child, defined as one who is below 16, and is based on a child-friendly approach. This Act, as well as the criminal justice system of Nepal, is geared towards the rehabilitation of child offenders, through various institutions, including children reform homes. Juvenile justice related regulation has prescribed child-friendly procedures to be adopted while trying cases involving children. There are juvenile benches in 40 out of 75 district courts. Six courts are implementing the program for the improvement of legal and institutional framework for the protection and promotion of the rights of the child, which will be gradually extended to other courts.

25. The Constitution has upgraded the National Human Rights Commission (NHRC) to a constitutional body. Article 132 of the Constitution vests primary responsibility to the Commission to protect and promote human rights of Nepalese people. The Commission can conduct inquiries and investigations on its own or upon a petition or complaint filed to it regarding violations of human rights and abetment thereon, and carelessness and negligence

in the prevention of violations of the human rights by any person, organization or authority concerned. The GoN has strengthened the measures for the implementation of the recommendations of the NHRC in the field of protection and promotion of the rights of the child. The NHRC has already set up a Child Rights Unit that receives individual complaints on the violation of the rights of children and sends recommendations to the concerned ministries or departments.

26. The GoN has implemented a Three-Year National Action Plan on Human Rights (2010/11-2012/13) with the following objectives: (a) to reflect the commitment of the GoN towards human rights in actual implementation; (b) to strengthen the human rights situation of the citizens of Nepal, particularly of the people living below the poverty line, orphans, Dalits, Madheshis, indigenous nationalities and disadvantaged communities; (c) to mainstream the issues of human rights in development plans and programs; (d) to incorporate human rights in development programs and to develop collective ownership concept for their promotion and awareness raising; and (e) to mobilize national and international resources in the promotion and protection of human rights.

27. The GoN has adopted a zero-tolerance strategy in relation to child recruitment in armed groups. Efforts have been directed to protect children and ensure that the children recruited during the armed conflict have access to rehabilitation and reintegration measures.

28. The media exercise full freedom of expression. The GoN firmly believes that a fully responsible media is the key stakeholder of any democratic polity. A good number of daily, weekly, fortnightly and monthly newspapers in English and vernacular languages are being published. There is also a growth of private satellite TV channels, community radios and print media. The media is active in disseminating information on various issues of national importance, such as human rights, including the rights of the child, as well as development and good governance, with the fundamental aim of generating dialogue and consensus on such issues. The media and civil society organizations act as the agencies to flag the issues of violation of rights. The media is playing a positive role in reporting violation of rights and raising awareness on the rights of the child. Many electronic as well as print media have separate programs/pages on children's issues.

2. Comprehensive National Strategy

29. The MoWCSW is the focal institution for coordination and collaboration with other sectoral ministries. It also has the responsibility of formulating sectoral policies and legislations in the best interests of children. Other ministries of the GoN work closely with it to ensure the rights of the child. Notable among those are the Ministry of Health and Population (MoHP); Ministry of Education (MoE); Ministry of Federal Affairs and Local Development (MoFALD); Ministry of Labour and Employment (MoLE); Ministry of Peace and Reconstruction (MoPR); Ministry of Home Affairs (MoHA); and Ministry of Law Justice Constituent Assembly and Parliamentary Affairs (MoLJCAPA).

30. The International Relations and Human Rights Committee of the Legislature-Parliament gives necessary directions and suggestions to the GoN, and evaluates and monitors governmental activities on human rights. It considers and deliberates on annual reports of the NHRC and the Attorney General.

31. Various institutional arrangements have also been made by the GoN and development partners. These institutions include women and children service centres under the police in all the 75 districts, and District and Village Child Protection Committees (D/VCPC) at various levels. Similarly, the Child Help Line (104) and Emergency Number (1098) established by the MoWCSW and CCWB are adequately functional in their places to protect the rights of the child.

32. The CCWB is a national level focal point for children's issues and is formally entrusted with the responsibility for: the development of monitoring mechanisms regarding the rights of the child; the development of a national level resource centre on children; advocating on children's issues at all levels; coordination of policies and practices on children among the ministries and civil society, development partners, and others; strengthening and mobilizing DCWBs who are responsible for the coordination of children's programs at the local level; promoting the rights of the child; formulation of national policies and priorities concerning children; and mainstreaming children's issues into all the development activities. In October 2010, the erstwhile Department of Women was empowered with an additional responsibility of taking care of children's issues, and was renamed as Department of Women and Children.

33. DCWBs have been established in all the 75 districts to ensure the implementation of the CRC. DCWBs are also responsible for monitoring and regulating children homes, reform homes, and other child welfare centres in the district.

34. The GoN allocated a budget of NRs 108.1 million, which is almost double from the previous year (2008/09), for programs related to children, which also include programs mentioned in the Three-Year Interim Plan (TYIP), such as the Permanent Children's Fund for emergency help and relief for children at risk². The TYIP has reflected a clear commitment to take child-friendly local governance forward and ensure the ethical and meaningful participation of children in decisions that affect them.

35. The concept of child protection systems in line with the CRC is in the process of being fully realized and integrated into policies and strategies. The new Bill on the Act Concerning Children, framed for amending and integrating existing Children's Act 1992, which has been tabled in the Legislature Parliament, is expected to provide the opportunity to define child protection systems and mechanisms. It also defines the processes for referral and clarifies roles, functions, practices and obligations of all key actors who are directly and indirectly responsible to provide protection to vulnerable and needy children, including victims.

36. The civil society has evolved into a vibrant institution in promoting and protecting human rights. The Social Welfare Council (SWC) is responsible for the promotion, facilitation, coordination, monitoring and evaluation of NGOs that provide social services in Nepal. It derives its mandate from the Association Registration Act, 1977, Social Welfare Act, 1992 and the Social Welfare Rules 1992. Some 34,000 NGOs are affiliated with the SWC and about 30 per cent of them are working for child welfare and development. In addition, the civil society has worked closely with the GoN and its various line agencies and has played a crucial role in the implementation of development projects and basic services delivery, reaching all across Nepal, especially the remote areas.

37. The GoN has remained effortful in achieving the State's fundamental economic objective of transforming national economy into an independent, self-reliant and progressive economy, through equitable distribution of economic gains, social justice and elimination of economic inequalities. A comprehensive Poverty Reduction Strategy Paper (PRSP) that is also known as the Tenth Plan (2002-2007) was prepared in order to streamline and intensify efforts to reduce poverty in accordance with Millennium Development Goal (MDG) targets. Nepal's plans, policies and programs have taken into account children's need to survival, development, and protection.

² Three-Year Interim Plan, NPC, 2007.

38. In order to support the targeted programs, the PAF has provided resources directly to its beneficiaries i.e. the vulnerable or marginalized groups or communities. The PAF has four pillars of activities: social mobilization and empowerment, income generation and self-employment, community infrastructure and capacity building. It has reached the poor through partnership with Partnership Organizations (PO) and Community Based Organizations (CBOs).

39. Remittances play an important role in the overall economy, accounting for 23 per cent of Gross Domestic Product (GDP) in 2009³. The gap between total government expenditure and revenue mobilization persists and development expenditure significantly relies on foreign aid. Although down from its high level of close to 7 per cent of GDP in the 1980s to around 3 per cent of GDP in 2009⁴, foreign aid is continuing to play a key role in Nepal's economy and in managing the country's budget deficit.

40. The annual average economic growth rate is 3.4 per cent, which is a reflection of existing problems including unemployment, poverty and increasing income disparity. The economic growth rate was affected due to decrease in the growth rate in the agriculture sector and low growth in financial intermediaries, industry and mines, electricity, gas and water in the non-agriculture sector. The percentage of population below the poverty line has been reduced to 25.4 from 30.8 in 2004. Despite the achievements, some challenges persist. Structural reforms and development efforts have not been able to increase rural income. Poverty remains a formidable challenge; rural areas need effective employment and income generating programmes; infrastructure development has not been spatial; economic growth is not regionally balanced, and economic distribution needs to be more equitable. The inflation rate has also increased in recent years.

41. Significant progress has been achieved in the education sector with an encouraging increase in the enrolment rate. The GoN is implementing the School Sector Reform Program (SSRP) to improve the basic physical infrastructure, supply of teachers to meet teacher/student ratio, parity in the School Leaving Certificate (SLC) results between community schools and private schools, and to increase the capability to reduce gender and regional disparities in accessing education.

42. Despite high achievements in maternal mortality rate, infant and child mortality rate, total fertility rate of women aged 15-49 years, and the delivery of quality health service in remote areas remain a challenge.

43. The GoN has formulated various policies for women, persons with disabilities, children, youths, and elderly citizens, and is implementing them.

44. In recent years, progress has been made in poverty alleviation, revenue collection, rural electrification, road construction, school-enrolment rate, and financial and cooperative sectors. However, similar expected progress was not achieved in agriculture, trade and industry sectors, which are the backbones of the economy.

45. Nepal is receiving grants and loans as well as technical assistance (TA) from its development partners for socio-economic development. In particular, TA is utilized for institutional strengthening, human resource development, specialization, transfer of expertise and technical knowledge, and formulation and development of projects and programs. The GoN is committed towards realizing maximum achievements by mobilizing the TA resources in line with the country's development needs and priorities.

³ Economic Report, World Bank, 2009.

⁴ Child Poverty and Disparities in Nepal, NPC/UNICEF, 2009.

3. Publicizing the Convention (art. 42)

46. The MoWCSW has published the Convention in both Nepali and English, and it has been publicized through the MoWCSW and CCWB at the central level and through the DCWB at the district level. The Convention has also been published in all the major documents pertaining to children e.g. *The State of Children of Nepal* (an annual publication of the CCWB), a *Compilation of National and International Laws Related to Children* (published in Nepali by the MoWCSW). The MoLJCAPA has also published a *Compilation of Human Rights Instruments* and has posted it on its website.

4. Publication of reports (art. 44)

47. The last periodic report (CRC/C/65/Add.30) submitted to the Committee on the Rights of the Child was published by the MoWCSW in 2005. This report was also translated to Nepali and disseminated.

B. Definition of the child (art. 1)

48. The 1992 Children's Act is the basic law that takes care of the matters relating to children. The children below 10 years of age are immunized from criminal and civil liabilities and depending upon the offence there is provision of penalty for children between 10-14 years of age. Similarly, it provides half of the penalty that is given to an adult for the same offence for children between 14-16 years of age.

49. Various legislations have variations of age in defining a child. The GoN has drafted a new Bill on "Act Concerning Children" to replace the 1992 Children's Act with the provision of defining a child as a person below 18 years of age. This definition of a child has been made under various legislations and policy documents as revealed in the following:

- The 2007 Human Trafficking (Control) Act defines "child" as a person below the age of 18 years.
- The Tobacco Control and Regulation Act defines the age of a child as less than 18 years.
- The legal age of marriage for boys and girls is 18 years with the consent of parents/guardians and 20 years without such consent.
- The CFLG strategic framework of the MoFALD defines the age of a child as below 18 years.

C. General principles (arts. 2, 3, 6 and 12)

1. Non-discrimination (art. 2)

50. The Constitution and other relevant laws prohibit discrimination based on race, caste and gender and guarantee to all citizen equal treatment before the law. Furthermore, it prohibits discrimination concerning remuneration and social security between men and women for the same work.

51. Article 14 of the Constitution prohibits discrimination making provisions as follows: (1) no person shall be discriminated against as untouchable and subjected to racial discrimination in any form, on grounds of caste, race, community or occupation. Such discriminatory treatment shall be punishable, and the victim shall be entitled to such compensation as determined by law; (2) no person shall, on grounds of caste or race, be

deprived of the use of services, facilities or utilities available to the public or of the access to any public place or public religious sites or of the performance of any religious function; (3) in producing or distributing any goods, services or facilities, no person belonging to any particular caste or tribe shall be prevented from purchasing or acquiring such goods, services facilities nor shall such goods, services facilities or facilities be sold or distributed only to the persons belonging to any particular caste or tribe; and (4) no such act as to purport to demonstrate any superiority or inferiority of the person or persons belonging to any caste, tribe or origin or to justify social discrimination on the ground of caste or race or to publicize ideology based on racial superiority or hatred or to encourage caste discrimination in any manner shall be allowed.

52. Other Legal provisions have already been reported in the initial (CRC/C/3/Add.34) and second periodic (CRC/C/65/Add.30) reports. Different commissions such as NHRC, National Dalit Commission, National Foundation for Development of Indigenous Nationalities (NFDIN) and National Women Commission (NWC) have been set up at the national level to promote the rights of all sections of the society. These commissions have been implementing programs for the promotion of the rights of men, children, Dalits and women. In addition, NFDIN is functional in promoting and protecting the rights of indigenous nationalities. All these commissions and other government offices are making efforts through various programs to end the discriminatory treatment towards children from vulnerable communities.

53. The TYP (2010/11 to 2012/13) adopts the strategy of bringing all children of the country progressively within the net of social protection by starting from the children of poor, conflict affected and marginalized communities as well as at-risk and children with disabilities. The National Human Rights Action Plan has also framed strategies in: promoting and protecting the rights of the child; ensuring the rights of the child as enshrined in the CRC and its Optional Protocols; and eliminating all types of discrimination and violence against children.

54. The GoN budget 2009/10 introduced a Child Protection Grant of NRs 200 per month per child under the age of five for up to two children for each poor Dalit family across the country and all families in Karnali Zone. The GoN allocated an amount of Rs. 720 million in 2009/10 to the child grant programme. The amount has been increased in later years. The implementation of the child protection grant has shown significant result in reaching the unreached and has contributed in increasing birth registration of children in Karnali.

55. The current TYP has set an objective to enable economically vulnerable and socially excluded marginalized individuals, groups and communities to cope and manage risks and vulnerabilities by providing them social security and protection. To achieve its objectives, the TYP has adopted a strategy of expanding social protection programs to the poor, marginalized individuals, regions and communities. In addition, in order to achieve the goal of “social protection for all”, the GoN has adopted strategies of encouraging community initiatives and community-based social care and security; linking social protection programs with socioeconomic and human development; consolidating existing and scattered social protection programs into an appropriate, effective and integrated social security system; and improving the effectiveness of implementation of social protection programs.

56. The TYP has also adopted strategies for the provision of free, quality, basic health and education services to all the people specifically to poor, marginalized and vulnerable individuals, groups and communities. The GoN is implementing programs in such a way that brings senior citizens, children, widows, and persons with disabilities and vulnerable people of all castes, ethnicities and groups within the net of social protection system. In

addition, the GoN has adopted strategy in expanding shelter homes with livelihood provisions for the abandoned and destitute in the long-run.

57. The GoN has undertaken a number of audio-visual campaigns to raise awareness against the evils of social discrimination; and media, both government and private, has played a significant role in raising awareness. Various socially responsible campaigns have been held in the interest of the public by development partners and the private sector to raise awareness against discrimination.

58. In the health sector, there has been little difference in early childhood mortality between boys and girls, but gaps have emerged among the residents of rural and urban areas. Caste, ethnic and regional attributes and socioeconomic status have also contributed to such gaps⁵.

59. The disaggregated analysis of health data has indicated the need of social inclusion on health and has made important contributions to advocacy. The health services for the marginalised and vulnerable population appear in a status of under-utilisation. While there is little difference in infant and child mortality by sex, the high rates of maternal mortality and poor access to reproductive and maternal health services highlight the challenges to reducing gender inequities in health.

60. Nepal achieved the target of gender parity at primary level education. The number of trained teachers (about 60%) including recruitment of female teachers at all levels has increased. Nepal has made remarkable improvements (93%) in the Net Enrolment Rate (NER) at primary level in 2009. However, the progress is lagging behind the target set under the Education for All (EFA) Plan for 2004-2009.

2. Best interests of the child (art. 3)

61. The working policy of the TYP for children aims to achieve the elimination of all forms of exploitation, discrimination, violence and risks against all children. It also aims to create a conducive and enabling environment for the physical, mental, emotional and intellectual development of children. The GoN has put emphasis on promoting child friendly local governance while promoting the concept of child friendly schools, services, local bodies and communities. Accordingly, the GoN has given priority to the rights and needs of children in all relevant sectoral policies, programmes and projects with the concept of “children first” and “best interest of child”.

62. The TYP-Approach Paper (2010/11 to 2012/13) has analysed that the services and facilities provided to children and efforts made to protect them during the TYIP were inadequate. Challenges of resource mobilization and efficient utilization of available resources still exist which have hampered the services to children.

63. The GoN has introduced the Child Protection Grant in the (2009-10) budget to improve overall situation of children in Nepal. The grants are being provided to the children under 5 years from all poor Dalit families across Nepal and to all children under 5 years in the Karnali zone. The grant is limited to two children from each mother. The major objective of the child protection grant is to address malnutrition, promote childcare practices, and address child poverty including multi-dimensional deprivation faced by the children.

64. The MoFALD has introduced the concept of child friendly local governance that incorporates the concept of survival, development, protection, and meaningful participation. This is being achieved by introducing CFLG national framework and adoption of child

⁵ National Demographic Health Survey, MoHP, 2006.

friendly local governance by VDCs, municipalities and districts. The authority has been given to VDCs, municipalities and districts to be declared as child friendly local bodies based on an assessment of achievement in line with the indicators identified during the adoption and strategic planning. The MoFALD has made a mandatory guideline to local bodies (municipalities and VDCs) to earmark 15 per cent of capital grant for funding projects designed to empower children in adopting child friendly local governance under the CFLG National Strategic Framework.

65. The GoN is receiving support and assistance from development partners on CFLG as per the objectives of the CFLG national framework that foresees to increase coordination and foster financial and technical partnership between the government, non-governmental and private agency working in the field of children.

66. The GoN has taken all the necessary measures to ensure the incorporation of the concept of “best interest of the child” into national legislations, programs and policies and has formulated them accordingly. Examples include the incorporation of the concept of the importance of family integrity and preservation and the importance of avoiding the removal of the child from her/his home; the health, safety and/or protection of the child under all circumstances; and the assurance for the care of removed child from home. In addition, criminal and civil cases involving children are treated with the maximum priority and victims are provided with adequate legal, medical and psychological support.

3. The right to life, survival and development (art. 6)

67. National Immunization Day has enabled Nepal to remain polio-free in 2009, and a measles campaign in 2008 targeting children below 5 years of age enabled to achieve good progress toward measles control. The polio campaign coverage in 2009 was 89 per cent in the first round and 84 per cent in the second round, and the measles campaign total coverage was 96 per cent. Some cases of polio reappeared in 2010. However, with intensive mop-up campaign, the virus was contained. The MoHP introduced the pentavalent vaccine (DTP-HepB-Hib) in a phased manner in 2009, starting from the western and far western development regions.

68. About 89 per cent of children of 12-23 months of age are fully immunized in rural Nepal⁶. While reviewing the individual vaccines, it can be noted that 95 per cent of children received the BCG vaccine; 94 per cent received Diphtheria, Polio and Tetanus (DPT)-1; 93 per cent received DPT-2; and 90 per cent received the DPT-3 vaccine. Although, the DPT and polio vaccines were given at the same time, there was one per cent difference in the polio coverage compared to the DPT, which was primarily due to the immunization campaigns. However, this gap has narrowed over the years. About 92 per cent of children of 12-23 months of age are vaccinated against measles.

69. The National Immunization Program (NIP) is a high priority program of the GoN, and covers all the districts, municipalities and VDCs of the country and is provided free of cost⁷. NIP delivers the services through routine and supplemental immunization program.

70. The incidence of severe pneumonia among children below 5 years of age declined from 1.2 per cent to 0.78 per cent between 2007/08 and 2008/09, and the reported case of fatality rate, declined from 0.2 to 0.01 per 1,000. While the number of reported diarrhoea cases increased greatly in 2007/08, the proportion of severely dehydrated cases was maintained at the level of 1 per cent.

⁶ National Family Health Program II mid-term Survey, MoHP, 2010.

⁷ MDG Review Report, NPC, 2010.

71. About 48 per cent of the women in the National Family Health Program (NFHP) – II Mid-term Survey districts who gave birth in the three years preceding the survey received antenatal care from a skilled birth attendant, which is a significant increase from the baseline figure of 45 per cent as reported in 2006. There has been a significant rise in women receiving antenatal care from doctors (25%), while there is a reduction in antenatal care (ANC) services from nurses/midwives (23%). About 19 per cent of women received antenatal care from mother and child health (MCH) workers, while 14 per cent received care from health assistants or health workers, and 5 per cent received care from Village Health Workers (VHWs). As the practice of seeking antenatal service from qualified providers has increased, the number of women seeking antenatal care from Female Community Health Workers (FCHVs) only has declined significantly. The proportion of women who did not receive any antenatal care has declined significantly from 23 per cent in 2006 to 13 per cent in 2009.

72. In January 2009, the MoHP launched the Aama Suraksha (Mothers' Safety) Program, which aims to save maternal and new-born lives by encouraging more women to deliver in a health facility. It combines free delivery services at any public health facility (and a number of private facilities) with the Safe Delivery Incentives Program (SDIP). Women who deliver in a health facility receive a lump sum payment to help offset their travel costs, and health workers have provided with a financial incentive to attend home deliveries where women do not deliver in a health facility.

73. Despite the measures taken, Nepal is unlikely to achieve the MDG target of halving the prevalence of underweight among children under 5 years of age (bringing it below 27%) by 2015⁸. About 46 per cent of under-five children are stunted and some 16 per cent are severely stunted in rural Nepal⁹. This is a significant decline from the baseline of 2006 where it was 50 per cent and 21 per cent, respectively. This indicates that the nutritional status of children is improving over time. However, the study indicates a significant rise in the proportion of children having inadequate nutrition in the period immediately preceding the survey, with the proportion of children wasted rising by 17 per cent. Similarly, there has been a rise in children severely wasted by 43 per cent. There has been a significant reduction in the proportion of underweight children from 43 per cent to 40 per cent in the last three years. This indicates a reduction in the situation of acute and chronic malnutrition among children in rural areas.

74. About 10.02 million people contacted FCHVs for information and services related to family planning, safe motherhood, and childhood illnesses in 2009/10¹⁰. FCHVs have promoted health services in Nepal for nearly 20 years. Their close proximity to communities underlies their success in providing uninterrupted services even during times of violent conflict. FCHVs made Nepal the first country in the world to achieve national coverage of vitamin A supplementation to children aged 6 months to 5 years. FCHVs have delivered vitamin A supplements for children bi-annually since 1993. Now, they reach 3.5 million children (90%) of the country in this age range. This program alone has saved an estimated 12,000 children's lives every year. FCHVs have managed more than one million cases of pneumonia in children each year. FCHVs are integral to the success of Nepal's Community Based Integrated Management of Childhood Illness (CB-IMCI) program.

75. About 18 per cent of rural women, aged 15-19 have already had a birth or are pregnant with their first child. Teenage pregnancy has been observed in reducing pattern.

⁸ MDG Progress Report, NPC, 2005 and Review Report on NPA on Nutrition, MoHP, 2007.

⁹ National Family Health Program II Mid Term Review Report, MoHP, 2010.

¹⁰ Ibid.

76. The prevalence of anaemia among children and women has fallen sharply in the past decade. The GoN has an iron-folate supplementation program for pregnant women all over the country. FCHVs are distributing the supplements at the community level in more than two-thirds of the country. There has been a significant rise in the proportion of women taking iron tablets (46%) and Vitamin A supplements (48%) postpartum since the baseline of 2006. About a quarter of children, were found to have consumed iron-rich food in the 24 hours prior to the survey. This has remained stagnant over the years.

77. Two out of three children (67%) consumed foods rich in Vitamin A in the 24 hours before the survey. Although not statistically significant, this is a slight improvement from the baseline 2006 status (63%). Children are more likely to consume foods rich in Vitamin A, as they grow older, with 29 per cent of children aged 6-8 months taking food rich in Vitamin A, compared to 76 per cent in the age group of 24-35 months. There is a slight gender difference in the practice of taking foods rich in Vitamin A, with more female children taking it: 71 per cent compared to 63 per cent among male children. The coverage of Vitamin A supplementation and de-worming was 98 per cent in the last distribution round in April 2009.

78. Measles, which is a major killer among all vaccine-preventable diseases, remained a high priority activity of the MoHP. Activities have been initiated towards measles elimination by 2016 as mentioned in objective four under the Multi Year Plan for Immunization (MYPI, 2011-2016). Following National Measles Catch-up Campaign in 2005 and Measles Follow-on campaign in 2008, both measles like outbreaks and laboratory, confirmed that measles cases have decreased drastically. To sustain the achievements gained so far, the GoN has plans to conduct national measles follow-up campaign in 2012 targeting 100 per cent of children older than 9 months to younger than 5 years of age.

79. The CB-IMCI package addresses five major killer diseases of children-acute respiratory infection (ARI), control of diarrhoeal diseases (CDD), fever including malaria and measles, ear infections and malnutrition. The CB-IMCI package being implemented up to the community level in all 75 districts has already shown positive change in the management of childhood illness¹¹.

80. The practice of taking children with illness to a health care provider (excluding pharmacy, retail shops and traditional practitioner) has improved over the years, with more than one in three children suffering from diarrhoea being taken to a health provider. This is a 24 per cent increase in the appropriate practice of seeking care from a health provider¹².

81. Neo-natal health has been made an integral part of safe motherhood program. Neo-natal mortality accounts for 54 per cent of under-five children mortality and is significant landmark to achieve the MDG 4 goal. Provisions have been made to deliver proper neo-natal care through all the health facilities at community level. At facility level, facility based CB-IMCI, Basic Obstetric Care (BOC) and Comprehensive Emergency Obstetric Care (CEOC) for pregnant women are also available. At community level, Community Based New-born Care Package (CB-NCP) is rapidly being expanded. These interventions are expected to help lower the neo-natal mortality rate.

82. The Nepal Health Sector Program-Implementation Plan (NHSP-IP) also intends to improve access to and utilization of health care services for the poor, vulnerable and marginalized people in a sustainable way. Free Health Care Policy, 2007 has the same

¹¹ Annual Report of Department of Health Services, 2009/10, 2010.

¹² National Family Health Program II Mid Term Review Report, MoHP, 2010.

targets and expects to deliver the health services at the doorsteps, and hence it is expected to raise the demand for health services in coming years.

83. Wide differences in infant and under-five mortality are observed in rural-urban residence. Mortality in urban area is consistently lower than in rural area, with under-five mortality being 35.9 per cent lower in urban areas than in rural areas, and infant mortality being 36.6 per cent. There is also considerable variation in mortality by ecological zones, with under-five mortality ranging from a low of 62 per 1,000 live births in the hills to a high of 128 per 1,000 live births in the mountains. Under-five mortality is also relatively higher in the mid-western and far-western development regions than in other regions. Infant mortality is 99 per 1,000 live births in the mountain region, but only 47 in the hill region. Infant mortality is also higher in the mid-western (97‰ live births) and far-western development region (74‰ live births) than in other regions.

84. About 70 per cent of children (including non-breastfed) receive the minimum dietary diversity in rural Nepal. This is a significant increase from the baseline of 2006, where 62 per cent of children received this type of dietary diversity. Children receiving the minimum dietary diversity improve with ages, as older children tend to get a variety of foods.

85. Breastfeeding is almost universal in Nepal, and the per cent of children ever breastfed does not vary much by background characteristics. It was found that more than one-third of new-borns were breastfed within one hour of birth and 85 per cent were breastfed within one day of birth¹³. NFHP-II Review Report estimates that most children are likely to be breastfed in the first day of birth (87%). However, more focus will be paid on the remaining 13 per cent of children who were not breastfed in the first day of birth. This delay could be harmful for the new-born. These children most often receive pre-lacteal feed, which includes items (honey, glucose, sugar syrup, etc.) other than breast milk. However, there has been significant decline in new-borns receiving pre-lacteal feed over the years (39% in 2006 to 31% in 2009).

86. Health education, information and communication activities carried out through various media down to the community level, have greatly contributed to raise awareness and knowledge of the people in promoting improved health status. This has also prevented diseases through the efforts of the people themselves and through full utilisation of available resources. The easy availability of IEC materials at the local level has led to increased demand for health services, whether it is related to child health or other. People living even in remote area with no education are also very much conscious about the health, and hence the communities do not miss any opportunity to take advantage of health benefit whenever the health campaign takes place in their locality.

87. Out of the total budget allocated for child health and nutrition-related programs (NRs 1,306 million), the budget specifically earmarked for nutrition-related programs amounts to NRs 108 million (8.3%). Given the magnitude of nutritional problems in the country and their impact on child morbidity and mortality, this allocation is low and the GoN is taking an initiative to mobilize external resource to meet the requirement.

4. Respect for the views of the child (art. 12)

88. Nepal has made progress in recent years in increasing the participation of children in national and local level decision-making processes. The GoN has developed a single national policy framework on children. The guideline and procedure for promoting child participation is already developed and being practiced.

¹³ Nepal Demographic and Health Survey, MoHP, 2006.

89. The TYP envisages the implementation of child friendly programs in the districts and makes provision of rewarding the local bodies that are able to develop a clear guideline for child friendly programs and promote child participation.

90. The stakeholders in the process of regional consultations for the preparation of the present Report, especially the representatives of the child clubs have identified various achievements during the reporting period. A total of 13,291 child clubs (out of which 7,149 are enlisted in DCWB in 52 districts) and their networks have been established at VDC and DDC levels. The number of children affiliated with child clubs has reached 339,446, out of which 158,653 are boys and 180,793 are girls. So far, 45 district level networks of child clubs, 42 regional/constituents level network, 1277 village level and 17 municipal level networks of child clubs are functional in the country. The VDCs have initiated allocating budget from their annual budget for conducting activities for children through child clubs in supporting activities to protect the rights of the child. The rate of child participation is increasing even though it varies greatly between and within the communities and districts. The impacts of child clubs have been clearly observed in improving children's health, participation, leadership development and education on the rights of child. The participation of children in DCWB and District Child Protection Committee (DCPC) activities and in the meetings/activities at the community level (VDC/SMCs/DDC) has increased even though it varies greatly between and within the communities and districts. Overall, the participation of children at all levels has noticeably increased and awareness regarding the participation of children and respecting their views is increasing in recent years¹⁴.

D. Civil rights and freedoms (arts. 7, 8, 13-17, 28 (para. 2), 37 (a) and 39)

91. The Constitution serves as a shield against any infringement of civil rights and freedoms. Most of the rights as enshrined in the CRC have been recognized as fundamental rights of the child. The Constitution confers on every person the right to life with dignity and liberty, and the right against death penalty. The Constitution also ensures right to identity and name, right to get nurtured, basic health and social security; right against physical, mental and other forms of exploitation.

1. Birth registration, name and nationality (art. 7)

92. The Constitution grants the right to citizenship to a person who has acquired citizenship by descent before the commencement of the Constitution and any person whose father or mother is a citizen of Nepal at the birth of such person. The Constitution also ensures a naturalized citizenship to a person born to the women citizen of Nepal married to a foreigner, if such a person is born in Nepal and has been residing permanently in Nepal who has not acquired citizenship of the foreign country by virtue of the citizenship of his/her father.

93. The CPA provides for the protection of the rights of the women and children in special ways and commits to stop immediately all types of violence against women and children, including child labour as well as sexual exploitation and abuse. It also ensures not to include or use children who are below 18 years in the armed forces and makes provision for instant rescue and rehabilitation for the affected children.

¹⁴ Review Report on National Plan of Action on Children, CCWB, 2010.

94. After the ratification of the Optional Protocol to the Convention on the Rights of Child on the Involvement of Children in Armed Conflict in 2007, the GoN has taken all necessary legal, administrative, and other measures to ensure the effective implementation and enforcement of the provisions of the Optional Protocol. Accordingly, the GoN has provided all appropriate assistance to the children affected by armed conflict for their physical and psychological recovery and their social reintegration and rehabilitation in cooperation with development partners. The GoN in cooperation with development partners has developed a National Plan of Action on Children in Armed Conflict and has been implementing it targeting children affected by the armed conflict in the country.

95. The GoN started a vital registration program in 1977 to maintain records of birth, death, marriage, migration and divorce to all citizens. Under the Births, Deaths and Other Personal Events Registration Act, 1976, and its Regulation, 1977, there are provisions to appoint a registrar at the MoFALD and a local registrar for each VDC and Municipality. Each VDC secretary is designated as a local registrar for vital registration, and non-gazetted staffs of MoFALD are deputed as local registrars to work at municipality offices. The Local Self-governance Act, 1999, has given more autonomy to VDCs and Municipalities in this regard. The provision of Birth, Death and Other Personal Events Registration Act, 1976, has been amended for allowing both male and female members of the family to inform and seek birth registration of the child. Birth registration within 35 days of birth is free.

96. Since February 2006, the MoFALD has started to register children born from artificial insemination. A verdict of the Supreme Court in 2005 has made the birth registration policy more gender and child friendly by allowing any member of the family above 16 able to provide information for registration. The verdict has also allowed for birth registration of the children of unknown fathers, including the children of Badi community.

97. In 2010, birth registration of under-five year children in five Karnali Districts has increased four folds. The MoFALD in collaboration with UNICEF implemented a complementary program to support child grant implementation and organized massive campaign on child grant, birth registration and nutrition. As a result, birth registration of under-five children increased from 20,896 to 85,624 during the reporting period.

98. The GoN has published birth registration audio-visual advertisements in various local languages. Children's clubs have been involved in raising awareness through street plays and door-to-door visits. Community briefings, parents' briefings and interaction meetings with women groups and paralegal committees (PLCs), and VCPCs have been contributing in raising awareness.

99. A survey found that births were registered for 35 per cent of children aged 0-4 years¹⁵. Birth registration was positively correlated with household wealth, and children in urban areas, those living in the Terai, and those in the eastern development region were more likely to have their births registered¹⁶.

2. Preservation of identity (art. 8)

100. The legislative provisions are described in the initial report, paragraphs 113 to 116. The provisions related to citizenship certificate are also described in the second periodic report, paragraph 112.

¹⁵ Nepal Demographic and Health Survey, MoHP, 2006.

¹⁶ Ibid.

3. Freedom of expression and the right to seek, receive and impart information (art. 13)

101. In March 2008, prior to Nepal's general elections in April 2008, representatives of all major political parties were brought together to publicly sign a commitment to "Put children first" for the election manifesto and in the constitution drafting process. The children's manifesto was the culmination of a process that had started in 2007 when children from every district came together to share experiences, brainstorm and prioritize issues for Nepal's new constitution. This has been taken as inputs of children in constitution.

102. From 2008/09, a national campaign on child rights was initiated jointly by 728 child rights' organisations from all over the country. The campaign was launched from a bus, called the Child Rights Bus that travelled across 67 districts. During the campaign, awareness on the situation of children and the importance of child rights were generated through rallies and street plays. Likewise, thumbprints of one million children, from across the country, were collected to ensure the prioritization of the rights of children when drafting the new constitution. The campaign also organized a national children's essay competition on "The constitution I desire", through which children's suggestions were also collected. The campaign ended on National Children's Day with the exhibition and handing over of the thumbprints, to the Chairperson of the CA, at a function organised by the MoWCSW.

4. Freedom of thought, conscience and religion (art. 14)

103. The freedom of thought, conscience and religion is also reinforced and guaranteed by the Constitution.

5. Freedom of association and peaceful assembly (art. 15)

104. Children are free to form child clubs and get these clubs enlisted at the DCWBs. This has also been re-enforced by the verdict of the Supreme Court of Nepal. The GoN is formulating regulation to ease the registration of child clubs at all levels.

6. Protection of privacy and protection of image (art. 16)

105. The Constitution ensures the right to privacy, and protects the privacy of a person, residence, property, document, statistics, correspondence and character.

106. The right to confidentiality of children in particular survivors of trafficking, juvenile delinquency and sexual exploitation is guaranteed through the provision for hearing procedure via in camera hearing in the juvenile benches, in front of social workers and psychologists that keeps the confidentiality of information. This provision is well covered under the Children's Act, 1992. The GoN has imparted training to its concerned officials and media persons on preventing violation of children's right to privacy.

107. The Electronic Transaction Act, 2006 also makes provision of punishment for a person convicted of any act of publishing unlawful material, which has either been banned under the existing electronic media laws including that of computer, internet, etc.; or any information that is culturally and traditionally insensitive; or any material that can create communal feeling and conflict.

108. Various organisations have imparted training to journalists and other professionals on sensitivity to the issues of children, including avoiding situations to put children at risk. Federation of Nepalese Journalists (FNJ) and Nepal Bar Association (NBA) have developed Codes of Conduct for their members with regard to rights of the child including right to privacy.

7. Access to information from a diversity of sources and protection from material harmful to his or her well-being (art. 17)

109. The Constitution has ensured the right to information of every citizen providing the right to demand or receive information on any matter of his or her interest or of public interest. Provided that nothing shall be deemed to compel any person to provide information on any matter of which secrecy is to be maintained by law. Right to information is primarily governed by the Constitution, Right to Information Act, 2007, and Right to Information Regulation, 2009.

110. The National Information Commission has been established in accordance with Section 11 of the Right to Information Act, 2007 for the protection, promotion and practice of right to information. The GoN has adopted measures under the Right to Information Act, 2007, to provide information to children in a child-friendly manner, which are further strengthened by the CFLG framework.

111. The Nepal Telecommunications Authority (NTA) amended the license conditions for the Internet Service Providers (ISPs) to protect children from misuse of internet. It has prohibited ISPs to flow the information related with child pornography in all forms and places.

8. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, including corporal punishment (arts. 37 (a) and 28, para. 2)

112. The Constitution guarantees the right against exploitation and prohibits exploitation on the basis of custom, tradition and convention or in any manner. It also prohibits trafficking of human beings, slavery or serfdom including forced labour.

113. The Domestic Violence (Offence and Punishment) Act, 2009 and its Regulation, 2010 prohibit all forms of domestic violence including any form of physical, mental, sexual and economic harm perpetrated by a person on another person with whom he/she has a family relationship, and this is applicable to any acts of reprimand or emotional harm. The Act lays out the clear procedures for filing a complaint including action to be taken by the Court, procedures for interim protection, in-camera proceedings, summary procedure, bearing expenses for treatment and compensation and provision of establishing service centres and penalties.

114. Corporal Punishment is banned in alternate care settings (Residential Child Care Homes and schools) through implementation of “Minimum Standards of Operation of Child Care Homes”, 2003. The GoN has adopted non-violent teaching method and teachers have been trained with training-of-trainers on corporal punishment in close collaboration with the department of education. NHRC has made efforts at central as well as at district level to make people aware against the use of corporal punishment as a means of teaching, learning and discipline practices.

115. Information regarding prohibition of corporal punishment is widely advertised in local languages and through the Schools as Zone of Peace programme. However, some isolated cases were reported on corporal punishment in schools but the overall trend has decreased significantly.

116. In-service training on child protection is in place for all government employees working for and with children. Such employees include government officials, high-level managers, health care professionals, lawyers, teachers, caregivers working in state institutions, public information and media specialists, export and import officials, and army and security forces.

117. The Juvenile Justice Strengthening Program is being implemented to strengthen juvenile justice system. It aims to: implement the provision of involving psychologists/social workers in dispensing justice to children; provide “children-in-justice” education to judges, court officials, public prosecutors and police personnel to mainstream children and justice principles into judicial practice; advocate for policy changes in regard to the modification of services; and adopt diverse measures at the national level. The JJCC, chaired by a senior Justice of Supreme Court, is responsible for policy and legal issues relating to juvenile justice; including capacity building of judicial and law enforcement officers. The GoN has also framed Juvenile Justice Procedure Regulation, 2007.

E. Family environment and alternative care (arts. 5, 9, 11, 18 (paras. 1 and 2), 19-21, 25, 27 (para. 4) and 39)

1. Family environment and parental guidance in a manner consistent with the evolving capacities of the child (art. 5)

118. Tradition and culture of Nepal favours a joint family system, keeping in view the best interests of child. Due to the long internal conflict, Nepal faced an increased rate of migration from rural to urban areas. In addition, the traditional joint-family system is gradually being replaced by the nuclear family system. With the huge trend of labour migration, many families are living with their breadwinners away from the family of origin for a long time.

2. Parents’ common responsibilities, assistance to parents and provision of child-care services (art. 18)

119. The legal aspects of parental responsibility are described in paragraphs 159 to 165 of the initial report.

120. Around 65 children living with their parents in prison have been reintegrated with their kith and kin during this reporting period¹⁷. The GoN policy is to reintegrate the children living with their parents in prison to their immediate families. This has not been fully possible due to lack of human and financial resources. The GoN is seeking technical and financial assistance to increase accountability to ensure that enough resources, systems and structures are in place.

3. Separation from parents (art. 9)

121. It is estimated that 5 per cent of children under the age of 15 years are not living with their biological parent and living with others within the family or away from family¹⁸.

122. The MoWCSW has provided emergency support to children living away from their parents due to various reasons including the conflict¹⁹.

4. Family reunification (art. 10)

123. The MoWCSW has adopted a policy to implement all programs on child welfare through the community-based approach and subsequently mobilizing CBOs.

¹⁷ The State of Children of Nepal, CCWB, 2010.

¹⁸ Nepal Demographic and Health Survey, MoHP, 2006.

¹⁹ Such support has been provided to around 7,906 (3,752 girls and 4,154 boys) children during this reporting period.

124. The children's homes publish notices of 35 days in all leading national newspapers and audio-visual media for parents or communities to identify their children before finally declaring them "abandoned" and kept in the centres. However, there is no data available on the number of children reunited with their families through these children's homes and this mechanism risks to seriously undermining family preservation and puts children at high risk of abandonment, even if they still have family care options.

5. Recovery of maintenance for the child (art. 27, para. 4)

125. The legal provisions of recovery and maintenance are already reported in the initial report (paras. 184-186).

126. The legal provisions on divorce, child custody and adoption have been revised to make them gender friendly. The revised provisions give the first right to custody of children to the mother in case she is capable of looking after them. The General Code (*Muluki Ain*) ensures the payment for the living expenses by father. The children have the right to property of their father as well as mother at later stage. The father gets the right to custody and care in case the mother is not able to care for the children.

6. Children deprived of a family environment (art. 20)

127. The legislative framework is described in the initial report, paragraphs 188 to 189.

128. The children deprived of a family environment are being taken care of by the GoN and non-governmental child homes being operated at various places. About 602 child homes are operational in 38 districts of the country²⁰.

7. Periodic review of placement (art. 25)

129. Section 19 of the Terms and Conditions for Adoption of (Nepali children) to Foreign Citizen 2009, has provision for submitting a report about the adopted child's condition including nurturing, health and education (as well as a postcard size photograph) by the adoptive parents to the MoWCSW through the Embassy of Nepal in the adoptive parents' country. The GoN has faced difficulties in conducting periodic review as from the moment an adopted child receives foreign citizenship, the responsibility for post-placement supervision rests with the receiving country rather than with the GoN.

130. The GoN is taking initiatives to overcome the difficulties encountered in the effective implementation of the CRC, and to put in place the administrative measures necessary for reviewing the placement of the children in line with the provisions of the countries where the child is adopted.

8. Adoption, national and inter-country (art. 21)

131. Nepal signed the Hague Convention on Protection of Children and Co-operation in respect of Inter Country Adoption on 28 April 2009. After signing "The Hague Convention", the MoWCSW has formed an Inter-country Adoption Management Committee on 14 May 2010 to regulate adoption effectively. The GoN has enforced legal provisions under the General Code that allows foreign national to adopt any citizen of Nepal, who may be adopted as a son or daughter in accordance with the law. The General Code further clarifies that the GoN may, after considering the character and economic condition of such a foreign national and on recommendation of the concerned foreign

²⁰ The State of Children of Nepal, CCWB, 2010.

government or embassy, permits adoption of a son or daughter on such terms and conditions as the GoN may consider appropriate.

132. The MoWCSW has made a decision that no stray children traced by the police would be granted for inter-country adoption. The Ministry has made necessary arrangements for the protection of such child.

133. Reforms on inter-country adoption process have been made to make it more systematic and transparent and to avoid a situation where children with family are sent for inter-country adoption. An Inter-country Adoption Management Committee has been established as the central authority for inter-country adoption. Family Matching Committee is also established to match the parent for a child.

134. The provision of spending at least 90 days in an orphanage as one of the major criteria to be eligible for inter-country adoption is being implemented strictly. Before initiating inter-country adoption process, the orphanages need to give priority to the domestic adoption by inviting applications through national newspapers and other media.

135. The total figure for inter-country adoption from 1993 to 2008 was 2,234²¹. The inter-country adoption process, completely closed for almost two years, was reopened in January 2009 with several modifications in administrative requirements. From January 2009 to the end of the reporting period, 127²² children have been permitted by competent authority for inter-country adoption.

9. Illicit transfer and non-return (art. 11)

136. The legislative framework is described in the initial report, paragraphs 201 to 202.

137. Many NGOs are active on implementing preventive measures including running interception and rehabilitation centers for the children at risk and victims of trafficking. The centers run by the NGOs in the border areas to intercept girls being trafficked and conduct awareness programs with the help of the returnee girls from India are examples of successful preventive measures undertaken. The MoWCSW has been running the Women Empowerment and Rehabilitation Centers. These Centers run social work programs including income-generating activities that are targeted especially to selected women from 26 trafficking prone districts. These women then become active in raising awareness against trafficking through specific programs and surveillance mechanisms.

138. The GoN is taking effective measures to prevent recruitment of children in circus in India. Total 79 children (4 boys and 75 girls) were rescued from the circus in India and rehabilitated with the assistance of NGOs during the reporting period.

10. Abuse and neglect (art. 19), including physical and psychological recovery and social reintegration (art. 39)

139. The Nepal Police has established the Women and Children Service Centres in Kathmandu and in all district police offices. These centres aim to control crime against children and women, conduct investigations into cases reported, and provide essential support to the victims. The Service Centres provide support to the victims of the cases of child marriage, forced marriages, trafficking, child labour, child sexual abuse, cases of rape, marital rape, sexual abuse, domestic violence and other civil and criminal offences against children and women. Many development partners are supporting this initiative of the Nepal Police. The Women and Children Service Centres of Nepal Police in all districts work in

²¹ The State of Children of Nepal, CCWB, 2010.

²² Ibid.

coordination with local NGOs to provide referral services to victims. The police officers are trained to receive, monitor and investigate complaints and ensure the prosecution of cases of child abuse, exploitation and neglect. These services are widely advertised, using audio-visual media, including in local languages.

140. The GoN established the National Centre for Children at Risk in 2006 and has widely publicized telephone Numbers 104 and 4226006 as the emergency numbers to report cases of missing children. Once reported, and if a child is found, he/she is reintegrated with his/her family. The National Centre for Children at Risk found 1,344 missing children (777 boys and 567 girls) during the year 2009 and 2010²³. In addition, Child Help Line (1098) is operational in 13 districts of the country to provide appropriate services to children at risk. The National Centre for Children at Risk is operating in Kathmandu.

141. At the community level, the GoN has been supporting a network of more than 700 PLCs and community-based groups almost entirely formed by women who focus on raising awareness on the rights of women and children, provide immediate and front line support to victims and facilitate the referral of cases to relevant district authorities.

142. During the reporting period, the GoN continued its efforts to ensure that legislations, policies and procedures are in place to facilitate the identification, reporting, referral, investigation, treatment and follow-up of cases of child abuse.

F. Disability, basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) and 33)

1. Children with disabilities (art. 23)

143. Legislative provisions with regard to children with disabilities are described in paragraph 230 of the initial report and paragraph 187 of the second periodic report.

144. The Constitution under article 22, clause (4), provides special facilities to helpless, orphan, mentally retarded, conflict victim, displaced, vulnerable and street children for their well-ascertained future.

145. Nepal is a party to the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

146. The percentage of people in the total population, with diverse categories of disabilities is estimated to be 1 to 8 (TYIP). Disability Service National Coordination Committee has been formed with the adoption of the National Policy and Action Plan 2006. The GoN is implementing programs like special education classes and disabled rehabilitation skills orientation, targeting children and adults with disabilities. Monthly social security allowance provided during TYIP is continued under the TYP as well. Scholarship quota for students with disabilities is being provided. The GoN has also framed building codes requiring public buildings to be persons with disabilities friendly.

147. The GoN formulated a National Policy and Work Plan, 2006, in consultation with development partners, organizations of persons with disabilities, NGOs and institutions working on disability in the country. The rights concept and international standards guide the definitions and classification of persons with disabilities contained in this policy and plan. This plan is being implemented by the GoN in cooperation with development partners, NGOs and organizations of persons with disabilities under the TYP. In addition,

²³ The State of Children of Nepal, CCWB, 2010.

the GoN has adopted an inclusive approach as a guiding principle in formulating policies, programs and institutions on disability. Accordingly, inclusion of children with disabilities is being made in education, health, social protection and society in general. The Eradication and Prevention of Disabilities Program is being implemented from 2007 by the MoHP. This program addresses the issues of prevention, early detection, interventions and referral of cases at local level.

148. With the adoption of an inclusive approach, the overall enrolment of students with disabilities at primary, lower secondary and basic levels have increased significantly. Out of the total enrolment at primary, lower secondary and basic levels, the per cent share of students with disabilities are 1.1 per cent, 0.9 per cent and 1.1 per cent respectively²⁴, which is very low in terms of coverage. Hence, the GoN is in the process of bringing remaining children with disabilities in school and mainstreaming them to respective levels under the SSRP.

149. Under the TYIP, the GoN had allocated NRs. 500 million for the programs related to the empowerment, livelihood income, enhancement of accessibility, and physical aids for the persons with disabilities. Out of which about 55 per cent was allocated under the MoWCSW and the rest of the allocations were made to the sectoral ministries.

150. The GoN has classified disabilities into eight main categories and has distributed identity cards to the persons with disabilities, which allow concessions in services. Disability rehabilitation has been included in the essential health services too.

151. The TYIP sets an objective to create persons with disabilities friendly environment, free of obstacles, and enabling them to access to all possible facilities for a just, dignified and independent livelihood. Accordingly, the GoN has adopted strategies such as building legal, institutional, physical and economic infrastructure; empowering persons with disabilities; promoting coordination and collaboration among government, non-government and development partners; and implementing programs focused to the rights and needs of persons with disabilities.

152. The GoN in coordination and collaboration with National Federation of Disabled Nepal (NFDN) and other civil society organizations is providing services to persons with disabilities.

153. The GoN has expanded Community Based Rehabilitation (CBR) to 65 districts in cooperation with development partners and NGOs and significantly increased budget allocation in recent years. The MoWCSW, in cooperation with development partners, has developed software on situation of children with disabilities that would provide data on situation of children with disabilities in coming years.

2. Health and health services, in particular primary health care (art. 24)

154. The Constitution in article 16 (2), under the Rights regarding Environment and Health, provides that every citizen shall have the right to basic health services free of cost from the State as provided for in the law.

155. The GoN has increased funding for the health sector over the last couple of years. Funding for nutrition has increased up to 2 per cent of the national health sector budget²⁵.

²⁴ School Level Educational Statistics of Nepal, Consolidated Report, MoE, 2010.

²⁵ Mid Term Review of Country Program Cooperation between the GoN and UNICEF (2008-2010), NPC/UNICEF, 2010.

156. The TYIP targeted to extend the CB-IMCI program to all the 75 districts within three years. The CB-NCP has been implemented from 2009 in different phases. National Infant and Young Child Feeding and Care Strategy have been formulated, and in consultation with the development partners, national nutrition priorities for 2008-2011 have been developed. National nutrition policy and strategy was formulated in 2006.

157. In accordance with the policy of decentralization and devolution, management of a total of 1,433 health institutions (sub-health posts, health posts and primary health care centres) of 28 districts have been handed over to local bodies. Decentralized allocation of resources has also been followed with the Ministry of Finance disbursing resources directly to the district line agencies for the implementation of the concerned programs associated with child health. More than three-quarters of the population (78%) now has access to a health facility within half an hour of travel time. The network of institutions involved in the delivery of basic health services include 93 government, non-government and private teaching Hospitals; 210 Primary Health Care Centres (PHCCs); 676 Health Posts (HPs); 3,134 Sub Health Posts (SHPs); and 14,292 Primary Health Care Outreach Clinics (PHCORCs) – supported by 48,514 FCHVs²⁶.

158. The immunization services have been provided mainly through government facilities. The private sectors and NGOs clinics are also providing the services. Private sector has also provided immunization services mainly in urban areas through hospitals, nursing homes and NGOs.

159. The GoN has the aim to make 1,000 adolescent friendly health facilities by 2015. The GoN has felt a need for a comprehensive adolescent policy to guide service provisions for adolescents specifically for Sexual Reproductive Health (SRH), ANC and Prevention from Mother-to-Child Transmission (PMTCT) services.

160. The investment of the GoN in water supply and sanitation is primarily guided by the Twenty Year Vision (1997-2017), which seeks universal coverage by 2017.

161. The National Policy on Rural Drinking Water Supply and Sanitation, 2004 provides guidance on water and sanitation service provision in rural areas using community led participatory approaches. The National Drinking Water Quality Standards, 2006 provides details of water quality standard to be applied for all water resources; and this complements the Environment Protection Act, 1997. The GoN adopted National Drinking Water Standards in 2006 and has plan to roll them out in a phased manner, starting with projects in urban areas, and proceeding to district headquarters and then water supply schemes at the VDC level. A Sanitation Master Plan was recently developed to guide institutional and financial systems in the sanitation sub-sector.

162. The National Urban Policy, 2007 provides that the urban poor requires urgent attention through improvements in poor sanitation, environmental degradation and lack of services, and emphasizes building the capacity of municipalities to plan and manage integrated local development activities. The Nepal Water Supply Corporation Act 2nd Amendment, 2007; Water Supply Management Board Act, 2006; and Water Supply Tariff Fixation Commission Act, 2006 establish the legal basis for private sector management of schemes and independent fee setting and regulation to facilitate the improved management of water and sanitation services.

163. The GoN has also introduced School Led Total Sanitation (SLTS) and Community Led Total Sanitation (CLTS) programs across the country. These programs seek to spread awareness of hygienic practices through communities and schoolchildren in particular. The

²⁶ Nepal in Figure (CBS), 2009.

Open Defecation Free (ODF) campaign has been initiated by local bodies in collaboration with UNICEF. So far, 185 VDCs of 32 districts have been declared as ODF areas. The GoN has been providing subsidies of up to Rs. 2,000 per household to build toilets. The SLTS and CLTS programs seek to spread awareness through communities and schoolchildren in particular, and across the country to change behaviour on health and hygiene.

164. It is estimated that only 26 per cent of mothers of children aged less than 5 years dispose of their youngest child's stools safely. The practice of safely disposing of children's stools increased from 18 per cent of mothers in 2001 to 26 per cent in 2006²⁷.

165. Awareness on hand-washing practices is increasing in Nepal. About 64 per cent of females between the ages of 15 and 49 years had washed their hands with soap at least once during the previous day²⁸.

166. Several recent budgetary decisions reflect the GoN's increasing commitment to improving access to safe water and sanitation. The MoFALD has committed 20 per cent of its total budget for rural water supply and sanitation. The GoN has also authorized VDCs to allocate up to 15 per cent of their capital grants for programs that directly support and empower children, women, and socially excluded groups when they are working toward ODF status and other criteria of CFLG. It is estimated that on an average, 58 municipalities in the country are spending 13 per cent of their total budget on waste management related activities²⁹.

167. Large cities, in particular Kathmandu, as well as other metropolitan cities, are growing fast due to influx of population mainly in search of better opportunities. The high rate of continuing migration from the rural areas to the urban areas has been putting enormous pressure on the urban infrastructure. Since, urban water demand is increasing rapidly between 6 per cent and 9 per cent per annum; this has placed a challenge on existing urban water supply as well as sanitation services³⁰. This has been causing serious problems in urban planning, management, and governance. An adverse impact in safe drinking water supply, hygienic sanitation, drainage facilities, solid waste management, and river pollution has been observed.

168. The National Water Plan (NWP) has been prepared to operationalize the Water Sector Strategy (WSS) for maximizing the sustainable benefits of water use in Nepal. An Integrated Water Resources Management (IWRM) has been adopted as one of the principal themes of the NWP.

169. There is disparity in toilet facilities between rural and urban areas. The distribution of toilet in rural areas was 41.8 per cent compared to 85.4 per cent in urban areas in 2008. Similarly, a comparatively large proportion of households in Tarai region (61.4%) do not have toilet compared to mountains (51.7%) and hills (39.3%)³¹.

170. As per the Rural Water Supply and Sanitation National Policy, Strategies and Strategic Action Plan, Nepal has set the national goal to achieve universal toilet coverage by 2017. To achieve this goal, the GoN has been implementing various focused programs like "School Sanitation and Hygiene Education Program", SLTS program, National Sanitation Actions Weeks, CLTS, Hand Washing with soap campaigns, among others. As a result, more than 92 VDCs with more than 550 school catchment areas are declared ODF and significant level of public awareness has been increased on the necessity to build

²⁷ Nepal Demographic and Health Survey, MoHP, 2006.

²⁸ Ibid.

²⁹ Solid Waste Management and Resource Mobilization Centre, 2004.

³⁰ Ministry of Physical Planning and Work, 2008.

³¹ Central Bureau of Statistics, 2009.

toilets. In addition, formation of health institutions management committees and training for their members has contributed to supply of drinking water and toilet constructions in rural and urban areas.

HIV and AIDS

171. The MoHP adopted the five-year National HIV/AIDS Strategic Plan in 2006, designed in line with Universal Access target of 80 per cent coverage with prevention, treatment, care and support services to most-at-risk population and people living with HIV and AIDS. This Strategic Plan has adopted prevention and treatment; and care and support as the two main programmatic components. In addition, advocacy, policy and legal reform; leadership and management; strategic information and finance and resource mobilization have been identified as the four major cross cutting components. It has also defined basic service packages and specialised service packages for various population groups keeping in view their vulnerability and needs.

172. The five-year National HIV and AIDS Strategic Plan, aims at making the Basic Minimum Package available to all vulnerable groups. The Basic Minimum Package includes Behaviour Change Communication (BCC), interventions (life skills, peer-education, health promotion, and creation of mass awareness), distribution of condoms, Voluntary Counselling and Testing (VCT), Sexually Transmitted Infection (STI) referral, Post Exposure Prophylaxis (PEP) and blood safety.

173. The MoHP and MoWCSW established a task force on Children Affected by HIV and AIDS (CABA) in 2007 in order to ensure the prioritization of the issues of children affected by HIV and AIDS in the national agenda. The national strategy, guidelines and basic minimum package for CABA was adopted in 2009. The National Plan of Action on HIV and AIDS 2008/11 has prioritized CABA. The GoN has also included HIV and AIDS, and other adolescent health content in the curriculum of educational institutes.

174. The GoN has allocated resources for CABA program including cash transfer for next 2 year, under Global Fund round 10 in 2010. HIV and AIDS policy has been formulated to address care, support and protection of CABA.

175. Other services for people affected by AIDS include; (a) ART services available in 39 places; (b) VCT services available in 158 centres; and (c) the program for the PMTCT services available in 21 places (22 hospital based sites and 27 CB PMTCT sites), out of which 20 sites offer Paediatric services; and (d) a Universal Access for Children Affected by AIDS in Nepal (UCAAN) partnership has also been developed with membership of 34 development partners. The National AIDS Coordination Committee (NACC) and District AIDS Coordination Committees (DACC) have been formed³².

176. Adolescent reproductive health program and adolescent girls' empowerment program have been implemented under the Department of Women and Children (DWC) to raise awareness among targeted groups on HIV and AIDS.

177. The HIV prevalence in Nepal in 2009 among adults and children was estimated at 63,528. Prevalence among people aged 15-49 years (an MDG indicator) was 52,504. About three males were infected for every female in this age range. The estimated number of AIDS-related deaths in 2009 was 4,701. Among children aged 0-14 years, an estimated 3,544 were infected with HIV in 2009. Average number of new infections amongst children (0-14) per year was 468. Average number of AIDS deaths among children (0-4) per year was 106 and total number of AIDS orphans until 2009 was 21,947. Average number of

³² Central Child Welfare Board, MoWCSW, 2010.

AIDS orphans per year is 455. Sharing of needles and sexual transmission are the most common modes of transmission³³.

178. Some reports and field visits indicate that the number of child-headed households where both parents have died and the eldest child has become the head of the household is increasing. The GoN is in the process of collecting data on CABA along with other information pertaining to children through CROs.

179. The NDHS 2006 has examined knowledge, attitudes, and practices regarding HIV and AIDS among females and males aged 15-49 years. The survey found that 73 per cent of females and 92 per cent of males had heard of AIDS. Knowledge of AIDS among ever-married people in the reproductive age groups (women aged 15-49 years and men aged 15-59 years) has increased over time; for example, the NDHS 1996 and 2006 show an increase from 27 per cent to 69 per cent in the proportion of ever-married females with this knowledge.

180. During the reporting period, the cumulative HIV infection by age group and sex is projected as – for age group (0-4 years) – 253 males and 152 females; for age group (5-9 years) – 279 males and 198 females; for age group (10-14 years) – 103 males and 67 females; and for age group (15-19 years) – 263 males, 274 females³⁴.

181. So far, 21 sites have been made available to provide services for PMTCT, of which 20 sites offer paediatric ART. About 798,174 women get pregnant every year in Nepal, and about half of them have access to antenatal care services. Total number of pregnant women tested for HIV (2006-2010) is 190,874. Total number of new HIV positive women delivered (2006-2010) is 432. Only an estimated 6 per cent of the HIV-positive children in Nepal are receiving antiretroviral treatment.

182. The National Council for AIDS and STD Control (NCASC) under the MoHP has been managing the country's HIV and AIDS response since 1988. In 2007, the GoN constituted the HIV and STD Control Board with the mandate of overall, multi-sectoral coordination of the response.

3. Social security and childcare services and facilities (arts. 26 and 18)

183. The GoN has continued the social security allowances for the benefit and welfare of children, the aged and persons with disabilities. A sum of NRs. 8.95 billion had been allocated to give continuity to the social security allowances in the budget of fiscal year 2010/11. In the past, the distribution of social security allowance was made through the VDCs and Municipalities. However, the GoN has now initiated distributing social security allowances through the banking system.

184. The GoN has made special provision of scholarships to the students of public schools in Karnali Zone. The students from the Dalit communities, students with disabilities and girl students across the country represent the other categories receiving scholarship. Under the program, a scholarship ranging from NRs 350 to 1,000 per student per year has been provisioned.

185. In recent years, the GoN has given more attention to the necessity for a comprehensive social protection scheme. The GoN is collecting contribution of 1 per cent of the salary for social security and is preparing to expand social security schemes gradually for formal and informal sector employees as well.

³³ National Council for AIDS and STD Control, 2010.

³⁴ Ibid.

186. The concerns expressed by the Committee on the Rights of the Child, in particular, about the high level of prevailing poverty in the country and its direct impacts on those living in rural areas, among the Dalit and ethnic minorities have been addressed through social protection scheme such as “Child Protection Grant”. In addition, the GoN has facilitated in increasing access to basic services, in particular, education, health, water and sanitation, and poverty alleviation programs for families having children. The GoN expenditures on social services have increased from 4.3 per cent in 2001/02 to 22.9 per cent in 2007/08, after the signing of the CPA and promulgation of the Interim Constitution in 2007.

187. With the ratification of ILO Convention No. 169, awareness level of indigenous nationalities, ethnic minorities and marginalized groups have increased significantly and their identity, protection of culture, access to basic services and participation in civil service including parliament have been strengthened.

188. A sum of Rs. 200 million has been allocated under the fiscal year 2010/11 budget, for the human development, and for the protection of culture and heritage of indigenous nationalities, ethnic groups, Dalit, Madhesi, Muslim, people in remote areas and marginalized groups. With the allocation of this resource, the GoN has initiated social protection of indigenous nationalities and ethnic minorities including communities living in remote rural areas.

4. Standard of living (art. 27, paras. 1-3)

189. The GoN is making progress in reducing overall poverty rate in recent years and is likely to achieve some of the MDGs, in particular, MDGs 2, 4 and 5 by 2015. The poverty level in the country was 31.4 per cent in 2005 that has decreased to 25.4 per cent in 2009.

190. The GoN has taken a lead in a global study on child poverty and disparities in collaboration with UNICEF. The commitment to the study was translated through an inter-ministerial committee that oversaw the study. The study was conducted with seven deprivation indicators that were identified as necessities. These indicators were related with sanitation, information, shelter, water, malnutrition/food, education and health/immunization. The finding of the study was shared in 2010. The study has highlighted that malnutrition and lack of sanitation are serious obstacles to the survival growth and development of children. Every second child under five in the country is stunted or has a low height for age; and over half of country’s children between the ages 0-17 years have no access to a toilet of any kind³⁵.

191. Poverty alleviation has been a major priority of successive governments. The GoN has established the PAF³⁶ as an independent institution to implement poverty reduction programs in 2004/05. The implementing agencies of PAF are NGOs and community based organizations. The PAF has continuously strived in reaching out the unreached. The PAF has spent a total of Rs. 7,960 million from its establishment to 2009/10. Out of which, 96.52 per cent is from the International Development Association grant, 2.80 per cent, from the International Fund for Agriculture Development grant, and the rest 0.69 per cent, from the GoN source. PAF has been able to mobilize 14,827 community-based organizations throughout the country targeting poorest of the poor households and organizing 543,263

³⁵ Child Poverty and Disparities in Nepal, NPC/UNICEF, 2010.

³⁶ It is an initiative started in 2004. The Poverty Alleviation Fund Act, 2006 is the legal basis of the PAF.

poor so far. These organizations have implemented 13,810 income generating and 2,740 community infrastructure projects³⁷.

192. As reported in the second periodic report, micro-credit schemes are extended in rural areas in enhancing credit facilities to the poorest of the poor. Many Micro Finance Institutes (MFIs) are operating in the country through the support of Rural Micro-Finance Development Corporation (RMDC).

193. The growth of cooperatives in rural as well as in urban areas is significant in recent years. About 10,000 cooperatives are functioning throughout the country, extending credit services to small entrepreneurs and poor households. These cooperatives have also played an important role in reducing poverty, and thereby contributing in improving standard of living of poor households.

194. The GoN effort in alleviating poverty through establishment of PAF and supporting micro-finance institutions are heading towards strengthening strategies to combat poverty. In addition, establishment of child poverty indicators in collaboration with UNICEF is a step forward in monitoring the impact on the rights of children.

G. Education, leisure and cultural activities (arts. 28, 29, 30 and 31)

1. Education including vocational training and guidance (art. 28)

195. The Constitution has guaranteed the education and cultural rights as fundamental rights. Article 17 of the Constitution ensures the rights of each community to receive basic education in their mother tongue, the right to receive free basic education and the right to preserve and promote its language, script, culture, cultural civilization and heritage.

196. A number of wide-ranging and remarkable policy and program changes have taken place in the education sector of the country. Accordingly, the GoN has adopted a number of policy initiatives including a policy of free basic education³⁸ (up to grade eight) provision from 2009. With the significant achievements under the National Plan of Action on EFA (2001-2015) and with technical assistance from various development partners, the GoN has been implementing the School Sector Reform Program 2009/10 to 2013/14 (SSRP). The SSRP supports the MoE in various areas, in particular, social inclusion, physical infrastructure development, financial management, decentralization, institution development and financing, and sector management for overall improvement in quality and coverage of basic education including vocational and technical education.

197. The SSRP is a long-term strategic plan to achieve the goals and objectives of basic and secondary education that the GoN has envisioned for the years. This was reviewed and widely accepted by development partners and civil society. The plan comprises the key strategic interventions and the estimated financial resources required to implement these strategies. The GoN has envisioned a phase-wise plan for a compulsory basic education policy through statutory arrangement at national and local levels. The GoN has also promoted an incentive scheme in a few VDCs of some districts to encourage local bodies to adopt and declare basic education free and compulsory in their respective areas under the SSRP.

198. The education policies under the SSRP are to establish more schools on the basis of school mapping; bring schools closer to home and ensure greater provisions for community involvement in schooling; expand Early Child Development (ECD)/pre-primary education;

³⁷ The PAF Annual Report, 2010.

³⁸ Free basic education includes free tuition, free admission, no fees for exams and free textbooks.

provide free (no monthly fees and free textbooks) education up to grade eight; and ensure provisions towards compulsory basic education. The policies also are to target scholarship programs for girls, Dalits, children with disabilities, children in Karnali region and indigenous nationalities (Janjati) in selected districts; provision of mid-day meals and oil-for-education in 26 hill and mountain districts. The policy is also targeted to mainstream Gumbas, Madarsa and other religious institutions in formal education system. Similarly, the continuous assessment and liberal promotion policy, in particular, at primary level; literacy campaigns in low literacy districts; and gradual increase in annual budgetary allocations for basic and primary education are also recognized as appropriate education policies under the SSRP.

199. Following the policy and addressing the CRC recommendations, the GoN has gradually increased the annual budgetary allocation for primary and basic education. In 2010, 17 per cent of its national budget was allocated to education (highest allocation amongst different sectors). The development partners are supporting financially and technically in the implementation of EFA and SSRP.

200. Likewise, the representation from women, Dalit and ethnic groups are also ensured in the different management committees of education to make education management more inclusive, and address the issue of disparities in education.

201. The Schools as Zone of Peace (SZOP) initiative is continuing improving school environments where children can learn and develop themselves while being safe from violence and other political activities. This initiative has brought together community groups, including child clubs, School Management Committees (SMCs) and political groups to develop and agree upon codes of conduct. The codes of conduct aim to reduce school closures due to political activities, to improve school governance, to reduce the presence of armed forces in and around schools, to resolve internal conflicts, to hold political parties accountable for their commitments with regard to schools, to eliminate the misuse of school facilities, and to increase inclusiveness at the school level.

202. The number of primary, lower secondary and secondary schools increased significantly between 2003 and 2009. The total registered primary, lower secondary and secondary schools reached 31,655, 11,341 and 6,926 in the school year 2009/10 from 27,268, 8,249 and 4,741 respectively in the school year 2003/04. The GoN has been able to increase the number of schools and provide easy access to basic education during the reporting period.

203. The NER at primary level has increased remarkably (93.7%); however, it is 2.3 per cent short of the target (96% in 2009) set under EFA. In addition, there is an increase in the NER at lower secondary level (63.2% in 2009) as well. The GoN has reviewed progress and challenges to achieve the target of EFA program in coordination and collaboration with development partners.

204. There is an increase in NER among Janjatis and other marginalized groups at primary level. Moreover, the trend within various castes under the social group is not being projected, as the MoE collects educational statistics under Janjati for 22 groups, whereas the GoN has identified 59 groups under indigenous nationalities/Janjati group in Nepal.

205. The trends of enrolment at primary (1-5), lower secondary (6-8) and basic (1-8) levels were encouraging between 2004 and 2009. The average annual growth rate at primary, lower secondary and basic levels are 4.0, 2.1 and 3.5 per cent respectively. The gender equality in terms of enrolment is almost similar in terms of population of girls of the age group. The enrolment rate of girls at basic level (1-8 grades) is 49.8 per cent. Nepal has achieved the target of EFA in terms of enrolment of girls at basic level education.

206. The MoE has initiated to calculate survival rate to grade five using an internationally accepted reconstructive cohort model from the school year 2008. Accordingly, the survival rate in 2008 was reported at 73.4 per cent that has increased to 77.9 per cent in 2009.

207. With the measures for liberal promotion, promoting child friendly schools and physical infrastructure development approach, the GoN has been able to reduce the dropout rate (6.5%) of children from primary level in academic year 2009 from the dropout rate (10.2 per cent) of academic year 2003. In addition, there is a significant achievement in reducing the repetition rate of student at primary level. The repetition rate at primary level in the academic year 2009 was 14.4 per cent from 22.3 per cent in the academic year 2003.

208. Many special scholarship schemes (Dalit, Girls, Martyr's, Karnali region and Disabilities) are being implemented under the SSRP. Since 2009, a separate educational rehabilitation program has been implemented for withdrawn Kamalhari (Girl child of Kamaiya serving as domestic worker) in five Kamaiya prone districts of far and mid-western development regions.

209. The number of teachers at primary and lower secondary levels has increased significantly from the number reported in 2004. The total number of teachers at primary and lower secondary levels are 153,536 (60,826 female and 92,710 male) and 40,259 (9,938 female and 30,321 male) respectively. Thus, the total number of teachers at basic level (1-8 grades) reached 193,795 (70,764 female and 123,031 male). The GoN effort to recruit more female teachers under the *Rahat* (relief) quota has contributed to increasing the number of female teachers.

210. The number of trained teachers at primary and lower secondary levels has increased in recent years. The number of trained teachers at basic level (1-8 grades) has reached 163,398 (58,808 female and 104,590 male). The share of trained female teachers (36%) at basic level is still low in comparison to trained male teachers (64%). The GoN has a plan to train more female teachers and teachers recruited by communities under the SSRP.

211. The GoN has launched literacy campaigns in identified low literacy districts to achieve the goal set by EFA program. According to the Nepal Labour Force Survey (NLFS) 2008, literacy rate among the age between 15-24 years is 86.5 per cent in 2008. This is higher than the target set under the EFA for 2009.

212. The GoN has continued to provide more ECD or Pre-Primary Classes (PPC) in its education plan since 2001. ECD/PPC is aimed at improving internal efficiency of primary and basic education and is focused on social, emotional, intellectual and physical development of children. Under the SSRP, the concentration is on increasing access of vulnerable and marginalized children. The number of ECD/PPC centres has increased significantly within the period from 2002 to 2009/10. The total number of ECD/PPC centres throughout the country was 29,089 in 2008. These centres have been managed by both schools and communities. The share of private centres is low (3,636). The enrolment of students with ECD/PPC experience to grade one has increased between 2002 (10.9%) and 2009 (49.9%) indicating for high chance of continuing schooling of these children³⁹.

213. The number of children enrolled in ECD and PPC has increased by 24 per cent between 2003 and 2009. The massive expansion of ECD and PPC has contributed to increasing access to children in ECD and PPC.

³⁹ School Level Educational Statistics of Nepal, Consolidated Report, MoE, 2010.

214. The gross enrolment rate (GER) of Dalit and Indigenous nationalities/Janjati children in ECD and PPC has also increased between 2004 (39.4%) and 2009 (66.2%), indicating a high participation rate of Dalit and indigenous nationalities/Janjati communities in ECD/PPC.

215. The GoN made budgetary allocation to continue ECD/PPC centres including additional 2,000 new centres in Fiscal Year 2010/11 with a view to educating children from economically and socially deprived classes⁴⁰.

216. The Council for Technical Education and Vocational Training (CTEVT) has also been included under SSRP and various initiatives have been taken to increase access of all children from all sections of the society to technical education and vocational training. Many private institutions in affiliation with CTEVT have provided technical education and vocational training to eligible youths and children. About 63,000 children aged 14 to 17 years are estimated (period covering 2006 to 2008) to have received formal training in different vocational subjects, out of which about 37,000 (57.8%) children have received training in computer science⁴¹.

217. The rate of out-of-school children at primary and lower secondary levels has decreased from 16.5 per cent at primary and 57.1 per cent at secondary level to 5.3 per cent and 36.8 per cent respectively between 2003 and 2009⁴².

218. The GoN has drafted a Bill to amend the Education Act 1971. The draft Bill has proposed provision for prohibiting corporal punishments at schools. The SSRP has adopted an approach to introduce a code of conduct for teachers at school that also prevents and prohibits corporal punishments at schools.

219. The SSRP has a policy of free alternative programs and condensed courses to allow students who cannot attend formal schools to catch up with their cohort group to complete the cycle. With this policy, the Department of Education (DoE) has carried out flexible schools in many needy districts on demand basis. These schools allow students to develop their learning skills and competencies to enrol at higher grade after graduating from flexible schools. This approach has mostly benefitted the children from disadvantaged groups and ethnic minorities, including slum children.

220. The GoN has launched a literacy program under the slogan "let us be literate and enhance capacity". The key measures adopted to promote literacy are national literacy campaign, adult literacy, women literacy I and II, post literacy programs, alternative schooling programs and school outreach programs. The expansion of community learning centres and community-based libraries are other major vehicles for continuing education.

221. The GoN is working in partnership with more than 1,000 NGOs that are involved in providing out-of-school programs in urban and rural areas to children of disadvantaged groups and ethnic minorities, including slum children in collaboration with development partners.

2. Aims of education (art. 29)

222. The SSRP has defined goals and objectives of ECD and Basic Education separately. The ECD aims to foster children's all-round development, laying a firm foundation for basic education with an objective to expand access to quality ECD services for children of 4 years of age, to prepare them for basic education. Similarly, basic education aims to

⁴⁰ Fiscal budget, MoF, 2010.

⁴¹ National Child Labour Report, CBS/ILO, 2010.

⁴² School Level Educational Statistics of Nepal, Consolidated Report, MoE, 2010.

ensure equitable access to quality education through a right-based approach and promotion of a child friendly environment in schools, with an objective to ensure equitable access to quality basic education for all children between 5-12 age groups.

223. The SSRP has adopted a policy of provisioning basic education as an entitlement. It also confirms the responsibility of the state in ensuring free and quality basic education for all children of aged 5-12 years.

224. The DoE monitors the periodic progress in the education sector and publishes the Flash Report. This system has institutionalized the Education Management Information System (EMIS) within the education sector.

225. In the beginning of the academic years, a planned “Welcome to School Campaign” is organized throughout the country, in close coordination and collaboration with civil society including child clubs that has contributed in increasing net enrolment rate at primary and lower secondary levels including at ECD/PPC.

226. During the reporting period, progress has been made in the education sector particularly in terms of enrolment and gender parity. The GoN is concentrating its efforts on increasing retention and completion rate along with improving quality and child friendly environment at schools.

3. Cultural rights of children belonging to indigenous and minority groups (art. 30)

227. The Constitution provides for rights-based, free, and universal education up to the secondary level, including primary education in mother tongues. The cultural rights of children belonging to indigenous and minority groups have been protected through the provision of the right to preserve and promote their language, script, culture, cultural civilization and heritage in the Constitution.

228. There are 22 languages at primary level that have been used as the medium of instruction in the classroom teaching and learning activities, respecting the cultural right of indigenous nationalities and ethnic minority groups, as a transitional language support. This has assisted the children who speak in their mother tongues⁴³.

229. The enrolment of children in basic level education, among Dalits, ethnic groups and Janjatis, is encouraging- particularly in hills and Terai- reflecting equitable participation in education. The GoN has provisioned various schemes in for increasing access and maintaining equity in education under the SSRP.

4. Education on human rights and civic education

230. The GoN has designed the peace and emergency education component along with implementation mechanisms for post-conflict peace building and emergency preparedness and response in collaboration with the development partners. The strategies include: awareness-raising about the responsibilities of political actors for the protection of education rights; support for the incorporation of peace, human rights and civic education (PHRC) into curricula, teachers’ guides and textbooks; education cluster response to emergencies; and emergency preparedness capacity-building of the officials.

231. The rights of the child issues have been included in the national curricula of different grades (6 to 10), and it is being reviewed for refining contents to promote the rights of the child. In addition, the issues of the rights of the child have been incorporated in the training curriculums of teachers, police, civil service and army. Different courses run by

⁴³ School Level Educational Statistics of Nepal, Consolidated Report, MoE, 2010.

Kathmandu University, Purvanchal University and Tribhuvan University have a few credit hours on rights of the child.

5. Rest, play, leisure, recreation and cultural and artistic activities (art. 31)

232. The Education Regulation 2002, amended in 2005, has made provision of children's park as pre-requisite to run ECD/PPC.

233. Generally, schools have a scheduled time (once a week) for extra-curricular activities that allow children to play and participate in sports activities or participate in quiz or debate competitions including participating in cultural and artistic activities. There is a leisure period each day, for one or half an hour in the schools and holiday once a week. Many schools have sports division with the availability of minimal sports materials for respecting the right of the child to play.

234. The national television channels and Frequency Modulation (FM) radio stations transmit children's special episodes run by children themselves for the recreation and leisure activities that are also a source of knowledge for children.

235. There are about 2,000 community-based libraries. The higher secondary schools and campuses throughout the country have their own libraries. There are 332 libraries run by child clubs⁴⁴.

H. Special protection measures (arts. 22, 30, 32-36, 37 (b)-(d), 38, 39 and 40)

1. Refugee protection (art. 22)

236. The GoN has provisioned access to health and education of internally displaced children during the conflict as well as after signing the CPA. The CPA has committed to re-integrate the people, internally displaced due to conflict, in the community and providing them basic services through peace building committees of the respective districts.

237. Since 1994, about 110,000 refugees from Bhutan have been living in seven camps administered by Refugee Coordination Unit (RCU), in close collaboration with UNHCR, in Jhapa and Morang Districts of eastern Nepal. The entire Bhutanese Refugee population has been receiving humanitarian assistance through UNHCR and WFP in fulfilling their basic needs including health and education.

238. Despite efforts made over 18 years in repatriating Bhutanese Refugees to Bhutan with dignity and honour, no progress has been made owing to non-cooperation from the Government of Bhutan. With the cooperation of 8 Core Group of resettlement countries, the willing Bhutanese Refugees have been resettled. About 52,000 such refugees, including children, have been resettled in USA, Australia and other countries so far.

239. The GoN, in cooperation with development partners, has developed and implemented a National Policy on Internally Displaced Persons, 2007. The MoPR has issued several directives in this regard and has adopted a policy in relation to internal displacement that has been categorized broadly into three types, namely protection of human rights, relief, and rehabilitation.

⁴⁴ The State of Children of Nepal, CCWB, 2010.

240. UNHCR, WFP and International Organization for Migration (IOM) are assisting the GoN in providing refugee children with fundamental services such as access to education, health and nutrition. A study on the needs and requirement of the refugees has also been completed.

2. Children in armed conflicts, including physical and psychological recovery and social reintegration (arts. 38 and 39)

241. The Constitution in article 22 prohibits employing the minor in factories, mines or in any other hazardous works. It also prohibits using of a minor in army, police or in conflicts. The GoN has prepared an initial report on the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.

242. The CPA ensures the protection of the rights of women and children by immediately stopping all types of violence against them including child labour as well as sexual exploitation and abuse. The CPA has expressed commitment for not using children who are 18 years and below in the armed forces and has provisioned for rescue and rehabilitation for such children.

243. The GoN has adopted a zero tolerance strategy in relation to child recruitment. The GoN has developed and implemented the National Plan of Action for the Rehabilitation and Reintegration of Children Affected by Armed Conflict. Its basic objective is to launch activities in an integrated manner for the protection of the rights and interests of the children associated with armed groups and affected by the armed conflict. It concentrates mostly on rehabilitating and reuniting the children in the society. The strategy is to ensure comprehensive and long-term support for children affected by the conflict as well as those children who are particularly vulnerable by means of focused interventions and projects.

244. UNDP, UNICEF and UNMIN assisted the GoN to verify Maoist combatant personnel. A total of 4,008 persons were minor and late recruiter and discharged from the cantonments between January and February 2010. About 50 per cent of the Verified Minors and Late Recruits are accessing the different rehabilitation packages offered by the United Nations Rehabilitation Program, a joint initiative between UNICEF, UNDP, UNFPA and ILO.

245. The GoN has continued to support the reintegration of other children associated with armed groups in 34 districts of Nepal. Working with 13 national and international partners, UNICEF supported over 7,500 children and adolescents in the areas of education, vocational training, income generating activities and psychosocial support.

3. Children in situations of exploitation, physical and psychological recovery and social reintegration

(a) Economic exploitation of children, including child labour (art. 32)

246. The Constitution in article 22 ensures the right of the child not to be subjected to physical, mental or any other form of exploitation. The Constitution further ensures that any such act of exploitation is punishable by law and any child so treated is compensated as determined by law.

247. The TYP and National Plan of Action on Children (2004/5-2014/15) have prioritized child labour issue. The GoN is reviewing Master Plan on Child Labour (2004-2014) and strengthening the mechanism of monitoring and tracking.

248. The GoN has ratified the ILO Convention No. 29 concerning forced labour in 2007. In addition, the GoN has ratified ILO Convention Nos. 138 and 182 in 1997 and 2002 respectively.

249. An estimated total child population of Nepal in the age group 5-17 years is 7.77 million in 2008, which is about 33 per cent of the total population of the country. Out of the total child population in the age group 5-17 years, 1.022 million (13%) live in urban areas, and 6.748 million (87%) live in rural areas⁴⁵.

250. The rate of economically active children between the age 5-14 years has decreased by 7 per cent between 1998 (40.9%) and 2008 (33.9%). The average number of children in rural Nepal (2.3) is found to be much higher than the average number of children in urban areas (1.9)⁴⁶.

251. It is estimated that children in the age group 14-17 constitute about 45 per cent of the total child labourers and about 12 per cent of them are found to work in non-agricultural informal sector. It is also estimated that 86.5 per cent of the working children, aged 5 to 17 years, are literate. Out of which, the proportion of working boys are found to be much higher (91.2%) as compared to the proportion of working girls (82.5%). It is estimated that about 79 per cent of the total working children are attending school and 21 per cent do not attend. It is found that proportion of children attending school is highest (88.3%) among the children aged 10 to 13 years, whereas it is lowest (68.6%) among the 15-17 years age group⁴⁷.

252. The National Child Labour Report has also revealed that about 19.7 per cent of working children belong to the category of hazardous child labour. Of the total population of girls in the country, 44.5 per cent are working girls, of which about 21.9 per cent are classified as hazardous form of child labour. Likewise, about 36.5 per cent of boys are working, of which 17.3 per cent are engaged in hazardous form of activities.

253. The MoLE, in collaboration with ILO, has reviewed and updated the Master Plan on Child Labour in 2010 and has set a new target to eliminate worst forms of child labour by 2016 and other forms by 2020. In addition, the National Master Plan on Child Labour is harmonized with other National Plans of Action, in particular with the NPA on Children, NPA on Trafficking in Children and Women and NPA on HIV/AIDS.

254. The GoN has been working to minimize child labour in the country through preventive, curative as well as rehabilitative measures targeting worst forms of and hazardous child labour.

255. The GoN has rehabilitated 27,000 households of freed Kamaiya and their children including Kamalhari in five far and mid-western Terai districts, up to the end of 2010.

256. The GoN has formulated a National Plan of Action against Bonded Labour in 2009 that addresses all type of bonded labour including *Haliya* and *Haruwa/Charuwa* forms in agriculture. Based on the NPA, the GoN has initiated rehabilitation of *Haliya* in far and mid-western regions.

257. The GoN has abolished Kamalhari system in five Kamaiya prone districts and about 5,752 Kamalhari has been rescued and rehabilitated in their community in five districts during the reporting period⁴⁸.

⁴⁵ National Child Labour Report, ILO, 2010.

⁴⁶ National Labour Force Survey, CBS, 2008.

⁴⁷ National Child Labour Report, ILO, 2010.

⁴⁸ The State of Children of Nepal, CCWB, 2010.

(b) *Use of children in the illicit production and trafficking of narcotic drugs and psychotropic substances (art. 33)*

258. The GoN formulated a Drug Control National Policy in 2006 with objectives, *inter alia*, to achieve prevention and control of illicit farming, production, transportation, sale of drugs and reduce crimes related with it. The objectives also focus on reducing the incidence of drug abuse among the vulnerable groups; increasing the access towards standard, reliable and dependable treatment and rehabilitation services; and controlling and reducing the risks of infections such as HIV, hepatitis and venereal diseases among the drug users, their families and communities.

259. The CBS Study, 2007 estimated about 46,309 drug users in the country. Out of the total, 42,954 (92.8%) were male and 3,356 (7.2%) were female. The study also estimated that among the total drug users, 14.4 per cent (6,671) were attending schools or campuses.

260. The GoN has taken steps to regularize sale of alcohol by introducing separate arrangement for selling of alcohol, including fixing time-period for sale, in 2008.

261. The MoHA has taken initiative in collaboration with Curriculum Development Centre (CDC) in updating the school level curriculum for the prevention and control of drugs. Efforts have been made to include subject of prevention and control of drugs in the teachers' training curriculum.

262. The GoN drafted new directives on operation for treatment and rehabilitation of narcotic drugs users in 2010 and recently it has been approved and being implemented⁴⁹.

(c) *Sexual exploitation and sexual abuse (art. 34)*

263. There is an increasing trend of internal migration from rural to urban areas among children and youths, particularly for seeking an employment opportunity. The internally migrated children and youths are at risk of exploitation, discrimination including sexual exploitation and abuse.

264. There were reports of 172 cases of sexual exploitation and abuse in 2009/10. Out of the total victims, 167 were girls and five were boys. Out of 172 cases, only 87 cases were filed in the court. Out of 87 cases, the court has provided its verdict on 25 cases so far and 62 writ petitions are yet to receive the verdict of the court⁵⁰.

265. The GoN declared the year 2010 as the year against Gender Based Violence (GBV) particularly violence against women and children. In addition, South Asia Initiatives to End Violence against Children (SAIEVAC) has been agreed among SAARC members in 2010.

266. The GoN has expressed its commitment to resolve problems of Badi. As a result, the customary practices like pushing Badi into prostitution have been prohibited and the GoN has initiated rehabilitating Badi in various districts.

267. The Department of Women and Children has been implementing a Conditional Cash Transfer (CCT) program targeting Badi community. The condition imposed is focused on immunization of children and education.

⁴⁹ www.moha.gov.np.

⁵⁰ The State of Children of Nepal, CCWB, 2010.

(d) Sale, trafficking and abduction (art. 35)

268. The GoN ratified the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography on 20th January 2006. An initial report of the Optional Protocol has already been submitted to the Committee on the Rights of the Child.

269. In order to control human trafficking and violence against women, the GoN has been employing different legal and programmatic measures. The Human Trafficking (Control) Act 2007 is one of such measures. The Act protects the rights of the victim by ensuring her/his right to confidentiality, social rehabilitation and reintegration in the family among other provisions. Likewise, the Domestic Violence (Offense and Punishment) Act 2009 is the legal measure, which provides means to deal with cases of domestic violence. The Act has included physical, sexual as well as psychological violence and abuse into the definition of domestic violence.

270. The Human Trafficking (Control) Act 2007 has provisions to ensure protection of the victims and her/his dependent, including the in-camera hearings in court. The Act identifies the institutions for the implementation of its provisions and defines punishment to the offender and her/his allies. The Children and Women's Service Centres under Nepal Police has made procedure more convenient for women to file complaint and seek protection. Provision of partnership with non-government sector is also a remarkable provision of the Human Trafficking (Control) Act 2007.

271. The MoWCSW has reviewed and revised the National Plan of Action against Trafficking in Children and Women. Civil society organizations and their networks are active in advocacy, lobbying and campaigning against the trafficking of women and children in Nepal.

272. The GoN is implementing a country program on trafficking in person, in close collaboration also with Asia Foundation/Nepal and World Education International. It has focused on prevention, prosecution, and protection mechanisms in dealing with trafficking in person issues.

273. The GoN has taken various initiatives to combat trafficking and sale of children within Nepal and across the border. The MoWCSW is implementing awareness raising, rescue and social reintegration programs for the victims of trafficking and prevention of at-risk children through child protection mechanism, particularly, mobilizing various community based organizations at the grassroots level.

*(e) Other forms of exploitation (art. 36)**(i) Caste-based discrimination*

274. The Interim Parliament in 2006 declared abolition of untouchability. Nepal is party to the International Convention on the Elimination of All Forms of Racial Discrimination. It has also recognized Durban Declaration and Program of Action. The Constitution has recognized the right against untouchability and racial discrimination on any ground as a fundamental right. Any such discriminatory treatment is liable to punishment and the victim is entitled to compensation. A person has the right against deprivation of use of public facilities or access to religious sites on ground of caste or tribe. Any act depriving any person of a particular caste or tribe of services or facilities or reflecting any superiority or inferiority of persons belonging to any caste or tribe or justifying social discrimination on ground of caste or tribe is punishable. The Bill on Caste-Based Discrimination and Untouchability (Offence and Punishment) has been enacted.

275. The GoN has adopted an affirmative approach to increase access of the vulnerable segments of the population to basic services including employment opportunities. Likewise, the GoN has implemented various programs including scholarship schemes, social protection allowances for the section of the society who suffered from caste-based discrimination. Several organizations working on Dalits and minorities have launched campaign against discrimination and exploitation.

(ii) Geographical disparities

276. There is prevalence of poverty across geographical regions due partly to lack of adequate infrastructures. People living in the far and mid-western hills and mountains, in particular from Karnali zone, have suffered from geographical disparities.

277. The GoN has adopted a policy of positive discrimination for the population of this region and has implemented various programs such as Karnali scholarship scheme, employment guaranty scheme, school feeding program and subsidies on food and kerosene including child grant.

278. The people from Karnali have become aware on entitlements from the State and the media is playing a supportive role in disseminating basic information to them.

4. Children in street situations

279. The CCWB in collaboration with National Alliance of Organizations for Street Children (NAOSC) conducted a study on street children and estimated that about 800 children are taking shelter in the streets of Kathmandu. Out of 800 street children, 95 per cent are boys and 5 per cent are girls⁵¹. The reported reasons include poverty, domestic violence, peer pressure, conflict and political instability.

280. The Rapid Assessment conducted by the ILO in 2002 has categorized street children into two categories: i) those who live, work and sleep on the street and ii) those who come to street for work but live with families. The first category of children is at more risk than the second category as they live on street.

281. There are 2,162 children living on street throughout the country. Out of the total, 502 (23.22%) are girls and 1,660 (76.78%) are boys⁵².

282. The GoN has initiated rehabilitation of street children in Kathmandu and other major cities in 2006. Many NGOs are working with and for street children in educating and providing skills including entrepreneurship development. The issues of sniffing, sexual abuse, trafficking and organised theft have been reported as issues to be addressed with high priority.

5. Children in conflict with the law, victims and witnesses

(a) *Administration of juvenile justice (art. 40)*

283. The Constitution established torture as a criminal offence. The GoN introduced the Juvenile Justice Regulations in 2006, which has contributed to improve the situation of the juvenile justice system.

⁵¹ The State of Children of Nepal, CCWB, 2010.

⁵² Ibid.

284. According to Juvenile Justice Coordination Secretariat, during 2009 and 2010, 93 juvenile delinquencies were recorded. Out of 93 cases, 37 cases were related to rape and molestation and the remaining were related with simple theft and burglary.

285. The CCWB, in collaboration with Juvenile Justice Coordination Committee, is implementing the “Strengthening Juvenile Justice Program” in 32 districts. Furthermore, the Juvenile Justice Coordination Committee has also developed a comprehensive four years plan on juvenile justice and has elaborated the Privacy and Confidentiality regulations.

(b) *Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings (art. 37 (b)-(d))*

286. The Constitution, by article 13, guarantees the right to equality and prohibits any discrimination made against any citizen in the application of general laws on grounds of religion, colour, sex, caste, tribe, origin, language or ideological conviction or otherwise. In order to make timely reforms in criminal justice system, The GON has submitted bills on criminal code and sentencing legislation to the Constituent Assembly.

287. A guideline adopting child friendly process in investigating cases with children in conflict with the law has been developed and is in the process of endorsement.

288. The GoN has a plan to build a “Reform Home” in each region to rehabilitate children in conflict with the law including for custodial purposes. The GoN has started building reforms homes in three more regions.

(c) *Sentencing of children with particular reference to the prohibition of capital punishment and life imprisonment (art. 37 (a))*

289. Nepal is party to the second Optional Protocol to the International Covenant on Civil and Political Rights, Aiming at the Abolition of the Death Penalty, and the Capital Punishment is fully abolished in the country. In addition, the Constitution in article 12, clause (2) guarantees the right to dignity.

(d) *Physical and psychological recovery and social integration of the child (art. 39)*

290. The Constitution, in article 26, clauses (1) and (2), ensure the right against torture and provisions punishment for person involved in torture. It also provides for compensation for the victims.

6. Children belonging to a minority or an indigenous group (art. 30)

291. The Constitution in article 35, clauses (3) and (10) ensures the protection of the rights of the indigenous nationalities and ethnic minorities. It directs to pursue a policy of strengthening the unity of the nation by maintaining cultural diversity of the country through the promotion of healthy and harmonious social relations, on the basis of equality and coexistence, among people of various religions, cultures, castes, communities, sects, origins, languages and linguistic groups, and by assisting in the equal promotion of their languages, literatures, scripts, arts and cultures and instructs to pursue a policy to uplift the economically and socially backward indigenous nationalities such as Janajati, Madhesis, Dalits, as well as marginalized communities, and workers and farmers living below the poverty line by making provisions for reservations in education, health, housing, food security and employment for a certain period of time.

292. The Constitution makes special provision for the minorities, landless, squatters, bonded labourers, persons with disability, backward communities and sections, and the victims of conflict, including women, Dalits, indigenous nationalities/Janajati, Madhesis and Muslims.

IV. Challenges and constraints

293. Political instability and the protracted armed conflict for more than a decade have weakened public institutions and service delivery systems. The conflict has adversely affected economic growth, which declined from an average of five per cent per year before the conflict to about 4.7 per cent, in 2008-2009⁵³.

294. The GoN has developed policies and programs to address the issue of children affected by armed conflict. However, there is an urgent need to establish services for the rehabilitation of children who are victims of violence, facilitate their access to services, and reduce the levels of re-victimization.

295. Despite a range of policies, and legal and institutional measures that have been taken, children's and their families' ability to enjoy child rights is constrained by a number of factors, which also relate to governance and structural and functional capabilities of the state organs.

296. The apparent under-reporting of cases of child abuse and neglect (attributed to social taboo; fear of undermining the social status of the family; and other structural factors) remains a challenge.

297. The major economic and social issues such as poverty, inaccessibility and environmental degradation remain major threats to the enjoyment of rights of the child. Nepal has devised a multipronged policy and strategy to alleviate poverty.

298. The GoN considers the local bodies as the first point of contact with the people. The local bodies, which are the vehicle of devolution, decentralization and good governance at the local level, have remained out of political leadership for long. This has adversely affected the delivery of basic services to the people effectively and efficiently. Though the GoN has made alternative arrangements for delivering services to the people through a team of dedicated officials, it still feels that there can be no substitute to elected bodies.

299. The GoN believes that the recently introduced CFLG Framework and guidelines would narrow the gaps in implementing programs and establishing child protection system in collaboration with development partners for the enjoyment of rights of the child at local level.

⁵³ Nepal Rastra Bank, 2009.

Annexes

Annex I

Summary of demographic indicators

<i>Description</i>	<i>Survey Name and Year</i>	
	<i>2001 (Census)</i>	<i>2008 (NLFS)</i>
Total population	22,736,934	23,543,505
Child population 5-17 years	7,643,496	7,770,321
Sex		
Boys	3,893,311	3,936,807
Girls	3,750,185	3,833,514
Age group		
5-9 years	3,211,442	2,978,188
10-13 years	2,440,714	2,622,844
14-17 years	1,991,340	2,169,289
Locality		
Urban	976,480	1,022,188
Rural	6,667,016	6,748,133

Source: Compiled from Census, 2001; NLFS, 2008; Nepal Child Labour Report 2010.

Annex II

Summary of macroeconomic indicators

<i>Description</i>	<i>Fiscal Year</i>	
	<i>2004/05</i>	<i>2008/09</i>
Percapita GDP (NRs)	23,300	35,865
Percapita GNI (NRs)	21,626	36,290
Percapita GNDI (NRs)	27,227	43,316
Percapita GDP at constant price	19,754	21,416
Percapita GNI at constant price	19,809	21,924
Percapita GNDI at constant price	23,083	26,718
Annual change in nominal percapita GDP (per cent)	7.41	18.87
Annual change in real percapita GDP(per cent)	1.47	1.46
Percapita GDP (USD)	328	467
Percapita GNI in (USD)	329	472
Gross domestic saving as percentage of GDP	11.6	9.71
Gross national saving as percentage of GDP	28.41	36.07
Exports of goods and services as percentage of GDP	14.58	12.38
Imports of goods and services as percentage of GDP	29.48	34.55
Resource gap as percentage of GDP (+/-)	1.96	4.18
Gross fixed capital formation as percentage of GDP	19.94	21.29
per cent of population below international poverty line of US\$1.25 per day, 1994-2008*	-	55
per cent of central government expenditure (1998-2008) allocated to health*	-	7
per cent of central government expenditure (1998-2008) allocated to education*	-	18
per cent of central government expenditure (1998-2008) allocated to defence*	-	9
ODA inflow in millions US\$, 2008*	-	716
ODA inflow as a per cent of recipient GNI, 2008*	-	6

Source: Compiled from Economic Survey 2010, Central Bureau of Statistics.

* http://www.unicef.org/infobycountry/nepal_nepal_statistics.html.

Annex III

Summary of education indicators

Description	Academic Year	
	2005/06	2008/09
Total No. of ECD/PPCs	9,377	29,089
No. of schools	28,131	32,130
Enrolment in ECD/PPCs	553,983 (264,890 girls and 289,094 boys)	947,278 (450,872 girls and 96,406 boys)
GER in ECD/PPCs	41.4 (40.9 girls and 41.9 boys)	66.2 (64.8 girls and 67.5 boys)
Percentage of grade 1 students with ECD/PPCs experience	18.3 (18.1 girls and 18.4 boys)	49.9 (50.0 girls and 49.8 boys)
Net Enrolment Rate (NER) at primary level (1-5 grades)	87.4 (85.5 girls and 89.3 boys)	93.7 (92.6 girls and 94.7 boys)
NER at lower secondary level (6-8 grades)	68.7 (67.3 girls and 70.2 boys)	63.2 (61.9 girls and 64.3 boys)
NER at secondary level (9-10 grades)	34.7 (32.4 girls and 37.0 boys)	40.8 (40.1 girls and 41.4 boys)
Gender Parity Index (GPI) at primary schools	0.99	1.07
GPI at lower secondary schools	0.84	0.96
Transition rate from primary to lower secondary	81.6 (82.3 girls and 81.1 boys)	91.2 (90.7 girls and 91.7 boys)
Total number of teachers at primary level	95,503 (36,147 female and 59,356 male)	153,536 (60,826 female and 92,710 male)
Total number of teachers at lower secondary level	26,716 (5,444 female and 21,272 male)	40,259 (9,938 female and 30,321 male)
Percentage of trained teachers at primary level	59.9 (56.8 female and 61.7 male)	73.7 (72.5 female and 74.4 male)
Percentage of trained teachers at lower secondary level	46.4 (51.7 female and 45.0 male)	57.2 (61.8 female and 55.7 male)

Source: Compiled from School Level Educational Statistics of Nepal 2009, MOE.

Annex IV

Summary of child well-being indicators

<i>Description</i>	<i>Fiscal Year</i>	
	<i>1996/97</i>	<i>2005/06</i>
Incidence of child poverty	44.5	35.9
Persistent poverty	NA	10.7
Absolute poverty	NA	38
U5MR (1,000 live birth)	118.3	61
IMR (1,000 live birth)	78.5	48.0
CMR (1,000 live birth)	43.2	14.0
Stunting (<5 years)	48.4	49.0
Wasting (<5 years)	11.2	13.0
Under weight (<5 years)	46.9	39.0
Immunization coverage	43	83
ARI	34	8
Fever	39.4	16
Diarrhoea	27.5	12
Per capita food consumption (kcal)	1,800	2,450

Source: Compiled from Sources: CBS, 1996; CBS, 2004; NDHS, 2006.

Annex V

Summary of health indicators

<i>Description</i>	<i>Fiscal Year</i>	
	<i>2004/05</i>	<i>2007/08</i>
Infant mortality rate	64.2‰ live birth	48‰ live birth**
Under-5 mortality rate	91.0‰ live birth	61‰ live birth**
Maternal mortality rate	415/100,000 women	281/100,000 women**
Hospitals (Government's only)	83	94
Hospital beds	5,190	6,944
Primary health centres	160	201
Health post	711	699
Sub health post	3,179	3,104
Doctors	1,259	1,457
Nurses	6,154	11,637
Ayurvedic hospitals	275	293
Kaviraj ayurvedic physicians	211	394
Vaidya ayurvedic physicians	210	360
Health assistants	5,295	7,491
Maternal and other child health workers (MCHW)	3,342	3,190
Trained female health volunteers/TBAs	62,546	63,326
Village level health workers	4,015	3,985
per cent of population using improved drinking-water sources 2008, total*	-	88
per cent of population using improved drinking-water sources 2008, urban*	-	93
per cent of population using improved drinking-water sources 2008, rural*	-	87
per cent of population using improved sanitation facilities 2008, total*	-	31
per cent of population using improved sanitation facilities 2008, urban*	-	51
per cent of population using improved sanitation facilities 2008, rural*	-	27
Immunization 2009, 1-year-old children immunized against: TB, corresponding vaccines: BCG*	-	87
Immunization 2009, 1-year-old children immunized against: DPT, corresponding -vaccines: DPT1β*	-	84
Immunization 2009, 1-year-old children immunized against: DPT, corresponding vaccines: DPT3β*	-	82

<i>Description</i>	<i>Fiscal Year</i>	
	<i>2004/05</i>	<i>2007/08</i>
Immunization 2009, 1-year-old children immunized against: Polio, corresponding vaccines: polio3*	-	82
Immunization 2009, 1-year-old children immunized against: Measles, corresponding vaccines: measles*	-	79
Immunization 2009, 1-year-old children immunized against: HepB, corresponding vaccines: HepB3*	-	82
Orphans, Children (aged 0-17) orphaned due to all causes, 2009, estimate*	-	650,000

Source: Compiled from CRC Report, 2002 and CBS, Nepal in Figures 2009.

* http://www.unicef.org/infobycountry/nepal_nepal_statistics.html.

** Compiled from NDHS, 2006.

Annex VI

Summary of economically active population (in 1,000)

<i>Description</i>	<i>Fiscal Year</i>	
	<i>1999 (NLFS)</i>	<i>2008 (NLFS)</i>
All Ages	11,628	23,544
Male	5,748	11,119
Female	5,880	12,425
Between 5-13 years	NA	2,097
Boys		959
Girls		1,138
Between 14-17 years	NA	1,046
Boys		479
Girls		567

Source: Compiled from NLFS, 1999 and NLFS 2008.

Annex VII

Summary of key child indicators

<i>Description</i>	<i>Fiscal Year</i>	
	<i>2002/05</i>	<i>2009/10</i>
Rate of birth registration	NA	35%
No. of reported incidence of discrimination	NA	42
Boys		18
Girls		24
No. of child clubs	NA	10,357
No. of children in child clubs	NA	213,668
Boys		119,524
Girls		94,144
No. of incidence of violence and torture	NA	57
Boys		35
Girls		22
No. of lost and found children	NA	
Lost		2,186
Boys		1,139
Girls		1,047
Found		1,285
Boys		752
Girls		533
No. of children adopted in country		4
Boys		1
Girls		3
No. of adopted children (out of the country)	78 in 2000	127
No. of incidence of sexual abuse of children	NA	172
Boys		5
Girls		167
No. of children affected by armed conflict	NA	2,960
Boys		1,639
Girls		1,321
No. of death of children due to armed conflict	NA	297
Boys		191
Girls		106
No. of children in juvenile delinquencies	NA	39
Boys		30
Girls		9
No. of children living with their parents in prison	NA	70
Boys		30
Girls		40
No of children living with HIV Infection		6,231
Boys		3,333
Girls		2,898

Source: CCWB, 2010.

Annex VIII

List of representatives in the National Drafting Committee

1	Chairman	Mr Ananda Raj Pokharel, Secretary, MoWCSW
2	Member	Mr Dilli Raj Ghimire, Joint Secretary, MoLJCAPA
3	Member	Mr Kedar Paudel, Joint Secretary, OPCM
4	Member	Dr. Hari Paudel, Joint Secretary, MoWCSW
5	Member	Mr Purna Chandra Bhattarai, Joint Secretary, MoLE
6	Member	Mr Divakar Devkota, Director General, DoWC
7	Member	Mr Dharma Raj Shrestha, Executive Director, CCWB
8	Member	Ms Bimala Thapa, DIGP, Nepal Police
9	Member	Mr Sudhir Bhattarai, Under-Secretary, MoFA
10	Member	Dr. Megha Raj Dhakal, Under-Secretary, MoHP
11	Member	Mr Koshal Chandra Subedi, Under-Secretary, MoLJCAPA
12	Member	Mr Shiba Raj Chaulagain, Under-Secretary, NPC
13	Member	Mr Kashi Raj Dahal, Under-Secretary, MoLE
14	Member	Mr Surendra Acharya, Under-Secretary, DoE
15	Member	Mr Sher Jung Karki, Under-Secretary, MoWCSW
16	Member	Ms Kalpana Jha, NHRC
17	Member	Mr Deepak Sapkota, Ex. Executive Director, CCWB
18	Member	Mr Tarak Dhital, General Secretary, CWIN
19	Member	Mr Thakur Dhakal, UNICEF
20	Member Secretary	Mr Laxmi Prasad Tripathi, Under-Secretary, MoWCSW

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Dr. Trilochan Upreti, Ex-Secretary	Member
Dr. Lava Dev Awasthi, Joint Secretary of the MoE	Member
Mr Dilli Raj Ghimire, Joint-Secretary of the MoLJCPA	Member
Mr Upendra Adhikari, Joint-Secretary of the MoWCSW	Member
Mr Ramesh Dhakal, Joint-Secretary of Office of the Prime Minister and Council of Ministers	Member
Mr Laxmi Prasad Tripathi, Under-Secretary of the MoWCSW	Member
Mr Suresh Adhikari, Under-Secretary of the MoFA	Member
Mr Jhanka Nath Dhakal, Section Officer of the MoWCSW	Member