The State of
The Rights of the Child in Nepal
2004

National Report Prepared by

On the implementation of
the Convention on the Rights of Child (CRC)
The State of the Rights of the Child in Nepal – 2004
National Report Prepared by CWIN

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Published by:
Child Workers in Nepal Concerned Centre
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Email: cwin@mos.com.np
URL: www.cwin-nepal.org

1st Edition: 3000 copies / 2004

Supported by:
Save the Children – Norway

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Foreword

The issue of child rights is an emerging and dynamic one in today's world. It should further emerge as an even more dynamic issue. Families, communities, and the state should invest more in children's education, health, nutrition, and protection. There's a saying that investing in children is creating a base for secured future.

Nepal has many responsibilities as a state party to the UN Convention on the Rights of the Child and other international treaties and conventions on children. Every state has to evaluate and monitor to see whether these commitments and responsibilities are met or not. There has been no formulation of systematic statistics or monitoring in Nepal as of yet. However, as a state party, Nepal has submitted an initial country report and a monitoring report in 1995 and 2002, respectively, on the progress of implementation of the UN Convention on the Rights of the Child.

It is widely known that CWIN has been presenting annual reports on the implementation and effectiveness on the Convention on the Rights of the Child in Nepal for more than a decade. The reports have long been making public the facts/figures regarding child rights and presenting a true picture on the progress, the challenges, and the opportunities in the child rights sector. In this context, the State of the Rights of the Child 2004 has been published for public information.

This report has incorporated the state of rights of the child in the last 18 months, including January to December 2003 and the first six months of 2004 – January to June 2004. The information, facts, and figures mentioned in this report are based on the Population Census 2001, research reports, and more than 16,000 cases of child rights violations recorded by CWIN. The information in this report also includes the progress and achievements in the child rights sector, the cases of violations of child rights, and the problems and challenges persisting in the child rights sector in Nepal. Moreover, while talking about child rights in Nepal, the report has unveiled the child rights violations in the education sector and challenges in establishing ‘Children as Zones of Peace.’

The information and facts and figures included in this report are just a reflection of the children’s reality in the country. There might be many areas related to children that could not be incorporated during study and research. We shall be gradually incorporating the areas left out by this report in the next status reports. I anticipate constructive criticism and suggestions from all to improve this report in the future.

Lastly, may the ongoing armed conflict end as soon as possible. May all kinds of violence end. May sustainable peace prevail. May children no more be devastated by killings and violence in the coming days. Let us hope that there is no interference from anyone in their survival or their right to an education. Actually children are symbols of peace. Let us convert this saying into a reality.

Thank You!

Gauri Pradhan
President
CWIN-Nepal
The world is ever evolving. Our society is on the move. All human beings aspire to seek positive changes in their lives. The majority of the population wishes that there were no disparities, exploitation, and injustices in our society. Nevertheless, a handful of people, or the class who has control over the resources, power, and authority (satta), always try to crush the movements for progression. If the available resources and materials are fairly distributed perhaps people wouldn’t have to bear poverty, hunger, and disparity. Apart from this, if at least people could have a life free of bondage and slavery, so much frustration and agony wouldn’t prevail. It is due to this existing exploitation, disparity, and authority that there have been wars and movements against unfair systems for ages. Nepal has become a burning example of this phenomenon.

**Status of Economic Development**

Nepal is a rich country in terms of its natural resources. The languages, culture, traditions here are not only diverse, but are truly elevated. The geography of this country is also diverse. But why is this country with rich resources, culture, and full of hardworking people still poor? Why do poverty, inadequacy, disease, and hunger still rule over the general masses here? Why do disparities, exploitation, and unfair systems widely prevail here? It has been more than 235 years since the beginning of 'Modern Nepal', yet this country remains in the list of Least Developed Countries (LDCs) in the world. According to the World Bank, the per capita income of average Nepalese is only US$ 230. The HDI index of Nepal stands at 143rd among the 175 countries in the world. According to the study of 175 countries Nepal is one of the least developed countries in terms of human development and in South Asia Nepal falls behind all countries except Pakistan. The labour force of Nepal is expanding with the population growth of 300,000 persons (2.45%) per year. But due to lack of productive education and training opportunities, unemployment and displacement of rural population to urban areas has escalated.

Similarly, there has been decline in the agricultural growth rate from 10.8% to 5.9% in the fiscal year 2001-2002. The economic growth of the tenth national plan initiated to achieve ground-breaking changes has also been negative (-0.6) in the year 2002-2003. Nepal faced such a set back for the first time in 19 years. The 10th National Plan in implementation has planned to bring down the current poverty status from 38% to 30%, targeting the socially and economically deprived communities. But only the future will tell whether the targets will be achieved. Moreover, our national achievement will not only be negative but will be on the constant decline if violence, killings, and political chaos continue.

**Status of Political Development**

The current political situation is going to be the most painful course of time in the history of Nepal. The Nepalese people have never revolted against the traditional system and power before. The restoration of multi-party democracy in 1990 had been a milestone in the political history of Nepal. The Nepalese people have played a vital role in the course of establishing civil and political rights. However, the political forces and their leaders lost their popularity due to the short vision of political forces, the nexus of these forces with the bourgeois forces wanting to remain in power, and their silent acceptance of foreign interference in national issues.

Today the democratic system is weakening because of the immoral nexus developed by political forces for vested interest, the shrinking political culture, political corruption, and
immoral relationship with bureaucracy, nepotism, favourism, and their attitude of surrendering to traditional bourgeois forces. The emergence of CPN (the Maoists) and the “People’s War” initiated by them is the product of all these situations, which is leading the country to the scourge of civil war. Never in the history of Nepal has there been such an enormous loss of people, national devastation, and incidences of abductions and disappearances. The current human rights situation in the country is very grave. The series of murders, violence, abductions, arbitrary arrests and killings, torture, and disappearances have been on the rise everyday. The right to life, the most precious and inherent right of citizens, is being curtailed. The political parties have blamed the king of reinstating autocracy, a one-party system, and militarisation in the name of a constitutional monarchy. Maoists are promoting the politics of violence, killing and destruction, including the one-party existence policy in the name of the “People’s War,” while the political parties are resorting to the politics of agitation in the name of the “Peaceful People’s Movement” and a multi-party democratic system. Whatever the situation is, the present national mentality is divided. Political parties are becoming more and more self-centered. All political forces are trying to prove that they are closest to the people’s sentiments and are the most influential force. If we analyse the present national context on the basis of sustainable political development, the traditional power centers are deteriorating. The progressive forces are in the state of development, but the violent path they are taking, and especially the one-party, autocratic attitude, seems to be inviting further devastation. Therefore, at this moment, it is imperative to find a way out for the nation, nationality, and for people’s empowerment. In the present context, the main basis for the agreement and consensus among the political forces should be full sovereignty to the people, democracy based on multi-party competition, and an absolute constitutional monarchy. Alternatives should be sorted out from the political solutions like constituent assembly, national political conference, and amendment of constitution or restoration of House of Representatives for uplifting the country from the state of crisis.

### Cultural and Social Status

Human rights are the culmination of civil, political, economic, social, and cultural rights. According to the principles of human rights, these rights are interdependent, indivisible, and universal. In our context, for a long time human rights had been understood only as political and civil rights of people. But after the restoration of democracy in 1990, economic, social, cultural rights are also gradually being recognised as important facets of human rights. Over the years, the existing disparity in the society, exploitation, injustice, rights of different nationalities, oppression, and women and children’s rights have emerged as concerns of the human rights movement. In fact, there will not be a positive outlet to the political crisis if there is inadequate understandings and analysis of existing social and cultural relations in the country. Perhaps, these are the reasons for not achieving any political development.

There is the major influence of nationalities and their culture in all the social and cultural sectors of Nepal. The current crisis is getting more complex, in part because the role of indigenous people, oppressed women, and minority groups has been minimised. Kept away from the mainstream, these communities are seeking identity and constructive roles in all sectors of national development. They are also seeking their participation in the democratic exercise of the nation.

But the reality here is more challenging than before. There is a grave crisis in the promotion of the rights of women, children, and dalit communities due to the ongoing armed conflict. Moreover, their influence over, and accessibility to, education, health, and resources is also very minimal. Women have become the most vulnerable group, due to the existing poverty, scarcity, and negligence. That is why the dalit community, various nationalities, disabled people, women, and children have started becoming aware in order to bring about the resolution of this crisis of ongoing conflict in our society.
A study conducted by ESP (Enabling State Programme) in 2001 on the level of participation in governance on the basis of ethnic groups states that in the bureaucracy, judiciary, police, and army, the participation of Brahmins and Chettris - the so-called upper caste - is as much as 77%, followed by Newars with 18%, Teraian with 5%, Mongolians with 1%, and Dalits with 0%. Similarly, participation in the judicial sector, constitutional body, ministerial cabinet, and parliament follows a similar trend: 67% Brahmins, 13% Terains, 11% Newars, 8% Mongols, and 1% Dalits. In addition, women’s participation in these sectors is negligible. It is very sad that Dalits (who comprise 16% of the total population) do not participate in the bureaucracy, army, and police or in decision-making.

Women’s participation in national policy and decision-making is also nominal. Nepalese women have contributed a lot in all areas of social development and it has been proved time and again that women can contribute in all areas. But at national decision-making levels - political parties, government, parliament, judiciary, and bureaucracy - the rate of women’s participation is still not encouraging.

Social transformation will remain a mere slogan until women’s participation is ensured in development and in politics, and their access to decision-making is strengthened.
When we talk about the situation of child rights in Nepal, looking at the situation 10 years prior, especially the situation of child education, and child health and awareness regarding child rights, there has been mentionable development. Though, when we refer to the national and international commitments and outcomes of the National Plans of Action, only 50-60% of the targeted programmes have been achieved. Why could the nation not achieve any outcomes regarding child rights and child development, as it had aimed? What kinds of things are responsible for this? It is necessary to evaluate and review this appropriately.

Discrimination between son and daughter still exists in our society. Furthermore, the number of children who are deprived of child rights and child development due to child labour exploitation has not decreased in number. Due to existing disbeliefs and social discrimination in our society, such as child marriage, gender discrimination, untouchability, caste discrimination, exploitation, and social myths, there has been a negative impact on the protection and promotion of child rights. Everyone has started to realise that because of the ongoing armed Maoist People’s War and the dispute between the state and the political parties have not been able to come to a positive conclusion, the goals of child rights and child development have been interrupted due to direct and indirect impacts of these conflicts.

According to the National Census Report of 2001 in Nepal, there are around 8,400,000 children below 14 years, 9,500,000 are below 16 years, and 10,400,000 children are below 18 years. Among these children, 80% children are enrolled in primary schools, with the largest percentage of children between 6-10 years of age. However, 49% of them cannot complete their education. This is because they fall ill, or are deprived of going to school because of social beliefs regarding girls, or have to leave because of domestic problems or for various other reasons, and the government, thus, cannot reach its aim. If the series of dropouts cannot be checked in time, or if their education cannot be given continuity, then the participation of children in primary education will slowly decrease.

When we study the situation of discrimination between daughter and son in the educational sector, there exists less discrimination in primary schools. As the school level increases, we find more discrimination between educational opportunities of son and daughter. If we are to look at the situation of the literacy rate in Nepal, it is only 54.1%. Within this rate, the highest literacy rate is found in Kathmandu - at 77.2% - while the lowest rate is found in Humla - at 27.1%. National statistics for literacy in 32 districts of Nepal is 54.1%, while the situation in the other 43 districts is less.

The national plan of action for the 1990s on "children and development" was formulated after His Majesty’s Government ratified the UN Convention on the Rights of the Child in 1990 or to say it more clearly, after the ratification of the "Global Movement for Children". Fundamental matters regarding child health, nutrition, and child education were included in this plan of action. After this, policies on child-related issues such as child labour, girl and child trafficking, and poverty alleviation and the millennium development goals (MDGs) were formulated. In the later phase, for the first time ever in Nepal, a ten-year national plan of action (2005 - 2014) was formulated for children on the basis of the United Nations General Assembly Special Session declaration regarding children in 2002. Currently, the plan of action is on its way for enforcement.

It is very important to formulate plans of action at the national level in order to conduct programmes that have children as their primary focus. However, their success and effectiveness depend on the implementation of the planned actions. In this context, there
have been encouraging achievements so far; however, the government has not been able to achieve all of the planned goals. There are various reasons and challenges behind this, but we are not going to try to discuss them here. But, in order to know what we have achieved according to the national plan, and to know what the present situation is, progress has been presented as follows:

### National Plan and Progress for 2001

<table>
<thead>
<tr>
<th>S.No</th>
<th>Indicator</th>
<th>Goal</th>
<th>Progress</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Child Health</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.1 Infant Mortality Rate Minimisation</td>
<td>50/100 Live Birth</td>
<td>64</td>
</tr>
<tr>
<td></td>
<td>1.2 Infant Mortality Rate below 5 years age Minimisation</td>
<td>70/100 Live Birth</td>
<td>91</td>
</tr>
<tr>
<td></td>
<td>1.3 Maternal Mortality Rate Minimisation</td>
<td>400/10,000</td>
<td>415</td>
</tr>
<tr>
<td></td>
<td>1.4 Child Malnutrition and Minimisation-Children Below 5 Years</td>
<td>25%</td>
<td>48%</td>
</tr>
<tr>
<td></td>
<td>1.5 Supply of Clean Drinking Water</td>
<td>77%</td>
<td>72%</td>
</tr>
<tr>
<td></td>
<td>1.6 Provision of Sanitation and Toilet</td>
<td>31%</td>
<td>25%</td>
</tr>
<tr>
<td>2.</td>
<td>Child Education</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2.1 Accessibility of Basic Education</td>
<td>100%</td>
<td>80%</td>
</tr>
<tr>
<td></td>
<td>2.2 Adult Literacy Rate</td>
<td>70%</td>
<td>49%</td>
</tr>
<tr>
<td></td>
<td>2.3 Female Literacy Rate</td>
<td>61%</td>
<td>35%</td>
</tr>
</tbody>
</table>


According to the Indicator of Development Situation Report 2003, based on the 2001 census done by the joint initiative of ICIMOD, the Central Bureau of Statistics (CBS), and SNV to see what the respective position was of the 75 Districts of Nepal with regard to child development, it was found that the five most developed districts of Nepal were Manang, Syangja, Ilam, Kathmandu and Kaski respectively. Whereas, Mugu, Rautahat, Jumla, Mahottari and Humla fall under the least developed districts. As a comparative example, in Manang the percentage of illiteracy among children between 10-14 years is only 3.31%, while in Mugu it is 51.75%. Moreover, in the three districts of Kalikot, Mugu and Rautahat, less than 33% of children are enrolled in primary schools, whereas in the three districts of Kaski, Chitwan and Manang, a great majority of the children are enrolled in primary schools. Education and health were taken as indicators for ranking.

### The Present Situation and Future Goals Regarding Child Development

<table>
<thead>
<tr>
<th>S.No</th>
<th>Indicator</th>
<th>National Goal</th>
<th>Remarks</th>
</tr>
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<tbody>
<tr>
<td>1.</td>
<td>Promotion of Healthy Life</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.1 Infant Mortality Rate per 1000</td>
<td>64</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td>1.2 Infant Mortality Rate of Children Below 5 Years of Age per 1000</td>
<td>91</td>
<td>72</td>
</tr>
<tr>
<td></td>
<td>1.3 Percentage of Services Available from Health workers</td>
<td>13%</td>
<td>25%</td>
</tr>
<tr>
<td></td>
<td>1.4 Use of Means of Family Planning</td>
<td>39</td>
<td>47</td>
</tr>
<tr>
<td></td>
<td>1.5 Crude Birth Rate per 1000 live birth</td>
<td>34</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>1.6 Maternal Mortality Rate Minimisation (per lakh)</td>
<td>415</td>
<td>300</td>
</tr>
<tr>
<td></td>
<td>1.7 Child Malnutrition Minimisation</td>
<td>48</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>1.8 Minimisation of Birth of Under-</td>
<td>30</td>
<td>X</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>1.9 Accessibility of Health, Hygiene and Sanitation</th>
<th>1.10 Guarantee of Complete Immunisation</th>
<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Weight Children</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>25 50 70 80</td>
<td>80 90 95 100</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2 Provide Quality Education</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.1 Accessibility of Basic Primary Education</td>
<td>80% 90% 100% 100%</td>
</tr>
<tr>
<td></td>
<td>2.2 Enrollment Rate in Early Child Development</td>
<td>18% 32% 60% 80%</td>
</tr>
<tr>
<td></td>
<td>2.3 Increase of Teachers with Eligibility and Training in School Level</td>
<td>50% 100% 100% 100%</td>
</tr>
<tr>
<td></td>
<td>2.4 Minimisation in Situation of Repeating Class 1</td>
<td>30% 24% 14% 10%</td>
</tr>
<tr>
<td></td>
<td>Class 5</td>
<td>9% 8% 8% 8%</td>
</tr>
<tr>
<td></td>
<td>2.5 Increase in Literacy of 6-14 year-old Children</td>
<td>56% 75% 85% 90%</td>
</tr>
<tr>
<td></td>
<td>Increase in Literacy of Children Above 15 Years</td>
<td>49% 63% 70% 75%</td>
</tr>
</tbody>
</table>

Source: 10th National Plan and Millennium Development Goals (MDGs)

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**Poverty and Children**

Poverty starts with children. It is said that if anyone wants to know the situation of a country, it can be known through the situation of children in that country. According to the National Planning Commission's statistics, in Nepal, 38% (i.e., 90 lakh people) live under the marginalised poverty line. This means that they have not been able to meet their basic needs, such as food, shelter, clothing, education, and health. If we study the existing situation of poverty in our country, we find that people living in rural areas - due to geographical inaccessibility, discrimination and exploitation - are the most marginalised lot. (National Planning Commission: 2003). The situation of poverty in urban areas is 23%, while it has increased to more than 44% in rural areas (Poverty in South Asia-2003, SAAPE). When we study the effects of poverty on children, children four years and older are the most negatively affected by poverty. Of those found to be highly affected by poverty, 23% are newborn children, 27% are children up to 1 year in age, 37% are children up to 2 years in age, 47% are children up to 3 years of age, and 58% are children 4 years age and above. The statistics from the 2001 Census also included the situation of children deprived of basic rights. For this, they used child literacy, child economic activities, and child marriage as their main indicators. According to the census, among children between 10-14 years of age, 21.4% are illiterate, 20% are economically active, and 1.3% of children are literate.

**Where do children live?**

It is the first and foremost duty of guardians and parents to give appropriate care and protection for every child. Those children who do not get appropriate care and protection from their parents and care takers are most likely to fall into risky situations. If children do not get a suitable environment at home, schools and day care centers for healthy, secure, and loving environments, then the issue of children's brought up depends on the vision of guardianship rather than on poor economic status. If children are not properly taken care of by their parents and caretakers, it is more likely problems will be found in these children.
Those children who are most liable to face challenges regarding their psycho-social health are those who grow up in homes where there are domestic violence or disputes between parents, or in a society where there is not a child-friendly environment. It is said that the atmosphere children live in has a strong impact on the children throughout their lifetime. In this context, following statistics is presented on where do the children under 16 live.

### Situation of Dependent Children (children below 16 years age)

<table>
<thead>
<tr>
<th>S.No</th>
<th>Description</th>
<th>Number</th>
<th>S.No</th>
<th>Description</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Living with both Parents</td>
<td>8,305,230</td>
<td>2.</td>
<td>Living with Mother</td>
<td>25,887</td>
</tr>
<tr>
<td>3.</td>
<td>Living with Father</td>
<td>114,351</td>
<td>4.</td>
<td>Living with Father and Stepmother</td>
<td>78,843</td>
</tr>
<tr>
<td>5.</td>
<td>Living with Mother and Stepfather</td>
<td>64,442</td>
<td>6.</td>
<td>Living with Other Relatives</td>
<td>89,813</td>
</tr>
<tr>
<td>7.</td>
<td>Living with the Employer</td>
<td>63,231</td>
<td>8.</td>
<td>Living with Other Children</td>
<td>234,101</td>
</tr>
</tbody>
</table>

Source: Central Bureau of Statistics, 2001

Among 95 lakh children below 16 years of age in our country, around 83 lakh children live with their both parents. But around 12 lakh children do not stay with their both parents due to various reasons such as divorce between parents, death, or a second marriage of one parent. Among them, around 25 lakh children live with their mother, while 1-lakh 14 thousand children live with their father. Apart from that, around 1 lakh 43 thousand children live with their stepmother (79,000 children) or stepfather (64,000 children). Many children have been forced to run away from home or have been forced to leave home and survive on the streets.

In Nepali society, the tradition was such that children who were orphaned, abandoned, or exploited were taken care of by their relatives or supported by other people. However, such thinking and practice have diminished. Around 90,000 children who are working as domestic workers live with their employers. Many children who work for others are either exploited or are trapped into the situation of bondage. The remaining 2 lakh 34 thousand children are without family. Tens of thousands of children who are without parents, without a home, or who have been abandoned, are under the protection of various social organisations and children's homes.

### The Situation of Dependent Children

Children are constantly in the process of development. It is obvious that children are dependent on their parents and guardians. Generally, children between 0 -14 years of age are more dependent on adults. But in reality, many of these children are trapped in the child labour exploitation and other risks for their survival. People between 15 - 59 years of age are the ones taking on the responsibility of children. At the national level, 72.69% children are dependent on their parents and adults. When we study the statistics on the district level, there is wide stratification between the most dependent and least dependent children. Statistics show that 94.47% of Pyuthan children are dependent on their parents and guardians, while only 39.99% of Manang children are dependent on their parents and guardians.

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1 A lakh is equivalent to 100,000.
Child Marriage

When statistics for the 2001 Census in Nepal were collected, data regarding the age of marriage were also collected. According to this statistical report, the average age of girls who are married off is 18.5 years in Nepal. When we calculate age at the district level, the Rautahat district has the lowest average age for marriage (17.22 years of age), while the Manang district has the highest average age for girls getting married (25.36 years of age).

In comparison to past statistics of child marriage in Nepal, there has been a mentionable decrease. If we look at the statistics, only 1.30% of the total marriages in Nepal are child marriages. At the district level, the highest number of child marriages occurred in Kapilvastu (68,753), while the lowest number of child marriages occurred in Manang (69). However, in 2001, child marriage for children ages 1-14 was 38,817 while child marriage for children ages 15-19 was 461,978. Until now, the districts where the highest rate of child marriage occurs are (from highest to lowest): Kapilvastu (68,753), Rupandehi (58,915), Bara (56,387), Parsa (55,483), and Dhanusha (53,739).

In the year 2001, among the 20-24 year-old age group (13,24,314 people) 1,21,853 got married between 10-14 years of age; and 7,87,180 got married between 15-19 years of age. If we study the situation of children below 19 years of age, it is clear that lakhs of children in our country are married at young ages. If we study the above-mentioned statistics closely, we find that there are 1 crore² 9 lakh people who have already got married at least once. Among them, around 13 lakh people experienced their first marriage between 10-14 years of age, and around 52 lakh people were between 15-19 years of age. But, if we look back over the years in five-year increments, we find that the number of child marriages in our country has been gradually decreasing. For this, we must be thankful for the increase in awareness and campaigns regarding the advocacy of child rights rather than the effectiveness of rectification of laws. However, researchers suspect that the main reason behind the decrease is that many people hide the reality of their age, increasing it in fear of legal interference and punishment. Whatever the reason, it is true that in comparison to the past 5-10 years, there has been a decrease in the figures of child marriage.

Economically active children

In our country, it is difficult to calculate with accuracy how many children are active in economically productive activities, as there has been not extensive study and research on this issue thus far. In looking at the economic state of our country, we find children from 5-6 years of age actively working as domestic workers and in restaurants, the carpet industry, stone quarries, and etcetera, to earn their living. According to a study by the International Labour Organisation and Central Department of Population Studies/ Tribhuvan University, carried out only a few years ago, it has been estimated that the number of working children between 5-14 years of age is 26 lakh. In Nepal, the average rate of economic activity of this age group is 20%. The average broken down by gender is 18.50% boys and 21.55% girls.

Among the 29 lakh 81 thousand children in this age group, 8 lakh 59 thousand children are economically active. Among the economically active children between the ages of 10-14 years, 1 lakh 85 thousand children are involved in agriculture; 62,900 are involved in wage labour; 12,479 are self-employed; 64,400 are involved in various other economic activities; 10,800 are in search of work; 1,72,000 are domestic labourers, and around 2 lakh are unemployed. Excluding this age group, among the other 23 lakh children of school going age, some are involved in economic activities. Among them, 19,873 children stay with their employers, 75,230 are involved in various earning activities, 2,30,903 are self-employed, and 2,83,408 children work as domestic workers in various families without receiving wages.

² A crore is equivalent to 10,000,000.
### The Situation and Challenges of Child Labour

Child labour exploitation, as part of the economic, social, and cultural aspects of our society, is a reality. Lack of familial awareness, unjust social relations, poverty, and marginalisation lead children to sell their labour for a living and for the support of their families. According to the ILO statistics, among children ages 5 - 14 years in Nepal, around 26 lakh are involved in child labour. Because of this, children are deprived of the bright light of education. Even among those children who do get enrolled in school, there are many examples of children who have to drop out, leaving their studies incomplete. Areas where child labour is commonly involved are: agriculture, forestry, industry, coal mining, domestic service, construction, factories, self-employment, and other illegal areas. Due to constant social and human rights campaigns against child labour exploitation in recent years, around 2 lakh child survivors of child labour exploitation have been provided protection against exploitation, relief, and educational support.

In the 2001 Census Report, under the survey report of child labour, it is mentioned that out of a total of 30 lakh children between the ages of 10 -14, around 6,05,000 children are involved in child labour. According to statistics mentioned in the above survey report, children are involved in child labour in around 16 -18 labour sectors in Nepal. According to the same report, 4,25,000 children are involved in agricultural and forest work, 40,000 in factory work, 20,000 in wage labour, 11,000 in domestic service, 9,000 in wholesale and retail businesses, and 8,000 are involved in construction work.

According to legal provisions regarding child labour, children below 14 years of age are prohibited from being involved in labour, while children 15-16 years old may be involved in labour between the hours of 6 a.m. to 6 p.m., with a half-hour break after every three hours. But in our country, tens of thousands of children below ten years of age are survivors of child labour exploitation. Moreover, 1,27,000 children are living their lives under the worst forms of child labour, working as porters or in carpet factories, plastic and garbage collection, bonded labour, coal mining, domestic service, and commercial sex work. Nepal has planned to eradicate the worst forms of child labour through the medium of time bound programmes.

Nepal has ratified nearly all of the UN Conventions and international laws. Though Nepal's laws and national plan of action have been formulated according to international commitments, they have not been realised in action. Even if the bill on Child Labour (Regulation and Prohibition) has been ratified by the parliament three years ago, it has not been enforced into action. This shows that the government is not serious about the issue of child labour.
According to the census of 2001, 51% of the total population is female, however, the statistic drops to 49% for the population of children below 16 years of age. The population of girls decreased in comparison to boys during the two previous 5-year plans, but during the most recent 5-year plan, there has been an increase in the girls’ population. With Nepal being a traditional and patriarchic society, we can see existence of discrimination between daughters and sons in every area of our society. But after democracy was restored in 1990, and after increasing public awareness regarding matters of human rights, there has been a progress in the situation of girl children in recent years.

But the development situation of girls as compared to boys seems weaker, due to child labour, child marriage, malnutrition, and illiteracy. In Nepal, there are 65% literate boys, and only 42% literate boys. Similarly, girls are often survivors of various problems, such as child marriage, sexual exploitation and abuse, exploitation by in-laws, and trafficking for the purpose of commercial sexual exploitation. Ongoing armed conflict in our country for the past eight or nine years is another contributing factor to the thousands of children falling into risky and difficult situations. So far, out of the total population of 10,000 people killed in ongoing-armed conflict, 300 are children - 100 of which are girls. Among the thousands of children displaced and affected during armed conflict, the number of girls is quite high.

The main cause behind the exploitation and abuse of girls is the patriarchal social structure and the suppressions and social misbeliefs that stem from it. For these reasons, many people do not treat their daughters as they would treat their sons. Girls are still considered to be a strong work force for household chores, and for carrying out other domestic responsibilities, such as carrying water, gathering wood from the forest, etc. In addition to this, girls also play an important supporting role in rearing their siblings, helping their mother, and in kitchen work. Even now, the practice of providing equal education opportunities to daughters has not been effective in the rural areas.

With the passing of time, our society is gradually showing its concern for children's rights. The UN Convention of the Rights of the Child (CRC), ratified in 1989, started argument for the rights of girls equal to that of boys, and the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) has started raising more general issues of justice, equality, and freedom. The follow-up and evaluation of the latter at the 4th World Conference on Women in Beijing, 1995 resulted in the ratification of Beijing Platform for Action, and its implementation has supported and strengthened the rights of girl children. It has been felt that in the recent years, social mobilisation done through the formation of adolescent girls groups, adolescent girls’ education, and child rights campaigns have contributed more in the area of social transformation. Unless and until there is minimisation in gender-based violence, sexual exploitation, commercial sexual exploitation, child marriage, child labour exploitation, and child slavery, it will be difficult to develop girls as a part of social transformation.

### School and the population of school going children

In Nepal, there are around 41 lakh school going children in the 6-15 age group, however, there is a total of only 37,566 schools - including both private and government schools - for them. According to this statistic, there is only one school available for an average of 109 children between 6 to 15 years of age. There are 1.66 schools available per 1000 children. To further break down the data, there are 1.15 primary schools available per 1000 children. According to the above-mentioned statistics, 73.15% children between 6-10 years of age are enrolled in primary schools. But only half of the students remain there before the completion of Class Five. Similarly, there is an average 3.78 teachers available per one primary school. According to this statistic, at the primary level, there is one teacher available per 37.02% students. Among the teachers of primary schools, only 25.31% are women.

(Source: Educational Statistics of Nepal on school level, 2057)
It has been nine years since CPN (Maoists) announced the "People’s War" and initiated armed conflict against the existing ‘autocracy’ in order to bring about progress-oriented economic, social, and cultural transformations. There have been innumerable ups and downs in our country so far. But this has not been able to create result-oriented work for citizens. So far, around 10,000 people have been killed in our country. Thousands of people have been injured and disabled, while hundreds of thousands of people have been displaced from their villages and hometowns. If we look at the destruction of physical structures, many national assets, worth billions of rupees, have been destroyed. Meanwhile, the present national psychological state is being transforming into one of hopelessness and fear. Furthermore, ongoing political conflict between His Majesty and political parties in our country has created an additional crisis and state of confusion. As a result, there have been gradual negative effects on child development and child rights.

It is believed that the effects of the present armed conflict on children are getting more serious every day. When we study the circumstances following the initiation of the "People's War," we find that more than 300 children have been killed, and 500 children have been injured and disabled. Around 2000 children have been displaced from their birth villages and places of living.

Murder, violence, armed conflict, natural disasters, and any kind of destructive activity always put children in difficult situations. The armed conflict that exists in our country is a repetition of similar destructive histories that have taken place around the world. Last year alone, in the mid-western regions of Nepal, at least 300 schools were closed at different times. Time and again many schools fall prey to armed conflict. The killing incident at Sharada Secondary School of Mudhbara VDC, in the Doti district is the most tragic incident among a series of such incidents. The use of many schools as barracks and military training spaces for the state military and Maoists was not fair.

This year, through an initiative of CWIN, several organisations active in the field of child rights have participated in many programmes under the "Children as Zones of Peace" campaign in various parts of the country. Due to these efforts, there has been a tremendous increase in awareness that places such as schools, playgrounds, transportation vehicles, and human habitats where children are found cannot be targeted under any condition, and that everyone should respect the rights of children. However, insensitive activities time and again have directly and indirectly impacted children, and have additionally battered the mental state of children. But CWIN, along with Save the Children-Norway, Plan-Nepal, UNICEF, and other child rights organisations have been making an important contribution in providing relief, psychosocial counselling, rehabilitation, and social reintegration for child survivors of armed conflict. Apart from this, various programmes were undertaken under the "Children as Zones of Peace" Campaign to pressurise and influence the State Party and Maoist Rebels.

Child Rights and the Commitment of His Majesty’s Government

It was not long ago that organisations started raising the issues of child rights in Nepal. Nonetheless, it is for sure that issues of child rights have been emerging in a dynamic way in our country. We feel that we are moving ahead faster if we look at commitments made by His Majesty's Government in the national and international sector. There have been provisions for much-needed policy, rules, and laws for child rights to some extent. According to the UN Convention on the Rights of the Child, the issue of child rights is a
responsibility of state. The state, which gives priority to the questions regarding the betterment of children, is the state that also makes a contribution to its development and social transformation. In the context of Nepal, even though HMG has expressed its commitments, there has been minimum implementation and transformation. In the tenth 5-year plan (2002-2007), HMG has formulated various provisions for the protection and promotion of child rights. Apart from this, it has formulated national plans of action for matters such as child labour, trafficking in women and commercial sexual exploitation, human rights, bonded labour, and has also advanced programmes regarding these matters. But, the government has been ineffective in managing the appropriate mechanism, resources and human resources necessary for the implementation of work plans, even though plans were made for the implementation of national and international commitments. The political instability and associated dilemmas have contributed in failing to transform the national plans of actions into any credible outcomes.

The "Task force for the formulation of a 10-year plan" formed by HMG, has formulated a national plan of action for children, according to the commitment made in the United Nations General Assembly Special Session (UNGASS) regarding children. In this programme, they have evaluated works done so far and have formulated a 10-year, intensive programme for children. It has included various recommendations and suggestions for an organisational structure, as well as provided analysis of the different reasons for not being able to implement policy, rules, laws, and legal provisions for children in Nepal.
Since 1996, Child Workers in Nepal Concerned Centre (CWIN) has been publishing a periodic report on the status of the rights of Nepali children as a watchdog for the implementation of the CRC in practice. This report includes positive and negative changes in the year 2003 regarding the state of the rights of the children in Nepal. This report also aims to present the achievements and challenges of the child rights movement in Nepal. The data and information included in this report are based on data from research papers, studies and surveys carried out to date, newspaper reports, field visits, fact-finding missions, and information recorded by the CWIN Help-line Kathmandu (4-271000) and CWIN Helpline Biratnagar (021- 535700) including direct field based reports and information and facts collected in field visits from around 35 districts.

If we are to talk about the overall issues of child rights in Nepal, we find that on-going armed conflict since past 9 years in the country is one of the most emerging challenges before us. Though peace prevailed comparatively in our country during "ceasefire" for 8 months; children were killed and had to bear other injustice from both the conflicting parties even during the ceasefire period. Similarly, after the breakdown of ceasefire the situation of human rights in Nepal has been degrading day to day while additional challenges have mounted up against the right of children to live and grow in a peaceful environment.

In recent times a situation of crisis has prevailed in the country due to armed conflict while peaking dispute between the king and the political parties and joint people's movement has invited a situation of conflict in the society. Due to various conditions the peace talks between the state party and the Maoists have not succeeded while the protests inspiring on the streets have affected the society in one way or the other. Especially debate between governments and student unions, private school associations, strikes, closing down of educational institutions; arrest, fire and riots have created a situation of anarchy in the education sector. This developed a negative situation against the rights of students to earn education. What loss do children have in their psyche when they grow up in a controversial, violent conflict and anarchy? What and how their future will be? These are actually a grave matter of concern.

So far conscious voices have been constantly raised against the violence and for peace in many places. "Children are Zones of peace" campaign has made everyone aware and touched the people who stand for peace. This campaign has also reached the remote rural areas instead of being confined only to urban sector. But peace workers have not been able to work freely for the well being of children.

In the context of child right, there are various emerging challenges of children such as economical, social, physical, gender, emotional, sexual and other exploitations. This issues have been raised in the facts and analysis mentioned in this report.

After the ratification of UN's convention on rights of the child by Nepal in 1990, the activities regarding child rights have been comprehensive. Though conscious people in society and children themselves have constantly raised their voice against violation of child rights, the state has not been able to carry its responsibility towards the questions of children's protection and well being.

Although HMG/Nepal has extended its commiment towards national and international commitments such as end of child labour exploitation, children's trafficking, bonded labour, polio eradication, decrease child death rate, ensuring child education, formation of juvenile court and stop using child soldiers etc. But if we review His Majesty's Government's commitment in the past 10 years, it has become a "famous package" which has fewer outcomes.
Nepal has always delayed the submission of the report on situation of child rights to the Child rights committee of United Nations (CRC Committee). Nepal submitted the periodical report on child rights 2002 only on February 7 2003. With regard to this, United Nation's CRC Committee had fixed a date on January 2004 for the hearing on child right situation of Nepal. But above mentioned hearing will possibly occur by the end of this year. This year, CWIN has recorded a total of 6315 incidents related to the exploitation of children, sexual exploitation of children, child trafficking, forced prostitution, child labour exploitation, child death, missing children, children in armed conflict, and children in conflict with the law. Out of which, 109 cases are of domestic violence against children, 324 cases of torture, 33 child killings, 28 cases are incidences of infant killings. Similarly, CWIN has also recorded 181 cases of child labour exploitation, 137 child sexual exploitation, 203 corporal punishment, 184 abandoned children, 136 cases of neglected children 16 orphaned, 41 infected by HIV/AIDS, 276 (124 died) affected by natural disaster, 183 death due to communicable disease while 3 deaths due to carelessness, 519 (398 died) children in various accidents, 84 cases (2 of them died) of sick street children, 31 children neglected due to physical and mental disability, 458 cases of migrated children at risk, 51 cases of children deprived of adequate facilities in child care homes.

In the course of the ongoing armed conflict in the country, CWIN has this year recorded 110 cases of children directly affected. This includes 36 child deaths (23 boys and 13 girls), 57 injuries and 17 arrests. Likewise the cases 578 abductions of children also came into light this year.

Apart from this CWIN has recorded 74 incidences of children's trafficking, 52 (47 deaths) child suicides, 510 children published for adoption, 32 incidences of child marriage, 61 incidences of children in conflict with law due to juvenile delinquency, 948 (20 kidnapped) children while 494 found children. CWIN collected these information through its investigation, field visits and various other sources. It has recorded 549 incidences of children in other risk situations such as caste discrimination, gender discrimination, psychosocial torture, other child abuse including displacement and migration.

Previous year CWIN had recorded 4,506 incidences of child rights violation. In comparison to previous year, the figure of child victims or survivors of various risk situation, abuse and exploitation seems to be constantly increasing. However, increasing public awareness and child consciousness regarding child rights, many government and non government organisations have taken positive and careful steps towards ensuring child rights. Therefore, many children have been saved from their rights being violated.

We want to stress that the cases recorded by CWIN are just a fraction of the actual reality. Cases of violence against children and child rights violations are underreported. Sometimes, circumstances force people to keep the cases undercover. The reasons for this are manifold. Lack of proper response from law enforcing agencies, delays in the justice process, threats to survivors, lack of awareness, and the system of reporting are some of the reasons for underreporting of cases of rights violations. However, on the other hand, there has been the increasing trend of reporting. It might be because of this that we find the rise in cases reported compared to previous years.
Survival
**Immunisation**

The seventh Intensive National Campaign against Polio was organised with the aim of eradicating Polio from Nepal by 2005. This year, 4.1 million children from 69 districts were immunised. According to the Child Health Main Branch at the HMG/Ministry of Health, the campaign reaches all 75 districts of Nepal. The National Immunisation Campaign has been cited as a national success in the field of child health. The government authorities claim that under the intensified campaign, hundred percent children have been immunised. The Immunisation Day this year has been successful compared to previous years, even in the conflict-affected districts of Nepal. However, there is evidence of children being left out of the immunisation drive. A seven-month-old daughter of Pemba Sherpa from the Tatopani Village District Committee-3 of the Sindhupalchowk District has been suspected of having polio. Senior doctors have examined the child’s health. Similarly, the doctors of Bharatpur Hospital have suspected a one-and-a-half-year-old boy from Chitawan, Piple of VDC –7 of having polio as well.

**Death of 3 Children After Vaccination**

9 Mangshir, 3 children of the Pato Village District Committee died after they were vaccinated. These children were vaccinated for measles at the Ilaka Health Post, Pato on Friday and they had died by the next day, stated the Rajbiraj District Public Health Office.

Father Raj Kumar Pandit said that while returning home from Pato, which is 20 kilometers away from Rajbiraj West, soon after the vaccination, nine-month-old Nanda Kishore started suffering from a fever. Auxiliary Health Worker Bimal Yadav of the Ilaka Health Post said that children suffering from a high fever and diarrhea after vaccination can die.

Similarly, ten-month-old Saraswati Yadav, daughter of Devendra Yadav from Ward No. 7, and nine-month-old Apsara Miya, daughter of Dukhi Miya from the same Pato Village Committee, are among the other children who died after vaccination.

Fever and diarrhea are common symptoms in children under 12 months, but in some children, a high fever and diarrhea can occur. Immediate treatment has to be given if symptoms of high fever and diarrhea occur after vaccination. The children must have died because they were not taken for immediate treatment, said the Auxiliary Health Worker Bimal Yadav of the Ilaka Health Post Pato.

Annapurna Post, 27 November 2003

**Women resist immunisation drive**

Health workers are having a tough time persuading the Thami women to take tetanus vaccines, for they believe the medicine is not meant to immunise, but to prevent them from having kids.

Thami village is a socially, economically, and educationally backward place, where misconceptions are easily formed and family planning measures are frowned upon. A team of health workers under the maternity and post natal tetanus eradication programme that went to Khopachagu in Dolakha to administer the anti-tetanus vaccines to the Thami women learned that the hard way.

They had to vaccinate themselves to persuade the women to follow suit. But even that didn't work as was expected. The trick worked only on one-third of the intended beneficiaries. An assistant health worker of the Khopachagu Health Center in Shyam Khadka said that only 53 of the 150 women were administered the vaccine. Not only did the women refuse to be vaccinated, but some of them left the village to evade the health workers.

Dhan Maya Thami (32) of Khopachagu Agu VDC-2 says, "The government has sent these people to stop us from having more children; we will not accept any such medicine." According to Sarki Man Thami, former chairman of the VDC, the women should not be administered the TT vaccines. He wonders, "There was no disease like tetanus earlier. So why this sudden concern?"

The health workers had to ace a similar problem in Alampu, another Thami VDC.
According to Krishna Maya Thami of the Alampu Health Center, only a small number of women came forward for the vaccination. The misconception about contraceptives is keeping them away from the immunization drive. The women fear the TT vaccine would leave them childless, cause miscarriage, and lead to physical weakness. Most families have 8 to 10 children.

Khadka says that although a 20-kilowatt hydropower project has given access to electronic media for information and entertainment, it has not contributed to the education of the Thamis.

The Himalayan Times, 31 May 2003

The increasing administration of Vitamin A in all 75 districts of Nepal has helped decrease the infant and child mortality rate. It is believed that Vitamin A administration has been saving the lives of 12 to 15 thousand children every year.

Child Health

Average Nepali children are still deprived of their inherent right to proper health care and services. The government still fails to deliver health services to rural children. There is lack of health posts and hospitals in the villages, and also, there is scarcity of health workers. Both issues have added to the problem. Many health posts in rural areas have been running without the appointment of health officials. What is more, escalating armed conflict in the country has had an adverse effect on the health of children in rural areas. In addition, frequent recurrences of general strikes (Nepal Bandhs), and embargoes of supplies which are necessary materials for daily living in areas affected by armed conflict have been severe blows on the already frail health and overall development of children.

As a result of the lack of health services and proper care, thousands of children die of preventable diseases like measles, diarrhea, pneumonia, etc. Lack of facilities, coupled with lack of health awareness among the general public, have further pushed children into at-risk situations.

A girl child was burnt with hot iron utensil

Tikapur, 19 Jeth. Fourteen-year-old Manju Sop, daughter of Sharada Sop, a sweeper, was burnt with a hot iron utensil in the name of treatment. Several parts of her body have been burnt.

When Manju was taken to the faith healer she told the faith healer, "Give me that fire, I will also eat it," Sharada said. "He then put the hot iron on her tongue, then he also burnt both her cheeks, lips, and back," she added.

Sharada said that when her daughter refused to go to the hospital for treatment, she was taken to the faith healer. "The faith healer thought that my daughter was haunted by Sadguru (saint) and burnt her," said Sharada. Manju, who was studying in Grade 7 at Khadgapur Smriti Secondary School in Tikapur had fallen sick after she saw the dead body of Karna Bahadur Raji, studying at the Tikapur Multiple Campus, who died due to doctor's negligence, and the demonstrations followed by this incident, Sharada told Kantipur.

When Manju didn't recover after five days of seeing different faith healers, Sharada had taken her daughter to Tikapur Hospital for a check-up.

According to health workers, Manju had been suffering from a psychological imbalance since she saw the dead body and the demonstration of students with regard to the death of Karna Bahadur Raji.

Ganesh Chaudhary, Kantipur Daily, 3 June 2003

Death of Chepang due to Belief in Faith Healers

Hetauda, 13 November- 16-year-old Sukamaya Praja from Kokhari, Khairang VDC died last week while she was being treated by a faith healer. Two famous faith healers in the
Sukmaya’s parents consoled themselves, saying that the “faith healers had tried their best; her age period was short.”

Due to superstition and lives of isolation for ages, the Chepang community has been experiencing the sufferings of the Sukamayas. Average Chepang community members take their sick to faith healers, instead of taking them to a hospital for medicine and treatment. Due to their dependency on faith healers, every year, more than five dozen women and children die in the VDC, said Ex-VDC President Raj Kumar Malla. Last month, two pregnant women of Kokhari VDC had to lose their lives due to their belief in faith healers.

Communicable diseases

Thousands of young children die due to curable and preventable communicable diseases every year. This year, 183 children were reported dead due to measles, encephalitis, viral influenza, pneumonia, kalaazar, hepatitis, etc in various districts of Nepal. Last year, there were reports of 123 deaths of children due to communicable diseases. This year, thousands of children suffered from viral influenza and hundreds died.

In many districts, there were reports of all school children falling sick in various districts. Such a situation forced schools to close down. Some 2500 children were seriously affected due to this infection in the districts of Udaypur, Ramechhap, Sindhuli, Butwal, Morang, Nawalparasi, Mahottari, Doti, Rupandehi, Kavre, Dolkha, and Palpa.

Mysterious disease affects 180 students in Terhathum

TERHATHUM. June 7 Residents of the Thoklung Village Development committee in the Terhathum district are reported to have been infected with a mysterious disease.

According to information provided by the headmaster of the Bhagwati Secondary School in the VDC, some 180 students of the school were found to be suffering from the mysterious disease.

Fever, cough, and drowning of the nose are said to be symptoms of the disease that was first detected a week ago.

The infected underwent medical treatment at the local sub-health centers but the disease has been spreading wide and fast, says headmaster Prem Prakash Lamichane. The district hospital was informed about the disease four days ago but we have yet to receive any response, say the villagers.

However, senior public health officer at the district hospital Chandra Dev Mehta denied having any information about the mysterious disease. The school has been closed down after the condition of the infected remain deteriorating add the headmaster.

The Rising Nepal, 8 June 2003

Death of additional four children due to measles in Bajura District

Dhangadhi, 6th May- The most recent spread of measles in the hilly districts of the Far Western Development Region, has caused death of four children in the Bajura District. Earlier, 38 people fell prey to measles in the districts of Bajhang, Baitadi, and Achham.

According to a local dweller, the effects of measles have been seen in the Jukot, Bai, Bandh and Sappata VDCs of the Bajura District. In the Dalit village of Badh VDC, two children have died, said Daman Bahadur Shahi of Juwakot, Bajura.

In the Northern area considered to be remote and very distant from the headquarters of Bajura District, such as Jukot, Bandh, Wai and Sappata, hundreds of children have been affected by measles, as there are no health workers in the health posts, even after the cease fire.
According to Dr. Ganesh Singh Bhandari of the Baitadi District Hospital, due to the absence of appropriate facilities, the measles has started taking on a bigger toll. After being unable to get treatment in Baitadi, ill people have started going for treatment to Team Hospital, Dadeldhura. The Chief of the Health Directorate Dipayal, Dr. Bhojraj Bhatta, said that due to the absence of telephones and other means of communication in the districts affected by the disease, the regional hospital in Dipayal has not received all information.

Measles has spread in remote places. Dr. Bhatta said that our system could not send help, as there is no telephone service. He said that a team of health workers has been sent to Bajhang and Achham, but he did not say anything about Baitadi.

Dr. Bhatta said that after Spacetime and Channel Nepal broadcast the news about the widespread epidemic; the division has guaranteed to send two additional officers to the directorate. Assistant Subba has to play the role of area director after Chief Bhatta in the Directorate where 14 officers have been appointed.

Spacetime Daily, 8 May 2003

HIV and Children

The number of the HIV-positive population is an increasing trend in Nepal, as in the rest of the world. According to different sources, there are at least 60,000 people infected with HIV. The number is believed to be much higher. HIV infection is increasing also due to the increasing problems in young people such as drug abuse and unsafe sexual behaviours.

According to the National AIDS and STD Control Center (NASCC), in the year 2003, approximately 18% of people infected with HIV/AIDS in Nepal are young people below 19 years of age.

Different sources claim that there are about 56,000 people infected with this virus. The real number is believed to be much higher than this.

Problems of intravenous drug use and unsafe sexual behaviour among the young make them vulnerable to the infection. Street children and youth are amongst the most vulnerable groups. This year, CWIN recorded two deaths of street youths from HIV/AIDS. HIV among street children is not adequately addressed. Issues of street children should be considered a priority by concerned organisations, before this problem becomes more serious.

There is also the issue of the social stigmatisation of children living with HIV and of the children living with HIV-infected parents. Discrimination and deprivation from health services, lack of awareness, and education force these children to suffer. HIV/AIDS can become a bigger concern in the future if there are no proper interventions to address all groups and sections of the society.

Although there are many programmes and resources available in the sector of HIV/AIDS, the programmes being run have not been able to address the issues of children and other vulnerable groups. The interventions have been more urban-centric and have not been able to challenge the stigma attached to HIV-positive people, especially those from marginalised communities. There have been fewer initiatives in understanding the socio-economic dimensions of HIV/AIDS in Nepal.

If the issue of HIV/AIDS is addressed by the concerned with a holistic approach, we still have a chance to curb it before it is too late.

CWIN Helpline was informed about an HIV-infected child who needed treatment by group of young boys. He had been lying near the Pachali Bhairab Temple in Teku. Due to misuse of a syringe, he had developed a severe gash in his hand, and was also suffering from fever and a cough; he had...
almost reached the last stages. As soon as CWIN Helpline received the information and reached Pachali Bhairab, Teku for relief, he was found in an utterly serious condition. He had a severe gash, a fever, and a cough, and the child's thin body and clothing was in an extremely unhealthy conduction. The child was taken straight to Bir Hospital for treatment, but the hospital refused to admit the child in the emergency ward. After a check-up, the child's wound on his hand was cleaned; however, they refused to admit the child. On the second day, Bir Hospital transferred the child to Teku Hospital for the required treatment.

After the child was admitted in Teku Hospital, they performed urine, stool, and blood tests. Unfortunately, the 16-year-old boy, from the Sarlahi District, who had just stepped into the teen years, was found to be infected with HIV. The hospital said that the child has been treated and added that he does not need further treatment. The hospital informed us that he will be discharged. CWIN Helpline requested the hospital to keep the child for a few more days, as there wasn't a place for the child after discharge, as the child had no guardians or relatives. Helpline further said that it will locate the relatives of the boy and will hand over the boy to the concerned people within 3-4 days. Teku Hospital and their staff provided full support and cooperation to CWIN as needed.

The child says as he recalls the incident, “I became severely ill during the period of my life in the street when I used to collect plastics. I learned to use drugs through my friends; gradually I got trapped in drug addiction. I reached such a state where I had to take drugs through a syringe 2/3 times a day otherwise I had to take a tab. In this way one day, I took drugs together with few of my friends. While injecting the drugs, I did not use the syringe properly, and I missed. Now, I am in this condition. A gash developed in the area of my hand where I had injected the drug. I did not care much, but later it became quite big. I could not use my hand to work at all. My body ached, and I did not feel like eating. Seeing my pathetic state, my friends called the CWIN Helpline”.

According to the details given by the child, his uncle had brought him to Kathmandu 9 years ago at the age of 7 for the purpose of taking care of his uncle's children. After a two-year period, he ran away from his uncle's room, as he had a heavy world load. At that point, he started his life in the streets and started collecting plastics.

On the basis of information given by the child, CWIN Helpline's field worker went to meet a person from the family with the child's photo. Later, CWIN Helpline's field worker reached his home and brought the father to Teku Hospital. The child was handed over to his father in the presence of hospital staff. CWIN Helpline sent the child back to his family with adequate counselling and also provided bus fare.

**Children and Accidents**

In Nepal, road accidents alone take the lives of around 500 children every year. Lack of proper care of children and irresponsibility towards children in families also causes accidents of hundreds of children. Not getting adequate treatment after accidents also causes physical disability in the majority of children.

This year, 519 children had various accidents. Among them, 398 children died. Among those who died, 269 were boys and 129 were girls. There was a rise in the number of accidents of children. Last year, 359 children met with different accidents, and 133 lost their lives.

If we study the patterns of accidents in children, it is found that minor negligence has also caused death in children. For example, there have been reports of children drowned in water filled in own's land, children eating pesticides, etc. Similarly, there are reports of dozens of children being eaten by wild animals every year.

**Death of a boy from man-eating tiger's attack**

On Friday evening, a five-and-a-half-year-old boy from Dakshinkali-7 died due to tiger's attack. The tiger had been attacking a series of children, and people had time and again submitted applications to the concerned sector, yet nothing was done.

Around 5.30pm on Friday, five-and-a-half-year-old Rojit Subedi, son of Bharat Subedi, died from a tiger's attack when he had gone to his aunt's home.

According to the ex-VDC President, Lava Man Maharjan, deep wounds were found on the neck and chest of the child. The tiger is still seen in the area, said local dwellers.
Before this incident, the tiger had already attacked six people in the area. On 13 December, local people had made requests of the District Forest Officer, Krishnaraj Wasukala, who was there to attend a programme at Pharping. In the programme, Officer Wasukala had requested the National Park and Wild Animal Protection Department to control the tiger.

General Director Tirtha Man Maske of the Department said that their department will only work in the protected areas. "This is not our work," he said, further adding that work can be done only if a letter is sent through the forestry department.

He said that the concerned District's Forest Department has to further investigate the control of the tiger. Ex-VDC President Maharjan said that he had also given an application to the mobile camp conducted in Pharping on December 15-16.

It has been estimated that the man-eating tiger lives in the jungle area of the Bagmati shore covering the area of Katuwaloha to the Bhadrajyoti Power House. Though a team of security forces went to the suspected jungle in search of the tiger on Saturday, it was not found.

*Nepal Samachar Patra, 28 December 2003*

**Children and Natural Calamities**

Natural calamities, like floods, landslides, and incessant rain starting with the monsoon season, result in injuries, death, and displacement of thousands of people every year. This year, 276 children were reported to be caught in natural calamities. Various natural calamities claimed the lives of 124 children this year, while 56 suffered serious injuries. Of the 276 children, 25 children went missing, while 71 children lost their parents. In the previous year, the number of children who died in natural calamities was 107. The disaster management system in Nepal is still not good. This results in delayed responses in rescue efforts and support for children caught in natural calamities.
Development
Birth Registration

Birth registration of children is one of the bases for ensuring children's rights. It is found that only half of the children in Nepal have their birth registration. Children are even deprived of their inherent right to birth registration due to lack of awareness, lack of adequate infrastructure, and various other reasons. There are many living examples of children whose development activities have been directly affected due to the absence of birth registration. Due to absence of birth registration, many children have problems in getting admission to or changing schools. For the same reason, some are even not issued a citizenship.

Recently, there has been increase in awareness programmes regarding birth registration in various districts of the country through the active initiation of international and national non-governmental organisations as well as other concerned government sectors.

Early Childhood Development

Early childhood care is gradually becoming more prominent in Nepal. For the development of children below the age of five, HMG has created around 4000 child development centers providing aid for children's development. But due to lack of required materials, trained human resource, and a child-friendly environment, there are many constraints in achieving the goals set by the government.

However, it is found that in recent times, there have been remarkable, positive transformations regarding early childhood development in the urban areas. Similarly, due to this transformation, there has been a mentionable decrease in figures of children who repeat the same class. According to the information given in a programme concluded by Seto Guras in 2003, thousands of children in South Asia start their important education from schools without any preparation, and in the absence of basic activities on early childhood development.

Questions of Adolescents

Like in other countries of the world, not much concern is given to the subject matter and interests of adolescents in our country. As a result, there exist various challenges before us in terms of adolescent children's total development. It is said that the period of adolescence is considered to be the "wonder years" of a person, but in our country most of the average adolescents live a challenged life of social discrimination and economic and political disparities. First of all, adolescents in our country are deprived of their fundamental rights - such as the right to education, health, shelter, and etc, while also being left behind with regard to their total, psychosocial, and creative development. In addition, adolescents have also been affected by various forms of exploitation, abuse, trafficking, and etc. According to HMG and the Ministry of Population and Environment, out of the total population in Nepal, 22% are in the adolescent population.

On 2059 B.S., HMG and the Ministry of Population and Environment forwarded the Outline of Youth Population Development Programme concerned with the matters of adolescents. With regard to this issue, the Ministry has also been carrying out joint activities with many non-governmental organisations.

Summary of Young People's Population Development Programme

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Doctors concerned over the degrading health of youth

The health of a growing number of adolescents in the country is in a vulnerable state. Doctors today highlighted their concerns over the degrading health of a large segment of the younger population. Speaking at the interaction programme at the Adolescents Friendly Clinic at the Bir Hospital today, Dr Laxmi Raj Pathak, the Director General of the Department of Health, said that his department has adopted a national strategy to promote adolescents' health and development.

The problems of a large segment of the young population in the country have not largely been addressed over these years. The time has come for us to give priority to this section of the population in order to create a healthy future for the younger generations, he said.

He stressed the need for creating a friendly atmosphere in the family, schools, and in health institutions where adolescents can communicate about their problems. Lack of awareness, sex education, and counselling is taking a heavy toll on the lives of young people. Fifty percent of maternal deaths occur among adolescents in the age group of 15 to 22.

Highlighting the gravity of the problem, Dr. Sudha Sharma stressed the need for giving life skills to young people and developing creative and critical thinking in order to prevent them from taking the path of perversion.

Started as part of the national health strategy, the Adolescents Friendly Clinic at the Bir Hospital has been in operation since January of this year. The clinic provides necessary counselling on reproductive health and other support services to the adolescents. So far, 280 adolescents have already visited the clinic.

Education for Children

Education has not been able to progress as expected in Nepal. Decreased educational standards and instability in the education sector has challenged the educational development of our country. For example, in 2060 B.S, only 32% of all students passed the School Leaving Certificate Exam (SLC). Of 2,30,878 examinees, including regular and compartment, only 58,408 cleared the SLC exam. Among the ones who cleared the SLC exam, 35% of students are from government schools and 65% of students are from private schools. This number signifies the existing gap in the education sector.

Schools were under inquiry after the result was zilch

Surkhet Asar 8 - This year, 5-6 schools of Surkhet have been closed after the SLC result was zero for a continuous three years. Among the schools are Bhanu Secondary School, Bajedichaur, Himalaya Secondary School Cholpa, Janakalyan Secondary School Kaprichaur, Nerapra Secondary School Betana, and Siddhapra Secondary School Mahelpani. District Education Executive Mr. Nandaraj Pant said that the permission papers of these schools will be withdrawn, and donations given to the schools will also be withdrawn. In comparison to last year in Surkhet, the percentage of passing students has increased from 6% to 22.64%. Among the 50 total schools, 13 schools' results have been zero. According to the information given by the District Education Office, among the regular examinees, 42 students have passed in the first division, 256 students in the second division, and 79 students in third division, making a total of 273 passing students. Among the exempted students, 60 have passed. In the Surkhet district, for the first time in the history of education in Nepal, a blind girl student has also passed the SLC exam.

In 2059 B.S., out of the district's 30 schools, only 10 schools' results were zero. Among these 10 schools were Janata Secondary School Kotmoula, Suryodaya Secondary School Dhakadam, Trij Secondary School Bhotechaur, Buddha Janakalyan Secondary School Badagaun and Krishna Secondary School, Bhimpher.
Similarly, the District Education Office Morang has stated that there has been a huge difference in the percentage of SLC results this year, including the results within government, private, and boarding schools. Out of a total of 33.23% SLC results in the district, 20.34% are from government schools, and 73.87% are from boarding and private schools. Among 6,625 regular examinees, 919 appeared from the first division, 1113 appeared from the second division, and 151 appeared from the third division. Out of the students from boarding and private schools who appeared for the SLC exam, 786 of them appeared from the first division, 392 appeared from the second division, and one of them appeared from the third division. Among those who appeared from government schools, 132 appeared from the first division, 741 appeared from the second division, and 150 appeared from the third division. Out of the district's total 89 community and 54 organisational secondary schools, Mahendra Secondary School, Biratnagar, Jana Secondary School, Aapgachhi, Mahendra Secondary School, Motipur, and Kalyankari Secondary School, Singhadevi were among the schools whose SLC results were zero said Mr. Bhupendra Rai, a staff member from the Examination Department.

Himalaya Times Daily, 23 June 2003

After the Formation of a Surveillance Team, the Number of School Going Students to Increase

After the formation of the Education Surveillance team in two VDC of the Saptari District, it has been estimated that there will be an increase in school going children. Recently, a team was formed in the Rupnarayan Higher Secondary School at Bishnupur VDC, Itahari, and the SLP Secondary School of Pathhar Gadha.

The Secretary of the Surveillance Team, Mr. Suryadev Chaudhary, said that the surveillance team will be formed to encourage dalit children to enroll in school, as dalit children are still not in school in Itahari Bishnupur VDC, despite the existence of one secondary, one higher secondary and two primary schools.

Similarly, average dalit children have not gone to school in Musahar and Tatar in Pathhar Gadha, where there are two secondary and two primary schools; thus, it has been decided to form a surveillance team in Pathhar Gadha as well.

The Surveillance team will work with the community and will pressure the VDC, Ward Committee, and NGOs working on the local level to ensure that all activities that can be done by the community, such as toilet construction, roof repair, cleaning, and the solution of drinking water provisions, get done.

It has been found that children are compelled to leave school because of their domestic work load, economic problems, and for several other reasons, and thus, many children of school going age are not in school. Therefore, the surveillance team will be actively working to encourage parents to send their children to school and to stop the drop out problem in schools.

The coordinator of the surveillance team in SLP Secondary School Paththargadha said that the scholarship provided by the government is received by targeted children, and will not be used if it is found that the scholarship is being misused. In such a case, the District Education Office will be informed through the surveillance team.

Villagers have expressed their hope that after the formation of the surveillance team, and through subsequent involvement of parents, school studies will gain regularity.

Spacetime Daily, 31 December 2003

The ongoing armed conflict during the past nine years in this country has had a negative effect on the education of children and their schools. Thousands of children’s regularity in education has been challenged because of frequent strikes. Children are devoid of their right to education in a favorable environment due to activities of armed conflict inside school premises. Moreover, incidents of children being killed inside schools and abductions of
students and teachers have not stopped. Both the conflicting parties' commitments to respect schools as a zone of peace and to protect children from the effects of armed conflict have been limited to words only. Because of this, thousands of school going children's future is at stake.

**Mentally Challenged and Differently able Children**

It is found that physical and mental disability in our society is still taken as a result of bad karma and curse. Many children have fallen prey to disability due to absence of proper care and unavailability of adequate services. Similarly, access of education for the difficulty abled children still remains a subject of challenge.

**This year Supreme Court has declared free education for the difficulty able children. In the writ filed by Nepal Disabled Human Rights Centre, Honorable Judges Krishna Kumar Burma and Ram Prasad Shrestha in their joint bench declared the decision. This bench ordered Ministers and ministry of Education and Sports to provide free education to all difficulty able. After this decision the literacy rate of population of difficulty able especially children which is only 10% literacy rate has been expected to increase.**

Along with this, total development of physically and mentally challenged children is a big question. There are limited programmes concentrating on health service, confidence building and also programmes focusing their total well being such as awareness, skill training etc for the difficulty able children. This year CWIN has recorded 31 abandoned cases of difficulty able children. CWIN has been keeping records of abandoned cases every year. Likewise these incidents of abandoned children have problem in rehabilitation and social re-integration. The situation of problems related with mentally ill children is degrading. There is no organisation in national level providing services and those existing organisations have to go through difficulty as these children are abandoned by their own family. We also get to hear in news that many mentally ill children in rural areas are tied with ropes in their homes.

**Blind girl always in chains**

Chhopraka- Gorkha- on chaitra 8, one of the members of the house from Majhigaun Besi of Chhopraka before going out of the house does not check cattle instead checks if the girl is tied properly or not and ties the girl properly. The girl who has only reached 5-year-old is tied regular whole day. She cannot see with her both eyes and due to blindness her parents tie her like animal in spite of protection and care that she requires.

Her parents go to work and her siblings go for school. She is tied because there is no one to look after her. She is at times tied with the rope which is used for tying goats after the goat is released and sometimes they tie a rope in her neck in front of the porch and leave her. It has been more than one and half years she is tied with a rope. Her uncle’s son said," In the beginning, we had expressed our concern but later it became compulsion of the home and we remained silent when there was no other remedy." A young boy from the neighbour Rajiv Pokhrel said," they tie the girl and sometimes when she cries in hunger and thirst for a long time we give her food. it is heart wrenching to see her but even if we release her who will take care of her whole day. Everyone has their own work to do." She is daughter of Ram Prasad
Pokhrel (known as Pitamber in the village) and Bimala. Her name is Manisha, she was not blind by birth. When she was 4-year-old she became ill and suddenly she couldn't see completely. According to neighbours, when she did not get treatment during pneumonia, her eyes became worse. "We had done treatment. She became blind; we did not even notice that her eyes got worse. She needs a separate person to take care of her. Whom shall we get for taking care of her when we have to work for living? We tie her with rope otherwise she will trip every time", said her mother Bimala. Pitamber and Bimala gave birth to six children. Manisha is their 4th child. Two children younger than her have already died. Elder daughter Namuna is 12-year-old and she studies in early childhood education with her siblings. Pitamber works with a businessman in a near by Charkote market. After Chhopraka as soon as you cross Khaplung, in Palungtar VDC there is Amar Jyoti Secondary School which is 3 hours walking distance where blind children are enrolled. But her family and neighbours say that they do not know about this school.

*Kantipur Daily, 7 December 2003*

### Child Care Homes

Organisations working for the rehabilitation of abandoned, without families and children at risk through various child care homes, periodical homes, and residential homes have been increasing in number gradually. This is positive for the rehabilitation of children but in many child care homes there are absence of minimum facilities and there are several irregularities while children are even subjected to violation of their rights. Similarly, child care homes who do not even complete the minimum criteria and work for the rehabilitation of children have challenged the well being of children. It has worried those organisations and concerned sectors who have prioritised the well being of children and are indulged in protection of child rights. Due to abnormalities occurring in child care homes, this year CWIN has recorded that in 3 child care homes 51 children in spite of being under child care home's protection have been deprived of basic facilities and have been subjected to risk situations. In past years also, CWIN has done many joint co-effects with various organisations for children living under protection of many child care homes who were in risk situations due to inadequate facilities.

There fore, with regard to this serious matter, a minimum standard for Child care homes has been formulated in initiation of Child Home Net (CNET formed last year) in harmony with several child care homes. The minimum standard set by the CNET has been handed over to Central Child Welfare Committee for the effectiveness of the minimum standard. Above mentioned committee has done extensive study and has submitted a report for minimum standard of child care homes to the department minister.

Similarly, this year CWIN has done one study to bring the work process and programmes of child care homes in the public and have collected information from around 120 child care homes from various districts.

### Minimum Standard Necessary to Conduct Children’s Home

Kathmandu, 20 June - A minimum set of standards will be made for the proper management of child care centers. A working team from the HMG Ministry of Women and Children has started doing homework, and they are now finalizing a draft for a minimum set
of standards. This information was given in the programme titled "Minimum standards for the management of child care homes," organised by CWIN and a network of child care homes called "CNET."

In the programme, the Executive Director of the Child Welfare Committee and Coordinator Deepak Sapkota stated that the Directory 2060 regarding the management of child care homes will soon come into effect.

The discussion programme was organised with the objective of collecting additional suggestions on the draft of minimum standards for the management of child care homes. It was prepared by the Committee formed by the Ministry, who will hand over the draft on minimum standards for the management of child care homes prepared by common network of child care homes CNET. President of CWIN Mr. Gauri Pradhan handed over the draft on minimum standards to the Executive Director of Central Child Welfare Committee, Mr. Deepak Sapkota. Mr. Gauri Pradhan said in the programme that there should be a common position at the national level in minimum standards for the management of child care homes, and he also expressed that a child rights perspective should be included in such a position.

The participants in the discussion programme suggested that there is a need for a minimum standard for the effective management of child care homes and that there is a need to bring more effectiveness in the management of child care homes that already exist. This should be done by implementing the standards for behavior. It is also necessary to do a compulsory follow-up of the standards.

Similarly, in order to bring more effectiveness in management of child care homes, we need to establish child care homes that consider the UN Convention regarding children, and we need to pay attention to physical facilities. Coordination of child care homes should be a priority, the basic rights of children should be guaranteed, the use of able-bodied human power should be used for the management of child care homes, and we should strengthen the management aspect. Child care homes have to develop a code of conduct and implement it in behavior, give their main attention to child participation inside their child care home, the homes' security should be guaranteed, and minimum standards should be forwarded for stable management of child care homes.

In the discussion, various issues were pointed out regarding unavoidable minimum standards for the effective management of child care homes, including institutional development and sustainability, unification of child care homes, and also the fulfillment of fundamental aspects of child rights and their implementation and supervision.

It was also said that that in Nepal there are 5 child care homes run by the government, and 85 to 125 child care homes run by non-government organisations.

CWIN, 20 July 2003

**Child Adoption**

According to a child rights perspective, adopting children who are abandoned, orphaned, or without families or any kind of support is good. However, whether or not adoption is being used for the well-being of children has become a matter of concern for all.

Shortcomings have been seen in the processes of adoption, which is to be used as a means for the well-being of the children. With concern to this matter, it has been said that monitoring of the HMG has not been that effective, which has become a subject of discussion. Organisations publishing daily public notices for adoption have been increasing with time. It was made public that 510 children can be given for adoption from many organisations this year. In comparison to previous years, the number has increased dramatically. Last year, the number was only 175 children.
Nepal Children's Organisation (NCO), also called Bal Mandir, collects US $300 from each prospective person wanting to adopt a Nepali baby. However, it appears that this money ultimately goes towards the funding of foreign trips of the minister and his entourage.

According to sources, NCO has to fork out this sum to bear the cost of travel for several government officials who fly every year to foreign shores on a mission to monitor the situation of adopted children living abroad with their foster parents. The Mandir then relies on donations to support the orphans since the government does not provide any funds.

Considering this to be a wasteful exercise, the then Sher Bahadur Deuba government had halted the practice, but the present government has revived this tradition, giving no adequate reason.

"We have noting to lose from the visit since our expenses are borne by the funds from the Bal Mandir, which is actually donated by foreign couples wanting to adopt the child," says Prachanda Raj Pradhan, member of NCO, who returned recently from Italy on a monitoring visit.

A four-member delegation led by Renu Kumari Yadav, the Minister of the Women, Children, and Social Welfare Council, has returned from their monitoring trip in Italy ten days ago.

More than a week after their arrival home from Italy, the team is running behind schedule to submit its report on the state of adopted Nepali children.

"Nepal is the only country to monitor the situation of orphan children being adopted by foreign couples and nurtured in their country," says Pradhan.

When asked about the relevance of such visits, he said, "The monitoring is expected to stop the likelihood of abuse and exploitation of adopted children and would check the possible violation of their rights in future." The government sends the monitoring team to around ten countries where Nepali orphan children are adopted by foreign couples. Such visits take place two to three times a year, for which the NCO has to bear all the expenses.

According to Pradhan, the team had visited the orphans, households, met with their foster parents, inquired about their education and health status, and met with high-level Italian officials during the seven-day long trip.

But a similar job is done free of charge by the child placement agencies every six months, according to sources at the NCO.

About 60 to 70 orphan children are adopted every year from the NCO alone, for which a prospective couple shells out US$ 300 to the organisation as monitoring fee. The fee, which comes to thousands of dollars every year, is spent on monitoring the situation of the adopted children abroad.

According to Kiran Siwakoti, member-secretary of the adoption committee under the Ministry of Social Welfare, an estimated 100 orphans leave Nepal every year after they are adopted by foreigner couples.

The monitoring fee, paid by prospective couples, amounts to approximately US $30,000 a year.

According to an NCO source, it has no authority to use this fund since it is used completely by the officials on the foreign trips.

The NCO pays US $500 as allowance to the delegation during their stay in a foreign country and pays for their airfare and other expenses that occur in the round trip. Italy, followed by Spain, tops the lists of countries adopting more orphans from Nepal than any other country. Others on the list include France, Germany, Denmark, Belgium, Holland, Switzerland, and the USA, according to NCO.

"One of the children we met cried when he knew that someone from Nepal had come to meet him," said an official who visited Italy recently to monitor the adopted children.

"The child was scared that we might bring him back to Nepal and he wept," he said, adding that the children adopted by foreign couples are leading a better life abroad than what they were leading earlier in Nepal.
## Details of organisations that made information public about the adoption of children in the year 2003

<table>
<thead>
<tr>
<th>S.No</th>
<th>Organisation</th>
<th>No. of Children</th>
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<tbody>
<tr>
<td>1</td>
<td>Nepal Children's Organisation</td>
<td>221</td>
</tr>
<tr>
<td>2</td>
<td>Asahaya Balbalika Samrakshyan Griha</td>
<td>49</td>
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<tr>
<td>3</td>
<td>Maiti Nepal</td>
<td>14</td>
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<td>4</td>
<td>Ocic Nepal</td>
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<tr>
<td>5</td>
<td>Orphan Children Organisation</td>
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<tr>
<td>6</td>
<td>Bal Griha, Thapathali</td>
<td>53</td>
</tr>
<tr>
<td>7</td>
<td>Bal Sewa Griha</td>
<td>23</td>
</tr>
<tr>
<td>8</td>
<td>Community Environment and Child Development Organisation</td>
<td>56</td>
</tr>
<tr>
<td>9</td>
<td>The Welfare Home</td>
<td>3</td>
</tr>
<tr>
<td>10</td>
<td>Swastik Women and Children Protection Organisation</td>
<td>21</td>
</tr>
<tr>
<td>11</td>
<td>P.E.R</td>
<td>1</td>
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<tr>
<td>12</td>
<td>Bal Sewa Kendra</td>
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<tr>
<td>13</td>
<td>Asahaya tatha Tuhura</td>
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<tr>
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<td>Purbanchal Anath Ashram Bal Sewa Griha</td>
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<td>15</td>
<td>Apasko Nimti Samaj</td>
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<tr>
<td>16</td>
<td>Bal Kalyan Kendra</td>
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<tr>
<td>17</td>
<td>Nepal Asahaya Bal Ghar</td>
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<td>18</td>
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<tr>
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<td>Sagarmatha Children Home</td>
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</tr>
<tr>
<td>20</td>
<td>Asahaya Shikshya Kendra</td>
<td>16</td>
</tr>
</tbody>
</table>

Similarly, according to HMG's Ministry of Women, Children and Social Welfare, from Poush 2059 to Ashar 2060, 136 children have been sent abroad for adoption.

### Children with physical disability

According to a recent study "A Situation Analysis of Disability in Nepal," conducted by the National Planning Commission in collaboration with UNICEF and New Era, an estimated 371,442 people in Nepal are living with disabilities in Nepal, which is 1.63% of the total population of Nepal. The report says that more than half of the disabilities occur before the age of five due to different illness or accidents. Among the people living with disabilities, as much as 68.2 percent are denied access to education.

The study conducted in 1999-2002 in 30 districts using a sample of 13,005 households, both rural and urban, covering 759,445 people, indicates that disability is more prevalent among the male population than the female population, and is linked to mortality. The study further indicates that disability is also linked to the economic condition of people and is more prevalent in the western development region and mountainous regions, which are discriminated against geographically in mainstream development.

According to the study, one-third of the people living with a disability have multiple disabilities. Eighty-two percent of the people with disability are aware of their rights, but are denied access to their fundamental rights, and half of them look after themselves.

But according to the National Federation for the Disabled, almost ten percent of the total populations are living with one kind of disability or another, and the state's response is inadequate for the support and development of the disabled population. The federation estimates that there are about 250,000 children under 18 living with disabilities.
The Supreme Court Today ordered the government to provide free education to all disabled in the country (Nepal).

Joint Bench Comprising Justices Krishna Kumar Burma and Ram Prasad Shrestha issued the order to the Cabinet of Ministers and the Ministry of Education and Sports in response to a written petition filed by Shudarson Subedi and Babu Krishna Maharjanon on behalf of the Nepal Disabled Human Rights Center (DHRC-Nepal).

The Supreme Court also directed the Ministry of Education and Sports, The Education Department, The Higher Education Department, The Special Education Council, Tribhwan University, Purbanchal University, and Kathmandu University to provide free education to the disabled. "The constitutional and legal provision should be implemented," the Supreme Ruled. Article 11 of the Constitution says special provisions may be made by law for the protection, among others, of those who are physically or mentally incapacitated.

The Supreme Court decided that "The Directive has been issued to the Government and Education Ministry to implement clauses 4, 5, and 6 of the disabled protection and welfare act 2039BS," said the court ruling. The cited clauses have provisions for the protection of equality and free education for the disabled. Despite the existence of legal provisions, the disabled have been denied the facilities. According to the court directives, the government will now have to make separate regulations for training schools for the disabled since clause 5 of the act obliges the government to do so.

DHRC-Nepal appealed to and humbly requested all National and International Government / Government agencies, NGOs, INGOs, UN Agencies, Human Rights Organisations, General Public Disabled Forums, Working with and for the Disabled and Civil Society, Partner Organisations and Individuals give power to DHRC-Nepal for the: Mainstreaming, Inclusion, and Equality of the individuals, and to implement the Decision of the Supreme Court.

Many, many thanks to our support agencies in this case and for the achievement.

We are always waiting for your suggestions for future action.

Nepal Disabled Human Rights Center
(DHRC-Nepal) Kathmandu, Nepal

**Mentally challenged children**

The situation of mentally challenged children is worse. Facilities available for the mentally disabled, mentally challenged, and special needs children are very scarce. Apart from the government's inefficiency in addressing the needs of these children, NGO initiatives are also very poor. Due to this situation, many special needs children and disabled children end up on the streets, unattended.

This year, CWIN worked with 12 special needs children, who were neglected and abandoned. There are only a few institutions that address mentally challenged children. Currently, there are only a few institutions which run day schools and day-care centres that will take in such children, because residential care is not available for abandoned children. The issue of social-reintegration of such children is a big challenge when no support system exists. A coordinated effort is needed from all concerned in this matter.

**Mentally affected child in chains**

Santoshi Thakuri, 10 A mentally challenged child of the Airport area of Simara-4 of the Bara District has been living like an animal, tethered in her own house for the past seven years.

Fate played a cruel joke on Thakuri seven years ago. She had gone to bed in good health one night. However, the next morning, she was found in a state of a coma, according to Hari Thakur, the father.

When she came out of the coma, it was found that she had lost control of her mental facilities. She lost her vocal power and control over her senses, according to he father.
I got my daughter's health checked by many neurologists in Kathmandu, Birgunj, and Janakpur. However, no one could identify the problem. I also approached many shamans, but to no avail, said the father. However, his other four children - two daughters and two sons - are still in perfect health, added the father. The father is a labourer at the local hulas steel industry and they have no other property except a house on state land. They have already spent Rs. 70,000 for their daughter's treatment, according to the parents.

As a last attempt, he had taken the child to Kathmandu for a CAT scan, however, she refused to lie in bed, despite many attempts by the technician. She was also injected with a tranquilizer, but to no avail, according to the father.

Since then, she has been kept chained in her own house when her parents go out to work.

Perhaps no mother can endure to see her daughter chained. However, we are forced to do so. When let free, she destroys things, enters others' houses, and creates disturbances, said Kamala Thakuri, the mother. I am worried what her fate will be when she grows older. Sometimes, we have a faint hope that someone may turn up to treat her.

Many NGOs have taken photos of the child, promising help for the treatment of the child. However, nobody has come to fulfill the promises they made, said Shiva Poodle, a neighbour.

The Kathmandu Post, 6 May 2003

Organisations Unwilling to Shelter Mentally Retarded, Poor Children

KATHMANDU, Dec 11 - Afsha Begum, 6, a mentally-retarded girl, was reunited with her parents last Wednesday after disappearing from her home for 16 days. Leaving aside police negligence as part of the cause of her prolonged disappearance (mentioned in Dec 11 issue of The Kathmandu Post), she managed in her own mute way, to raise one grave question: what happens to mentally-retarded children whose guardians cannot afford care centers or do not have guardians at all?

After over eight years of experience working for the welfare of troubled women and children, Archana Sharma, chairman of Helpline, the organisation that reunited Afsha with her parents, said, "There are no organisations in the country that provide guardianship to such children." Sharma has dealt with an ample number of cases to back up her statement.

After contacting all of the organisations supposedly providing services to mentally retarded children in the capital, she found that all of them take such children only as day scholars, and they only do this if the parents can afford the fee. According to Sharma, there are innumerable mentally retarded children in the streets, temples, and bridges in the capital, deserted by their parents after being unable to afford their care.

"Until the present, such children have been facing one inevitable fate: starvation, physical exploitation, and possibly death," she said.

Gauri Pradhan, chairman of Child Workers in Nepal Concern Center (CWIN), said that all of the organisations presently running in the capital for the mentally retarded, take only the children of well-off families. "Take that picture and imagine what the plight of the guardian-less and the downtrodden could be," he said.

Sharada Joshi, principal of the Center for the Mentally Disabled, Suryabinayak, told The Kathmandu Post that her school had been taking only day-scholars. "Providing around-the-clock care to mentally retarded children means a lot of responsibility. Neither our human resources nor financial resources permits us that," she said.

Similarly, Sister Arpita, chairman of Nava Jyoti Kendra, Baluwatar, said that taking care of such children is the responsibility of the government. Her organisation, which was established 25 years ago, is currently providing vocational training to 65 children ages 7-12. "We don't take permanent boarders or those with no financial backing," she said. Hari Dahal, in charge of Saint Xavier's Center in Pulchowk, said that the Center has been providing shelter to orphans over seven years old. There are 98 orphans in the center. "It is not feasible for us to take care of children who cannot even
properly attend to the call of nature," he said. Meanwhile, Krishna Khanal, principal of the Nirmal Center for Child Development, New Baneswore, said that the center had to close down a shelter for retarded children seven years ago, as parents would never return after dropping their children there. "Sheltering such children is at once challenging and a serious, yet overlooked, issue," he said, adding that there has not been any research to ascertain the number of such children living out risky lives in the streets of the capital and the nation.

On a positive note, Shyam Sunder Sharma, spokesperson of the Ministry of Children, Women and Social Welfare, said that so far the government has not done anything substantial in this direction. "However, we have drafted a National Project for the Welfare of the Disabled, 2060, which will address the problem of the mentally-retarded as well," he said. Under the project, shelters would be established around the country for the disabled, including the severely retarded.

Source: The Kathmandu Post (December 12, 2003)

Housing Rights

Secure housing is necessary for the overall well-being of every child. Thousands of children from various marginalised communities, slum areas, streets, displaced families, and children who are living as refugees have been living in poor housing conditions. This situation has added to the increasing violations of the rights of the child. Rampant migration and the displacement of thousands of children due to ongoing conflict in the past eight years have created further challenges in children's housing rights. It is said that 40,000 people have been displaced from different districts in the period of the past eight years, and among them, at least 5,000 -10,000 are children.

Bhutanese Refugee Children

Bhutanese refugees have been living in Nepal for more than a decade. After two and a half years of Bhutanese refugees in the Khudanabari camp of Jhapa, the right of refugees to return to their nation whose names had been made public by the Joint Verification Team (JVT) in June 2003 has been challenged. Among 12,183 refugees, 70% were categorised as people who left their nation by their own willingness, 24% were categorised as non-Bhutanese, and only 2.4% were said to have been chased out, and the remaining 2.8% were said to be involved in illegal activities. In the list, even children as young as eight months to eight years were categorised as involved in criminal activities. With this, the Bhutani Government has been protesting against the claims that they have a right to return to their nation and also against their right to protection. These children being listed as criminals. The Bhutani Human Rights Association and The International Human Rights Organisation have protested the irregular results and have requested Nepal and Bhutan to re-verify the results.

Children are classified as criminals in JVT report

The eight-year-old daughter of Dhanpati Poudel, a Bhutanese refugee, has challenged the joint verification team (JVT) to prove her criminality. Devi Poudel of Hut-9, Dhanapati sector 'A' has been placed in the fourth class of people involved in criminal activities.

There are 347 refugees of 85 families, classified under the criminal category. Among them, more than 60 children were born in the refugee camps. After their inclusion in the criminal category, guardians of such children have reported that the children are suffering from depression.

Subas Chhetri, another criminal boy, wants to go to his home.
"What can such a young child do?" his father said.

Similarly, 8-month-old, Kiran Gautam, has also been placed in the criminal category.
Govinda Dahal, a young child of the Kudunabari camp, has been placed in the category of people migrating voluntarily. In yet another case, siblings have been placed in different categories.

Nima Dorji Tamang and his brother, according to the joint verification team report, are non-Bhutanese, while another brother, Lakpa Dorji, has been categorised as a voluntary migrant, but their parents are said to be from Bhutan.

_The Himalayan Times, 23 June 2003_
Protection
Domestic violence has a direct negative impact on children and due to this reason many children have ran away from their home and family. This year there are 109 incidents of children subjected to domestic violence and abandoned by their parents. Similarly, this year 527 incidents of domestic violence against women have been recorded. Last year the figure of incidents of domestic violence against women recorded was 471.

Similarly, this year 324 incidents of violence against children have been recorded. In these incidents, children were given inhuman torture by their family and people in the community. Similarly, 33 children have been killed due to familial disputes and grudge while 28 incidents of infants being killed and thrown have also been recorded. Last year this figure was 31. Incidents of infant killing are recorded every year. One of the main reasons for this is uninsured reproductive rights of women while social deformation has also been encouraging occurrence of such incidents.

Similarly, CWIN has recorded incidents of 136 children being mistreated and abused by their family.

Student murdered by Sickle Attack

Baglung/Rasa- On Wednesday night, at Parbat, Deupur-2 a 13-year-old student was killed by his neighbour attacking with sickle. 6-year-old Jit Bahadur Khatri, son of Chandhar Bahadur Khatri was killed by his neighbour Phadindra Khatri by attacking him with sickle.

According to information by District Police Office, on Wednesday night, Neighbour Phadindra killed Jit Bahadur by hitting him with sickle near Shanishcharemai temple. Police team of District Police Office arrested the convict from Nayapul Bazaar of Kaksi. Police has stated that the convict has accepted that he committed the murder saying that he drank alcohol and killed the child because of personal grudge.

Rajdhani Daily, 13 September 2003

Corporal Punishment

Series of severe punishments given in the name of discipline is increasing in schools which are considered as a sacred place for giving education. Standards of discipline differ from school to school. It is found that in average schools of Nepal, innocent children are insulted, given physical and mental torture giving reasons that the children did not do their home work, they broke school rules and regulation, and they did mischief, they did not respect teachers etc.

This year, 203 incidents of children subjected to harsh punishment and torture by the teachers in the name of discipline has been recorded. Last year this figure was 66. It is necessary to follow a set code of conduct and also raise awareness among teachers on subject matters of child rights in order to stop unsuitable, inhuman and indiscipline behaviors in schools and for ensuring child rights in schools. Actually, schools are not torture homes, it is a sacred place for education and socialisation and it is necessary to resensitise our society once again regarding the same.
On 26th of June 2003, 12 students from Nirmal Bidhyapith School at Ranamukteswor, Kathmandu complained at CWIN Helpline about the School's principal, Ramila Bajracharya's brutal behavior and torture. It is found that all 155 students studying at the school have fallen prey to Principal Bajracharya's extreme torture and punishments. Principal Bajracharya used to give intense mental and physical torture to the students by punishing them. With the initiation of CWIN Helpline, guardians and local community, when District Education Office was informed about the matter they have said that they will take necessary steps. But problem of students in this school will not be solved only by changing the principal because Bidhyapith's physical infrastructure is also very poor. It is necessary to attract attention of the concerned parties in this context.

Principal of Shree Nirmal Bidhya pith Higher Secondary School resting near Ranamukteswor New road, the central of Kathmandu valley used to use abusive words, insult, beat, threaten and give physical and mental torture to the children. Even the education at school was not regular. When no action was taken even after repeated complaints to the concerned sector, on 29 June 2003 the children gave written letter to CWIN Helpline about the abuse and torture of principal and requested the help them by taking adequate action so that they can study in a peaceful environment.

CWIN Helpline did a detail field visit investigation for collection of necessary information about the school and student's problem. CWIN Helpline Workers met teachers, students, local people and ex co ordinator committee and school administration for inquiry of the actual situation.

In this school, students are suffering from physical problem and inappropriate study environment. Apart from these problems, students are also victims to inhuman behavior of principal. If physical problem in school is not improved, required teachers are not recruited, principal is not take appropriate action and without the discussion and consent of Education Office, trust corporation, coordination committee and local community, the environment of the school will not be improved. This problem is not only of the education office and community people but this has become a challenge for the HMG including responsible individuals and organisation.

29 June 2003, CWIN Helpline

Similarly, this year an incident of 15-year-old student of Dipendra Police Boarding School, Bhaktapur was registered in CWIN Helpline. The child was insulted publicly in front of the whole school students and brutally tortured in accusation of imitating vice principal's signature. The child was given extreme physical and mental torture as he replicated the signature of vice principal and gone home arranging holiday for himself and his friends. The child was beaten brutally with pipe and boot for hours by three police teachers until he had blue marks all over his body. In CWIN's representative's lead, after the discussion between the parents of the students and school they have agreed to take necessary action against the convict and provide adequate environment for the child.

**Child Labour Exploitation**

Though programmes for the eradication of the worst forms of child labour have been declared on a national level, there has not been enough effectiveness in these programmes. It is startling that 127,000 child labourers in Nepal work in high risk labour sectors. The child labour (prohibition and regulation) act prepared by the government has not yet been enforced even after a royal seal by the HMG after it was ratified by the parliament. On behalf of child rights organisations, CAPCRON, has filed a case against HMG in the Supreme Court for the failure to enforce the child labour act.

This year, incidents of severe exploitation of 181 child labourers came into light. Last year, the number of incidents of child labour exploitation published was only 85, the figure has doubled compared that to last year. There might be two aspects behind the reason of increase in number of child labour exploitation. One aspect could be that there has been no
change in the pattern of child labour exploitation and another aspect could be that more people are aware and are taking action against child labour exploitation. One thing is for sure that although people have entered into modern age, the remainings of slavery is still alive in our society.

In the context of control and prevention of the worst forms of child labour loaded upon children, observers have felt that the role of police has been positively increasing while other directly concerned sectors have not been alert yet.

CWIN Helpline, CAPCORN, and the Women’s Cell of Police together raided the Jay Shri Woolen Thread Factory in Jorpati VDC-5 and rescued children being tortured and kept as bonded labourers for wool spinning. The place had strict security; children were locked in a narrow room and forced to work from dawn (4:30am) to 10:00 pm at night. Among the 14 rescued children, 10 were below 16 years of age. These children had to pay Rs.1200 per month for food and shelter to the factory contractor, and in return, had to compulsory spin wool every day. Children had to spin 3 kgs. of thread every day, and if they failed to do it properly, the contractor would scold and beat them. The contractor threatened to take them to the police and showed them their loan whenever the children spoke of leaving work. After being rescued, some children have been reintegrated with their respective parents. CWIN and CAPCORN have filed a case against the contractors and the factory, which lured the children with the false promise of better jobs and salaries from different places and trafficked them for labour. After hearing about the incident on the radio, child labourers from another carpet factory near Dakshindhoka contacted CWIN Helpline after they escaped from the factory.

According to a study done by the ILO, 55,000 children in Nepal are working as domestic workers. Majority of domestic workers do not get wages, and are compelled to go through humiliation and abuse while performing hard labour. This year, among the 39 cases of domestic child labour exploitation, in 21 incidents young children had to bare various serious abuses and torture. Furthermore, 10 cases of child labour exploitation in hotels and restaurants have also been recorded. According to the survey conducted by Concern-Nepal in 19 districts, there are about 71,767 children working in different teashops and restaurants in Nepal.

This year, CWIN Helpline recorded a case of a young girl from Nagaland, India was brought to Nepal by a well-to-do family of the same place who kept and exploited her as a domestic worker in their house in Kathamndu. The girl was rescued from the house by the initiation of CWIN Helpline, Police and Legal Aid Consultancy Centre (LACC). The girl was physically and mentally tortured, and had to spend days without food even though she was not at fault for anything. After the rescue of the girl, the police arrested the woman from Nagaland who tortured her. Later on, the girl’s father was called to Kathmandu and was handed over to her father, along with compensation drawn from the perpetrator. The perpetuator had to write an apology note.

A child rescued from Woolen thread factory

Name: Ghanashyam Karki
Address: Okhaladhunga, Baksha, VCD-5

A very weak-looking, slim, tall, boy with dirty clothes and uncombed hair, it seemed as if it had been ages since he had taken a bath. The outer appearance described above is the condition deserving sympathy of a child named Ghanashyam Karki.

This is the terrible story of 16- year- old Ghanashyam Karki who worked in a woolen thread weaving industry. He tells us: “One night I was having dinner in the kitchen when suddenly I got spanked on the back; my food fell on the ground in the dirt. When I turned around, it was our employer, Tek
Bahadur Khadka. He accused me of helping the other workers run away from the industry. After I was beaten until I was mashed into the ground, he made me eat the food that had fallen on the floor.” It’s been more than a year now since he has been working in the industry. CWIN’s help line rescued him on 2059/09/26, Friday, Jay Shree at the Bangalamukhi wool making industry at the South Gate of Bouddha.

Ghanashyam, along with nine of his friends, had planned to run away from the factory, as they were unable to bear the torture and inhumane treatment of the employer. He used to train new workers to make the wool in the industry. Though the only child to his parents, he left for Kathmandu in search of work a year ago, seeing the critical situation of his family who was without sufficient food and money to survive. He studied until class seven. When he reached Kathmandu, he was trapped into an easy money-making scheme offered to him by Mr. Tek Bahadur Khadka Gongaboon Bus Park, Balaju. He was offered Rs.1000 per month, with accommodation and free food, which sounded quite lucrative for a child, and was an easy trap to fall into.

From the very first day, he had to work day and night without sleep from 4 a.m. to 11 p.m., without being paid the money that had originally been offered. In the first two months, he was beaten because he did not know the work. Eight or nine months later, he had to teach other new trainees like himself to cut and make wool rolls. Ghanashyam told us that Khadka should be punished for luring him and claims that he should get the money he was promised. Right now, he is in a CWIN center and he says he has no desire to work in any place in Kathmandu anymore. He wishes to be reintegrated with his family back in Okhaldhunga and to continue with his studies.
Rescue, Compensation, and Rehabilitation of a Survivor of Child Labour Exploitation

For the past one and a half years, 13-year-old Bal Krishna Chaudhary, originally from Bankatuwa, VDC-3, Pidari, Nepalgunj had been working as a domestic worker in Naxal, Kathmandu for a well-off family. One day, when Bal Krishna couldn’t prepare food on time the employer, U.N. Mahara got angry and poured hot boiling lentils on top of his head. After the incident, Mahara, instead of taking him to the doctor, closed Bal Krishna inside a room of the house for 15 days. On the basis of the information given by the school where the boy had been studying, CWIN Helpline rescued the boy on 21 June 2003.

Bal Krishna is the youngest among the four sons of Mr. Hiralal Chaudhary, who is a farmer, and Mrs. Duhani Chaudhary. Due to poor economic conditions, he couldn’t continue with his studies, and his brother Lab Singh had left him with the Mahara family in Kathmandu with the agreement of the provision of free education. The boy was studying in Grade 7 at Adarsha Secondary School of Naxal.

The child’s neck, cheek, chest, armpit, and back had been severely burnt, and the bruises had already been infected. The child’s sores in his armpit had become very serious. He could not even move his right hand properly. Necessary discussion was carried out with regard to forwarding the case against the perpetrator for extreme abuse and torture with the Legal Aid Organisation LACC and the Women and Children Cell, Kalimati. When it was discussed with the perpetrator, she accepted her remorse. She said that she is willing to apologise in public and provide the required amount for the child’s education until grade 10 in a bulk sum as compensation on 15 Shrawan 2060 at Women and Children Cell, Kalimati. In the presence of the Legal Aid Organisation LACC, Central Tharu Welfare Committee (Kendriya Tharu Kalyan Karini Sabha), Central Tharu Student Society (Kendriya Biddhyarthi Samaj), and the Adarsha Secondary School, the survivor child, his brother, and a representative from the CWIN Helpline, the case stopped with the agreement of providing Rs.1,00,000 as a compensation to the child survivor. It was decided that the amount will be kept in a bank as a Non-Expendable Fund in the name of the child survivor, and the interest money will be used for his education. The boy will be able to withdraw the money only after he reaches 18 years of age.

With the consent of the child and his parents, the child will stay under the protection of his brother Lab Singh and Krishna Gopal Tharu in Nepalgunj, and will be enrolled in the nearby school for the purpose of social reintegration. After providing the necessary psycho-social counselling, socialisation, and health services, CWIN has reunited the family, and the child survivor has been enrolled in Grade 7 of Mahendra Higher Secondary School, Nepalgunj.

CWIN Helpline, 21 June 2003

Children banned from operating rickshaws in Kalaiya

A meeting of representatives from all sections of society today decided to ban children below 16 from operating rickshaws in the Kalaiya Municipality.

The meeting was attended by Ganesh Prasad Bhattarai, an officer at the municipality, Shiva Prasad Neupane, Assistant Sub-Inspector of Police, and also the representatives from the Consumer's Committee, Nepal Transport Labour Organisation, and other concerned organisations.

The meeting also fixed the fares of the rickshaws operating from a minimum of Rs. 5 to Rs. 12 within the municipality.

The Kathmandu Post, 20 jan 03

Child Migration

Every year, many children migrate to urban areas and foreign land in search of better work and a content life, as there is no realisation of child rights in rural and urban areas. Many children who migrate to urban areas are involved in the worst forms of child labour,
and are exploited. This year, CWIN has recorded 458 incidents of children in a disorientated situation after migrating from rural areas to city.

**Street Children**

The estimated number of children living on the streets of Nepal is 5,000, which is less in comparison to other countries. Children are working and living on the streets of urban centers, such as Kathmandu, Biratnagar, Itahari Dhara, Pokhara, Narayanghat, and Butwal. It is known through various studies that recently, figures of street children have increased in the cities of Dang, Surkhet, and Nepalgunj due to armed conflict and displacement in some districts of mid-western Nepal. The number of organisations working in the field for street children has also started to grow in recent times.

In Kathmandu alone, there is immigration of 300-400 new street children annually. According to CWIN's estimation, the figure of street children in Kathmandu was previously 400-600. However, this figure has increased to an average of 800, which was estimated from CWIN's field visit. But it has been felt that through initiatives of active organisations, there have been various contributions for the relief, protection, rehabilitation, and social reintegration of these children in Kathmandu.

This year, CWIN Helpline gave treatment to 52 sick street children. This year, one street child died in a fight, and another street child's ear was cut off with a knife when the child said "no" to a group of boys who asked him for drugs. Similarly, one street child died in a road accident. Thus, street children are forced to live in various risk situations, such as juvenile delinquency, drug addiction, and unsafe sexual activity.

**Children and Substance Use**

CWIN Local Action has collected more than 700 essays with children's opinions regarding alcohol, tobacco and drug use. In this context, children have made it clear that the role of child groups will be eminent against drug addiction and alcohol use by children. More than 3000 children's groups in Nepal who are actively working for the protection of child rights have also been conducting various awareness programmes regarding alcohol, drug abuse, and tobacco use.

In Nepal, alcohol, drug, and tobacco addiction exists in all castes and creeds and geographical areas. There are many instances where children are affected, as domestic violence increases in families because of alcohol use. Many children have even lost their lives due to domestic violence caused by alcohol use. Children who are the future of the nation are falling prey to alcohol addiction, as there is lack of awareness in the community, and laws in our country are also not fervent. Apart from this, thousands of youth have been pushed into dark futures due to drug use.

This year, Nepal has also given its commitment regarding the international Framework Convention on Tobacco. But still the commitment has not been implemented into action accordingly. The vulgar advertisements in the cities and villages of Nepal are examples of this lack of action.

**Death by drowning in crude alcohol**

Nuwakot, 17 Kasa- A child died by drowning in crude alcohol which was being made illegally. The alcohol had been prohibited in the district three years back. However, on Sunday, in the Bidur Municipality-6, during the illegal preparation of such alcohol in the house of Dipak Kumal, Dipak's three-year-old son, Subash Kumal, died by drowning in it. With the joint effort of the local administration and specialists, three years back the district had been declared as alcohol prohibited area. The injured child died on the road while he was being rushed to Trishuli Hospital for treatment.

*Kantipur Daily, 4 November 2003*
Housing Rights and Children

Secure and safe housing is necessary for the overall well-being of children. In Nepal, thousands of children in squatter communities, urban poor areas, street children, and children living as refugees are compelled to face further problems due to the lack of safe housing. The ongoing armed conflict for the past eight years has increased the population of displaced people. This has only increased the number of children who are deprived of a safe life and housing rights. It is said that within this eight-year period, around 100,000 people have been displaced from various districts. Among them, five to ten thousand were children. Safe housing has become a great challenge for the displaced children. Similarly, the demolition of slums in the name of organizing cities has deprived thousands of children from their fundamental housing rights.

Bhutanese Refugee Children

Bhutanese refugees have been living in Nepal for more than a decade. Around one and a half years after the verification of refugee camps in Jhapa, on June 2003, the verification results that were made public by the Joint Verification Team challenged refugees' rights to return to their country. It has been shown in the verification results that among the total of 12,183 refugees, 70% are said to have left voluntarily; only 2.4% were chased out of the country, and 2.8% were involved in criminal activities. It is ironic that children from eighteen months to eight years of age were also included in the list of those involved in criminal activities. All are deprived of their right to protection and their right to return to their country, as they are included in the category of criminals. Bhutanese human rights organisations and international human rights organisations have also protested the erratic result and have made appeals to Nepal and Bhutan for re-verification.

After the categorisation results were published, children's right to return to their country has been put at risk. Hundreds of children from the Bhutanese Camp had demonstrated in front of the High Commission of the United Nations to appeal on this problem.

Children are classified as criminals in JVT report

The eight-year-old daughter of Dhanpati Poudel, a Bhutanese refugee, has challenged the Joint Verification Team (JVT) to prove her criminality. Devi Poudel of Hut-9, Dhanapati Sector 'A', has been placed in the fourth class of people involved in criminal activities.

There are 347 refugees from 85 different families who are classified under the criminal category. Among them are more than 60 children who were born in the refugee camps.

After being included in the criminal category, the guardians of such children have reported that the children are suffering from depression.

Subas Chhetri, another 'criminal boy', wants to go to his home. "What can such a young child do?" his father said.

Similarly, 8-month-old Kiran Gautam has also been placed in the criminal category. Govinda Dahal, a young child of Kudunabari camp, has been placed in the category of people migrating voluntarily. In yet another case, siblings were placed in different categories.

Nima Dorji Tamang and his brother, according to the joint verification team report, are non-Bhutanese, while another brother - Lakpa Dorji - has been categorised as a voluntary migrant; yet, their parents are said to be from Bhutan.

_The Himalayan Times, 23 June 2003_
Child Sex Abuse

This year, CWIN recorded a total of 208 cases of rape of women and children. Among these cases, 137, or 65.9%, were children below 16 years of age. Among them, 29.8% incidents (62 total incidents) were children below 10 years of age. Among these very young survivors, two were boys. Nine total cases were boys below 16 years of age. Similarly, 9.13% were incest cases, while 30.28% incidents were group rape. Of the 208 total cases, only the perpetrators of 108 cases have been arrested. Last year, 159 rape cases had been recorded, among which 19 (i.e., 57.2%) cases were of children below 16 years of age.

Armed Police denies report on Banke rape case

The Armed Police Force (APF), in a press communiqué issued on Saturday, has denied reports that a group of seven armed police gang-raped two Tharu girls in Banke.

"No staff from the APF was involved in the reported rape case in Nepalgunj, nor has anyone of the force been arrested on rape charges," the statement from APF headquarters said.

"No armed police force personnel were deputed in the place as said by news reports. The APF is committed to bring any such incidents into light, irrespective of whoever commits them," a newspaper quoted the statement as saying.

The APF has further asked media persons to confirm reports with the concerned officials before reporting such cases, the newspaper added.

Nepalnews.com, 26 October 2003

A teacher was expelled after accusations of sexually abusing a girl student in the Baijanath Secondary School, one of the oldest schools of the Kanchanpur district. The school was closed for three days after a teacher sexually abused a girl student giving her false promises of passing her in the exam. After the school was locked for three days, the school administration department expelled the teacher from his job.

Dabal Bahadur Bista had been teaching Math in the school for a long time on a temporary basis. Students accused him of sexually abusing Anupama (Name changed), studying in class 10, giving her false promises of passing her in a test exam. Sixteen students and parents had given applications to the school administration department asking them to take action against the teacher. Angry students had also closed the school for three days while also asking to expel the immoral teacher.

The coordinator committee on Saturday decided to expel Bista after there was a dispute at the school when the principal of the school, Mr. Mohan Dev Joshi, said that Bista did not sexually abuse the student.

Bista was interrogated after the accusation about not completing his responsibilities and misusing his authority. But students have said that Bista sexually abused the student while staying inside school premises.

Rajdhani Daily, 3 March 2003

Man gets 20 yrs for rape of minor

Kathmandu District court (KDC) sentenced Binod Majhi, 20, to a ten-year jail term yesterday, for raping a 14-year-old girl. The court termed his sexual relation with the girl a statutory minor rape.

Majhi, however, claimed that he had an affair and physical relationship with Preeti Chhetri (real name withheld) only with her consent. He also claimed that he had intended to
marry Preeti. "The court has termed his offence a 'statutory rape,'" said lawyer Sapena Malla Pradhan, hailing the court's decision.

"According to Chettri's neighbour, Majhi would frequently come to her house and had also received Bhai Tika from her and pretended to be her brother," said Pradhan. Soon after the rituals of Bhai Tika, he took her to his apartment and lured her into having sexual relations and ultimately impregnated her.

"He used to give her money and warned her against speaking about the relationship to anyone," said Pradhan, quoting the victim's testimony in court. He used to have unprotected sex with her. "When he found out about her pregnancy, he eloped with her."

The girl's parents filed a complaint at the women cell (WC) in the Kalimati police station, "The parents had no idea about their unlawful relationship until they were informed by the police," Pradhan said.

The Women Cell then detained Majhi and filed a case against him at KDC. "Initially the girl was against the idea of sending Majhi to jail, but upon receiving counselling at the WC, she agreed to go through the legal proceedings," said Inspector Meera Chaudhary, Chief of the Women Cell.

Himalayan News Service, Kathmandu, July 11-2003

### Commercial Sexual Exploitation of Children

According to various sectors, out of the total population involved in commercial sex work, 10% are estimated to be children. For a few years now, the incidents of child sexual exploitation in various sectors of commercial sexual exploitation has been reported frequently in the news. In the context of increasing commercial sexual exploitation in the urban areas, it is most relevantly found in cabin restaurants. In Kathmandu, it is estimated that there are around 3000 restaurants, cabin restaurants, dance restaurants, and discotheques. It is found that mostly female waitresses are employed in these cabin restaurants, and 10% of them are girls below 16 years of age. It is found that in the name of satisfying the customers, girls are sexually exploited by the customers. The wage scale of waitresses in these restaurants is found to be insufficient, and with this, they also have to confront abuse and exploitation. On top of this, female waitresses say in distress that police time and again arrest them, which only adds to the abuse and exploitation. They also say that if they get a good opportunity, they are willing to leave their jobs at these cabin restaurants. In this context, the District Administration Office of Biratnagar Sub Municipality has initiated minimum rules and regulations for restaurant employers and waitresses working in the restaurants. According to these rules, waitresses should work only until 8.30 p.m. Apart from these rules and regulations, the right of these workers to live with dignity and respect should also be ensured.

In 2003, a study done by CWIN, in conjunction with ECPAT, has raised the issue of the existence of Child Sex Tourism along with Commercial Sexual Exploitation. According to the study, Organised Child Sex Tourism has not been seen in the country at the moment, though the step forward by CWIN and other organisations against foreign pedophiles in past years has raised the issue of Child Sex Tourism in Nepal. This study has also explained clearly that these child abusers do not necessarily prey on children living in at-risk situations, but also on children from well-to-do families by giving them various assurances. With regard to the matter, it can be said that child sex tourism and commercial sexual exploitation can explode if there are no sufficient laws against such vicious crimes, or if there is negligence by responsible parties. Therefore, to save the children from inhumane activities such as child sex tourism, in time, all concerned sectors have to give it the necessary attention.

### Many Street Children Fallen Prey to Foreign Pedophiles

50
Many children are becoming the prey of foreign pedophiles who sexually exploit children in the Kathmandu Valley. Organisations working for the protection and well-being of children have said that it has been a serious issue of concern, and have also emphasised on the necessity of effective laws to take control of such vicious crimes.

The authority of committed organisations have stated that Nepal's law against Sexual Exploitation is very weak in comparison with other South Asian countries; therefore, it has become convenient for foreigners to come with the motive of sexually exploiting children.

Organisations working for the protection and well-being of children have said that it has been a serious issue of concern, and have also emphasised on the necessity of effective laws to take control of such vicious crimes.

The District Police Office in Kathmandu do not know about the incidents of Child Sexual Exploitation of Street Children by the foreigners. According to police, so far, such cases have not been filed, and crimes of such perpetrators have not been proved.

Deputy Superintendent of Police (DSP) of the District Police Office, Mr. Madhav Prasad Joshi, said that this kind of activity is considered an inhumane crime against children, and therefore, the Police administration has been attentive towards this issue. Though the Police Administration has not been informed about the crime of Sexual Exploitation of Street Children, the President of the Child Development Society, Mr. Sharad Sharma, has claimed that street children have been victims of sexual exploitation and abuse by foreigners.

Mr. Sharad Sharma said that our law takes one year for cases of this kind to proceed, and in that time, the survivor of such sexual exploitation is bribed with money." He suggested that legal provisions should be made to proceed immediately by bringing an ordinance against child sexual exploitation.

Mr. Giri from CWIN also requested that the government be alert in order to solve the problem and make the right decision with regard to our laws, as there is no effective support in fighting against child sexual exploitation.

Despite the fact that such criminals were arrested with the help of organisations in 2052 B.S. and 2056 B.S., they easily escaped, as the decisions of the cases were drawn out in the courts. Though in our law there is a provision for a penalty and a proceeding against child sexual exploitation, lack of clarity, such as what to do in different kinds of child sexual exploitation situations, has been creating a problem.

However, DSP Joshi stated that if such criminals are caught, they will be prosecuted according to the existing law.
This year, 189 incidents of women and child trafficking have been documented. Among the trafficked, 74 (i.e., 39.2%) are children below 16 years of age. Among the trafficked children, the youngest was a 7-year-old girl. It is sad that only in a few incidents of trafficking the convicts have been arrested. Among the total 189 incidents, the convicts of only 45 incidents have been arrested. In 93 incidents, the convicts were workers and leaders. In 31 incidents, the convicts were neighbours, and in 7 incidents, the convicts were relatives. Last year the figure of women and children trafficked was 137, and 49 of them were children. This year, 25 children have been rescued from different circuses in India through the initiation of ABC Nepal. Every year, many incidents of trafficking in women and children to India are recorded. Girls are mainly trafficked for sexual exploitation in India; however, it has been found that they are also trafficked for work in the circus, knitting work, domestic work, wage labour in the fields, etc.

### Nepali girls rescued from Indian circus

Rupa Tamang, a resident of the Biratnagar Sub-Municipality –20, is very happy to have her two daughters back home after being rescued from the Apollo Circus in New Delhi by ABC Nepal. However, the mother of the two girls is ailed to know that they have returned without any earnings.

About eight years ago when the family was going through a financial crisis, Rupa, the mother of the girls, had handed over her daughters to the proprietor of the circus who provided her with Rs. 400 in advance and assured her that he would give her daughters a monthly salary of Rs. 3,00 each.

ABC Nepal is the organisation which rescued Rupa's two underage daughters, along with 21 other girls of the Morang district, from the Indian Circus. They handed over the girls to their respective families.

It is learned that with the joint effort of ABC Nepal and Prabashi Nepal Maitri Manch, 14 girls belonging to Makawanpur, and 21 girls belonging to the Morang District between the ages of eight and twenty-six were rescued from the Apollo Circus at Mujafarnagar.

According to information provided by the Chairman of ABC Nepal, Durga Ghimire, these girls had been working in the circus with the consent of their families. However, they had to be rescued in order to emancipate them from oppressed labour and sexual exploitation that had been going on discretely within the four walls of the circus.

One of the rescued, Lakshmi Shrestha, says that in order to make some money and assist her family during the economic crunch, she had been left at the mercy of the circus people four years ago by her parents. But she could not make any earnings even though she had worked very hard. She had lost hope of ever returning home, and says that she used to get just Rs. 5 at the end of a hard day's work, and nothing had been provided as promised by the owner earlier.

Another victim, eight-year-old Meena of Belbari-4 in Morang, narrates how she had been beaten up by the owner on many occasions when she refused to work, how they were forced to work from morning to night without rest, and how at the end of the day she was given Rs. 5 as her earnings. It is learned that some of the girls had been deported to the circus by their parents, while brokers lured the majority of them into it. According to the chairperson of ABC Nepal Ghimire, these girls were being sold for Rs. 50,000 to 60,000 per head to the proprietor of the circus without their knowledge. The broker, on the other hand, paid only Rs. 3,00 per girl to the respective parents and told them that he had found good jobs for their daughters that would entail them to a big monthly salary.

This secret was divulged when a broker who engaged in this profession, Ganga Baral of Makawanpur, was arrested.

"ABC Nepal has decided to protect and provide skills and employment-oriented training to the rescued girls, which would assist them in income generation," said the chairman Ghimire while talking to the Kathmandu Post correspondent.

It was learned that they could be rescued due to the joint effort from ABC Nepal, Prabashi Nepal Maitri Manch, and the Nepalese Embassy. All these girls were safely brought to Biratnagar through the entry point of Mahendranagar on Wednesday.

*The Kathmandu Post, 27, June, 2003*
In Nepal, the number of missing and abandoned children is increasing constantly. This year CWIN Helpline has recorded 184 incidents of missing and abandoned children. Among them, there has been social reintegration of 157 children. Through various sources, CWIN Helpline has recorded cases of 948 missing children this year.

Four hundred ninety-four (288 boys and 206 girls) cases of found children were also recorded. Last year, 647 missing children and 198 found children were recorded. Every year, hundreds of children are reported missing, out of which only half are found. The remaining children are in unknown situation. According to CWIN's observations, however, 50% of the cases of missing children are not registered due to the lack of an appropriate mechanism for the registration of such incidents. There is a trend that the police do not register the incident after seven days of a child being missing.

This year, 20 of the 948 missing children were abducted because of various familial grudges or for the purpose of extorting money. In Mahottari, a 14-year-old child was abducted and murdered. Every year, some children are found who were not reported as missing as well. This year, 228 incidents of found children have been recorded at CWIN Helpline, out of

<table>
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<th>Re-integration of abandoned child</th>
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| Three-year-old Manu Magarati, with a fair complexion, serious face, and average height, is the one and only son of Mr. Krishna Bahadur Magarati and Mrs. Krishna Kumari Magarati. When his mother was pregnant with Manu, his mother was severely injured when she slipped on the fire in the kitchen as she went unconscious due to epilepsy. Her burns were severe, and she also developed cancer, as she was not treated on time. She died after one year. After the death of his mother, his father left the child alone and disappeared. The child is under the protection of his maternal uncle, Sitaram Ramtel, at the moment. Uncle Sitaram has got a normal house from his ancestral property in Sitapaila VDC, Ward no. 3, Sarampur. Sitaram works as a labourer at a grill shop. He also has a family and children. As the child is not cared for, is beaten, and is not given enough food, the child roams around the village the whole day and eats whatever he is given by the neighbours. The ancestral home of the child's father is in Chaukoshe of the Kavre district. The child's mother came to Sangle River near Balaju with the child after her second marriage, where she died. After the mother's death, the child was under his stepfather's protection. When the stepfather married again, he found himself in a problematic situation. There is no additional information regarding relatives of the child.

The child is in a very critical and exploitative situation in his maternal home, and due to inhumane behavior by his auntie, the Helpline has seen that the child cannot be left at the maternal home.

For the child's protection, the child has been sent to the Orphan Children's Welfare Center at Jaributi for rehabilitation, after the Sitapaila VDC recommendation on the importance of the child's rehabilitation in a child care home.

CWIN Helpline, 15 September 2003

<table>
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<th>Situation of Missing Children</th>
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<td>From 1998, since the establishment of the CWIN Helpline, CWIN has been providing information and services regarding missing and found children. So far CWIN has collected 500 pieces of information regarding missing children every year. In Nepal, not even half of the incidents of missing children are registered. Ever year in Nepal, around 1000 children are missing. This has been made clear by the records about missing children of the CWIN Helpline every year. No one registers found children, and their families do not know the procedure of where and how to register the missing children. Registration of reports regarding missing children has been increasing in police offices, but in many districts these kinds of provisions are not available for the parents of missing children. Because of this, parents and children should be made aware of the process of registering missing children, and these kinds of services should be readily accessible to the people.</td>
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Child Suicide

In a world of violence, suicide is becoming a serious problem. According to the World Health Organisation's estimated facts, one person commits suicide every 60 seconds in the world. Among the causes of death, suicide is ranked third. But still there has been no authoritative answer found for the reasons for suicide. When we look at the facts regarding suicide, we find that the number of suicides increases with an increase in age. For example, the rate of suicide is three times higher for people above 75 years of age than for people between 15-24 years of age. But the issue of suicide is still serious among adolescents. In the context of Nepal, one incident of suicide is documented daily in Kathmandu. In Nepal due to various social stresses and various mental traumas, incidents of 52 children attempting suicide have been recorded this year. Among them, 47 died and 5 of them were saved. Among the dead, 32 were girls and 15 were boys. Many children committed suicide for reasons of betrayal in love, SLC exam failure, and torment in the form of exploitation, insults, and beatings. Last year, the number of children committing suicide was 41. And if we study the incidents documented within the last five years, it is found that every year the number of girls committing suicide is three times greater than that of boys.

Similarly, according to Valley Crime Investigation, Hanuman Dhoka, on average, one incident of suicide is recorded daily in the valley. This year, 27 incidents of suicide were recorded during the September - October period, while this figure was 34 in the period between October - November. Similarly, between July and August it was 76, and from June to July, it was 63. The figure was 76 between May and June, and 63 between April and May.

Seven-yr-old took his life over cookies

Kathmandu, November 9- Equality in treatment does not always breed happiness. It may sometimes result in death, especially when the recipients of such treatment happen to be kids for whom no adult logic seems cogent enough. Thus, perhaps, when a grand mother decided to give equal shares of biscuits to her two grandsons, one of them who wanted the lion's share, committed suicide this afternoon.

Ajay Maharjan, the eldest son of Prakash and Bijaya Maharjan, today hanged himself to death at Ratopul, Kathmandu metropolitan city - 33, following an altercation with his grandmother over biscuits, police said.

"He was asking for all the biscuits. But I gave him and his younger brother, nine-month-old Abinash Maharjan, equal shares," Gyanimaya Maharjan said. "Ajay became angry and went to the upper floor," she said.

"Ajay usually goes to his bedroom and throws items around when he is angry," family members said. "We thought he would behave similarly this time too, but he committed suicide instead," his uncle Bikash Maharjan said.

Bikash saw Ajay hanging from the ceiling of the bedroom this noon and immediately took him to the Medicare Hospital, Chabahil, where he was declared dead.

Ajay was studying in class one at the Jasmine English Boarding School, Ratopul. With Ajay's death, the Maharjan family is now left with only five members. Prakash Maharjan, Ajay's father, is a tempo driver.

The Himalayan Times, 10 November 2003

Children of Jailed Parents

Children should live their lives in a free and secure environment. It is their birthright. Childhood cannot be compromised with chains and barriers. But many children are compelled to live in prison due to various reasons. According to HMG, children will not be in prison after the construction of children's homes. But, the present reality is different. Currently in Nepal, many children are living behind the four walls of prison with their parents, especially prisons outside the valley.
Is it their crime?

Two-and-a-half-year-old Deepa Rai is living inside the Women Cell of Sundhara, Kahtmandu. Deepa, who can not even say her name properly, does not know anything about the crime she has committed. It is not only Deepa, however. Even the security workers of the prison can not tell. What is her crime, anyway?

Deepa is just one example of more than half a dozen children of a similar age in the Women Cell, and there are more than four dozen children living in prisons across the country. Prison is a place where criminals are kept. And no one is born criminal. Why then do children who are born in prisons or brought there moments after their birth have to live in prison? Even the State has no answer to this question.

Children are not in prison due to the crimes committed by them; most of them are in prison because of the crimes committed by their mothers. It is obvious that the mother should be punished for her crimes, but it is a crime of the State to make the child suffer for the crimes of their mother. Jailer of Central Jail, Mr. Bal Krishna Siwakoti, said that this is a very complicated question. Actually no one can give a solid answer to this question, said Mr. Bal Krishna. He further added that mothers want to keep the infants with them, and the babies become prisoners with their mothers. In many cases, their families do not want to take responsibility for the child; henceforth, they are compelled to live in prison.

Humans want to live in freedom from their birth. Freedom plays an eminent role in the holistic development of a child. If the child lives in prison from his birth, he later begins to understand the fact that he is being punished, even though he has committed no crime, and this is sure to have a negative impact on his mental state.

Children’s world inside Prison

The world for children inside a prison is one in which they run around, and then run to their mother if anyone scolds or beats them. Appropriate care, refreshments, education, etc. are necessary for the physical and mental development of a child, yet there is no facility for the development of a child in a jail. It exists as a torture home instead of a correction home. Few toys are given to children by their relatives, and NGOs are their only means getting entertainment. Concerned persons have complained that though there is school, the education is irregular and does not meet standards. In fact, most of the prisons in Nepal are without schools.

"I have a big dream of making my son a doctor. How will my dream come true? Not only my future, the future of my son terrifies me a lot. Where will I go after my release? I am anxious I won’t find an answer to this question," said Sabita Manandhar (name has been changed for privacy), showing her 3-year-old son Sagar who was jailed for thieving. "I could not pay 50,000 rupees for my release, and I had to stay in prison. My family has not come to visit me. She has taken this as a break up with her family. She has decided not to return home after her release, but she asks, "where to go with my son carrying his undecided future?’' Her family neglects average women in prison with their children. "I can do whatever I want, but I worry about my son," says a women from Khotang who was accused of killing her husband with poison.

NGO’s competition

NGOs working for the relief of children in prison have rapidly increased in number. Concerned persons have said that although the number of such NGOs remains at ten, the number will increase. Among them, NCFW is in Bhairawa, while others are situated in the capital. According to the Chief of the Child Protection Home (Bal Samrakchhyan Griha) working under Bal Mandir Mr. Oli, the children are transferred to their child home in agreement with Prison Administration Home. In the agreement, the kind of facilities provided to the children are also mentioned, says Oli. After they are taken out of the prison, the aim of home is to reintegrate them with their family. The children who are not willing to return to their family and whose families do not want to keep them are in the home.

According to Dhiraj Lamsal, from a group of organisations formed for the relief of children living in prison, there are 284 children in these organisations, and among them, 97% have been released from the prison. The remaining 3% are in a difficult state due to various reasons. Now there is competition between these organisations in releasing the children from prison and keeping them in their homes. In this process, they also tempt the mothers of these children. "They say 'we will make the future of your child, give the child to us.' But how can we rely on them? If I don’t give them the child, I am not capable of taking care of the child. If I give them the child, I fear they will capture him forever," says one women prisoner.
Paying for the sins of their mothers

Nepal's law clearly states that no one other than criminals should be kept in prison. It also states that children cannot be imprisoned. But prisons do not always obey this rule. The central prison in Nepalgunj Banke houses two 2-year-old boys, and the prison in Palpa houses three children.

These children were either born in the prison or were infants while their mothers were imprisoned. The jail administration provides daily allowance for food for criminals, but ignores these children. They spend their childhood in the boundary of the place where they have no rights. Of the two children in Banke, one was born inside the jail, while the other is staying there for one year.

Janyarupa Dhami of the Paha Village Development Committee (VDC) became pregnant inside the prison. A policeman, deployed as security officer, had sex with her, but ran away after she became pregnant.

Janyarupa gave birth to the child two years ago. She is imprisoned on a case of murder, and she has no relatives ready to take care of the child. "The child's health is not good. He becomes ill very often," said jailer Bhart Thapa.

Urmila Oli, of Purundhara-3 Dang brought in a one-year-old infant when she was imprisoned for her alleged involvement with the Maoists. Oli claimed that she had done nothing else then given food to the cadres of the rebels.

Oli further said that she felt more pain when she was beaten brutally while her son was in the room with his face covered. "I was concerned more about the boy when they beat me," said Oli. No one has come to take away the child yet.

"My husband is in India and he probably does not know about my fate here," said Oli.

A week ago, another 9-year-old child came into the jail. But Kamal Bahadur Chand went to the Sahara Group, who took the responsibility of his education and other necessities. He had been staying with his mother in the jail for five years. His mother was found guilty of murdering her husband. According to the Sahara Group, the child will be sent to Syangja for schooling.

Similarly, in Palpa, there are three innocent children growing up in the jail for the crimes their mothers committed. Those imprisoned children are: Subash, 3-year-old son of Bhumisara Gharti, Anish, 3-year-old son of Buddhimaya KC, and 3-month-old Uttam Saru.

"The jail does not have good toilets and drinking water, causing the children to fall ill frequently," said Buddhimaya, who was imprisoned for her involvement in a murder. Buddhimaya, another woman, was jailed for her involvement in girl trafficking.

The children either spend the day on their mothers' lap or playing with the dust and garbage. According to jailer Binod Nepal, the prison does not house children older than three years old.

6-yr-old girl in prison with her parents

A six-year-old girl, Lalita Kumari, has been staying in prison with her father and stepmother. Lalita's father and stepmother were sentenced to Saptari Jail for murdering her mother.

The mandamus order issued by the Supreme Court not to keep children under 16 with adult prisoners has not been followed.

Lalita has been staying with her stepmother for nine months. "As there is no one to take care of my daughter, I'm forced to keep her here," Bhagwani Shah, Lalita's father, said, He complained of not being allowed to meet his daughter as and when he wishes.

Homanth Khatri, jailor, said even though there is no provision for keeping children in prison, they have defied that due to lack of a guardian to look after Lalita.

The Shahs want to send Lalita to school, but their weak financial condition does not allow that.

So they are thinking of sending her away to a child center.

Santoliya Devi, however, is happy to take care of her husband's single child. Despite her husband, she is reluctant to send her away.

The government has run a juvenile center in Bhaktapur since the mandamus order. According to USEP Nepal, which is assisting in running the center, there are 18 dependents and 9 prisoners at the center.

The Nepal Orphanage Organisation has also sheltered prisoners' sons and daughters. One staff of the juvenile center said lack of publicity and government negligence has put at stake many innocent lives like that of Lalita.
Juvenile Justice

Juvenile Delinquency is an increasing problem in our society. Increasing violence, media portrayals of violence - such as in the cinema, on T.V., in the news, and in the press - and lack of peace education have affected the minds of youth negatively. The growing urbanisation, involvement of crime in politics, increasing inequity between rich and poor, and growing consumerism have only been encouraging the problem. If the incidents of Juvenile Delinquency increase with this speed, then it is not only the future of these children that is uncertain, but rather the whole society's. This year, CWIN has recorded 61 cases of Juvenile Delinquents’ incidents. Most of the children had been arrested under accusation of stealing and pick pocketing. Of them, 34 street children had been taken into police custody under various pretexts. Among them, three were released following an interrogation. These children are under CWIN's security. Last year, only 36 cases of Juvenile Delinquents were reported.

Two Children are brutally tortured by Police
National Human Rights Commission requested for Investigation
Commission demanded clarity from Police on their inhumane act in Human Rights Cell

Case Elaboration
Three children - Pasang Sherpa, age 15; Kami Sherpa, age 17; and Fuchiring, age 14 - were arrested by police in civil dress on the morning of 6th June 2003 at 7 a.m. when they were going to school, under the complaint which stated that the night before, on 5th June, at 8 p.m. they smashed and damaged three switchboxes and switches near the staircase of the house where they were living as tenants. They were terribly tortured at the Boudha Police Station. The children had been taken without their parents' knowledge. The CWIN Help Line was contacted for help on the 7th June 2003.

Mr. Kripashur Sherpa, the chairman of the Nepal Sherpa Association, along with the victims and their parents, and other relatives came to CWIN for help. After the information given by them in inquiry, we came across the following details:

Complaint:
These children had damaged three switchboxes and switches, which are situated near the staircase on the ground floor on the night of 5th June 2003 at 8 p.m. Therefore, the house owner, Mr. Sanu Lama, had filed a complaint in the Ward Police Office.

Injuries/ taunts made by the police:
   a. The children were arrested on the morning of 6th June 2003 at 7 a.m. while in school dress on the way to school by police in civil dress.
   b. They were beaten severely on the thighs, back, hips, and head for fifteen to twenty minutes by the policemen's' boots, hands, and police sticks. They were made to do frog leaps, and when Fuchiring was sitting on the floor, the police stepped on his thighs with his boots on and made him beat his brothers, giving him the stick. They also made them clean the toilet, sweep and clean the office, and they even arranged the motorbikes in the front of the police headquarters. After all the work was finished, they were finally put into a cell for three hours.
   c. They were released at about 2 p.m. under a signed and fingerprinted written statement stating that the complaint was true and if anything else happened in the house, they would be responsible for it. Only then were they handed down to their mothers.

Children’s physical condition:
When the children came to the CWIN Help Line, Fuchiring’s left thigh had 4 inches of red and blue marks from being beaten and minor blue marks on his back. Pasang and Kami had 2/3 blue marks
too. Fuchiring was limping on his right leg because of the torture he had gone through. After observing their condition, in order to gather the legal evidence required, and for psychological counselling and treatment, they contacted CVECT immediately. On 9th June 2003, with the help of CVECT, the health status of the child survivors of the brutal torture was examined in a teaching hospital. They are still getting help from that hospital. Their blood had impurities in it, according to the report, and they had marks and injuries which seemed to be because of an external object.

The inquiries made to date:
Police are considered the ambassadors of social welfare and security, and the protectors of human rights, and it came as a shock when these children were tortured without an investigation and without having any evidence. It is a shock, as well as shame, for the police department to have made those children look so pitiful. At least it was not expected from the police who are supposed to protect their human rights, as well as their child rights. On 10th June 2003, after a serious discussion between the associations involved - the CWIN help line, the victims, and CVECT, a request letter was written to the Human Rights Commission. Where a case against the police is involved, the police can hide and destroy the investigative reports, and without any strong evidence, the case will likely be lost by those accused. Hence, CWIN wrote a letter to the commission clarifying the situation and requesting that the evidence be kept safe and that some serious steps be taken for the protection of the human rights and Childs right by the commission.

What the police had to say about this case:
While making inquiries of Inspector Pritam Bhattarai from the Ward Police Office, it became clear that the children were made to do frog leaps and were beaten with 2/4 sticks during interrogation. He said that they had done so because of the house owner's complaint, and they were allowed to go after they changed the switchboxes on the same day. He denied having done any such thing to abuse human rights, or child rights, and from that day, the case was over. But, we found out that even when the children denied having done it, they still continued with their brutal act, without any evidence in their hand. Police still came searching for them even after their release, so when they were requested to stop through the phone, police said that they would do nothing further. Though it is said that the children were followed and police came looking for them on the school premises and at their houses until 9th June 2003.

Inquiries made by the Human Rights Organisation:
On 11th June 2003, the human rights organisation faxed their inquiry about the children to the police headquarters, demanding for a reply within three days. And to our surprise, we came to know that the police had replied saying that they were quite innocent in this case, and that they had done nothing to the children. Through the phone from the Human Rights Commission, we heard the police say that the children were only called for interrogation. When we were about to file the case with all the required evidences, the victims and their guardians, with their mutual understandings with the perpetrators, have stopped further proceedings in the case.

Many incidents of juvenile delinquency are occurring in our society, but lack of socialisation and treatment of these children as adult criminals has affected their future. Along with this lack of a proper Juvenile Law Administration, children that are arrested are kept in jails of adults and tortured. Their ages are often inflated so that they are sent to adult prisons. This seriously affects the children’s psyches, with feelings of being criminals.

This year in the month of June, three children were arrested and tortured as adults at the Ward Police office of Bouddha on the accusation of breaking the switchbox of a neighbouring house. Children studying in a boarding school of Jorpati VDC-3 were beaten with boots and sticks until they almost died at the Ward Police Office, Bouddha. After that they were also made to clean the toilets and the office with an empty stomach. According to the parents of the child survivors, the children had not destroyed the switchbox, and even if they had, they had already replaced the switch box with a new one. Apart from this, police followed them to their school and home and threatened them. It has been felt that this had a
very negative effect on their mental state, as there was an exam going on. CVICT has helped with the psychological counselling and health examinations of the children and the Human Rights Commission has been requested for the investigation of the physical and mental torture by the police. This incident has been stated as a "minor" mistake by the Inspector of the Bouddha Police Office.

So far, some Juvenile Delinquent children have been put in the "Child Correction Home (Bal Sudhar Griha)," for socialisation and correction, a home organised by HMG and USEP. Only the cases of children decided by the courts are kept in this correction home, however. Therefore, hundreds of children in police custody in other parts of the country are deprived of this facility.

Speaking to Juvenile Justice, three years after the declaration of the juvenile bench formation in 75 districts of Nepal, the work is still not being done properly. According to the Act regarding children, 2048 sub clause 5 of section 5 of Article 55 on 2057 Baisakh, HMG had made provisions by forming a Juvenile Bench with members including a District Judge, Child Counselor, and a Sociologist. In most of the Districts, this Juvenile Bench has not been formed, though. Due to lack of efficiency in juvenile benches, many children have had action taken against them without the decision of their case determined in the courts, and other cases have not been able to proceed.

### Need of Juvenile Bench in Courts

Kathmandu, 27 Poush- a concerned Jurist has said that the Provision of Existing laws regarding proceedings of the case of juvenile delinquents as adults through the general bench is inappropriate. Due to lack of provisions in our laws, these children have to endure punishment equal to that received by adults; that is why they have demanded an amendment in the provision. Without taking the cases through a Juvenile Bench, they are instead decided through a General Bench. Saying that it is a similar process does not sound just. General Secretary of the Child Rights Protection and Supporting Center, Mr. Bal Krishna Mainali said that if we are to protect the well-being of the children, then we have to justify cases of juvenile delinquents through juvenile bench in any case on a global scale. Spokesperson Mr. Mainali said that the current provision made by the law is wrong; hence, their centre has been raising a voice for an amendment of the provision.

Spokesperson Mr. Tarak Dhital of CWIN Concerned Centre in Nepal said that the law has remained silent on a separate trial for children's cases. He further added that it is necessary to make a rule for the proceeding of the juvenile delinquents' cases through a Juvenile Bench. He said that there should be a special provision for the protection of children. Though in our law, persons below 16 years of age are considered to be children in the matter of armed conflict, for sexual abuse and other cases, it has increased to 18 years of age, said Mr. Dhital. According to the international convention, we need to consider anyone up to 18 years age "children," said Mr. Mainali. He also said that we should be thoughtful towards increasing the age, as it will bring the inconvenience of amending 22 different existing laws.

Annapurna Post, 12 January 2003

### Child Marriage

Child Marriage incidents occurring in various sections of our country have been challenging the rights of the child. Due to inaccessibility of awareness in many places, this cultural practice exists to present day. Last year, only 15 cases of child marriage had been reported. This year, 32 cases of child marriage of girls below 16 years age have been reported. Among them, 22 were girls. Similarly, the situation of forced marriage (adults and old men marrying girls forcibly) has also been increasing.
This year, the Butwal Appellate Court has given an order against child marriage. The Appellate Court has ordered Balli Kawet of Bodhbar VDC-7 in the Rupandehi District to come to the court with his wife, Kumari Kawet, as they forcefully married a 13-year-old girl from her maternal home, following their tradition.

The order was given after the girl's father, Babu Kashi Prasad Kawet, submitted a complaint application saying that his daughter was abducted while she was returning from school, and they hadn't returned the bride. It is said that this is the first incident of a Habeas Corpus Act case filed against in-laws by the victim's father asking for his daughter's release, as she was forcefully married.

### Daughter exchanged for buffalo

Krishna Bahadur Dahal, a resident of the Jahangajholi VDC recently exchanged his young daughter Pabitra for a buffalo. Earlier, Dahal had settled the talks of marriage of his elder daughter, Sabitri, 14, with a Khadka boy of Shitalpati Jhingekhola.

Sabitri, who was studying in grade seven at Sahasradhara Middle School, ran away from home one day before the marriage. According to Shankar Bantel, a local, the teachers and guardians of the school had taken Sabitri under their protection to prevent her from being exchanged for an animal. But no one could stop the greedy Dahal from sending the underage daughter, Pabitra, instead of Sabitri to the Khadkas in order to keep the buffalo that he had received from the Khadka family.

*The Himalayan Times, 3 March 2003*

### Child Marriage challenges our law

Lahan 30 Jeth: It has been found that average children are married off at a very young age in the Siraha District. According to the survey report, it has been found that 39.88% children of the district have been married off. It has been found that in the survey that out of 18,476 married women of the Dom Community from 15 District VDC, 56.85% (i.e., 10,504 total persons) had been married as a child. The survey was done by NNAGT (National Network against Girl's Trafficking). In the same community, out of 16,825 people, 12.24% (i.e., 3,576) men were married during their childhood, which is stated in the survey. NNAGT defined child marriage as violence against women, and said that 13% of child marriage exists in Nepal. It has also stated that the existence of child marriage in Nepal is four times greater than the percentage stated by Siraha District Central Statistics. It has been stated in the survey that due to child marriage, pregnancy at a young age can create danger for both the child and the mother. Due to lack of maturity, the child mothers can not take on their proper responsibility, which can develop familial imbalance. Out of all child marriages in these 15 VDC, 0.39% have ended in divorce, 5.47% are widows, 2.41% are widowers, and 1.04% women have to handle step wives of their husbands, as has been stated in the survey.

It was found in the survey that in these VDC’s, nine girl children and three boys ages four years old have been victims of child marriage. Similarly, 338 girl children and 76 boys ages 5 to 9 years old, and 15 to 17 adolescent girls, and 9,205 adolescent boys are already married.

It has been said in the survey report, taking an excerpt of Chulai Mallik, local of Bishnupurkatti, "We are bound in relation before the birth of son or daughter. This bond cannot be broken". There is the culture in these communities that if there is the birth of sons in both the families or the birth of daughters, then they have to become best friends, while if there is birth of a son and daughter in these two bonded families, they automatically should be married off to each other. Spokesperson Rabindra Prasad Dangol said that Chulai has represented the whole Dom Community, and it is clear that the condition of child marriage is threatening. According to spokesperson Dangol, if a girl child below 10 years age is married off, then there is six months to three years of imprisonment, and up to Rs.10,000 penalty provisions in our constitution's law. Similarly, if a girl child between 10 to 14 years age is married off, then there is three months to one year imprisonment and Rs. 5000 penalty
provisions. If a girl between 14 years to 18 years is married, there is six months imprisonment and up to Rs. 10,000 penalty provision. If girls and boys below 20 years of age are married, or are being married, then there is six months of imprisonment and Rs. 10,000 penalty provision, according to our constitutional law.

Dangal says that so far, rural dwellers, who have not understood that child marriage is a crime, have not complained anywhere or to anyone regarding the issue. According to the survey, in the Yadav caste where child marriage is prominently found, there exists a 13.45% child marriage rate. Similarly, there is an 11.54% child marriage rate in the Musahar caste and a 7.38% child marriage rate in the Muslim caste.

Among the VDCs where the survey was done, there was found to be the following rates of child marriage: 5.65% in Balkwam, 11.22% in Asanpur, 4.83% in Baiba, and 6.43% in Batauna. When a survey of 15 VDCs was added to the survey, it was stated that rate of child marriage was 39.88%. In the survey done in other VDCs, the child marriage rate is 4.87% in Chandraalalpur, 5.58% in Chandra Ayodyapur, 4.60% in Devipur, 15.41% in Dhangadi, 6.60% in Hanumannagar, 4.60% in Jamadaha, 6.24 in Lalpur, 6.65% in Mahanaur, 4.53% in Mukasar, and 7.03% in Ayodyanagar. Among the VDCs where the survey was done, it was found that the most amounts of child marriages in a VDC is in Dhangadi, where the rate for child marriage is 95.49%, and there are 72.79% of women survivors of child marriage. Similarly, in Mukasar VDC, 81.63% of women are victims of child marriage.

Annapurna Post, 14 June 2003

Social Discrimination against Children

Even in the 21st century, social discrimination in the name untouchability still exists in our society. Children from the Dalit community, who are oppressed in social, economic, and political sectors, are compelled to fight with social ills. Consequently, there are many incidents of children who are socially discriminated and being mistreated by the society. These children are excluded from all aspects of development. If we talk about their reach in education, only two percent have received their right to education. Similarly, these children are also deprived of health facilities.

The word "Dalit" has become a piercing thorn for these children

She had not even imagined that she would be insulted and humiliated for belonging to the Dalit caste when she went to her friend's house. A girl studying in grade nine of a government school in Tulsipur said," I agreed to go to my friend's home only after a big request. When her parents came to know that I belonged to the Dalit community, they insulted me and urged me to leave their home immediately. They scolded their daughter, saying that she had made their house impure by letting in a Dalit girl, a Badi girl."

16-year-old Maya Nepali added," I will never forget this sad incident."

Like Maya, 15-year-old Kalpana Nepali is also a victim of a similar incident of humiliation and insult. The word "Dalit," and most importantly, the word "Badi," pierces her like a thorn in her mind. She asks back innocently," Is it our fault that we are Dalit?"

Maya, Kawalin, and Kalpana are common examples. There are many who have been oppressed and exploited for years because of cultural, traditional, and caste discrimination. Psychiatrists have stated that children who are survivors of social discrimination and humiliation because of their Dalit caste have also experienced negative psychosocial effects as well. Dalit children are already compelled to live under the extreme pressure of caste discrimination, and are also deprived of their rights to education, health care, and
recreational activities. Moreover, among the Dalit children, children from the Badi community are provided with very minimal rights.

"Badi children are considered to be the underprivileged among the Dalit caste; children belonging to this community are deprived of their rights, including the right to birth registration, a citizenship card, education, health care, and recreational activities. These children are already survivors of caste discrimination," says the District Executive of SAFE, Mithhu Nepali. According to her, because people have to give their name and permanent address, children born through prostitution are deprived a Nepali citizenship card, and are not registered at birth. Thus, they are deprived of these rights as well as the right to educational opportunities.

But the Dang District Administration Office has claimed that many children reaching their age have already got their citizenship card. Chief District Officer, Mr. Dilip Kumar Bista, said that the citizenship card is distributed by the District Administration Office on the basis of current law and certificates. Likewise, he said that if the Badi and Dalit children's father is not known, or in the absence of their father, the children can apply accordingly, and they can easily get a citizenship card on the basis of a descendant's relation.

Whereas, the president of the Appellate Court, Bare Ekai, Tulsipur, Mr. Dilliraj Dhital, said that there is a provision that any child reaching 16 years of age is provided with a citizenship card on the basis of their parent's citizenship card. According to him, in absence of the father, there is a legal provision that a citizenship card is provided on the basis of the mother's guardianship. "But the concerned sector hesitates in providing citizenship cards, birth registrations, and marriage registrations to the Badi caste of the Dang district," says Krishna Bahadur Nepali of the Dalit Women Unity Center (Dalit Mahila Ekata Kendra).

According to the facts of the Dang District Education Office, around 9000 Dalit children are studying in primary, secondary, and higher secondary-level schools. Out of all of the Dalit children who are enrolled in school, only 5 percent belonging to the Badi caste are studying at school. Among the children of the Badi caste, 30 children are educated by the SAFE organisation in Ghorahi, and Dalit Mahila Ekata Kendra (Dalit Women Unity Center) is educating 30 children in Tulsipur. These organisations are taking care of the expenditures for the Badi Children's education in nearby government schools by providing scholarships to Dalit students.

The District Education Officer for the Dang District, Mr. Nimananda Bhusal, said that although birth registration is necessary for getting admission into schools, if the principal of the gives written information to the District Education Office, then children who do not have a birth registration can also get admission into the school. He also stated that average children of the Badi caste have become enrolled in schools by following this process.

According to one statistic, out of the total population of the district, 56.6 percent are actively involved in economic activities, out of which, 22.85 percent are children between 10-14 years of age. Similarly, 46 percent are children between 14-15 years of age.

Source: Rajdhani Daily, 30 June 2003

Situation of Dalit Children in Nepal

- Population of Dalit children is around 1.9 million in Nepal.
- They represent almost 25 Dalit castes of Nepal.
- Around 70% Dalit children are deprived of their right to education.
- Majority of Dalit children do not complete their education and are bound to drop out of school.
- If 100 Dalit children are enrolled in 1 class, only 41 of them remain when they complete their primary education while only 32 remain when they complete their lower secondary education and only 19 remain when they complete their secondary equation.
- According to a study, there are various reasons behind the dropping out of school of Dalit children. However illiterate and uneducated parent's awareness level plays an eminent role.
• Though average Dalit children involve in their family and traditional work but they are also involved in various other labour.

**Children in Armed Conflict**

More than 10,000 people in the country have lost their lives due to war and violence, since Nepal Communist Party (Maoists) has declared People's War. Children are the most in danger group during this period. Many children have been directly affected for the conflict situations such as children are being victims of cross fires; they are orphaned, separated from the family and friends, they are being victims of physical and mental torture, children not being able to attend their school which has lot of negative impact on children. During these eight years 280 children have already lost their lives, more than 2000 children have lost their families, and more than 8000 children have been displaced. In 2003 only it has been recorded that 36 children including 23 boys and 13 girls have lost their lives due to armed conflict in addition 57 children including 37 boys and 20 girls have been seriously injured and it was published that 17 children including 6 boys and 11 girls had been arrested. In the same way, 578 children have been abducted from various schools in order to make them participate in the various activities of the Maoists and after the programme was over all these were freed. This process of taking children from schools is being considered as abduction of children. In the period of ceasefire from 29th Jan to 28th Aug, 13 children lost their lives, 4 children were injured, 2 children were arrested and 28 children were abducted. While during this period lots of children ran away from their village and many of them are vulnerable to child labour exploitation, sexual exploitation and abuses but comparatively the cases of violence was reduced during this period. Lot of teachers from various schools have been arrested by the security force during the state of emergency. And as people who were internally displaced started to return their village again the ceasefire was withheld as result nowadays the number displaced people are increasing in a great pace. Citizens have not sensed the feeling of security in their own place and villages.

Lot of schools in the village has not able to continue with their curriculum as many teachers arrested by security force during state of emergency have not yet been released. Schools destroyed during war have not been reconstructed yet. In the same way schools children are forced to participate in programmes organised by Maoists as well as by other political parties have seriously hampered the education of the children.

**Need of Protection, Education and Treatment for the Displaced Children due to Conflict**

Ten-year-old Sabin (name changed) with a fair complexion seems physically fit and smart. He is from one of the conflict affected village. He used to study in grade 2 but since past three years he has not been able to continue his education as his family was displaced form the village. He together with his mother, father and 6 sisters now has been living the life as an internal refugee in one of the rented damp rooms of Balambu Kathmandu. These days Sabin has been spending his time playing with his sister and street vending. This child came in contact with CWIN Helpline through Nagarik Samaaz.

In 26 October 2003, on the day of Tihar, Sabin had gone to Tribhuwan park to sell bananas. Sabin had a discussion with adolescents who did not pay him after eating the bananas. They pushed him from the edge and he broke his left hand. Sabin's hand has not recovered yet, who is being treated at Bir Hospital. Doctor has suggested him for physiotherapy. Child has not been able to do the treatment as he does not have the required money and the physiotherapy costs 60 rupees per day.

On 2058 B.S Maoists local people's government warned child's father that if he is not able to make his son resign from the job of police within 7 days then they will take severe physical action. With regard to the same, the father had gone to the district police office and
requested DSP to accept his son's resignation for the sake of security but he was informed that his son cannot leave his job until 5 years and if he does then serious action will be taken. In the same month, child's father met Maoists local activists and said that he could not make his son resign from the job. He said instead he is willing to provide any kind of help. Bal Bahadur left his home from the day, when Maoists asked him to leave the village. Due to the same reason Maoists took various physical actions from time to time against his mother. His mother left the village with her younger son and daughter, being unable to bear the torture. Four of them have rented a small room in Kathmandu, living their life as internal refugee.

After the physical actions from Maoists, Bal Bahadur, father of the child suffered from various physical problems. Tears flow from his eyes constantly while he suffers from body and knee pain. Though he has been taken to various hospitals of Kathmandu there has been no progress in Bal Bahadur's health. There is critical problem in mother's psychological state due to the physical actions. His mother is undergoing treatment at Mental Hospital, Teaching Hospital and CVICT. The mother's condition is gradually getting better.

Their family got some support for few months as political victims from the government as they had to leave village without any property. Recently they are living a very difficult life and taking support from organisations, friends for their treatment. Due to displacement and critical economic condition, the child has been deprived of education including proper treatment. Even the younger daughter does not go to school. The torture given by the Maoists to their parents has made a huge impact on the children's psychological state. Children need educational support and psychosocial counselling together with the provision of treatment for the child's injured hand.

CWIN Helpline, 24 November 2003

Follow up done by CWIN Helpline

On the basis of child's injured hand, papers, certificates and recommendations it was found that child's family are survivors of armed conflict. Therefore, it was felt that the child and his younger sister need support. At first, on 2nd December the child was taken to the physiotherapy ward of Bir Hospital for the check up of his injured hand. After check up, it was found that the child's fracture had healed and that child's bent hand only needed a simple physiotherapy. Therefore the physiotherapy ward taught the child some physiotherapy techniques. The child has been asked to exercise daily accordingly. With regard to his younger sister's education, it has been agreed that child will stay with her parents and will be enrolled in a government school nearby. With regard to the same, on 2nd December 2003, one of the representatives from CWIN Helpline with the child's parents had gone to the school for child's enrollment and the principal has agreed for the admission of the child and his younger sister. As the school is a community school currently being run by the community, it will have problem in providing economic concession to the children. However, it has been said that the organisation can write a request letter for the scholarship.

137 students studying in Khadgadevi primary school at Khalanga Headquarte, Salyan have to go through atleast 3 security outskirts to enter the school premises. Before ceasefire they had to cross 5 security outskirts. While they have to cross a trench dug for the bunker and their playground is out skirted with wires. The school is surrounded by the security forces from all the sides whole 24 hours while sometimes the weapons are being dried in the sun. Children can view these scenes clearly from the window. What impact has it made on the psychology of students and teachers in the school which is captured by the security forces.

This year dozens of children got injured while 4 children died during the action taken by Security forces at Sharada higher secondary school of Mudhbhara, Doti. With regard to this, civil society protested against the incident while A Monitoring Team was formed by National Coalition for Children as Zones of Peace to investigate the incident in Mudhbhara, Doti. The team presented the report to National Human Rights Commission on 24 October.
2003. The report concludes that the teachers and school children were forcefully made to participate in the cultural programme of the Maoists. The report further states that Security Force did not take enough precaution to save the children and to take control of unarmed persons by not shooting at them. Some from the Security Force shouted not to shoot as they were school children, but others fired at them even though the children were claiming to be students of the school.

In the incident, 6 Maoists and 4 school children died from shots fired by the Security Force.

Later on the Royal Nepal Army spokesperson also acknowledged their mistake in attacking the school.

Similarly, the team also called both the parties to show commitment towards the declaration "children are zones of peace" for the protection of rights of children while they also appealed not to organise any kind of activities related to armed conflict inside the school premises.

On 14 June 2002, Sharada Koirala, a resident from Saurpani VDC, Gorkha succeeded to flee when army came to search her as she was accused of "terrorists". Army took control of her 2 and half year old daughter Prema together with her guardian on the same day. Guardian Dhanamaya Gurung was released after 9 days custody while there was no information to the family about the child's whereabouts. On 24 June 2003, various organisations and media helped Sharada to find out about her daughter Prema. It was found out that the army gave the child submitted the child to Bal Mandir saying that she was a neglected child. On 10 July, with the initiation of CWIN and Bal Mandir, the child was returned back to mother who was staying in Bal Mandir named as "Sandesha".

"Children as Zones of Peace" Campaign

This year, in January (2059/Magh/1), CWIN, Save the Children-Norway, Nepal and other child rights organisations together have been promoting the "Children are Zones of Peace" campaign at a great pace. The campaign appeals to both conflicting parties to protect children in the time of armed conflict by not harming children in any way including ensuring children’s fundamental rights to education and health and leaving children out of the conflict related activities.

In this campaign, many organisations, including CWIN, CVICT, IHRICON, the Mental Health Department, Tribhuvan University Teaching Hospital, Seto Guras, SAFE (Society of Awareness for Education), Dalit Welfare Organisation, PEACEWIN, Social Utthan Center, Pachhautepan Eradication Society, Women Self Help Center, Ilaka Child Development Committee, Hoste Hainse, Indreni Samaj, Nepal Red cross Society, Dadeldhura, Kailali, Jumla, Nepal National Society Welfare organisation, BES, Kailali, Dalit Service Organisation, Bardiya, SAFE, Banke, Tharu Women Utthan Center, Bardiya, Nepal children organisation(Bal Mandir), Sahara Children Home and Child Rights Watch Group, Save the children- Norway, Save the Children- US, UNICEF, Plan Nepal, UNHCR, World Education, and the Women, Children and Society Welfare Ministry have been active in supporting children affected by armed conflict.

Likewise, various programmes for the socialisation of children affected by armed conflict have been put into place. Programmes include social reintegration efforts and psychosocial counselling. These programmes have been conducted with separate and joint initiation of different government, non-government, and international non-government organisations.

I addition, for the intensive promotion of the "Children as Zone of Peace" Campaign, with the joint effort of various organisations active in the field of child rights have initiated ‘Children as Zones of Peace-National Coalition’. On the occasion of World Peace Day, on 21
September 2003, members of this campaign and people from different places of the country had rang bells for peace, wishing peace for the children.

Similarly, the Children in Conflict’s Coordination Committee has been formed with active participation of the government sector, NGOs, INGOs, and the United Nations Organisation under the Central Children Welfare Committee for the purpose of central-level coordination of programmes. The committee has prepared a code of conduct for the organisations and persons working in the field of children affected by armed conflict.

Abducted’ girl child handed over to mother

Post Report

KATHMANDU, July 10: Nepal Children’s Organisation (NCO), a government-run childcare centre, handed over a three-and-half-year-old girl child who was referred to the NCO by the Royal Nepal Army last year, to her mother today.

The child, Prerana (who was named Sandesha Nepal at the NCO), was handed over to her mother, Sharada Koirala, amidst a function held at the central office of NCO, Naxal.

According to Koirala, army personnel of the Barda Bahadur Battalion in July of last year had taken Prerana from a neighbour’s house in the Sourpani VDC of Gorkha, while they were searching for Koirala, who was a member of the All Nepal Women’s Association (Revolutionary), a sister organisation of the underground CPN (Maoist) group. The RNA had later handed over the child to the NCO.

The child's family claimed that the minor was abducted by the army after they could not catch Koirala, who was alleged to be a "terrorist.” The security forces, however, have refuted the charges.

Koirala had come to the capital two weeks ago to search for her daughter, and she was able to trace Prerana to her source after holding a press conference on June 26.

Source: The Kathmandu Post (July 10, 2003)

Doti Press Release

Doti Incident: Against the understanding from the state and non state parties on children being zones of peace

15 October 2003, Kathmandu

The partner organisations of the National Coalition for Children as Zones of Peace working in the field of child rights are deeply shocked over the media reports of a firefight on Monday, 13 October 2003, at the Sharada Higher Secondary School, in Mudhvara village, Doti district in western Nepal. Four students were killed and many others injured. This not only violates the international laws and norms that advocate for the protection of children from the effects of armed conflict in places where they live or study, but also goes against the understanding from the state and non state parties on children being zones of peace. This incident has drawn our gravest concerns.

The media reports that the Communist Party of Nepal (Maoist) forcibly closed the school and had the children congregate for a cultural programme and that the Security forces fired indiscriminately inside the school premises. This suggests that both the government security forces and the Communist Party of Nepal (Maoist) appear to have failed in their duty to take
due precautions to protect the civilian population as required by Article 3 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War.

The Coalition calls on the Government of Nepal to fulfill its obligations to the international treaties it is signatory to, like the Convention of Child Rights of 1989 and its Optional Protocol of 2000, and to immediately investigate the incident and to bring to justice to anyone found guilty of violating these obligations.

Words cannot express the feeling of horror in discovering this carnage took place in a school. Schools must remain a safe place for children to learn, to grow, and to play. Please let us not see bullets and blood in a playground again. The Coalition again calls on all parties to particularly respect the rights of children and immediately adhere to the following:

- No arms in any schools
- No schools closed for any reason whatsoever
- No disruption in the operation of any school activity
- No use / mobilisation of children in any armed conflict-related activity

The Coalition is currently comprised of 30 member organisations, with the National Human Rights Commission and the International Committee of the Red Cross as observers. The Coalition is soon going to dispatch a fact-finding team to Doti and appeals to all concerned parties to provide the necessary assistance to the mission.

Secretariat of National Coalition for Children as Zones of Peace

Participation
Many organisations are conducting programmes in different areas to promote child participation as a significant component of child rights. In this context, the children’s groups established by children’s own initiations in different districts have been organizing effective activities for the advocacy and promotion of child rights. These children’s groups are making children and adults aware of social problems, such as child marriage, child labour exploitation, child sexual exploitation, alcohol use, etc. They are also leading various campaigns for social transformation. But, these children have had to face many challenges in these campaigns.

In the course of time, children have also enhanced their reach to the media, and children themselves are publishing newsletters, magazines, wall newsletters, etc. Likewise, children’s coordinated programmes local bodies have also been increasing.

This year, through a joint initiative of CWIN and Plan Nepal, grand consultations of children have been conducted in the Morang and Sunsari districts. Gathering 150 children from various districts for the consultations, they held an intense discussion on the diverse questions of child participation.

7 children in jail after they protested against child marriage

7 children from the Bhutani Refugee Camp, Sanischare, Morang had to spend three hours in an office when they raised their voice against child marriage.

This week, when Yaduram Dahal was getting married to a 15-year-old Thapa girl of the Refugee Camp, Beldagi-2, the seven children, members of child rights forum, had protested against the marriage. The children were closed in their office for three hours.

The forum had lodged a complaint through a camp committee, saying that child marriage is against the law and is inappropriate behavior.

When the forum said that the child marriage should not be done and it should be stopped, relatives and neighbours from the bridegroom’s side in Sanishchare sector F had threatened the children and mistreated them while they were locked inside the forum’s office.

Forum’s sub coordinator Netra Prasad Acharya had said that police had opened the lock after they were informed about the mistreatment done to the children.

"According to law, there is a provision that girl child under 18 years age can not get married. But, we were given torture when we raised our voices against such marriages. Even the society did not help us, saying that the girl is pregnant and we should allow the marriage," said Sub Coordinator Acharya in a sad voice.

The forum’s President, Malati Rai, said that the bridegroom's relatives verbally abused them and asked them for compensation in the amount of 50,000 rupees, with the excuse that they had disturbed the marriage.

The girl studying in grade 7 was four months pregnant, after sexual contact with Dahal, and ran after she could not get married, said President Rai. The forum has been conducting programmes for public awareness regarding child rights and has been stopping such child marriages. Director Rai has said that the forum has been conduction awareness programmes with the support of the Lutheran World Service. She said that their efforts had caused a decrease in child marriage. She also stated that before the formation of the forum, 5-6 child marriages used to occur in the camp, while now only 1-2 child marriage occur.

In the context of child participation and the continuity of Global March Against Child Labour, the Children’s World Congress on Child Labour, to be held in Italy in 2004, is going to be a programme of historical importance. In the World Congress, three child labourers will be representing the child labourers involved in the worst forms of labour in Nepal.
## Children’s World Congress on Child Labour

### Background
The first children's world congress on child labour will be held in Florence, Italy on 10-16 May 2004. Organised by the Global March against child labour, the event will bring together 500 children to participate in the first ever international conference where children are the main speakers, decision-makers and beneficiaries. The children, who are mainly former child labourers, will meet and discuss the issues they face in life and will express their experience of child labour and their solutions to this complex problem that still affects more than 246 million children worldwide.

Children, more than anyone else, are concerned with the present situation. They have first hand knowledge of the suffering that is brought by child labour. For that reason, the children must be the ones who analyse the situation from their own perspectives, proposed solutions, and, in their own language, tell the world how to build more equal and humane world for them and future generations.

In 1998, children began a march of 80,000 kms. across the globe, grabbing the world's attention, and bringing to light an issue that before had been largely neglected. They led the worldwide mobilisation against child labour, and their efforts culminated one year later with the historic unanimous adoption of convention 182 on the WORST FORMS of child labour by the International Labour Organisation (ILO). The convention calls on governments to take urgent action to eradicate the worst forms of child labour.

Despite the enthusiasm with which over 130 countries have ratified convention 182, subsequent actions by these countries have not been enough to guarantee quality life for children from underprivileged families. Today more than 1 in 6 children in the world still works instead of attending school.

Five years after the birth of international against child labour, children will take the initiative once again. The goal of the world congress is that children have the opportunity to emerge as social activists and world leaders at the forefront of the fight for children's rights.

### What is the Children's World Congress on Child Labour seeking to achieve?
- To give children a platform to share their experiences and learn from one another while discovering other's challenges, accomplishments and dreams in order to further their role as leaders in the struggle against child labour.
- To remind governments of the promises they made to children when they ratified ILO conventions 182 and 138 and the UN Convention on the Rights of the Child, and urge governments to fulfill their obligations ensuring that child labour becomes both national and international priority issue.
- To enhance and strengthen child participation in all processes of decision-making, ensuring that children's participation becomes an important part of policy-making processes.
- To enhance child and youth movements against child labour in order to motivate young people to take actions against child labour.
- To urge international organisations to increase their support to programmes aimed at eradicating child labour, poverty reduction, achieving universal, free, and quality education for all.
- To urge international community to take concrete and effective measures to achieve tangible, time-bound goals to eradicate child labour and poverty and aim at achieving universal, free, and quality education for all.
- To elicit the interest of more people and organisations to support the cause of the rights of children.
- To establish a standing children's committee, selected by World Congress participants, to facilitate the communication and implementation of the decisions made in the World
Congress and to represent the voices of children in global, regional, or national discussions or actions on child labour.

**Who will be the participants of the Congress?**

Children working and those who have worked as labourers will meet at the Congress to share their thoughts and experiences. They will decide on and demand actions they consider necessary to eliminate child labour around the world.

Also, to attend will be child activists, both in and out of the school, involved in efforts to end child labour. They too, will share their thoughts and experiences and their support to fight for children's rights.

Special invitations will be extended to individuals from international organisations, NGO's, trade unions, donor agencies, UN organisations and governments who are involved in the fight for children's rights. The child participating will have the unprecedented opportunity to hold discussions with and to question the adult who will be attending the Congress.

**Selection Process**

The participants will be selected with an equal balance of girls and boys between the ages of 10 and 17 years old. They will be chosen by a fair and democratic selection process where children themselves will select their own representatives at a series of national and regional consultations. These young representatives will present the views, concerns and problems of their country or region.

**Beyond the World Congress**

Participants from the World Congress will be involved in:

- Following-up on the decisions and recommendations made during the World Congress.
- Meeting with different groups involved in decision-making at different levels to advocate for concrete actions based on their demands. The groups may include politicians, civil society leaders, and representatives from international organisations, such as UN specialised agencies and funding agencies.
- Participating in discussions on the eradication of child labour and promotion of universal, free, and quality education.
- Advocacy at local and national levels to ensure that the demands of the World Congress are heard and felt at all levels of decision-making.

For Further Information:

**Global March against Child Labour**

**South Asia Regional Secretariat**

Ravibhawan, Kathmandu, Nepal

Phone no. 4-282255/4-278064
CWIN's action for the promotion and protection of child rights
January-December 2003

CWIN Nepal Child labour Concerned Center (CWIN) has been working for the promotion and protection of children's right, emphasizing on child rights advocacy and working with children for the children. CWIN has been providing various services to the children living in risk situation and also organizing community campaigns. The programmes run by CWIN are: CWIN Helpline service, CWIN Center for migrant children at risk, CWIN Balika, CWIN Clinic and Counselling Center, CWIN Contact Center (Contact Center in Gong bun Bus park, for children moving in and out from the city and village, CWIN Education Support Programme, CWIN Self reliance Center. Apart from this, CWIN has been providing ambulance service and hotline telephone service for the emergency service for immediate support to children at risk.

From January to December of 2003, in the period of one year, CWIN has provided emergency and essential support to 9,372 children through above mentioned various programmes of CWIN. This year CWIN Helpline (4-271000) provided various emergency supports to 2,763 children. Similarly this year CWIN Helpline received 5,888 telephone calls. Out of which 755 telephone calls were from children. In comparison to last year, children's participation has increased by 80%.

With regard to emergency support, out of total 2,872 cases, CWIN Health Clinic provided health check up to 456 children, psychosocial counselling including other health services to 541 children. Similarly, CWIN Helpline Biratnagar established on 2003 has worked for the relief and social reintegration of 34 children at risk.

With this, CWIN Center for Children at risk has provided 330 children at risk and survivors of child labour exploitation with socialisation, psychosocial counselling, family re integration and other services. CWIN Pokhara provided education and residential support to 326 children at risk, poor condition, and living in squatter and street while CWIN Suryodaya provided 34 children at risk and survivors of abuse with educational and residential support. Similarly, CWIN Balika has provided re integration, education, skills and Adolescent education services to 391 girls at risk while CWIN Contact Center has provided direct help to 515 migrated children. Apart from this, CWIN Self Reliance Center has provided 116 adolescents above 14 year's age with skilled vocational trainings while CWIN Education Support Programme has provided education support to total 3,131 children. This year CWIN has provided education support to 1,997 children from Rolpa, Rukum, Salyan and Kathmandu while other essential health service including various humanitarian supports to 1,172 children in order to minimise the effects of armed conflict on children. Apart from this, CWIN Peace Home established this year has provided services to 57 children affected by armed conflict.

CWIN has been working as a source organisation for the activities of organisations working for children in conflict. Similarly, CWIN Shanti Griha initiated from this year has provided support for rehabilitation to 57 children affected by armed conflict while socialisation and empowerment programme for street children "Hamro Sajha Thalo" established this year has provided direct support to 225 street children. Apart from this, CWIN has provided various emergency and humanitarian supports to 457 children at risk and poor economic condition.

Together with this, for the welfare of child participation CWIN has worked with around 50 thousand children through 289 child right forums in 24 districts of Nepal. This year CWIN organised District level children's consultation on children in conflict to promote the issue of
child participation. Similarly, CWIN has organised activities regarding child rights in various districts with the support of Child Welfare Committee.

This year CWIN has done various action research and surveys on subject such as Child care home administration, Problems of Adolescent girls of Squatter area of Kathmandu valley, Child Sex Abuse in Nepal, Impact of conflict on children etc.

CWIN has organised various training programmes on various issues related to child rights to around 5,200 workers of various sectors in order to develop resource person and to make the issue of child rights a matter of concern for all. Similarly, this year CWIN has concluded 736 community level workshops on various components of child rights. Together with this, CWIN Resource and Information Center has provided information nation wide regarding various sectors and subject matters of child rights and child labour while CWIN National Resource Center on children in conflict established in 2003, has spread and collected various information regarding children in conflict.
The State of the Rights of the Child in Nepal

National Bi-annual Report
January- June, 2004
Since the past 10 years, Child Workers In Nepal – Concerned Center (CWIN) has been publishing yearly and half yearly report on the state of the rights of the children in Nepal. In this regard, CWIN has again published the half yearly report from January to June 2004 on the state of child rights in Nepal. The information incorporated in this report has been collected from the various published research reports, data and from the daily newspapers and magazines published from 1 January to 30 June in year 2004; and from the information and data obtained through CWIN Helpline Kathmandu (4271000) and from CWIN Helpline Biratnagar (021- 535700).

The past 6 months in Nepal went off very tensed due to the ongoing armed conflict and due to the strikes of the 5 major political parties against the regression. On top of it, the constant Nepal bandh’s and educational strike directly affected the education of children.

The issue of child rights violation has been treated indifferently amidst the upsurging political distress in the country. As mentioned in the earlier part of this report, the state of child rights during this span is also not encouraging. However, during this span, the official announcement of HMG towards “human rights commitment” and announcement of education sector as a "peace zone" has been taken as the positive step of HMG by the general public. Besides, Maoist supporters ANNI SU/R was freed of the "terrorist" label as a result of which, millions of students are relieved from the halt in the bandhs and strikes. The general public has also appreciated the role played by the civil society and the human rights activists for facilitating the discussion and understanding between HMG and ANNI SU/R.

Within the past 6 months of year 2004, CWIN has collected 10,247 cases on child labour exploitation, child death, missing children, child abuse, child marriage, child sex abuse, child trafficking, forced prostitution, children in conflict and juvenile delinquency through its research, field visit and from various sources.

Here, it needs to be noted that the events mentioned here represent only very small fraction of the prevalent problems faced by the children. Still many cases of physical and mental abuse, exploitation and torture faced by the children are not reported out of hesitation and are often oppressed due pressure and power. However, recently, there has rise in the publishing of cases on child abuse and exploitation. It reflects the increasing concern of the public towards child rights.

<table>
<thead>
<tr>
<th>Nature of cases</th>
<th>No. of cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical abuse against children</td>
<td>32</td>
</tr>
<tr>
<td>Child labour exploitation (Including children</td>
<td>82</td>
</tr>
<tr>
<td>explicated in Indian Circus)</td>
<td></td>
</tr>
<tr>
<td>CHILD TRAFFICKING</td>
<td>33</td>
</tr>
<tr>
<td>Children at risk and facing exploitation after</td>
<td>354</td>
</tr>
<tr>
<td>migrating</td>
<td></td>
</tr>
<tr>
<td>CHILDREN AT RISK</td>
<td>81</td>
</tr>
<tr>
<td>STREET CHILDREN AT RISK</td>
<td>564</td>
</tr>
<tr>
<td>CHILD SEX ABUSE</td>
<td>81</td>
</tr>
<tr>
<td>CORPORAL PUNISHMENT</td>
<td>7</td>
</tr>
<tr>
<td>Children neglected in child cares home</td>
<td>52</td>
</tr>
<tr>
<td>Orphaned, abandoned and neglected children</td>
<td>109</td>
</tr>
<tr>
<td>CHILD AND INFANT KILLING</td>
<td>18</td>
</tr>
<tr>
<td>Nature of cases</td>
<td>No. of cases</td>
</tr>
<tr>
<td>STRUCKED WITH NATURAL DISASTER</td>
<td>25 (23 deaths)</td>
</tr>
<tr>
<td>Affected by communal disease</td>
<td>164 (139 deaths)</td>
</tr>
<tr>
<td>Neglected children with physical and mental</td>
<td>13</td>
</tr>
<tr>
<td>disability</td>
<td></td>
</tr>
<tr>
<td>Child suicide</td>
<td>24</td>
</tr>
<tr>
<td>Children killed due to grudge</td>
<td>35</td>
</tr>
<tr>
<td>Child death in stone quarry</td>
<td>5</td>
</tr>
<tr>
<td>Child death in accident</td>
<td>190</td>
</tr>
<tr>
<td>Event</td>
<td>Figures</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Children seriously injured in accidents</td>
<td>90</td>
</tr>
<tr>
<td>Child death due to substance abuse</td>
<td>3</td>
</tr>
<tr>
<td>Information published for child adoption</td>
<td>319</td>
</tr>
<tr>
<td>Child marriage</td>
<td>26</td>
</tr>
<tr>
<td>Juvenile delinquency</td>
<td>12 and 155 street children</td>
</tr>
<tr>
<td>Children in jail</td>
<td>6</td>
</tr>
<tr>
<td>Child affected and died in lack of medical treatment</td>
<td>30</td>
</tr>
<tr>
<td>HIV affected (Under 14 years)</td>
<td>88</td>
</tr>
<tr>
<td>Missing children</td>
<td>487 (331 boys and 156 girls)</td>
</tr>
<tr>
<td>Found Children</td>
<td>243 (165 boys and 78 girls)</td>
</tr>
<tr>
<td>Children directly affected from conflict (died, injured, abducted, arrested)</td>
<td>54 deaths (42 boys, 12 girls); 2 Suicide (1 boy, 1 girl); 99 injured; 77 arrested; 6689 abducted; total- 6919</td>
</tr>
<tr>
<td>Total recorded events</td>
<td>10247</td>
</tr>
</tbody>
</table>

**Armed conflict and children**

During this 6 months, altogether 6,919 children have been directly affected by the conflict, out of which 54 children (42 boys, 12 girls) died due to bomb blasts, cross fire etc. Similarly, the case of one child being arrested by the security force and one child close to the rebel party, committing suicide has also been published. Besides, the incidents of 99 children being injured in bomb blasts and cross fire have also been public. Beside these, the security forces have arrested 77 children and 6,689 children have been abducted by Maoists to involve them in different activities.

**Small dead, elder injured while playing bomb**

Nepalgunj 15 June 2003- Tara Devi Thapa of Latikoili-8, Surkhet was grief stricken to loose her son while her husband was still admitted in medical college of Kohalpur for treatment.

Deependra Thapa, younger son of Tara Devi died due to the explosion of stray bomb set by Maoists. In the same incident, her elder son was also injured and is admitted for treatment in the hospital together with his father.

Bijay Thapa, the elder son studying in local school Laxmi Secondary School in class 2 became a victim of the stray bomb set by Maoists carelessly.

Tara Devi whose husband and son is being treated in the hospital tells her tragic story like this- "Elder brother went to help his brother with toilet and in jungle younger brother saw a bundle of cloth and died while playing with it, injuring the elder brother".

She was hoping to get back to her normal life after husband's recovery but she ended up loosing her son and her elder son is also admitted to hospital after being physically impaired. She expresses her sorrow with CWIN that she has no where to go as she is running out of money too.

The injured child, Bijaya Thapa's treatment expenditure is being incurred by Center as reported by Suresh Kumar Gautam, coordinator of the center.

Gorkhapatra- 16 June, 2004

The data in the report clearly indicates that in the past 6 months, the states of child abduction have highly increased. Many incidences of children being abducted from schools on daily basis were published a lot this year too.
"Abduction", seize and illegal arrest of many citizens including children in the name of uplifting and oppressing conflict has become a customary trend. Protest regarding such activities supporting violation of human rights is occurring both in national and international sector. Among the problems mounting due to armed conflict, "abduction" of children targeting schools has become a subject of matter. It is found that many students and teachers are abducted in the name of People's campaign and People's Education Training conducted by the CPN Maoists. The Maoists more often take control of the abducted ones for a period of time and make them participate in their programme. These kinds of incidents are given a label of "Abduction" by the media workers. However, to involve children forcefully in any political activities is against the right of children. Thus in recent times in the context of armed conflict, such use of children has become a serious matter of concern. The children are more vulnerable to risk situations when children are used in any kind of activities related with armed conflict. Therefore, everyone should implement the declaration "Children are zones of peace" into action.

Thousands of children have been abducted while hundreds of schools have been closed during the people's campaign and people's education programme instigated by the Maoists since few months. During this period, abduction of children in groups has become a matter of debate while in many cases children have been abducted individually. If we look at the incidents in the period between January-June 2004, almost 7000 children have been abducted. It is found that the abducted children are involved in the meeting, consultation, training etc conducted by the Maoists and released after the completion of the programme. However, the situation of those abducted individually is not known clearly.

### Figure of children's "Abduction" from Jan-June 2004

<table>
<thead>
<tr>
<th>Month</th>
<th>Figure</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>7</td>
</tr>
<tr>
<td>February</td>
<td>1288</td>
</tr>
<tr>
<td>March</td>
<td>61</td>
</tr>
<tr>
<td>April</td>
<td>253</td>
</tr>
<tr>
<td>May</td>
<td>2192</td>
</tr>
<tr>
<td>June</td>
<td>2888</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>6689</strong></td>
</tr>
</tbody>
</table>

After going through the above mentioned incidents, we find that children have been abducted from 24 different districts of Nepal. Children have been frequently abducted from Rolpa, Dailekh, Jajarkot, Achham, Dadeldhura, Darchula, Lamjung, Jumla, Baglung, Bajhang, Rukum, Baitadi, Ramechhap, Salyan, Kailali, Syangja, Terathum, Taplejung, Morang, Sunsari, Solukhumbu, Sindupalchowk, Parsa, and Doti. In many incidents of abduction, the accurate figure of abducted is unknown. But there is no exact information available about the children who were abducted, as of how many returned, how many got involved with the Maoists and how many are still detained by the Maoists, etc. However, it is found that most of them abducted in groups return back.

Due to such "abduction" children's psyche is affected and they fall victims of many problem including the feeling of insecurity along with fear and terror. They are also deprived of their regular education and when their schools are closed quite often, their interest in education can slowly reduce. Similarly, the possible attack during this occasion can endanger their lives.

### Security forces shot gun at people who were collecting money on the occasion of Shivaratri

3 youth from same family died on Wednesday, when security forces shot the people who were collecting money from transportations on the occasion of Shivaratri.
Security forces shot at them in suspect of being Maoists when they were stopping vehicles and collecting money on the occasion of Shivaratri in Jugedi Market Street of Narayangadh. Two of them died in the place of accident while one of them died during treatment in Bharatpur. Indra Bahadur Gurung's 21-year-old elder son Biraj, 21-year-old maid Tiki Praja and 15-year-old son Sunil were among the deads. Sunil was studying in class 6 at one of the boarding school in Bharatpur.

They had started collecting money from Wednesday morning for construction of temple. Biraj and Tiki had died on the place of incidence while Sunil died during treatment. Out of 15, few succeeded to escape the attack. Other two injured are going through treatment at Medical College, Bharatpur. 17-year-old Anju Gurung and 22-year-old Khem Gurung are amongst the injured.

Security forces had reached the place of incident as they were informed that a group of Maoists were collecting donation from vehicles. When security forces reached there, they started running. Source from security force stated that the security force started firing gun, when they started running. Investigation is being processed to find out if they were used by the Maoists. However, family of the deads and witnesses say that they had gathered to raise money for rebuilding temple which had been destroyed due to flood last year. They said that the security forces had come in a public bus and all of a sudden started firing bullet.

"Security forces in another public bus behind attacked, when we were asking for money from one public bus. Two of them were shot and tripped in the middle of the road while we ran away", said Chiza Gurung who escaped the attack.

One of the Human Rights Activists who had reached at the place of incidence during his visit to Dang for a programme stated that the victims were innocent.

Source: Kantipur Daily, 19 February 2003

Due to the ongoing armed conflict from the last 9 years, till now, 328 children (232 boys and 93 girls) have died while, 250 children (167 boys and 83 girls) have been seriously injured.

In the same period, civil society has raised strong voice against violence and peace matters. However, the serious of child killings and violence against children has not stopped. We are forced to hear series of news about children's abduction, arrest and death. Though both the conflicting parties have accepted that children are zones of peace and there will not be any role of children in armed conflict, their insensitiveness towards children continues.

With regard to this, general secretary of United Nations Organisation Kofi Annan said that general public of Nepal including Sudan, Ivory coast and Iraq has been enduring torture due to armed conflict. General Secretary Kofi Annan has referred to protection of citizen's right during conflict-ridden situation in the report of June 2004 submitted to the Security Council.

Due to embargo announced by the rebel parties in the time period of six months, average districts of Western zone had been affected. Though the embargo targeted headquarters of the districts, there was scarcity of materials necessary for daily living in all the places. 10 donor organisations of 5 development regions in Far Western and Mid western region have stopped their programme from this year's May due to peaking armed conflict in the country, unavailability of security and threatens from rebel parties. Among the donor agencies that have stopped their programmes and services are organisations associated with Japan, Switzerland, Canada, England, Netherlands, Germany, Norway, Denmark, Finland and European Union. Programmes and project such as rural community structural programmes, food security programme for freed bonded labours fall among the programmes that have been stopped. Due to suspension of these projects, thousands of underprivileged children and community have been directly affected. These donor agencies have stated that if a sense of security cultivates in their working environment then they will restart their programmes. In the press release released by the donor agencies, they have appealed the rebel parties to adhere to Geneva Convention.
Claim of 20,000 students involved in march pass by the Maoist rebels

All Nepal National Independent Student's Union- Revolutionary (ANNISU-R) of CPN Maoists has claimed that they involved 20,000 children from Bheri- Karnali area in the march pass.

ANNISU-R who had targeted 50,000 students for the march pass have claimed that only from Bheri- Karnali zone 20,000 children were involved in the march pass. The union has stated that only students from headquarters did not participate in the campaign otherwise 90% students from rural territory supported their campaign.

According to the union's Bheri Karnali zone coordination committee, 20,000 students from Surkhet, Dailekh, Jajarkot, Kalikot, Jumla districts have already participated in the campaign while more than 20,000 students are expected to participate in the campaign from the remaining 5 districts. It is stated that students of class 7 and above were involved in the campaign.

Source: Rajdhani Daily, 4 June 2004

Study in schools and campus at capital, municipality, headquarters have been disturbed due to the closing down of educational institutions called by the All Nepal National Independent Student's Union- Revolutionary (ANNISU-R) which started from Sunday, 6 June 2004. Due to this strike, education of 55 lakh\(^3\) students from community schools and 15 lakh private schools have been directly affected. The revolutionary student's union demanded government to implement the agreement done with them and called for the educational strike. Taking into consideration, the impact of extended strike affected on regular education of ten thousands of students. On 24 June 2004, it was declared that the educational strike has been called off after the civil society initiated talk between HMG and Revolutionary Student's Union and reached to compromise. In the agreement, His Majesty's government has promised to remove the tag of terrorists given to the Revolutionary Students Union and seriously think over the demand of Revolutionary Student's Union.

An 11-year-old boy worries about his future and family

Around 3pm, on Friday my father was taken by the armed forces while he had just taken medicine and was sleeping alone. The security force tied my mother's mouth with shirt. They accused my father of being among the Maoists. Many armed forces had come. When my sisters, brother and my mother pleaded to stop, we were also beaten. My mother has poor vision and is illiterate. Due to this, my sisters had to leave studies. My brother studies in grade 9 but after school he has to plough the field. He only gets little time in the evening for studies.

From that day till now, we do not know what happened with our father. Along with my father, on the same day the other two villagers were also taken in custody by the security force. One of them was only 18 years old. My father had back pain illness as he had to carry heavy sacks of wheat. He used to farm vegetables. Everybody in the village used to come to our home for vegetable seeds. After my father was taken, the neighbourhood doesn't help us and disparage us. My mother has been given a name of witch and evil. My own aunt maltreats us.

After one month of my father’s disappearance, the security force arrested even my sister who was studying in grade 9 along with her friends from their school. They were however released after 2 days. My elder sister is at home after her School Leaving Certificate (SLC). If she gets married, there will be no one to look after us at home. We will be left alone with all the work at home. My mother's eyes are getting weak gradually. My brother is just 15 years old and even my elder sister is still young. What will happen to my family and me? I am very much worried. There is no one to help us. Some land we have is

\(^3\) One lakh is equivalent to 100,000
also captured by fraud. No one listens to us. One of my sisters is participating in agriculture training programme but villagers talk at her back due to our situation. Maoists come from time to time asking for shelter and food. If we do not agree to provide such services then they forcefully enter the house and beat us. Then we are forced to provide them with shelter and food. The security force took our father in front of us without even understanding the matter and without even listening to our explanation. I feel that good hearted people are paid off with such bad consequences. I also fear that the situation here will get further worse.

Source: CWIN-NRCIC
(Note: Name and address of the child is concealed for protection of identity of the child)

Another aspect of violation of child rights is the existing children's economic, social, physical, emotional and sexual abuse. Majority of the Nepali children are neglected at various level of society due to social, gender and economic exploitation. Along with this, the ill practices existing in the society also act as another hurdle for child rights. During this 6 months, more than 3000 cases of child rights violation in different sectors have been published which includes, child labour exploitation, child sex abuse, child trafficking, child marriage, missing children, child suicide, juvenile delinquency, incidents of children being abandoned and orphaned, etc.

During this 6 months, 26 marriage cases of young children have been published while in the last 6 months report, this number was just half of it. Child Marriage is still found in Nepal in this modern age.

**Problem of child marriage still prevails**

Birgunj, 25 May - The married relationship between a man and a woman is a base of human creation and perpetual civilisation. But often marriage in our society is considered as a burden and parents get their children married at a very young age to free themselves from the responsibility. The parents in many cases also claim of earning good karma through early marriage of their offspring's.

Experts claim that the priests who are involved in child marriage can play an important role in controlling deformation such as child marriage which still subsists in our society despite 21st centuries' arrival.

According to a study done in the year 2003 by Jagriti development forum in Parsa district's various 40 VDC's and Birgunj sub municipality regarding child marriage, it was found that 44% child marriage in Parsa occurred due to traditional society, 22% due to dowry, 5% due to poverty, 18% due to parent's pressure, 0.33% love marriage while 10% child marriage occurred due to family, good bridegroom, superstitious belief and for the purpose of help in domestic chores.

Women development office, Parsa organised a three day training programme for the priests to inform them about child rights and child marriage - which still exists among tribal castes of Terai region, Hilly region's castes and Brahmin chhetri.

*Source: Rastriya Samachar Samiti, 5 June 2004*

Every year thousands of children become victim of social injustice and discrimination caused by the existing caste discrimination, issue of untouchability, superstitions and ill practices in Nepal.

Badi is one of the communities, which has been directly affected with social discrimination. Almost 60 thousands of the Badi people residing in Rukum, Jajarkot, Salyan, Dang, Bardia, Kailali and Bajhang of Nepal have been facing social discrimination and are also labeled untouchables. Most of the children from these communities are deprived of education and other child rights. Considering this situation of Badi people, an organisation called pro-public has filed a case in high court to provide justice to the Badi people. As a result of which, on 20th March 2004, Supreme Court directed the government to present a report on various aspects of the lifestyle of Badi people. Along with it, Supreme Court has
also directed the Ministry of children and women to form a committee for the welfare of Badi people and to initiate for the solution of the problem faced by them.

**Exploitation of Nepali children in circus**

News of Nepal children working in Indian circus has been highlighted a lot in past few years, in context of trafficking of Nepali children to India. This year the issue of trafficking of Nepali children in Indian circus has been brought into attention through a case of group of Nepali girls facing labour and sexual exploitation in the circus of Gonda of Karnailgunj District of Uttar Pradesh.

**Exploitation of Nepali children in Indian circus and an attempt of rescuing**

"The Great Roman circus" in Karnailgunj, Uttar Pradesh, was known for the exploitation of the children employed in the circus and for the cruel treatment towards them. Most of the children employed in that circus were Nepali. These children were from Makwanpur district, where people have been living in extreme poor condition. The those parents were convinced that their children will have better life in circus and will enjoy themselves and above all, they will be sending money back home too. The proposal seemed reasonable enough for those poor people who face difficulty even to sustain themselves and agreed to sell their daughters up to Rs.1000 (IC). But when some parents came to know that their children were being physically and sexually abused after seeing their condition in circus, wanted to take the children back home but the circus owner denied to give back the children.

Upon this, 11 parents complained the case to Bachpan Bachao Andolan (BBA). On 15th June, 2004, Mr. Kailash Satyarthi, (chairperson of the "Global March Against Child Labour" and president of "Bachpan Bachao Andolan, India") accompanied by 4 parents, approached the district administration, which sent the Sub Divisional Magistrate to conduct a raid in the Great Roman Circus.

When the raid started the circus owner with his men started attacking the team with lethal weapons like knives, iron rods and even pistols. The entire team was brutally attacked. And the Sub Divisional Magistrate stood there as a mute spectator. Later it was found that the Sub Divisional Magistrate was also with the circus owner.

After the attack, Mr. Satyarthi and the team was rushed to the hospital and the children and parents were continued to be detained under the captivity of circus owner.

After this incident, Mr. Satyarthi went for indefinite hunger strike in front of UP State Legislative Assembly in Lucknow, demanding stern action against the circus owner and the Sub Divisional Magistrate and demanding the immediate rescue of the children. His strike continued until the fifth day when he was forcefully taken by the police and was admitted to hospital due to poor health condition.

During this time, the child rights and human rights activists in Nepal and India protested the incident and sent letters to the Indian president, PM, Chief Minister of UP, requesting for urgent action to rescue the girls trapped in circus owner’s detention.

In Nepal, 26 child right and human rights activists gathered and together they demonstrated the protest rally against the trafficking of Nepali girls to Indian circus. The team also handed over the letter of memorandum to the Nepali PM, National Human rights Commission, Indian Ambassador and the Indian PM, in care of Indian Embassy to Nepal. The Nepali as well as the Indian activists continued to pressurise the respective governments and forced the concerned authorities to look into the matter.

After the continued efforts from the activists all over the world, 12 among the 22 girls, trapped in the circus were rescued with the help of police. However, whereabouts of 10 girls was kept unknown and were taken somewhere else again. The girls rescued from the circus narrated the horrifying stories of being raped and badly treated in circus. They also expressed how they were obliged to work at the circus for the sake of the family.
After few days again the reported 10 missing girls were traced in Orissa. After this, the Lucknow high court ordered to present the children missing from the circus and these children were also rescued by the help of Indian police and have been returned to Nepal safely.

However, the future of the children still holds uncertainty, as many of their parents could not be contacted. The rescued girls themselves also expressed that it was due to their family's poor condition that they had to work under such harsh condition and so now they are worried to find another suitable job that will help them sustain their family needs.

Similarly, during this six months, another case of Nepali children being extremely abused in the "Asia Circus" in Inaruwa district of Nepal was also reported.

<table>
<thead>
<tr>
<th>Children and Women rescued from Asia Circus</th>
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<tr>
<td>On 24 April 2004, Local Ngo's of Sunsari district Information center for Social Advocacy (Shisa), Upka Nepal, CWIN Helpline-Biratnagar jointly with the help of District Police Office Inaruwa rescued 18 children and women from Asia circus at Rastriya Shanti Bishnu Mahayagya Inaruwa-8.</td>
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<td>Among them 15 children and women were shifted from District Police Office, Sunsari Inaruwa on 24 April 2004 and brought in CWIN Helpline- Biratnagar, Sunsari for protection and emergency relief of the survivors. On 3rd April 2004, these children were sent to CWIN Balika (Center for Girls at Risk) and CWIN Home for boys at risk in Kathmandu. District Police Office Inaruwa has also filed a case against Circus owner Abdul Gaffar. But District Court has given order to process trial by cash deposit.</td>
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<tr>
<td>Description of rescued children and women:</td>
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<tr>
<td>Total 15 children and women were rescued from Asia circus. Among them, 10 of them were 16-year-old girls, 2 were boys and three were women. The age group of rescued varied from 4-21 years age. These children and women were from Nepalgunj, Makwanpur and Banke districts of Nepal. They had already worked in the circus for one year to 7 years time period. Among them, 7 were literate, 7 were illiterate while one was minor (4-year-old). These children were taken to Asia circus for work by their parents and brokers. The survivors said that the brokers took Rs. 400 to Rs. 10,000 per person in return of taking children to the circus. It was also informed that some parents used to take money from the circus owner every year. However, it was also known that they were not provided full amount of money as per the wage. According to women and children they still have around 8 lakh rupees left to take from the circus as per their wage labour. Out of the 14, one is married and has 4-year-old daughter and 2-year-old son.</td>
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<td>At first there is an agreement between the circus owner and broker (parents/broker) about the working period and wage of the children. In the name of wage rights, Indian currency 2000-3000 rupees was given to those who work properly while others got 300 - 500 rupees Indian currency. At many a times even parents and brokers were cheated. They could not go home until their contract period was over. On top of that they could go home only if their parents came. If their parents did not come then they had to work in the circus. While working in circus the children and women had to endure various kinds of torture. They were mainly scolded, beaten and not given proper food while they had to wear short dress otherwise they were beaten with stick and use abusive words and provided with new clothes only once a year. Normally, they had to work from 5 in the morning to 11 at night.</td>
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<tr>
<td>Around a year ago, these children had come for their circus show in Nepal. They had already organised their circus show in Pokhara, Damauli, Damak, Nepalgunj, Biratnagar and various other places of Nepal. They say that similarly they have also organised their circus in different places of India. According to their say, audience used to give more amounts of tips when young children performed in the circus. When they got in accident during their performance, they only get a normal treatment. On occasions, during storm and rain, their stay used to become very difficult. There was no provision of their insurance and security at the circus.</td>
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After coming to CWIN Balika Home and CWIN Center for children at risk, children are getting emergency service, daily stay and food including socialisation and counselling service. According to their need, the children are also provided with health check up and additional psychosocial counselling. Along with this, they have appealed for children's family reintegration while they have also planned to provide children with skill training and education support.

_CWIN Balika, May 2004_

During 6 months, besides the cases of child labour exploitation, other 33 cases on the trafficking, as the cases of child sex abuse was made public. Among these were the children trafficked in various cities of India. According to the survey conducted by HimRights in Makwanpur, Bara and Rautahat, 35% of missing or disappeared children from these districts fall into sex abuse or turn into sex workers. According to the survey, those missing children either end up in brothels living dreadful lives or are employed in circus. The parents and relatives of these girls are not given any information about their conditions. During this survey, 131 girls from Makwanpur, 90 girls from Bara and 25-43 gild from Rautahat were reported missing and there is very less hope of finding them back.

Every year, cases of children committing suicide are reported due to reasons such as increased tension, ill practices, frustrated mentality, education burden, and high expectation from parents etc. During these 6 months, 24 cases of child suicide have been reported. Failure in exam, scolding from parents, love tragedy and, for not getting what they wanted, has been the main reasons behind the suicide. Analysing the cases registered in Nepal police, in the last 10 years, the suicide rate has increased by 13%. According to police and psychiatrists, people commit suicide due to unemployment, domestic problems, emotional stress, poverty etc. According to police records, every year in Nepal, more than 2000 people commit suicide.
During last 6 months CWIN with its various programmes, supported 6977 children at risk with their socialisation, educational support, family reunion, health services, psychological counselling, skill development etc.

During this span, CWIN –Balika supported 502 young and adolescent girls at risk with various programmes for their empowerment and social reintegration. It’s supports include rescuing, socialisation, psychological counselling, educational support, residential service, family reunion, adolescent education, empowerment and self-independent trainings for the girls at risk.

CWIN helpline Kathmandu and Biratnagar provided direct services to 466 and 105 children accordingly through emergency rescue, relief, protection, social reintegration and health services. As well as, more than 315 children at risk were benefitted through regular health camps organised by the CWIN helplines.

CWIN also provided support to more than 20 organisations active in the field of children under its community support programme. In those support programmes, 488 children from various sectors were supported for their education, health and skills education. Similarly, CWIN Peace Home provided support to 105 children, affected by the conflict and those at risk, regarding education, health, psychological counselling, peace education and residential service. It also provided educational and emergency support to 2384 children affected by conflict in various ways from 19 districts including Rolpa, Rukum, Salyan, Jajarkot, etc.

Through CWIN's programmes, organised for the children affected by conflict, 90 schools were built and reconstructed in districts such as Rolpa, Rukum and Salyan, ensuring that more than 15,694 children in those districts are not deprived of their rights for education. Besides this, 2595 children benefited through health camps. In these districts, CWIN distributed Primary health kits for primary health care service and also distributed clothes for the children.

CWIN Center for children at risk and CWIN contact center provided social reintegration and residential support for 354 migrant children at risk. Similarly CWIN self reliance center has started education, training and social rehabilitation support for the self-reliance of 59 youths. Like every year, this year too, CWIN Education Support Programme provided education support to 878 children in different districts. CWIN Sunrise home has provided education and residential support to 33 children at risk. Likewise, CWIN – Pokhara has provided community service, social reintegration, and educational support to 207 children. Besides these, for empowerment the street children, CWIN's "Hamro Sajha Thalo" organised for the first ever winter camp and empowerment training for the empowerment of 570 children and also provided warm clothes, night shelter, creative activities and other services.

Together with these, CWIN also provided educational support to child labourers in various districts through its new programme called CWIN-CIRCLE: From exploitation to Education.

Likewise, in order to ensure the children's right to participate, CWIN has been facilitating 289 child rights forum in 24 districts. Approximately 50,000 children are associated those forums.

Considering the effects on the children of the on-going armed conflict in the country, CWIN organised district level consultation on the children and conflict, in 19 districts with 720 children, to give children a platform to speak out their mind in this issue. In this context, a national consultation was held this June on the children and conflict. In the same
programme, a 13 points declaration paper on the conflict and the children was made public, 
appealing the concerned sectors to protect the children from the on going conflict.

Beside, these 3 children (1 boys and 2 girls), representing the child labourers of 
Nepal participated in the "Children's World Congress on Child Labour" from 10-13 May in 
Florence, Italy. In that World Congress, children, who gathered from various countries, also 
came up with their declaration "We are the present, our voice is future", appealing the world 
to free the children from labour exploitation and to ensure education for all the children.
Annexes
Background

CWIN-Nepal is a social advocacy campaign regarding child rights established 16 years ago. CWIN is the foremost social organisation in Nepal working for the promotion and development of child rights. Our main objective of this organisation is to expand social awareness regarding implementation of child rights in action. Apart from this, CWIN has been conducting various programmes for rights, well being, protection, social reintegration, rehabilitation and reintegration of children living in risk situation. Established in 1987 A.D, CWIN has been primarily working regarding several problems and questions of child rights and children at risk situation. CWIN has been conducting various programmes for expansion of people's awareness among people on child labour, street children, bonded labour including social crimes against children such as child sexual exploitation, child sex abuse, children's trafficking for sex work and labour and use of children in armed conflict, etc. Similarly, it has been active in providing orphaned, abandoned, difficulty abled and child survivors of armed conflict, a foundation of platform for protection, development, participation and their right to live with dignity.

Considering that children should also be active and aware in expansion of social awareness, in 1996 CWIN formed "Child Rights Forum" in various schools of the country and have been organizing various activities through these child right forums. Till now, there are 45,531 members of the child right forums formed in 290 lower secondary and secondary schools at 25 districts of all 5 development regions. In every activity of CWIN, there is children's participation, necessity, there interaction and coordination.

If children are self aware and active concerning the matter of child rights along with education, then they can conduct various constructive activities in favour of children's well being, protection and betterment in the society. This forum can also be a common adequate platform for children's holistic development. Through this, students get an opportunity to organise various creative programmes. Therefore, this will involve children in social activity, developing a leadership trait and it will also give an opportunity to enhance talent of children. It will also play an eminent role in making a responsible citizen for our country.

Child Participation

Children should have freedom of expressing their opinion on every issue that affects their lives. In the process of decision making discussions/programmes on these issues, children should participate directly and their voice should be raised and listened to.

Children should get information regarding children, freely use different information medium, and freely form associations while children should participate in every aspect of social and cultural life without any discrimination. Children's participation is essential in preparation of subject matters concerning children's holistic development, in policy planning of physical prerequisites used by children and in direct discussions and interaction regarding the implementation of policies and plans. Any kind of programme integrating children's participation should help in children's mental, social, physical and emotional development. Despite their presence in a programme, if their feeling and opinion is not valued then such situation cannot be measured as child participation, it is only their presence.

Children brought up in child participatory environment facilitate their holistic mental, physical and intellect's development. In programmes focusing on children's participation, children recognise their needs themselves and suggest recommendations accordingly. Thus, the programme and policy will be practical while they can also implement and get opportunity to learn from the experience.

Annex 1

Child Rights Forum

associated with CWIN
(Child Participation for Child Rights)
Major outcomes from child right forums

After the formation of Child Rights Forums, activities of child rights forum has assisted in eliminating discrimination and exploitation existing in school, society and among children. Children have started to raise their voice against child labour exploitation. In their own initiation, children have provided poor and vulnerable children with educational support while they have also provided emergency relief support to child survivors of natural mishaps. It has also done works in the context to protection of children such as rescue of children who run away or are sent for labour work, it has also taken action against brokers who traffic children from village to urban area for labour work while it has also worked for the protection and rehabilitation of orphan, helpless and missing children.

Child right forum has been doing various works in the area of awareness about overall issues of child rights. For the awareness of such issues, it has been organizing meetings, rally, street plays, wall magazines publication, and library including various works incorporating child rights issues. They have also organised "Ghar Dailo" programme to reach parents and encourage them to send their children to school. These forums have been conducting meetings and training programme for the promotion of child rights, incorporating with children, community, local groups/clubs, schools, teachers, VDC's(Village Development Committee), DDC's (District Development Committee), District Child Welfare Committee (DCWC) including national and international organisations. For the self development of children, it has been conducting various activities and training programme on various subjects including literature writing contest, quiz contest, elocution, debate, oratory contest, dance competition, sports, etc.

With regard to the children's participation in community and social activities, children have been contributing in various social and cultural activities such as involve in distribution of Vitamin A on National Immunisation Day and have been playing a role of social worker. Similarly, they have been actively participating in reconstruction of road, irrigation and sanitation programme in their local community and area.

Children have shown their active involvement from family, VDC/Municipality, local organisation, district child welfare committee, local level to national and international level in various programmes related to children's matter and also formulation of work plan and various discussions. There has been presence of children's representatives in many District Child Welfare Committee and School Administration Committee.

Due to impact of child right forums' programmes on school, students and community, the demand of various schools and community to form child rights forum and association with CWIN-Nepal has been correspondingly increasing.

Main Objective
To enhance personality development and creative ability of children, identifying their needs and actively involving children to formulate and implement programme related on their issues while also promote child participation in local level for protection, promotion and awareness of child rights in local level.

General Objectives
- expand awareness regarding child rights
- Increase student's involvement in school's activity and help school
- Enhance children's personality and creative ability
- Active participation in local level for child right's protection and promotion
- Play an eminent role in identifying needs of children and programmes related to children's issues
- Encourage children to actively involve in discussions of their subject matters in family, schools, village, district level to national level
- Involve in social and cultural activities
- making children realise their rights along with their responsibility
Formation

Children from Class 6 to Class 10 in any lower secondary and secondary school who are interested to participate in social activities plus for child rights and child participation can initiate child right forum in their schools. Approval from principal of the school is required for the formation of child right forum. Principal assigns any one of the teachers who is aware towards the issues of child right, as a coordinator of the forum. In the coordination of assigned teacher coordinator, the child right forum can have 7 to 11 executives from the students. While forming the forum, there should be equal representatives of class, sex, caste and differently abled according to the requirement. Thus, the student as executive members of the forum will distribute membership to the students who want to know about child rights and work for child rights.

On the first month of the beginning of second year's academic session, the nominated executives are selected after the general assembly of general members for the child rights forum. The executive members of the forums comprises of president, secretary, treasurer and members. If there are 9 or 11 members in the forum then it also comprises of vice president and joint secretary. The time period for executives of the forum will be one year. As per requirement, forum can include other general members under the coordination of one executive member and form different committee in order to work. For example, Interaction committee, competition administration and organisation committee, wall magazine publication committee, sanitation committee, sports committee, etc.

Programmes and activities conducted by child rights forum

- collect educational materials related to child rights, study them and educate about the same and organise group discussions on the same matter.
- organise discussion programmes to aware teachers, students and parents about child rights.
- Exhibit published materials on child rights and against children
- conduct various competitions in the school and inter school level such as story writing, poetry, essay, elocution, oratory, debate, painting and debate competitions
- organise various sports competitions in school and inter school
- publish atleast one wall magazine in two month
- conduct discussion, interaction programme in order to establish the concept of "Children as Zones of Peace" in school and community
- Conduct discussion and awareness programmes regarding the issue of how children can be kept away from the effects of armed conflict, initiate children's participation in discussion programmes directly concerning with children occurring in schools and community
- request or initiate principal to carry out a class on child right atleast once a month in the school
- taking special step towards increasing the educational level of children involved in the activity of the forum while keep a helping attitude for weak students, pressurise to include issues of child rights in the school curriculum.
- encourage children in village, neighbourhood and local area to study in school and provide them support
- initiating to request families, VDCs/ Municipalities, local organisations, clubs business men and other prestigious people of the society to arrange for scholarship for poor students
- organizing awareness programmes to stop activities violating child rights
- raising awareness against social, economic, gender, and ethnic discrimination against children
- raising awareness in schools, villages and society regarding abuse and exploitation against children.
- protesting against ill social practices such as child marriage
- raising awareness regarding the use of clean drinking water and proper toilet
- organizing tree plantation and cleaning programmes in local basis
— working as volunteers during festivals and social events as well as during natural disasters in villages and neighbourhood
— requesting VDCs /Municipalities to work for the well being of children
— requesting and working together with district and local organisations for the well being of children
— providing information on child rights on parents day
— reporting to CWIN about the information and incidences of child rights’ violation
— listening and watching children’s programmes broadcasted by radio/television and also sending contributions and participate in the programme
— reading child publications and sending own articles and compositions to those publications
— participating in interaction between children of various communities
— providing information on child labour, child slavery, child prostitution, child exploitation, child abuse and incidences of armed conflict in order to prevent/stop such incidences and protection of child survivors of child right violation
— participating and encouraging children to participate in district, regional, national and international discussion forum on children

_CWIN’s role in the functioning of Child Rights Forum_

CWIN shall keep child rights forum as its partner. CWIN shall also provide counselling to organise and operate such forums. CWIN shall regularly provide materials (books, magazines, posters, etc) regarding awareness of child rights to the partner child right forums in the school. CWIN will also provide with letter pad, stamp, membership and certificates to the child rights forum. CWIN will provide training on child rights to the executive of the forum. CWIN can provide awareness materials and resource persons in the awareness programmes regarding child rights issues in villages and schools organised by child rights forum. CWIN can also provide trainings for the teachers on child rights. Special programmes can be regularly organised between the teacher coordinator and forum’s executives.

Various programmes can be organised by integrating several child right forums between various schools.
CWIN can organise training seminars and workshops jointly with different local groups on child rights, child development and child participation on the request of child right forums.
CWIN shall involve child rights forum in its local, regional and national programmes as required.
Child right forum being an independent forum can also organise its own programme on child rights, child development and child participation and CWIN can support those programmes as per the need.

**Annex 2**

_CWIN PRESS RELEASE_

**Let the series of killings of innocent children stop**

It is very sad that the killings of innocent women and children have continued by the both parties of conflict in the course of on-going armed conflict in the country. Some days back, innocent school children were killed in a school at Mudhbhara, Doti.

The case of 17 year old Suresh Baral’s death in Pokhara had not been settled yet. Killing of another 15-year-old girl from Chamikharke, Kavre, recently during interrogation by security forces has stunned everybody. Do the security forces have the right to kill innocent citizens and children? Above mentioned incidents incurred by the security forces, who are responsible for security of citizens and who have shown commitment towards the protection of human rights time and again have raised serious questions in the fundamental right to life of the citizens.
Every citizen has the fundamental right to life and it is the foundation of human rights. Moreover, it is the duty of state to safeguard children and women. But many incidents are occurring against this commitment. Similarly, it is also the responsibility of non-state party to respect human rights. But a recent kidnapping and killing of a social worker Dev Kumari from Dailekh by Maoist rebels has dismayed the whole society. We condemn these incidents and appeal both parties of conflict to stop series of illegal and extra judicial killings of unarmed citizens immediately. We further urge the state and the CPN (Maoist) to protect the right to life of every citizen of the country.

16 December 2003
Gauri Pradhan
President
CWIN

Children are zones of peace

Let children’s abduction and school strikes be stopped
Let the children’s right to education be ensured

Adults fight in war but children always loose. Search of creative and constructive possible solutions for the peaceful outcome of armed conflict, wide spread in the country cannot be delayed further. Even during the armed conflict, children should be kept away from the negative effects of any activities related to armed conflict. Our attention has been drawn towards the increasing child abductions since past few months by the rebel parties for the purpose of involving children in their programmes. Similarly, school being used as battle field and attack in schools by both the conflicting parties is also a serious matter of concern for us. In recent times, many children are deprived of education due to entire closing down of educational institutions for infinite period. In this context, we appeal all concerned parties to immediately pay attention towards the following matters and protect the fundamental rights of children.

1. It is direct violation of child rights to use children in any activities of armed conflict. We request you to stop activities such as abduction of children or taking control of children forcefully to involve in their political activities and respect the rights of children.

2. We remind both the conflicting parties to stop organizing any kind of activities that support or oppress the activities of armed conflict inside the school premises and follow the recognition of declaration of children are zones of peace and keep school free from violence and any kind of weapons. In this context, we also remember that the direct attack in school which is not under security forces objectives is considers as an act of war crime by the International Criminal Court Legislation 1998.

3. We request not to disturb or violate fundamental right to education of children in any condition or in any way by any parties. We would like to remind both the conflicting parties about children should be main actor of respect - expressed in the convention on the rights of children including Geneva Convention on armed conflict and optional protocol while education provision and its continuity for the children affected by the armed conflict with International Humanitarian Legal Provisions.

4. We appeal HMG to precede the talk process by removing the prohibition on the union with regard to the educational demand raised by All Nepal National Independent Student's Union-Revolutionary (ANNISU-R) while it has also requested ANNISU-R to take back their appeal for closing down of schools and create an environment for peace talk undertaking extreme flexibility for permanent solution of armed conflict.
5. As all the issues were created during the period of armed conflict widespread in the country, we appeal HMG to embark on extreme flexibility for the permanent solution of armed conflict and create an atmosphere for peace talk and also appeal the rebel parties to bring flexibility in alternate outcomes by cease fire and come peace talk.

9 June 2004

(Ratified by the representatives of 56 organisations participating in a discussion programme on problems upsurging due to Child Abduction and closing down of schools organised by CWIN on 9 June 2004)
Annex 3

Children’s National Consultation On Children in Conflict

7th - 8th Ashad (21st - 22nd June 2004)
Dakshinkali, Kathmandu

Introduction:
The Child workers in Nepal Concerned Center CWIN— has organised a National Consultation Programme with children from various districts of Nepal, with the objective of consolidating the voice of children affected directly and indirectly by the conflicting situation since past nine years and also to promote peace for creating conducive environment for the overall development of the children on 7th - 8th Ashad 2061 (21st-22nd June 2004).

During this consultation programme 34 children (21 girls and 13 boys) representing 17 districts had participated and they have prepared a “Children’s Declarations on Children in Conflict” which appeals all the concern people, agencies, organisations and all the stakeholders for the protection of children form the effects of the ongoing conflict in the country.

The 17 Districts are:
Morang  Dhading  Kaski  Sindupalchowk  Parbat
Kapilvastu  Kavre  Rukum  Chitwan  Rolpa
Argakachi  Dhang  Baglung  Kanchanpur  Nawalparashi
Nuwakot  Jhapa

Background of the National Consultation Programme:
CWIN has been promoting “Children as Zone of peace” Campaign in more than 25 districts. It has already completed district level consultation programmes with children in 19 districts from the beginning of 2003. In every district we have consulted about 720 children (35 - 40 children in each district) with the objectives of identifying the effects and impacts of ongoing armed conflict on children and to promote CAZOP Campaign in child participatory manner. The consultations basically focused on rights of children, effects of conflict on the family, community and education, effect of conflict on child development, how peace can be promoted, if conflict affected children have been receiving any kind of support or not and heavy losses caused by the conflict. Furthermore, children also discussed about the hamper caused by armed conflict on the child participatory activities.

The National Consultation was held to consolidate the voices and issues raised by these children in district level consultation on children in conflict. It was held to bring such issues to the national level. During district level consultation programme, CWIN has provided education support to 61 children including 30 boys and 31 girls who have been directly and indirectly affected from conflict. Over the years CWIN’s various programmes on Children in Conflict has provided education support to more than 2058 children affected by armed conflict from various districts. Apart from this, CWIN Peace Home has been providing rehabilitation services for 74 children directly affected by armed conflict. In addition, CWIN has provided other humanitarian services like health camps, medical support, and school infra structure development, reconstructions and other emergency supports in various districts highly affected by armed conflict.
Child Workers in Nepal Concerned Center CWIN has organised a national consultation programme with children’s form 17 districts of Nepal. In this programme 34 children form 17 districts have interacted on the various issues of conflict and all of us came with the conclusion that we children are the most affected and the most vulnerable group form the ongoing conflict situation.

The on going conflict since past 8/9 years have serious negative impact on our psychosocial wellbeing and our education, furthermore it has violated our right to life and have crush on the Right’s of Child. Therefore through this Declaration paper we children want to trace the impact of conflict on children and suggest our measures for the solution and minimisation of the problem in addition would also like to raise our voice for giving priority for the solution of children’s problem.

In this consultation programme we massively interacted on the child deaths due to conflict, violence, impact on education, psychological impact, child displacement, abduction and arrest, without family and important aspects of child participation. We have put forward the significant out come of the interaction in the form of common thrust.

The on going conflict in the country has done immense damage to our education as educational institutions are being closed down due to conflict. We are scared to go to schools as our teacher and students are being killed, arrested and abducted everyday. Even if we go to schools teacher fail to come to teach which has violated our right to education. In the same way the threat of search operation at times from both the conflicting parties have created fearful environment as a result we have failed to study in peaceful environment. The security of our lives is not ensured as we have to witness cross fires between conflicting parties in and around school premises which has very negative impact on education of we children.

In the same way the present situation of violence has significant impact on the psychosocial wellbeing of the children. After being victimised by the war we have developed the feeling of retribution towards the system, towards the state and towards the victimisers. Since we have no security in our village we are compiled to leave our home land. We are displaced from our family and village, we are separated form our family and form homely environment. Lot of our friends are involved in risk associated jobs in cities due to conflict in addition we children have to bear abuse, assaults and discrimination when we are displaced.

Sometimes when we fell in the accidents and witness violence, it becomes very difficult for us to over come it, we can not forget the incident. Children in village are so much internalised with the conflict that they disguise themselves as two opponents conflicting parties even when they are playing with friends. In this way conflict have made our lives chaotic and have made us victims of war which is straight violation of our Rights.

Due to this present situation of war we children have developed the feeling of isolation and loneliness. Our childhood is being used for various selfish motives as result we are abducted and arrested and in this course many children have already lost their lives. Even though children are innocent we have to loose lives in cross fires and at times we lose our lives in explosions when we can not distinguish between explosive materials and local toys. Security force often accuses teachers and students supporting rebels when they organise programmes in schools furthermore teachers and students are battered, abused and are interrogated. On top of that security force uses us as their informants at times and accuses...
us as rebel’s informants and takes action against us which have made us more vulnerable. If we children want to organise any activities we are threatened as result we get scared to gather together and if some time we happen to gather together, security force suddenly takes us under control and start interrogation.

Over all armed conflict have destroyed our Child Rights and our needs and desires are shattered. The important aspect of child rights that is child participation has been neglected. And for all this for the conflicting parties are equally responsible. The state party have always discriminated us considering us kids and non state party have always threatened and have ruled us. We have lost our right to protection, development, participation and so on they have confined our opportunities.

We children form 17 districts would like to appeal of the solution of all above problems with regard to children to all the concerned parties through this Declaration Paper and would like to put forward the following desires and demands:

- Declaration and implementation of the concept of “School as Zone of Peace” by all the people.
- Stop strikes and national closedowns for the selfish motives.
- Immediate emergency support should be provided to survivors of war by the state, government organisations and non governmental organisations.
- Child survivors of the armed conflict should be rehabilitated in the secured place.
- Both the conflicting parties should be friendly towards children.
- Stop using children against their will.
- The trend of rebel parties of taking one member form each family should be immediately stopped.
- The organisations working for children in conflict should really reach out to the children affected form the conflict.
- Both the conflicting parties should stop using children and should employ peaceful measures to solve the problem.
- Children should not be abducted, arrested and used by both the parties for the purpose of informants.
- The activities involving child participation should not be disturbed.
- There most be ceasefire on the important dates associated with the children such as children's day.
- And finally, all parties should consider the opinion and sentiments of children while conducting any programmes for children in conflict.
CWIN has successfully concluded street children's Winter Camp conducted for one month. This is the first such programme conducted in Nepal. The objective of this camp was not only to give some relief to the children from severe winter, it also served the objective of giving children an opportunity to enjoy their childhood and to socialise them, with behavior knowledge, life skills, health care and secure environment. Apart from this, the camp helped to clarify the stigma regarding Street Children through lively interactions. CWIN's new programme for socialisation for empowerment of street children titled 'Hamro Sajha Thalo-Our Common Space' initiated this month long Winter Camp for Street Children from 15th of January 2004 till 15th February 2004.

The Winter Camp was jointly inaugurated on 25th of Jan 2004 by the CPN- UML's General Secretary Mr. Madav Kumar Nepal, street boy Mr. Shankar Dahal, CWIN- President Mr. Gauri Pradhan and Country Director of Plan Nepal Ms. Minty Prabha Pandey.

On the occasion of the inauguration of the camp some 400 street children received sets of warm clothes for winter. A total of 487 children took part in different activities of the camp such as workshops on issues related to street children, health camps, interactions with renowned artistes, drawing workshops and exhibition, counselling sessions, etc. Among the 487 children, 472 were boys and 15 were girls. All of them had come directly from the street. The general background of children participating in Winter Camp 2004 was Rag pickers, Beggars, Vehicle Conductors and others. The street children who took part in the camp came from 39 districts of all five different regions of the country. Among the participating children 80% were literate while others had never been to school. Most of the children participating in the camp had experience of working in different labour sector. Most of the children were involved in street activities such as rag picking, begging, tempo conductor, and other kinds of child labour. Some of the participants were also involved in delinquent behaviors. These children had migrated from their villages to escape exploitation, torture, humiliation, domestic violence and harsh situations in the villages due to the ongoing armed conflict in the country. While many children had left their homes with their friends, some of them have been abandoned and orphaned, some were trapped in the hands of labour contractors, and some were sent to cities to work by their families while many came to the cities with a dream of better future.

During this camp, out of total 487 participating children, 395 street children between the age group of 8 - 17 years used night shelter facilities while other children participated actively in the daily activities of winter camp. Around 175 children daily used the facilities of the Night Shelter. Nutritious meal was provided to all the street children and children at risk who participated in the camp activities.

Furthermore, 61 children taking part in the camp were referred for social reintegration. Some 30 children among the participants of the camp will continue to take part in empowerment activities of the Hamro Sajha Thalo. 20 children will be referred to transit centers for further social reintegration and 35 children will be enrolled in skill training. What is more, the children have also formed a Child Rights Forum for further empowerment of street children.

The Winter Camp for street children is the first such programme organised in Nepal to address problems of street children. This programme has provided direct relief to children to protect them from severe winter season. The Winter Camp organised various programmes in order to enhance children's coping capacities, developing skills, helping them to socialise with one another so that they could build up the feeling of cooperation, respect and friendship with one another and help them in their empowerment and social reintegration.
1. Interaction and Cultural Programmes with famous Singers, Musicians and Artists: With the objective of encouraging, exploring hidden talents and entertaining children at the camp numerous famous singers, musicians and artists were invited during the camp. Well-known literary figures like Mr. Manjul, Mr. Ramesh Shrestha and Mr. Biplav Pratik were able to touch the emotion of the children with their poems, stories and songs reflecting realities. Famous singers Mr. Dipesh Kishor Bhattarai and Mr. Dhiraj Rai were able to fascinate children with their melodious voice.

2. Health Camps: Altogether three health camps were conducted in the winter camp at Hamro Shaja Thalo featuring Eye Camp, Dental Camp and General Health camp with the aim of identifying the health problem of the children living on the street as well as providing treatment and care to them.

   Eye Camp: An eye Camp was organised on 6th February 2004 in collaboration with B.P. Koirala Lions Eye Research Center, for the children. The eye camp was organised with the objective of identifying and treating various problems of eye among the street children, 188 children were provided with the service during the camp. As 30 percent of the children were infected by conjunctivitis, it was identified as a common problem among street children in Kathmandu.

   Dental Camp: On 31st January 2004 a Dental Camp was organised in association with Model Hospital for the street children in and around Kathmandu. 150 children were provided with the service during the camp with the help of 17 medical personnel.

   General Health Camp: Hamro Shaja Thalo organised a General health camp in collaboration with Nepal Medical College as the part of the winter camp programme, on 13th of February 2004 for the street children. From the Kathmandu Medical College one Child specialist and seven others child Doctors were involved in the camp. All together there were 200 street children were benefited form the Camp. Among the children 99% of them had Skin disease.

3. Health and Hygiene with Health Education: Apart from the health camps the children engaged themselves in health and hygiene class. Children are given information regarding different kinds of common diseases such as communicable disease, skin disease. They are taught simple techniques to remain healthy and clean. Children also received first-aid services daily.

4. Workshops and Discussion: Some 300 children participated in different participatory workshops and discussions on issues related to themselves. Workshop and discussions were carried out on the development of children; the rights and responsibilities of the children; problems of Adolescents: substance abuse, HIV AIDS and street life; Peace and Children:

   Interaction and Discussion Programmes on various issues related to the street life:
   - Advantages and disadvantages of street life.
   - Sharing feelings about difficulties, pains and sufferings associated with the street life.
   - Discussion on the experiences of street life and their survival strategies.
The workshops and discussions helped children to realise their situations and encouraged them to move out from the street life.

5. **Educational Video Show**

Educational video show has been proved as one of the most interesting programme for the children, which they never want to miss. During this time children are allowed to watch different kind of children programmes including educational and informative videos such as "Meena" Cartoon, "Karate Kid" with the objective of sensitizing and making children aware of the issue and helping them to assert similar situations.

6. **‘Our Dreams’ Art Exhibition:**

**Workshop on Drawing and Painting:**

Drawing and Painting workshop was conducted during the winter camp, on 29th January 2004 with the facilitation of Famous Artists such as the principal of Lalit Kala Campus Mr. Krishna Manandhar, students from Lalit Kala Campus and Mr. Puran Shakya from BAL AAWAZ. On 5th February 2004, Ms Asmina Ranjit and her students from Nepal Fine Arts College took Drawing and Painting class on the topic Our Dreams, in which 75 Children participated. During the workshop Children came out with lot of beautiful pictures reflecting their dreams and aspirations. The outcome of the workshop was the Art Exhibition Titled ‘Our Dreams’ from 8th to 10th February 2004 at Gallery 9, Lazimpat.

**Exhibition**

Three days Art exhibition reflecting the Dreams of the street children was organised form 8th February to 10th February 2004. The paintings were the outcome of the Drawing and Painting workshop held at the winter camp at Shaja Thalo facilitated by the famous Painter Ms. Asmina Ranjit and students of Nepal Fine Arts College. The exhibition was held at Gallery 9, Lazimpat which exhibited 38 paintings reflecting their dreams and 27 paintings reflecting children and peace.

7. **Counselling Session:**

A group counselling session was organised three times for the children on various subjects related to decision making, stress management and problem solving by the official counselor of CWIN Ms. Sudha Pokharel. In these session all together 87 children actively participated.

8. **Street Theater and Story Telling Session:**

Street drama was preformed by 12 street children on 3rd February 2004 on Child Labour Exploitation and Torture. They also performed open Street Theater on Glue sniffing, Child Marriage, Child Trafficking.

Story telling session was conducted by Mr. Kumar Bhattarai, Ms. Sapan and volunteers on 28th January and 5th February. All together 90 children participated in the session.

9. **Games:**

Games for children had been one of the most regular activities conducted at the winter camp. On 29th January 2004 Mr. Aman Adhikari come and told biography of some famous players like Pele, Maradona etc to children. He also took an hour coaching class on techniques of football with 80 children at the camp.

10. **Social Reintegration of Children Taking Part in Winter Camp:**

While camp was taking place 61 referrals of the children were made to different CWIN's Centers. Among them 9 children were referred to CWIN Help Line and 52 children were referred to CWIN BAL KENDRA. In addition, 30 participants will further take part in empowerment activities run by the Hamro Sajha Thalo, 20 will be referred to different centers and 35 will be enrolled in skill education and training for self reliance.
Way Ahead

After the one-month winter camp CWIN will continue to work for the socialisation and empowerment of street children. The winter camp has served as a stepping stone for socialisation and empowerment of street children.

- Every year, Hamro Sajha Thalo (CWIN Programme for Socialisation and Empowerment of Street Children) will work with at least 300 street children for their social reintegration and empowerment.
- Every year at least 50 young people from the street will be enrolled in skill education and training through CWIN Self reliance center
- Street girls will be referred to CWIN Programme for Girls at Risk
- CWIN Education Support Programme will provide educational support to street children willing to continue school.
- Health needs of street children will be addressed through occasional health camps and further, the emergency cases of street children will be referred to CWIN Helpline (4271000).
- Continue field supervision for needed support of street children
- Work closely with network members and initiated activities for the best interest of street children.
**Annex 5**

**We are the Present, Our Voice Is the Future**

10-13 May 2004

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<th><strong>Children's Declaration</strong></th>
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We, the delegates of the Children's World Congress on Child Labour, have come to the city of Florence, Italy, from all different parts of the world, speaking different languages, growing up with different cultures and backgrounds, because we all know that child labour must be eliminated.

Although our Congress has been successful, we are missing some of our important delegates. These children were already selected to participate in the Congress. But, these children did not get visas necessary to come to Italy because the Italian government thought them as a security risk. These children who were not allowed to attend, felt much discriminated. We all missed their ideas at the Congress, because these children are from the regions where child labour is most common. At the next Congress, we would like to see them participate because their voice is their vision and the world must hear it.

Each country had a different selection process to choose the delegates. All children who participated in the selection process had either faced child labour in their own experience or had learned about it and joined the fight against child labour. With the passion and desire to solve this terrible crime against 246 million children around the world, we were all qualified to take part in this Congress. This is why the discussions for the last 3 days have been very fruitful.

This is the responsibility, of all including the business sector and others who hold the power to help us in our struggle.

Before we even start to discuss about child labour, we must appreciate that the only way the children can have their rights is in the situation of peace. Peace is the most basic human right. We have to ask ourselves why everyone is not able to have something so fundamental. While living in peace, every child has not only a better chance of getting their rights, but also has a stronger potential to improve the world for their generations and those to come.

When we started discussing about child labour, we found that many issues were common to all different parts of the world. We heard personal stories from the children about; child trafficking, sexual exploitation, working on fishing boat, cleaning car, selling things on street or in market, pornography, collecting garbage, transportation and shipping, brick making and demolishing, the making of medical utensils and other dangerous materials, drug trafficking, domestic servants, bounded labourers, farming, mining, weaving carpets, child soldiers, working in factories and sweatshops. These children are misused everyday and have no one to speak for them.

While most people and governments are aware these problems exist, they are hidden or just ignored. This does not change the fact they all are very dangerous to the physical and mental well being of a child. These forms of child labour must be stopped.

Most of the children have expressed that they are losing faith in the governments because of their empty promises. They have made many promises to end child labour through education and better social services. But they do not act. Their promises are not met with real commitment or resources.

While the governments put an enormous amount of money to weapons and war, there are still children who cannot read or write. They have no homes to live in or food to eat. The
government must take the needs of children as a priority. They must provide all that is necessary to live while still protecting our rights.

As it is a responsibility of governments to protect our rights, end child labour, and provide free, equal education or good quality, we have many demands for the governments. When we speak about the governments, we talk not only about the role of national governments but also other governmental bodies at international and regional levels that are responsible for protecting our rights.

First and most importantly, governments must listen to children. The governments make the issues of the children a priority and include the children in the decision-making that affects our lives. Governments must also provide opportunities for children to participate and express their opinions because they are the future as well as the presence and their opinion should be valued

Governments must criminalise child labour but should never criminalise the children. The children are victims of child labour. They must create and carry out laws that strictly punish the adults who have abused children for their own interest. Governments must support the children if they want to bring the cases of them being used as child labourers to court, by providing a free attorney. Children should be able to turn in the people who have abused them without fear of getting trouble. Instead, these children be rescued and rehabilitated.

Governments must fight against trafficking of children. They must enforce the laws they already have. But today's laws may not be enough so they must make more effective ones. The governments in countries where trafficking happens must work together to have laws which can criminalise the traffickers.

Governments must provide compulsory education of quality at free of cost. Schools must provide skilled teachers who are qualified. There should be a mechanism to check that the teachers are doing their job well and these laws to provide education for all children are enforced. The teachers must get paid better. Education must also be provided equally to all children regardless of gender, race, and economic status, and religion, places of birth, citizenships, caste, disability, indigenousness or languages.

Every country has to make sure the issue of child labour is taught in every school.

Governments should encourage adults to work. Adults should work so they have enough money not to put their children to work. The rights of adults as workers have to be respected. Adult workers always have to be allowed to unionise in their workplace, because the union can help protect them from dangerous working conditions and provide them the minimum wage. It is important that adults are protected as workers so that the children do not have to work.

Governments must establish a National Plan of Action to end child labour. These plans should be made together with children.

Governments must make sure that overseas development aid (ODA) goes directly to its purpose and does not end up in the wrong hands.

Governments must make a system to put some trademarks for the products that are not made by child labourers.

Governments, not only should they work with other governments, they should also work with civil society and trade unions to be at most effective. In return, the civil society must understand the demands of the children and work together with us to watch them closely so that the governments will not fail us again. NGOs also have to use the resources that they have honestly and directly for the children.
It is also parents' responsibility to listen to children.

The children need love, respect and dignity. It is in the hands of parents to provide with happy and stable family life. Parents must take their responsibility and vote. When they vote, they must also speak for the children and vote for someone who respects child rights. If the parents are not acting in the best interest of the child, the state must act on the child's behalf. Parents must talk about issues such as child sexual exploitation or abuse even when they are not comfortable because this is the only way a child will know his or her natural rights of safety and security. Parents must understand the importance of a proper education no matter of the gender of the child.

Having identified the current situation of child labour and our demands to the adults, we now show our commitment and the role in ending child labour.

We, the children, have to start initiatives to spread awareness about child labour in our own local communities and villages. We must educate each other about child labour, from a child to a child to promote child participation.

We must work at national level and establish a Children's Parliament, in every country, that is not just a symbol but a source of power for children to change the situations that we think are wrong. This Parliament would elect a representative to the country's government. These representatives would also meet at a congress at regional and at international to look at the problems at a larger scale, and report back to their governments and local communities.

We have to start a network of children so that we can keep contact with each other to be educated on the issue all over the world. Only while working together, we can have the power to take action and to end child labour. This network will be made up of children from all over the world, and it will spread the stories of child labour and opinions. The network will help us plan more effective actions in our struggle against child labour. The network will also be a medium to report on the governments' falling or not fulfilling their promises among the children of the world.

We believe that the use of art, dance, music and drama as a form of expression and means to spread awareness about child labour is very important. These are ways in which children from any background can connect with, understand and enjoy. There are many ways to spread the message against child labour, beyond boarders, through performing art.

We must also use media to spread our voices. We would create our own form of media, such as newspaper developed by the children for the children, for us to freely express our opinion. Media also must be more friendly and tell the truth about child labour and help us combat child labour.

We have to bring the efforts to end child labour out to the villages, where the fight is not as strong. Information about child labour sometimes only reaches cities and people in the villages do not have information about the dangers of child labour. We must get them involved.

We promise to continue to take action to eliminate child labour and make a better world for children. Now, we ask all of you to join us, because only together can we truly achieve freedom for all. In this friendship, we will create a healthy and peaceful world for all.

Today, the power is in our hands. We define the future.

We are the present and our voice is the future!
CHILDREN IN NEPAL

Out of 100 Children

- 49 are girls
- 51 are boys
- 84 live in villages
- 16 live in cities
- 90 are immunised
- 47 are malnourished
- 40 belong to extremely poor families
- 80 are admitted to school, but only 51 complete the primary level
- 86 boys and 74.6 girls are enrolled in primary level school

In Nepal

- 41% of the total population are children below 16 years old
- 27,000 children die of diarrhea every year
- There is only one Children’s Hospital
- There is one child specialist to 1,04066 children
- Out of 2.5 million disabled people, 5% are children
- Only 71% of the population have access to potable water
- There are 28,000 primary schools
- 2.6 million children are engaged in different sectors of child labour
- Girls aged 10-14 work twice as much as boys in the same age group
- At least 40,000 children are bonded labourers
- 5000 children are working and living on the streets
- 450 pregnant mothers out of 100,000 die in childbirth every year
- Annually 12,000 women and children are trafficked to India
- About 100 children are in adult jails.

More than 300 children have died in the course of nine-year-old armed conflict.

Sources: CWIN/CBS/UNICEF/Ministry of Education/ILO-IPEC/Family Planning Project-UNFPA/Nepal Medical Association/National Federation of Disabled Association/NEPAS