

*"Assurance of the Rights of Children: Foundation of Prosperous Nepal"*

# State of Children in Nepal

## 2019



Government of Nepal  
Ministry of Women, Children and Senior Citizens  
**NATIONAL CHILD RIGHTS COUNCIL**  
Pulchowk, Lalitpur

(Unofficial Translation)

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## **Publisher**



Government of Nepal  
Ministry of Women, Children and Senior Citizens  
**National Child Rights Council**  
Pulchowk, Lalitpur

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Pulchowk, Lalitpur

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**Message**

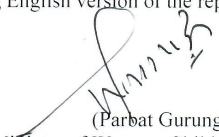
Nepal is a signatory party to the United Nations Convention on the Rights of the Child, 1989. The Government of Nepal is moving towards ensuring the rights of the children in accordance with the provisions of the Convention. As in the past, **State of Children in Nepal, 2019** was published and made public on November 20, 2019 on the occasion of International Child Rights Day.

The Government of Nepal is very sensitive to the rights of children and doing its best to improve the situation of children as committed to the United Nations Convention on the Rights of the Child, 1989. The government has made noticeable shift in legislative, policy, plan, institutional and program measures. As a result, commendable improvements have been realized in the lives of children. The report includes both qualitative and quantitative information related to children.

The National Child Rights Council has been established under the Children's Act, 2018, and started to work actively for the rights of children. It is required to continue the good practices realized in the past, and adopt necessary measures to address the crucial issues on the child's rights to survival, protection, development and participation moving forwards in ensuring rights of children by addressing burning problems, facing key challenges and utilizing available opportunities. The Government of Nepal is committed to meeting these needs. I heartily call upon all stakeholders for further committed actions to move towards ensuring the rights of children ever actively and sensitively.

I think English version of the 'State of Children in Nepal, 2019' will be useful for readers to understand the situation of children in Nepal as results of endeavors made by government, development partners and civil society for decades. The problems that are mentioned in the report can be as inputs for future planning and program designing in course of accelerating efforts for the cause of children. Finally, I would like to thank all those who contributed in improving the situation of children in Nepal and the family of National Child Rights Council for producing English version of the report.

Thank You!!

  
(Parbat Gurung)  
Minister, Ministry of Women, Children and Senior Citizens  
and  
Chairperson, National Child Rights Council

23 March, 2020





Government of Nepal  
**MINISTRY OF WOMEN, CHILDREN & SENIOR CITIZEN**



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### Message

**The 30<sup>th</sup> International Child Rights Day** was celebrated all over the world with special importance as **the UN General Assembly** passed the Convention on the Rights of the Child on 20 November 1989. **In this connection**, the Ministry of Women, Children and Senior Citizens and the National Child Rights Council jointly celebrated International Child Rights Day on 20 November 2019 by releasing the national report on **State of Children in Nepal, 2019** in Nepali version.

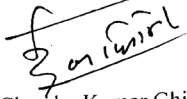
The Government of Nepal has made substantial improvement in constitution, laws, policies, plans, institutional structures and programs in course of ensuring the rights of children as a part of fundamental rights. The Ministry and the National Child Rights Council have been coordinating and collaborating with various governmental agencies, development partners, non-government organizations, civil society organizations and media for the improvement of status of children. The report has shown significant improvement in the indicators related to education, health and protection in the area of child rights. This is the result of efforts made by the Government of Nepal and all stakeholders including development partners.

Notwithstanding, implementing legal and policy provisions effectively, making structures resourceful and fully functional, ensuring access of targeted child beneficiaries to available essential services widely, addressing the issues of children affected by various violence, abuse and exploitation promptly, improving learning achievements of children in school education expectedly and decreasing the issues of malnutrition are major challenges in course of ensuring the rights of children. Moreover, child related concerns like hazardous child labor, child marriage, street children, orphan children, identity of children conflict with law, children with disabilities, corporal punishment still exist noticeably.

The Ministry of Women, Children and Senior Citizens is very sensitive to the issues related to children. The Ministry is committed to further coordinate and collaborate with all relevant Ministries at the federal and provincial levels as well as civil society organizations (CSOs) and development partners in the direction of ensuring child rights. Since the issues of children are matters of concern to all stakeholders, I take this opportunity would like to request to all for accelerating their contributions to improve the situation of children in need.

Finally, I thank the team of National Child Rights Council for publishing English version of the 'State of Children in Nepal, 2019'. Also, I would like to acknowledge all stakeholders for contributing to translate the slogan of National Children's Day 2019 "Assurance of the Rights of Children: Foundation of Prosperous Nepal" into results from their own grounds for the brighter future of children.

Thank You !!

  
(Chandra Kumar Ghimire)  
Secretary

2<sup>nd</sup> March, 2020



## Preface

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National Child Rights Council has been constituted as a special body in accordance with the Clause 59 (1) of the Children's Act, 2018 for the protection and promotion of the rights of children. The national report on the **State of Children in Nepal, 2019** prepared by the Council has been publicized on the occasion of International Child Rights Day, 20 November. It includes child related information -Constitutional and legal provisions, policy, programmatic efforts and results in line with the implementation of the Convention on the Rights of the Child.

The report has been prepared by mapping out thematic indicators related to the children, and collecting relevant information with the help of concerned ministries and development partners accordingly. The information and data collected from all sources were processed, analyzed and compared, and brought to this shape of report. The report consists of 6 chapters, 33 tables and 4 graphs.

It has been about three decades that the Government of Nepal ratified the UN Convention on the Rights of the Child, 1989. During this period from 1989 to 2019, the net-enrollment of children has increased from about 64 percent to about 97 percent at the primary level and, the proportion of girl students to boy students from 0.43 to 1.09 at primary level and from 0.43 to 1.0 at secondary level. There has been a significant improvement in the retention rate of school education. The neonatal, infant, and child mortality rates (per thousand) have dropped from 50 to 21, 108 to 32, from 162 to 38, respectively, during this period. Children's participation is ensured in planning process as well as in the committees and events that are related to children. Significant enhancements have been made in programs, investments and services to protect the rights of children in need of special protection and at risk. Child-friendly local governance has been promoted. To provide immediate humanitarian and protection support for children at risk, the National Center for Children at Risk (Toll Free Telephone No. 104) and Child Helpline (Toll Free Telephone No. 1098) are under operation.

Despite the progress made over the decades, addressing the proper and prompt responses on the issues of child labor, child marriage, inhuman sexual violence against children, abuse and discrimination, illicit transfer of children, orphans,

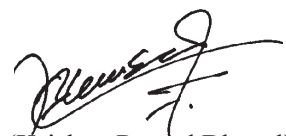


helpless, street children including improving learning achievements in school education, improving nutritional status, managing electronic gadgets among others are remained as growing challenges in the field of the rights of children. A new challenge has been realized in the areas of coordination, collaboration, cooperation and facilitation among the three tiers of government in the current changed federal context.

Referring to the slogan "Assurance of the Rights of Children: Foundation of Prosperous Nepal" of National Children's Day, 2019, the National Child Rights Council call upon every concerned stakeholder to the cause of children to respond the recommendations made in the report especially from three tiers of government and development partner organizations and increase investment for children.

Finally, I extend my heartfelt thanks to the concerned Ministries and agencies for providing relevant information for this report and to the staff of the National Child Rights Council for their continued and tireless contributions.

Thank You !!!



(Krishna Prasad Bhusal)  
Administrative Chief

# Executive Summary

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- The basic provisions of the United Nations Convention on the Rights of the Child, 1989 have been addressed in the Constitution of Nepal (2015). The Article 51 ensures the best interests of children under the state's policy, and the Article 39 of the Constitution under the fundamental rights guarantees the rights of children. The Constitution is considered as child-friendly constitution.
- The Children's Act, 2018, has ensured 13 basic rights of children, stated responsibilities of the state, institutions, parents and media, and included the duties of children. This Act conforms to the basic principles and provisions of the Convention, and also considered as preeminent law.
- According to the Census Report, 2011 of the total population, the children under the age of 18, 16 and 14 years are 41.84, 37.37 and 32.32 percent respectively. The population of children is in markedly decreasing trend.
- According to the Nepal Demographic Health Surveys 2016, the child mortality rate under the age of five (per thousand) is 39, infant mortality rate (per thousand) is 32 and neo-natal mortality rate (per thousand) is 21. The survey reveals that 36 percent of children under the age of 5 are stunted, 27 percent are under weight (weight for age), and 10 percent are wasted.
- According to the Nepal Multiple Indicator Cluster Survey, 2014 commissioned by Central Bureau of Statistics, 37.4 percent of the children between the age of 5 and 17 years are involved in labor. Nepal Labor Force Survey 2017/18 has reported that some 2,86,000 children under the age of 17 years are involved in economic gains, but not clearly mentioned as child labor.
- Based on the "Street Children Rescue, Protection and Management Guideline, 2015", a program leading to "Street Children Free Kathmandu Valley" has been in implementation since FY 2016/17 with an announcement that "Children no need to live in the streets; should not live in the streets". Till 16 July, 2019, a sum of 1,011 children have been rescued and managed accordingly.
- According to the Population Monograph, 2014, Part 2 (Social Demographics) of Central Bureau of Statistics, 26.3 percent of children from the age of 10 to 18 years are married. Of these, the marriage rate of children in the age group of 17 and 18 years is estimated to be 75.66 percent of total child marriages. Nepal

Multiple Indicator Cluster Survey, 2014 has found 2781 girls (24.5%) married before the age of 18 years.

- In FY 2017/18, the missing children were 2,330 (boys 923 and girls 1407), while in the FY 2018/19, a total of 3,422 children (boys 1051 and girls 2,371) were recorded as missing. Among the missed children, 2,540 children (boys 825 and girls 1715) were found and search for the rest is going on.
- Currently, child helpline has been in operation in 12 districts. These helplines provide services like rescue, relief, psycho-social counseling, family reunion and institutional rehabilitation. These helplines provided services to 3,385 children (boys 1582 and girls 1803) in need of special protection in the last FY, whereas 7,806 (boys 3,805 and 4,100 girls) such children were provided services in this FY.
- In FY 2017/18, a total of 995 cases against rape up to 18 years' girls were registered in Nepal Police, while in this fiscal year, the registered cases of victims increased to 1,420.
- In FY 2017/18, a total of 65 children were found dependent on imprisoned parents or guardians in the jails of 27 different districts, whereas the number has increased to 82 by mid-July 2019.
- The Multiple Indicator Cluster Survey, 2014 of the Central Bureau of Statistics shows that the rate of birth registration has risen to 58.1 percent (boys 59.2 and girls 57).
- As of the Ministry of Home Affairs, the number of Bhutanese refugee children including those in and out of the camps, were 2,262 in previous FY, while the number decreased to 2,085 by mid- July of 2019.
- In the last FY, there were 382 children in the eight child correction homes, whereas the number of such children increased to 821 (boys 798 and girls 23) in this fiscal year. It was simply because of the provision that till last year there were only children below the age of 16 years, and from this year children of below the age of 18 years were brought to the homes.
- The number of children with different types of disabilities enrolled at the primary level in the academic year 2017 was 45,655 and the number has decreased to 39,820 in the academic year 2018.

- According to the Department of National Identity and Central Registration, in the fiscal year 2017/18, a total of 5,75,715 children were benefitted by social security grants under child nutrition, children with disabilities and children of endangered persons, whereas the number of benefitted children increased to 8,01,211 in the FY 2018/19. It indicates the state's high sensitivity towards the children in need of special protection.
- In the FY 2017/18, a total of 14,864 children (boys 7,194 and girls 7,670) were protected in 533 child care homes in 46 districts, whereas in this fiscal year, 533 child care homes are operating in 46 districts which are providing protection support to 15,045 children (boys 7,412 and girls 7,633) . In addition, 17 rehabilitation centers are in operation.
- In the previous FY, the total of 1,478 children were provided with residential facilities with basic services in the five martyr's academies whereas the number is increased to 1,523 (boys 926 and girls 597) in this FY.
- The number of Early Child Development Centers in the academic year 2017 was 36,568, and the number slightly decreased to 35,993 in 2018. However, the number of children has increased from 9, 57,087 in the last year to 9, 73,000 in this year.
- The number of students enrolled in the primary level was 39,70,016 in the academic year 2017, and the number has decreased to 37, 30,602 in the year 2018. Likewise, the total number of students enrolled in grades 1-12 was 73,91,524 in the year 2017, which decreased to 72,14,525 in the year 2018.
- At the primary level, the net enrollment rate was reported to 97.2 percent in the academic year 2017, whereas the rate has come down to 96.6 in the year 2018.
- In FY 2017/18, the total number of schools was 35,601, whereas the number decreased to 35,055 in FY 2018/19. It is because some schools were closed, merged and even new ones were added.
- The number of SEE examination appearing students was 4,51,523 in the year 2017 and the number increased to 4,75,003 in the year 2018.
- While the number of students appearing final examination of grade 11 was 3, 47,748 in the year 2017, the number of students appearing the final examination of grade 12 remained 2,99,571 in the year 2018. It indicates that some students dropped out in grade 12.

- The number of community schools selected for quality improvement and developing them as Model School has increased to 322 in FY 2018/19.
- "One school one nurse" program is under operation.
- The free distribution of sanitary pads for the girls in schools has come into operation with priority.
- A total of 50 districts have been declared literate under the Literacy Nepal Campaign Program to declare Nepal as literate.
- A total of 7,99,523 children are directly benefitted from the Day Meal Program in FY 2018/19 with the expectation of increasing student's regularity to schools and improve learning achievements.
- Computer facilities are available in 8,366 schools out of 29,607 community schools operating across the country.
- So far, three Municipalities - Kanchanarup Municipality of Saptari district under Province 2, Bhimeshwar Municipality of Dolakha district under State 3, Devchuli Municipality of Nawalparasi (Bardaghta Susta Purba) district under Gandaki Province and Sunwal Municipality of Nawalparasi district under Province 5 have been declared as child friendly local level. Apart from these, at least one ward of 35 local levels have been declared as child friendly ward.

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## ABBREVIATION

FY	Fiscal Year
SEE	Secondary Education Examination
CWDs	Person with disabilities
CRC	Convention on the Rights of the Child
MoEST	Ministry of Education, Science and Technology
MoHP	Ministry of Health and Population
MoWCSC	Ministry of Women, Children and Senior Citizens
NCRC	National Child Rights Council
INGO	International Non-Governmental Organization
NGO	Non-Governmental Organization
SDGs	Sustainable Development Goals
FCHV	Female Community Health Volunteer
SAIEVAC	South Asia Initiative of Elimination A
CCWB	Central Child Welfare Board
SAARC	South Asian Association for Regional Cooperation
CCH	Child Care Homes
NPA	National Plan of Action
NER	Net Enrolment Rate
NCCR	National Centre for Children at-Risk



### 1.1 Background

Right after the ratification of the United Nations Convention on the Rights of the Child, 1989 (CRC), the Government of Nepal included some key provisions of the rights of children in the Constitution. The present Constitution establishes the rights of children as fundamental rights and ensures the rights of children to survival, protection, development and participation. Children's Act, 2018 is promulgated by reforming the Children's Act, 1992. As stated by the CRC, population below the age of 18 years is defined as children. Children's issues have got priority in national periodic plans. Remarkable efforts have been ongoing for child's education, health and protection.

As enshrined in the CRC, the Government of Nepal has been improving legal, policy, institutional and program measures. Eventually, the encouraging results have been seen in child related indicators and in the lives of children. Development partners' contribution has also been remarkable in the child development process. Despite all these, it has to go a long way to fully ensure the rights of children.

### 1.2 Constitution and Children in Nepal

The Government of Nepal is very sensitive towards the issues of children. The Constitution has given priority to the child's best interests, and mentions child rights to survival, protection, development and participation mainly in Article 39. The Constitution is very progressive with the view point of the right of the child as it has clearly accommodated the provision of basic principles of child rights. The child rights related provisions are presented as follows:

Article 39 Rights of the child:

- (1) Every child shall have the right to name and birth registration along with his or her identity.
- (2) Every child shall have the right to education, health, maintenance, proper care, sports, entertainment and overall personality development from the families and the State.
- (3) Every child shall have the right to elementary child development and child participation.

- (4) No child shall be employed to work in any factory, mine or engaged in similar other hazardous work.
- (5) No child shall be subjected to child marriage, transported illegally, abducted/ kidnapped or taken in hostage.
- (6) No child shall be recruited or used in army, police or any armed group, or be subjected, in the name of cultural or religious traditions, to abuse, exclusion or physical, mental, sexual or other form of exploitation or improper use by any means or in any manner.
- (7) No child shall be subjected to physical, mental or any other form of torture in home, school or other place and situation whatsoever.
- (8) Every child shall have the right to juvenile friendly justice.
- (9) The child who is helpless, orphan, with disabilities, conflict victim, displaced or vulnerable shall have the right to special protection and facilities from the State.
- (10) Any act contrary to in clauses (4), (5), (6) and (7) shall be punishable by law, and a child who is the victim of such act shall have the right to obtain compensation from the perpetrator, in accordance with law.

Besides article 39, other 11 Articles are related with children. The article 11(4) has stated that "Every child found in Nepal whereabouts of whose paternity and maternity is not known shall, until the mother or father is traced, be deemed a citizen of Nepal by descent". Article 18 mentions about the rights to equality followed by article 29 about provisions against all forms of exploitation, article 30 about the rights to live in a clean and healthy environment, article 31 about rights to education, article 35 about rights to health, article 43 about rights to social security, and article 51 about social justice and inclusion.

The Constitution includes four principles (non-discrimination, best interests of children, respect the views of children and survival & development of the children) of the CRC. Similarly, it encompasses the thrusts of almost all themes of the CRC. In this context, it is a matter of proud that the Constitution of Nepal ensures the rights of children; therefore, it can be considered as a child friendly Constitution.

### **1.3 Children's Act, 2018**

The Government of Nepal promulgated Children's Act, 1992 on the year of ratifying the CRC. The Children's Act, 2018 promulgated by reforming Children's Act, 1992. The Act is in line with the principles and major themes of CRC provisions. It includes 13 rights of children, which are as follows:

Clause 3 - child rights to survival

Clause 4 - child rights to name, nationality and identity

Clause 5 - child rights to non-discrimination

Clause 6 - child rights to live with parents and periodic visit to parents if they are in separation

- Clause 7 - child rights to protection
- Clause 8 - child rights to participation
- Clause 9 - child rights to freedom of expression and information
- Clause 10 - child rights to operate institution and peaceful gathering
- Clause 11 - child rights to privacy
- Clause 12 - rights of children with disabilities
- Clause 13 - child rights to health and nutrition
- Clause 14 - child rights to sports, recreation and follow own culture
- Clause 15 - child rights to education

The clause 16 urges to give priority to the best interests of children, clause 17 mentions responsibilities of family and legal guardian, clause 18 includes state's responsibilities, and clause 19 states media's responsibilities for the cause of children. The Act explicitly mentions the provisions of juvenile justice, and identifies the group of children who need special protection and rehabilitation. It also provisions for alternative care, operation of child care homes, institutional mechanism, child welfare officer among others. The clause 77 includes duties and responsibilities of children, which mentions that children have to obey and respect the suggestions given by parents, guardians, teachers and well wishers and view for the sake of child protection, development and personality development. Keeping all provisions in view, Children's Act, 2018 is considered as the best act in child rights perspective (Details in Annex 1). Besides this Act, Local Government Execution Act, 2017, Compulsory and Free Education Act, 2018, Public Health Service Act, 2018, Social Security Act, 2018 and Safer Motherhood and Reproductive Rights Act, 2018 among others are related to the cause of children.

#### **1.4 Convention on the Rights of the Child, it's Optional Protocols and Reports of Nepal**

The Government of Nepal ratified the UN Convention on the Rights of the Child, 1989 on 14th September of 1990 without any reservation. The state party to the Convention requires to submit the initial report of status of implementation of the provisions of the Convention to the UN Child Rights Committee within two years of ratification, and submit periodic report in each and every five consecutive years.

The Government of Nepal submitted its initial report to the Committee in 1995 followed by the second report in 2004, and the combined third, fourth and fifth report in 2012. The report was presented in the Committee's meeting on 19<sup>th</sup> and 20<sup>th</sup> of May 2016, and the Committee approved the concluding remarks on the report on 3<sup>rd</sup> June by welcoming

and appreciating the inclusion of child related provisions in the Constitution as well as child friendly local governance mechanism. The concluding remarks suggest to reform child related acts by incorporating aspects of child's best interest, addressing all forms of violence against children and protection measures, family environment and alternative care, basic needs fulfilment of children with disabilities, rights to education, rights to identity, ending corporal punishment among other issues of child rights and protection. In addition, the Committee urges the government to manage disaggregated information, increase investment for children and strengthen institutional capacity. In this connection, the Government has addressed most of the suggestions in the Constitution and Acts, and is effortful to address other suggestions regarding policy and programs.

The Government of Nepal ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000) on 20<sup>th</sup> January of 2006, and submitted the initial report to the Committee on the optional protocol to the UN Child Rights Committee on 12<sup>th</sup> May 2009 as well as ratified to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (2000) on 19<sup>th</sup> September of 2007, and submitted the initial report to the Committee in 2012. The Government is yet to submit the first periodic report of both Optional Protocols and, is to ratify the Optional Protocol to the Convention on the Rights of the Child on a Communication Procedure, 2011.

The State Party has responsibilities to implement the provisions of the Convention and its Optional Protocols as well as suggestions provided in the concluding observations. Accordingly, most of the suggestions have been addressed in the Constitution and Acts.

Notwithstanding the legislative measures taken, and achievements made jointly by the government as well as development partners, ending all forms of violence, exploitation and abuse has remained as great challenge to the government and non-government actors. To this direction, federal, provincial and local governments, development partners and corporate sectors all have to put their efforts ever effectively to protect and promote the rights of children.

## 1.5 Child Related Plan, National Policy and Program

### 1.5.1 Plan and Action Plan

The concerns of child rights and protection have been noticeably included in national development periodic plans especially after the ratification to the CRC. The Ninth Plan (1996-2001) includes the concerns of children as child rights perspective. The **approach paper** of the Fifteenth Plan (2019-2024) envisions of child-friendly society, and has goal of developing children and adolescents as qualified and capable citizens for national development process by ending all forms of violence, exploitation and abuse

and protecting and promoting the rights of children and adolescents. The objectives of the approach paper are to:

1. protect and promote the rights of children and adolescents,
2. develop child and adolescent friendly environment, and
3. end all forms of violence, discrimination, exploitation, abuse and neglect.

The following strategies are adopted to meet the above objectives:

1. Reduce child mortality by improving child health services
2. Increase access of children to early childhood development for mental and physical development of children
3. Secure life of children and adolescents by ending all forms of violence
4. Protect and promote the rights of helpless, orphans, disables, abandoned children and adolescents
5. Develop environment to make children able to participate in social life
6. Adopt necessary measures to end all forms of child labor
7. Develop accessible infrastructure to children
8. Promote alternative care for needy children by deinstitutionalizing and discouraging residential child care homes

The approach paper expects that the situations at the end of the plan will be as follows:

- Child rights protection and promotion related policy, law, plan and program, and standard operating procedures will be in implementation at the federal, provincial and local level.
- The rights of children with special needs will be protected.
- Children's access to education, nutrition and health services will be increased.
- All forms of violence, exploitation and abuse against children will be drastically reduced.
- Responsibilities of government agencies, child related institutions, parents and guardians will be improved.
- National Centre for Children at-Risk (NCCR) - Toll Free No. 104 as well as Child Helplines - Toll Free NO. 1098 will be more functional to support targeted children.

The Government has implemented the first ever a 10-year national program of action for 1990s followed by the second 10-year national plan of action for children (2004-



2014). The third national plan of action is in the preparation process though it has been delayed. Master Plan of child labour together with other sectoral plan of action focused to child education, health and trafficking are under implementation.

### **1.5.2 National Child Policy**

The national child policy has goal to create enabling environment for children to develop their overall personality to become qualified and capable citizens of the country by utilizing their rights, and to put coordinative efforts with government agencies, local governments, guardians, teachers and international and national development partners. The policy has the following five objectives followed by specific policies and strategies in conformity to the objective:

1. Protect children from all forms of violence, harm, abandonment, neglect, exploitation and abuse. To achieve this objective, there are 32 policies and 19 strategies.
2. Provide anti-natal and post-natal care, and educational opportunities to develop children's physical, mental and cognitive aspects. To achieve this objective, there are 5 policies and 11 strategies.
3. Promote child participation by providing opportunities to express their views in child related concerns. To achieve this objective, there are 8 policies and 6 strategies.
4. End discrimination against children. To achieve this objective, there are 3 policies and 2 strategies.
5. Strengthen juvenile justice system. To achieve this objective, there are 9 policies and 5 strategies.

The policy addresses the thrusts of provisions under CRC. Federal structure is in practice the country, and provincial and local government are actively engaged in performing their functions. In this context, the policy has to be reviewed and improved as the federal structure. In course of developing child policy at the provincial and local level, the federal level focal stakeholders have to facilitate and provide required support.

### **1.5.3 Child-Focused Programs**

Child-focused regular programs and services on the issues of education and health are mainly run by Ministry of Education, Science and Technology (MoEST), Ministry of Health and Population (MoHP) as well as 753 local governments. The Ministry of Home Affairs, District Administrative Offices and local governments deal with the issues of child rights to identity (birth registration and nationality) and programs of children in emergencies including child correction homes. Child rights and protection concerns on legal, policy and program are advocated, coordinated and facilitated by

the Ministry of Women, Children and Senior Citizens (MoWCSC) as well as National Child Rights Council, and these agencies work for children in emergencies and at-risk.

The MoEST includes various programs for the cause of children; for instance, free textbooks distribution, various residential and non-residential scholarships, mid-day meal, trainings and extra-curricular activities including providing educational materials. The MoHP provides free health services in enlisted services and in enlisted level of health institutions. The main programs cover golden thousand-day program, national immunization program, Vitamin 'A' supplement program; community based integrated management program for new-born babies and child diseases together with other child related health and nutrition program. The Ministry of Labour, Employment and Social Security deals with the issues of child labour elimination and management as well as child related social security schemes. In addition, child labour eradication fund, emergency child rescue fund as well as programs for conflict affected children, anti-child marriage, anti-child trafficking, anti-child prostitution, anti-sexual exploitation and abuse, out-of-school children and awareness raising on the rights of children are in operation.

The National Child Rights Council continues the role of the then Central Child Welfare Board and accelerates its functions to protect and promote the rights of children. It leads and facilitates National Center for Children at-Risk (Toll free no. 104) and Child Helplines (Toll free no 1098) as well. The NCRC has been advocating for improving child related legal, policy and program measures; and handling various violence cases against children. The Council monitors and facilitates child care homes, and rescues children from the child care homes that are not executed under minimum standard. In addition, it has been leading and facilitating for street children free campaign in the Kathmandu Valley, and this program is likely to expand other cities in the fiscal year 2019/020 in coordination and collaboration with other government as well as non-government stakeholders.

UNICEF as well as other UN agencies, INGOs, NGOs and civil societies have been implementing child related various programs from the federal level to local level and working for protecting and promoting the rights of children together with the government line agencies since decades. Few private companies also conduct child related programs under the corporate social responsibilities. In summary, actors from government, non-government, civil society and corporate sectors have been encouragingly conducting child related programs.

Despite all these program efforts, there are noticeable children who are deprived of basic rights and living in difficult circumstances. The concerned actors from different sectors should accelerate their efforts in the existing programs as well as find out new areas of concerns to address the issues of children at-risk.

## 1.6 Institutional Arrangement

The Ministry of Women, Children and Senior Citizens is a lead and focal ministry at the federal level to coordinate, facilitate and steer the cause of children. The National Child Rights Council started to work as per the given mandate by the Children's Act, 2018 and Children's Regulation. Establishment of Provincial as well as Local Child Rights Committee is in the process under Children's Act, 2018. The Central Child Welfare Board and District Child Welfare Board has been dissolved.

The Ministry of Education, Science and Technology, Ministry of Health and Population, Ministry of Labour, Employment and Social Security, Ministry of Federal Affairs and General Administration, Ministry of Home Affairs, Ministry of Youth and Sports and their departments work for the cause of children. Similarly, National Planning Commission, National Human Rights Commission, National Women's Commission, National Inclusion Commission, National '*Dalit*' Commission, Madhesi Commission and Tharu Commission deal with the issues of children.

Directorate of Women, Children and Senior Citizens under Police Headquarter works on the issues of child protection; for instance, child labour, child marriage, street children, lost and found, trafficking, sexual exploitation & abuse, and all forms of discrimination, exploitation, abuse and violence. Under the Directorate, there are about 240 cells all over the country.

At the provincial level, Social Development Ministry is a lead and focal ministry to coordinate, facilitate and steer the issues of children with government agencies, development partners and corporate sector. Provincial Child Rights Committee is likely to be formed as soon as possible.

Regarding juvenile justice, Central Juvenile Justice Coordination Committee works under Hon'ble Judge of Supreme Court at the federal level. There is District Juvenile Committee and Juvenile Bench in each district. This structure plays roles of facilitation for child friendly process and justice including capacity development of Courts.

There are 753 local governments that have child focused division/unit to deal with the issues of child survival, protection, development and participation. About 35,601 schools and over 36,570 ECD centres are in operation. Similarly, 6 central, 2 regional, 3 sub-regional, 1 regional TB, 10 zonal, 85 district/other hospitals including 200 primary health care centres, 3,808 health posts, 12,180 outreach clinics, 16,022 expanded immunization outreach clinics provide services for children.

The NCRC and Nepal Police jointly conduct National Centre for Children at-Risk (Hotline no. 104) from Vrikutimandap, Kathmandu, and the NCRC supports 12 Child Helplines in 12 districts. These helplines cover cases of about 60 districts. It is estimated that over 23,600 child clubs are in operation all over the country.

There are eight child correction homes in execution from the government to provide protection and support to children in conflict of law. Over 533 registered child care homes are in operation. Unregistered child care homes are yet to find out and bring under regulation. Similarly, over 15 child rehabilitation centres and transit homes also work for the cause of children. There are five Martyrs Academy to provide residential and education services for children affected by armed conflicts. Similarly, there are hundreds of INGOs, thousands of NGOs and hundreds of civil societies all over the country are functional to deal with the various issues of children

## 1.7 Sustainable Development Goals and Children

The Government of Nepal encouragingly achieved majority of targets of Millennium Development Goals. The Government is now dedicated to achieve the targets of Sustainable Development Goals. The SDGs has 17 goals, 169 targets and 230 indicators for 2030. Among them 10 goals, 35 targets and 76 indicators are related to children. The main indicators are related to education, health, violence, social security, mental and physical punishment, trafficking and birth registration. Detail indicators are given in Annex 2.

## 1.8 National Census and Children

National census 1991, 2001 and 2011 found the population growth as 2.08, 2.25 and 1.35% respectively, and the ratio of boys to girls is also increasing in each census. The table below shows the percentage of children below the age of 18, 16, 14 and 5 years:

Table 1: Number and percentage of children in national census

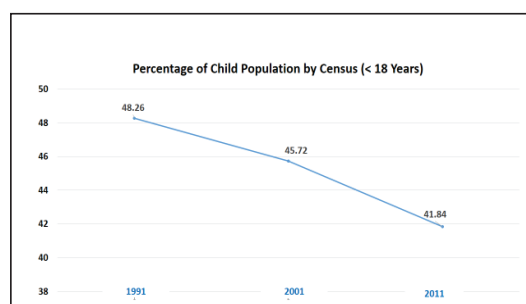
Census year	Total population	Child population	% of children < 18	% of children < 16	% of children < 14	% of children < 5
1991	18,491,097	8,923,621	48.26	44.57	40.22	14.64
2001	23,151,423	10,585,791	45.72	41.65	36.96	12.11
2011	26,494,504	11,084,311	41.84	37.37	32.35	9.69

Source: Central Bureau of Statistics, National Census, 2011.

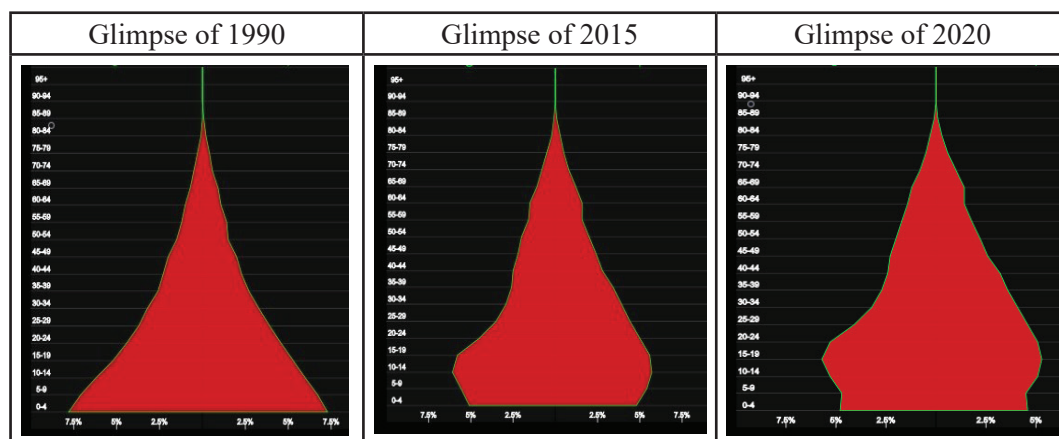
The table shows that the child population has decreased by 3.88 percentage point in 2011 as compared to the last census. The decreasing trend of child population from the census of 1991 to 2011 is presented in the graph-1:

With increased awareness on the health, education and other social dimensions, the size of population pyramid is reshaping over decades, which is shown in the graph below.

Graph – 1 Percentage of Child Population



Graph – 2 Population pyramid



Source: Website-worldlifeexpectancy.com/Nepal-population-pyramid.

## 1.9 Some Macro Indicators and Status of Children

The Government of Nepal is very effortful to protect and promote the rights of children. As results of all efforts made in response to the provisions of CRC, the following improvements have been seen in child related indicators.

Table 2: Macro indicators and status of children (Comparison between FY 1991/92 and 2017/18)

SN	Indicator	1991/92	2017/18
	Total population <sup>®</sup>	1,84,91,097	2,64,94,504
	Children < 18 -Ü <sup>®</sup>	48.28	41.84
	NER at primary level <sup>ç</sup>	64	97.2
	NER at basic level <sup>ç</sup>	-	92.3
	NER in grade 9-10 <sup>ç</sup>	-	65.9
	NER in grade 11-12 <sup>ç</sup>	-	22
	NER in secondary level (grade 9-12) <sup>ç</sup>	-	43.9
	Girls' ratio to primary level <sup>ç</sup>	0.56	1.09
	Girls ratio to secondary level (grade 9-10) <sup>ç</sup>	0.43	1.0
	Survival rate to grade 8 <sup>ç</sup>	-	77.4
	Survival rate to grade 10 <sup>ç</sup>	-	57.1
	Neonatal mortality rate/1000 <sup>¥</sup>	50	21
	Infant mortality rate/1000 <sup>ç</sup>	108 <sup>ç</sup>	32 <sup>¥</sup>
	Child mortality rate <sup>ç</sup>	162	38
	Malnutrition (wasting) – 6-59 months children	57 <sup>ç</sup>	27 <sup>¥</sup>
	Malnutrition (stunting) – 6-59 months children	60 <sup>ç</sup>	36 <sup>¥</sup>
	Maternity mortality rate <sup>ç</sup>	850	258
	Delivery by skilled birth attendant <sup>ç</sup>	7	59 <sup>H</sup>

Note: Close year's data have been used in case of unavailability of data for particular year.

- © MDGs: Final report of Nepal, 2000-2015, NPC, 2016
- ¥ Nepal Demographic Health Survey, 1996-2016
- ® Census, Central Bureau of Statistics, 1991, 2001 and 2011
- ¢ Department of Education
- ◊ Economic Survey, Ministry of Finance, 2017/018
- H Department of Health Services

## 1.10 Paradigm Shift on Child Related Initiatives

After ratification on the UNCRC, the Government of Nepal has made noticeable improvement in child related legal, policy, institutional and program measures, which are briefly presented in the table below.

Table 3: Paradigm shift on child related measures

1991/92	2017/18
Child related few provisions in Constitution	Constitution is child sensitive and progressive
No separate law for children	Children's Act, Local Government Operation Act, Compulsory and Free Education Act, Public Health Act, Social Security Act and some others.
No specific agency for children except schools, few child care home, and health institutions	Ministry of Women, Children and Senior Citizens as a focal ministry, National Child Rights Council, provision of Provincial and Local Child Rights Committee, child related division/section in ministries, divisions and provincial and local level, Child helplines (1098), National Centre for Children at-Risk (NCCR 104), Child clubs, child focused NGOs, child care homes.
Only few child related policy and programs in national development periodic plan	Child related priority policy and programs in national development periodic plan
Absence of child focused national plan of action	NPAs for children, Master plan of child labor and other sectoral plan of actions
Policy, laws and programs are in welfare approach	Constitution, law, policy and programs are in rights based approach
Insufficient guidelines for the cause of children	Guidelines/SoP of child care homes, street children and some others
Very limited child related information	Ample child related information
Few provisions of child related social security schemes	Many programs on child related social security schemes including children in emergencies
Very limited institutions to support and care for children of special needs	Many institutions in government and non-government sector to deal with the children of special needs
Limited provisions for juvenile justice system	Juvenile justice system improving

## 1.11 National Annual Budget and Children

The Government of Nepal has put its concerted efforts in improving policy, plan, program and coordination on the issues of poverty, gender equality and climate change as shown in the commitments to the international conventions and conferences. In addition, the Government has poverty code, gender code and climate code in its annual program budget system. From this system, the information of the annual budget allocation and expenditure can be known.

Nepal as a state party to the CRC, the Government has encouragingly improved child related provisions in the constitution, children's act, policy, plan, institutional structure and programs. The article 4 of CRC urges the state party to give priority to the financial and other required resources. In this connection, UNICEF has shown its concerns in requiring child related budget analysis in national annual budget. In this context, it is necessary to analyse federal, provincial and local level budget in child rights perspective.

Child responsible budget analysis and the budget code is one of the tools to analyse the annual budget and indicate the budget weightage to the child related programs. With the help of this kind of analysis and code, the inputs and information can be drawn to improve the policy and programs for the protection and promotion of the rights of children.

It has to come that over two dozen of the state parties to the CRC has analysed their annual budget in child rights perspective. The concerns of child budget is related to National Planning Commission as well as the Ministry of Finance; Women, Children and Senior Citizens; Education, Science and Technology; Health and Population; Federal Affairs and General Administration; Home Affairs; Labour, Employment and Social Security; and few others. Similarly, it is also the concerns of political parties, legal agencies, external donor agencies, I/NGOs, CBOs, corporate sector, media and child led institutions.

The then Central Child Welfare Board had prepared a concept paper on child responsive budget analysis and use of child budget code, and consulted with the concerned ministries. During this process, the MoWCSC had committed to lead the process. Coincidentally, successive fiscal year's budget allocation process was transformed into federal system, and the process of child responsive budget analysis and child budget coding efforts were postponed for the time being. In this context, it requires to revive the process especially by the MoWCSC, National Planning Commission, Ministry of Finance and National Child Rights Council.

A network, Children as Zone of Peace (CZOP) has been analyzing and publishing a booklet on child responsive budget in the national annual budget over five years. It includes budget analysis of mainly the MoWCSC, MoEST, PoHP, MoFAGA and MoLESC. According to CZOP, five-years child related budget of the five ministries' is presented in the table below.

Table 4: five-years child related budget of the five ministries (In Rs '000)

SN	Ministry	2071/072	2072/073	2073/074	2074/075	2075/076
1	Education, Science and Technology	70,112,678	76,932,150	87,454,960	33,721,988	16,704,000
2	Health and Population	13,419,813	15,529,472	15,434,948	10,831,005	7,251,240
3	Federal Affairs and General Administration	8,434,770	16,759,344	19,208,427	16,202,534	18,891,020
4	Women, Children and Senior Citizens	740,197	899,047	924,980	678,992	222,472
5	Labour, Employment and Social Security	62,811	16,832	19,427	21,673	15,165
	<b>Total</b>	<b>92,770,269</b>	<b>110,136,845</b>	<b>123,042,742</b>	<b>61,456,192</b>	<b>43,083,897</b>

Note: Due to the large share of budget from the fiscal year 2074/075 was allocated to the province and local level, the later fiscal year's budget seems decreasing.

## 1.12 Province and Children

As of national census, 2011, the total population of Nepal is 26.49 million. Of which, the population of children below the age of 18 years is 11.08 million (41.84%). The province-wise population below the age of 18 years could not avail; therefore, the population between the age of 0-19 years is presented in the table below:

Table 5: Province-wise total population and population between 0-19 years and percentage

Province	Total (0-19 yrs)	Age group				Total population	% of 0-19 age group	% of total population
		00 - 04	05-09	10-14	15 - 19			
Population (0-19 yrs)	12,180,226	2,567,963	3,204,859	3,475,424	2,931,980	26,494,504	45.97	
Boys	6,157,954	1,314,957	1,635,176	1,764,630	1,443,191	12,849,041	47.93	
Girls	6,022,272	1,253,006	1,569,683	1,710,794	1,488,789	13,645,463	44.13	
Province-1	2,009,738	405,288	512,242	573,502	518,706	4,534,943	44.32	17.12
Province-2	2,598,487	593,502	762,986	727,207	514,792	5,404,145	48.08	20.40
Province-3	2,239,546	411,780	533,516	651,509	642,741	5,529,452	40.5	20.87
Gandaki	1,062,710	206,710	259,731	314,819	281,450	2,403,757	44.21	9.07
Province-5	2,150,622	450,662	563,237	619,272	517,451	4,499,272	47.8	16.98
Karnali	824,373	203,416	226,920	223,112	170,925	1,570,418	52.49	5.93
Far-western	1,294,750	296,605	346,227	366,003	285,915	2,552,517	50.72	9.63

Source: Central Bureau of Statistics, National Census, 2011.



Of the total, the share of population of children (below the age of 18 years) is 41.84 percent, whereas the percent of the population between 0 and 19 years of age is 45.97 percent. Of the total, Karnali province has the lowest number of population (5.93%), whereas Province- 3 has the highest number of population. Looking into the size of population between Province-2 and Province-3, the number of children between 0-14 years of age is lower in the later province.

Together with the implementation of federal system, the provincial Ministry of Social Development has been engaged in developing laws, policies and plans and implementing them regarding the cause of children. Similarly, local level governments are also implementing child related programs.

Though all three tiers governments are yet to analyze their annual budget in child rights perspective, the share of provincial Ministry of Social Development to the total budget is presented in the table below:

Table 6: Provincial total budget and the budget allocated to Ministry of Social Development (FY 2019/20)

Province	Annual budget (Rs. in'000)	Budget of Ministry of Social Development	%
Province-1	42,200,412	4,166,875	9.87%
Province-2	38,725,661	3,989,711	10.30%
Province-3	47,607,886	6,210,061	13.04%
Gandaki	32,134,792	3,391,602	10.55%
Province-5	36,416,800	4,396,226	12.07%
Karnali	34,353,425	4,700,269	13.68%
Sudurpaschim	28,162,035	4,703,017	16.70%
<b>Total</b>	<b>259,601,011</b>	<b>31,557,761</b>	<b>12.16%</b>

Source: Budget Speech of FY 2019/20, Ministry of Economic Affairs and Planning of 7 provinces.

Among the seven provinces, Sudurpaschim province has allocated highest percentage (16.70%) of annual budget to Ministry of Social Development, whereas Province-1 has lowest as 9.87 percent. Though the child related budget comes under this ministry, it has been difficult to analyse annual budget in child rights perspective.

In policy and program of FY 2019/20, Province-1 has included a policy to end child marriage by 2025/26; Province-2 included a policy as 'Save daughter, educate daughter'; Province-3 included policies as 'Single message of province and local level, child marriage free our province' by 2021/22' and encourage to declare child-friendly local level by 2023/24. Similarly, Karnali province has adopted policies to conduct 'daughter and daughter-in-law empowerment program' for caring daughter from the womb, educate and employment by ending 'chhaupadi, child marriage, and unmatched marriage including traditional harmful practices. Sudur Pashchim province has adopted policies as 'I am younger, let me grow, no

marriage, let me study' as a main slogan, and conduct a campaign to end child marriage in joint efforts with concerned stakeholders. All these indicate that provincial governments are sensitive towards the issues of children.

Few local level has initiated very encouraging initiatives. For instance, Sayal rural municipality of Doti district initiated a program to provide Rs. 1,500.00 per month to orphan children for educational support, Dogadakedar Rural Municipality of Baitadi district provides Rs. 2,000.00 per month to orphan children below the age of 18 years, Khandadevi Rural Municipality of Ramechhap district bears all educational expenses of children from marginalized and Thami communities and, Omsatiya as well as Gaidahawa Rural Municipalities of Rupandehi district have initiated 'girl insurance' program to minimize child marriage. Though it is few in number, these are very encouraging measure taken by local level for the cause of critical concerns of vulnerable children.

### 1.13 National Children's Day and Slogan

Nepal Children's Organization was established on 19<sup>th</sup> August of 1964 (4<sup>th</sup> Bhadra, 2021 BS) on the occasion of the then queen Ratna Rajyalaxmi Devi Shah's birth day. It has come to know that National Children's Day celebration began from the same day of 1965. The Government of Nepal ratified the UN Convention on the Rights of the Child, 1989 on the 14<sup>th</sup> September, 1990 (29<sup>th</sup> Bhadra of 2047 B.S.). In memory of this date, the Government began to celebrate National Children's Day, after the abolition of Monarchy, on 14<sup>th</sup> September after 2006 onward. From 2007, National Children's Day was started to celebrate with a national slogan. This year, the celebration was concluded with a grand success with the slogan 'Ensu red child rights: Foundation of prosperous Nepal'. The slogan of National Children's Day from 2007 to 2019 is given in the table below:

National Children's Day Celebration Slogan after 2007	
Year	Slogan
2007 and 2008	Ensured Child Rights: Foundation for New Nepal
2009 and 2010	All Our Concerns: Ensured Child Rights in New Constitution
2011 and 2012	All Our Concerns: Peace, Constitution and Ensured Child Rights
2013 and 2014	Listen to Children: End Child Abuse
2015	Reconstruction and Constitution: Our Campaign Child Rights Protection
2016	Promotion of Child Rights: Implementation of Constitution
2017	Child Friendly Governance: Child Rights Respect
2018	Happy Nepali, Prosperous Nepal: Child Rights All's Concerns
2019	Assurance of the Rights of Children: Foundation of Prosperous Nepal

On the occasion of National Children's Day, a meesage from the Rt. Hon'ble Prime Minister Mr. K. P. Sharma Oli was published in national media. The message concluded with commitment towards ensuring the rights of children.





### 2.1 Introduction

This chapter provides the information related to the aspects of child survival like state of pregnancy and birth, risk of childhood disease and vaccination, infant and child mortality rate, child nutrition, HIV/AIDS infected and affected children etc. as stipulated under the articles 6 and 24 of the CRC. The Article 35 of the Constitution of Nepal includes the provisions for free basic health services. Similarly, the clause 3 of Children's Act, 2018 ensures the rights of every child to live their lives with dignity. It further makes the government responsible to provide basic services for children who are in need of special protection from the state. These provisions indicate that the government is sensitive towards the rights of children to survival.

### 2.2 Pregnancy and Birth

Government of Nepal is sensitive to the health of pregnant women. The state of pregnancy and birth is the base of child protection. The Penal (Code) Act 2017 has a provision for abortion up to twelve weeks with the consent of a licensed physician, if no abortion can endanger the life of a pregnant woman or may result in poor physical or mental health or the birth of a disabled child. In addition, there is a provision for abortion up to eighteen weeks of a woman who has prone to HIV and other non-curable diseases of the same nature and from incest. But no one should abort by threatening a pregnant woman, or in the process of seduction or temptation, and abortion that is identified by the gender of the fetus in the womb is considered illegal. Also, in the Safe Maternity and Reproductive Health Rights Act, 2018, there is a provision that abortions can be made in situations where the health of the unwanted or pregnant is at-risk, but there is no compulsion to force abortion and gender discriminated abortion is considered illegal.

Through these legal systems, there has been an attempt to discourage the practice of foeticide in Nepal due to prejudice and discrimination against a son or daughter prevalent in the country. If someone attempts to commit a crime, there is a legal provision for imprisonment for a period of pregnancy ranging from 1 year to 5 years and fine of ten thousand to fifty thousand. According to a study conducted by CHREPA in 2017, the rate of abortion among women of reproductive age group (15 to 49 years) has been found to be 42 per thousand in Nepal.

Child care and nutrition programs, such as the Golden Thousand Days, are in operation, with the goal of providing essential care and nutrition to children before and after birth. There is a provision that a pregnant woman should be examined at the health institution at least four times in the prenatal period, delivered by a competent physician at the health institution, and checked at least three times after delivery.

As of Department of Health Services, 53 percent pregnant women examined ANC at the health institution at least four times in FY 2016/17, whereas the percentage has decreased to 50 in FY 2017/18. The percentage of post partum health check-ups three times is 16 percent in 2017/18, which was 19 percent in the previous fiscal year. Despite the improvement in the institutional delivery, the trend of antenatal and prenatal health check-ups seems declining. To improve this situation, the government and all other stakeholders are required to improve service delivery measures.

Iron, calcium, vitamins and medicines for the health of pregnant and infants are provided free of charge from hospitals and health posts, and various vaccinations are provided from communities and health institutions. In the institutional delivery, lactating women are provided with free service and transportation costs. Pre-natal and post-natal health services are also in operation. However, it is yet to ensure targeted women's and children's access to these services. Abortion cases of unwanted pregnancy and son preference including unmarried teenagers have been coming out from media. In this regard, the government has to adopt proper measure on time.

It requires to improve the condition of pregnancy, expectant mother and newborn baby, make referral system effective, strengthen comprehensive emergency obstetric and neonatal care, provide necessary delivery services and 24-hour services in the maternity center and hospital, increase the number of institutional deliveries including mass awareness to the community in order to realize the tangible change in child survival.

The Budget Speech FY 2019/20 states that the maternity services will be provided from pregnancy for ensuring nutrition of both mother and child, and given priority to the child health and nutrition program.

### **2.3 Immunization and Mortality Rate of Infant and Child**

The Government of Nepal has given priority to policies and programs related to child health. Community Based Integrated Management of Neonatal and Childhood Illness (CB-IMNCI) programs are in top priority. This program is in implementation in all districts. CB-IMNCI is an integration of CB-IMCI and CB-NCP Program that is being implemented across the country after the decision of MoH on 14<sup>th</sup> October, 2015. This integrated package of child-survival intervention addresses the major problems of sick newborn such as birth asphyxia, bacterial infection, jaundice, hypothermia, low birth weight, and counseling of breastfeeding. Among the age group of 2 months to 59 months' children, it addresses

major childhood illnesses like pneumonia, diarrhea, malaria, measles and malnutrition in a holistic way.

In case of alarming signs in infants, newborns and child health, the delivery of the generic medicines can be used by FCHV to address the immediate problems. They provide counseling on the general health problems of infants and newborns. Nepal Health Sector Strategy (2015-20) includes specific goals, objectives, strategies and actions for the integrated management of infants and children.

Infant and child health has improved as a result of child health programs. "One school: One nurse" program is in operation. Improvement on infant and child health has been very encouraging as a result of government's priority on child health related policies and programs.

The immunization program for children is in top priority. Nepal is also one of the countries where the immunization is administered effectively. National Immunization Act, 2015 is in implementation. Nepal is the first country to implement the National Immunization Act in South Asian countries. Eleven type of vaccines are included under the national immunization program. To make this program effective, a comprehensive multi-year plan (2017-2021) is also in implementation. Nepal has been recognized as a polio free country on March 27, 2014. According to the annual report of the Department of Health Services for the fiscal year 2017/18, fifty-six districts have been declared as fully immunized district. Gandaki province has been declared a fully immunized province. The percentage of children immunized in the last five fiscal years are presented in the table below.

Table 7: Details of Immunization

SN	Vaccine	2013/14	2014/15	2015/16	2016/17 <sup>#</sup>	2017/18 <sup>#</sup>
1	BCG (< one year)	99	94	87	91.34	92
2	DPT-Hib-Hep1 (< one year)	-	-	-	90.73	88.3
3	DPT-HipB-Hep2 (< one year)	-	-	-	88.50	85.4
4	DPT-HipB-Hep3 (< one year)	92	91	82	86.49	81.8
5	Opv1 (< one year)	-	-	-	90.14	88.6
6	Opv2 (< one year)	-	-	-	88.23	86.2
7	Opv3 (< one year)	92	90	79	85.93	82.3
8	Measles/Rubella (< one year)	88	85	77	84	81.3
9	Japanese Encephalitis (12-23 months)	43	53	63	67	79.5
10	Fully Immunized Children	-	73	71	73	70

Source: Nepal Demographic Health Survey, Ministry of Health and Population, 2016.

<sup>#</sup> Department of Health Services, 2016, 2017 and 2018.

From the above table, the percentage of children receiving BCG vaccine increased by 0.64 percentage point in FY 2017/18 as compared to FY 2016/17. The percentage of those children receiving Japanese Encephalitis vaccine increased significantly. The percentage of children receiving all other vaccines has been reported to have declined. Children deprived of much needed vaccine are still noted. In order to improve this situation, it is necessary to ensure children's right to receive proper health care on time by paying extra attention to issues such as adequate human resources, information management, proper storage and management of vaccines, strategic vaccination plans to provide vaccine to the children. The efforts and contributions of all the federal, provincial and local government mechanisms including, development partner organizations and the private sector are urgently needed to ensure all essential vaccines for the lives of children.

The Budget Speech FY 2019/20 mentions that the mission of ensuring full coverage of vaccination in each ward of local level will be accomplished in a form of national campaign. (Point 49)

According to Nepal Demographic Health Survey, 2016, under five year's child mortality rate per thousand is 39, infant mortality rate is 32 per thousand, neo-natal mortality rate (infant up to 28 days old) is 21 per thousand and total fertility rate is 2.3.

Table 8: Indicators of child related mortality

Indicators	(1991/92)	(2001/02)	(2011/12)	(2016/17)	(2017/18) <sup>#</sup>
Neonatal Mortality Rate <sup>¥</sup>	50	39	33	21	21 <sup>#</sup>
Infant Mortality Rate (per thousand) <sup>©</sup>	108 <sup>©</sup>	64 <sup>©</sup>	46 <sup>¥</sup>	32 <sup>¥</sup>	26 <sup>#</sup>
Child Mortality Rate <sup>©</sup>	162	91	54	39 <sup>¥</sup>	38 <sup>#</sup>

*Note: Close year's data has been used in case of unavailability of data for particular year.*

<sup>©</sup> *Nepal and MDGs Final Status Report 2000– 2015, Government of Nepal, National Planning Commission, December 2016.*

<sup>¥</sup> *Nepal Demographic Health Survey, 1996 – 2016.*

<sup>#</sup> *Economic Survey, 2018/19*

Innocent children are also affected by HIV infection. In the fiscal year 2016/17, there were estimated to be 1,193 children (boys 609 and girls 584) from infants to fourteen years infected by HIV/AIDS. In order to control the transmission of HIV/AIDS infection from mother to newborn, cash assistance for children affected and infected by HIV/AIDS, including prevention of mother to child transmission program, is underway.

Information on children infected by HIV/AIDS has been difficult to manage and update, and the coordination between information of government and NGOs has not been well managed. The HIV testing center and service to infectious infections have been reported to

be lacking. Similarly, the lack of adequate HIV testing equipment, the record of children born to an HIV-infected mother, is not available from a private hospital. There should be a provision of services under the social security scheme for children affected and infected by HIV/AIDS.

The Budget Speech for FY 2019/20 mentions that programme will be implemented in a manner where the destitute, infirm and the helpless, helpless single woman, disabled children, HIV infected individuals, those unable to care for themselves and the tribes on the verge of extinction, and all citizens can feel that they are being protected by the state.

## 2.4 Nutrition

The Constitution of Nepal (2015) has ensured child's rights to health and nutrition. The Clause 13 of Children's Act, 2018 has provisions for child's rights to breast feeding up to two years, nutrition, and safe drinking water. Likewise, there are provisions for rights to have physical and mental health services as per national standards including free basic health services. These provisions indicate that the government has paid enough attention to child health and nutrition.

The UN Decade of Action on Nutrition (2016-2025) is under implementation which is a commitment by the United Nations Member States to undertake 10 years of sustained and coherent implementation of policies, programmes and increased investments to eliminate malnutrition in all its forms, everywhere, leaving no one behind. The Government of Nepal is implementing the National Nutrition Strategy, 2004 to address all malnutrition problems. Similarly, a Multi-Sectoral Nutrition Plan (MSNP) is under implementation. The Ministry of Health has implemented a strategic plan to improve the nutritional status of mothers and children. The Golden Thousand Days program is in operation.

The Government of Nepal has been working for more than four decades to improve the nutritional status of children. Improving nutrition status has been a matter of national concern and accordingly various action plans, policies and strategies, programs and projects are in operation. In the past, programs such as National Vitamin A, Child Growth Monitoring and Counseling, Iron Deficiency Anemia Control and Prevention, Iodine Deficiency Control, Worm Free Childhood, Nutritional Food Delivery have been widely implemented while school health and nutrition programs are expanding. Nutrition rehabilitation centers and services are continuously in operation from the government and non-government sectors.

According to the 'Nepal Demographic Health Survey, 2016, 36 percent of children under 5 are stunted, 27 percent are under weight (weight for age), and 10 percent are of severe malnutrition. Though progress has revealed through this survey in this front, various news coverage and studies have revealed the fact that situation of child nutrition has not been improved as expected. The government is committed to implement multi-sectoral nutrition plan of action. The table given below shows the status of child nutrition.



Table 9: Nutritional Status of Children in Nepal

SN	Indicators	(1991/92)	(2001/02)	(2011/12)	(2016/17)
1	Wasting – under weight to height (6- 59 months) %	57 <sup>©</sup>	43 <sup>¥</sup>	29 <sup>¥</sup>	27 <sup>¥</sup>
2	Stunting – low height to age (6-59 months) %	60 <sup>©</sup>	57 <sup>¥</sup>	41 <sup>¥</sup>	36 <sup>¥</sup>
3	Severe malnutrition (%) <sup>¥</sup>	-	11	13	11
4	Low birth weight (%)	-	-	12 <sup>¥</sup>	11.5 <sup>#</sup>
5	Obesity (< 5 years) %	-	-	-	2.1
6	Anemic children (< 5 years) %	-	-	46	53

Note: Close year's data has been used in case of unavailability of data for particular year.

© Nepal and MDGs Final Status Report 2000– 2015, Government of Nepal, National Planning Commission, December 2016.

¥ Nepal Demographic Health Survey, 1996 – 2016.

# Department of Health Services, 2017

Nutrition rehabilitation centers are in operation in all 19 districts<sup>1</sup> including three districts in the Kathmandu Valley, to minimize the deaths of children from severe malnutrition. Supplementary iron folic acid is distributed to pregnant and lactating mothers in all districts for the control of Iron deficiency anaemia. Supplementary nutritious food distribution program is also in operation. According to Nepal Demographic Health Survey, 2016, children with same age group suffered from the problems with anemia decreased by 10 percentage points to 68 percent. In FY 2016/17, Baal Vita was distributed in 16 districts, whereas in 2017/18 it was distributed in 41 districts.

The practice of distributing iodized salt to control the problem of iodine deficiency has become widespread. The National Vitamin 'A' program is in place to address the problem of Vitamin 'A' deficiency. In addition to this, the drugs are distributed to children of 12-59 months to control the gastrointestinal tract. School health and nutrition strategies and programs are being implemented to improve the health and nutritional status of children by developing the link between school education and child health and nutrition. Iron folic acid distribution is also underway to control high iron load in adolescents aged 10-19 years. Growth monitoring and counseling of children is ongoing.

Malnutrition continues to be a problem despite many of the above mentioned efforts. In this situation, activities like dissemination of widespread awareness on proper meal and feeding of children, adequate distribution of supplementary foods, expanding health and nutrition programs, CB-IMNCI programs are to be effectively implemented.

1 Kathmandu, Jhapa, Morang, Saptari, Dhanusha, Parsa, Kaski, Baglung, Chitwan, Rupandehi, Banke, Dang, Dailekh, Kailali, Kanchanpur, Surkhet, Dadeldhura.

The Budget Speech FY 2019/20 has stressed on child health and nutrition (Point 51). It further mentions that maternity services will be provided from pregnancy time for ensuring nutrition of both mother and child and provisioned transportation cost for those seeking pregnancy examination services and delivering babies at health centres, and stated that Healthy Food for All campaign will be implemented in a manner that reaches to the grassroots (Point 104).

## 2.5 Adolescent Health

The World Health Organization has defined people in the age group of 10-19 years as adolescents. This section attempts to give information about reproductive and sexual issues of adolescents. To address the problems experienced by adolescents regarding reproductive and sexual health, the National Adolescent Health and Development Strategy, 2000 has been revised in 2017. The strategy has a goal to improve the sexual and reproductive health of adolescents, and objectives to increase availability of information on adolescent health and development, enhance access to that information, and raise awareness among concerned stakeholders and beneficiaries, including the expansion of adolescent friendly healthcare. As of Department of Health Services, it is estimated that 17 percent of married women (15-24 years) have given birth to their first child or are pregnant, and 15 percent use family planning tools. It is also estimated that 1,326 adolescents (boys 660 and girls 666) from the age group of 15 to 24 years are infected by HIV by FY 2017/18.

The government mechanisms including development partners are working on the issues of sexual and reproductive health of adolescents. This includes expanding the services of adolescent sexual and reproductive health (in all districts), training of service providers, and quality and adolescent friendly information and service flow. Programs like awareness among parents, teachers, service providers, awareness centers on sex education in schools, health and menstrual health management in schools, sexuality education, conversion education for girls etc are in progress.

Some of the reasons for problematic adolescent health include child marriage, early pregnancy, sexual violence, improper care in menstruation, unmet demands of means of family planning, lack of skilled human resources in sexual and reproductive health, and low awareness on health issues. It is important to get the attention of the stakeholders - government, non-government and private sectors.

## 2.6 Health Institutions

As of annual report 2017/018 of Department of Health Services, there are 6 central, 2 regional, 3 sub-regional, 1 regional TB, 10 zonal, and 85 district/other hospitals including 200 primary health care centres, 3,808 health posts, 12,180 outreach clinics, and 16,022 expanded immunization outreach centres to provide services for children. A total of 51,470 FCHVs are playing an important role on maternal-child health as well as minimizing the mortality rate of children.

Table 10: Details of Health Institution in Nepal

Health Institution	2072/73	2073/74	2074/75
Hospital	111	123	125
Primary Health Care Centre	202	200	198
Health Post	3803	3808	3808
Private Clinic	1277	1715	1822

*Source: Annual Report of Department of Health Services, 2015/16-2017/18.*

Apart from the above mentioned health institutions, 14 zonal ayurveda hospitals, 61 district ayurveda hospitals and 305 local ayurveda hospitals are in operation.

Lastly, in accordance with the provisions of the United Nations Convention on the Rights of the Child, childcare from womb to birth, access of all children to free medicines including various vaccinations including nutrition and the health issue of HIV/AIDS affected and infected children, there is a need to make the implementation more effective by increasing investment in the aforementioned areas.



### 3.1 Introduction

This chapter includes information related to the arenas of child protection as specified in the CRC that are parental care (article 5), birth registration, name/identity and nationality (articles 7 and 8), protection of right to confidentiality (article 16), protection from all types of violence (article 19), special or alternative care for children who do not get family care (article 20), adoption (article 21), refugee children (article 22), child labour (article 32), drug abuse (article 33), abduction and sale (article 35), confinement and punishment (article 37), rehabilitation of child victims (article 39), and juvenile justice (article 40).

Children's Act, 2018 includes the provisions of child protection under clause 7. Similarly, clause 48 mentions 13 different categories of children who are in need of special protection from the state. It has also provisioned that the state has responsibilities to manage alternative care and financial resources for nurturing those children together with other 10 required actions for children at-risk. The Act also envisioned Child Welfare Officer at each local level for managing the issues of child protection that includes humanitarian support, family support, appointment of custodian/guardian/patron, adoption, and residential child care home. All provisions of the Act are sufficient enough to justify it as child friendly law.

### 3.2 Child Labour

Government of Nepal is sensitive towards the issue of child labor. The Constitution of Nepal (2015) prohibits child labour in factories, mine and other hazardous sectors. Similarly, Children's Act, 2018 mentions that each child should be protected from labour and economic exploitation. The Act is sensitive enough to protect the children from any harmful works that negatively hamper education, physical, emotional, social and moral development of children. Specially, the Act prevents the children below the age of 14 from hazardous work including paid domestic work.

Nepal has ratified ILO's Minimum Age Convention, 1973 (no. 138) and Worst Form of Child Labor Convention, 1999 (no. 182) in 2003 and 2004 respectively. Both Conventions have banned the use of child in hazardous work. They have provisioned preventive, curative and promotional actions against child labor. Nepal is also a signatory to Forced Labor Convention (no. 129) and Tripartite Consent Convention (International Labor Standard) (no. 144).

The approach paper of Fifteenth Period Plan (FY 2018/019 to 2023/024) has envisioned the assurance of the rights of children and child friendly society through the elimination/ending/reduction of all form of violence, abuse and exploitation against children and adolescents. It has accorded the highest priority to end all forms of child labor. Goal 8, target 8.7 of SDGs has focused to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labor, eradicate forced labor and, end child labor in all its forms, including the recruitment and use of child soldiers by 2025.

Ministry of Labor, Employment and Social Security has implemented a 10- Year National Master Plan on Child Labor (2018-2028). The main goal of the master plan is to end all forms of child labour in Nepal. It has also set the target of banishing the exploitative and worst form of child labour by 2022 and all types of child labour by 2025.

The master plan has adopted strategy of reviewing policy, laws and institutions related to prevention of child labour, of creating a strong and conducive environment through programmes aimed at enhancing the capacity of stakeholders working in the child labour prohibition sector, and of regular monitoring, and rescue of victims of child labour, including rehabilitating them in the society through targeted programs. It also includes strategy of establishing collaboration, coordination and networking among the stakeholders.

As per the plan, use of children as domestic helpers, porters, paid farm workers, trafficking of narcotic drugs, carpet weaving, embroidery and hosiery, in brick kilns, mining sector, entertainment business (including sexual abuse), and transport sector has been prohibited. Similarly, use of child labour has been banned in foreign employment sector, mechanical and chemical industries, construction sector, hotels and restaurants, as beggars, street vendors and medicinal herbs collectors. All these forms of child labour have been declared serious crime and would draw maximum penalty in case of non-compliance. In addition, the master plan has provisions to implement programmes for the prevention of child labour and provide required support to the families of children at risk of child labour.

National Population Census of Nepal, 2011 has revealed the fact that a total of 104,714 children (56,267 boys and 48,447 girls) are involved in work. According to Nepal Multiple Indicators Cluster Survey (NMICS), 2014, a total of 37.4 percent children of age between 5 and 17 years are engaged in labor. Similarly, the children aged 5–11 years involved in economic activity working for at least one hour a day was 27.9 percent (29.9 boys and 26.5 girls). The survey further reveals that a total of 44.2 percent (43.4 boys and 44.8 girls) children aged 12-14 years involved in economic activity less than 14 hours and a total of 15.2 percent (12.3 boys and 17.6 girls) involved for 14 hours or more. It was estimated that about 30 percent children between the age of 5 and 17 were working under hazardous conditions in 2015 and is targeted to reduce it in 22 percent by 2019 (SDGs, Goal 8, Target 8.7, Indicator 8.7.1). According to Nepal Labor Force Survey, 2017/18 of the approximately seven million children aged between 5 and 17 years, approximately 286

thousand were involved in work for pay but not all working children were in child labor.

The government in collaboration with development partners has been carrying out different programs for decades including awareness raising and other supports to address this problem. As a result of this endeavor, some municipalities, metropolises and cities have initiated remarkable efforts for minimizing child labor and the process of making child labor free wards, markets and cities has begun.

Despite legislative, policy, plan and program measure, eradicating child labor has been a great challenge. There are different reasons behind wide spread child labor problem in various sectors. For instances, children are easier to use at work as compared to adults in terms of availability of children in less salary with more number of working hours, inadequate awareness among stakeholders regarding negative dimensions of child labor, social acceptance of child labor, unavailability of adult because of foreign labor migration among others.

In FY 2074/75, a total of 384 cases of child labor (boys 274 and girls 110) were published in media. The number of cases related to child labor that was published through different media in FY 2075/76 is 112 (boys 91 and girls 21). Among them, most of the cases are related to domestic workers and hotel labors.

The Budget Speech FY 2076/77 has accorded priority to end all forms of child labor (Point no 88).

### 3.3 Street Children

The Children's Act, 2018 [clause 7 (4)] mentions that the state provides special protection for vulnerable or street children. Similarly, other legislative measures make the state responsible for management of street children. National Child Policy, 2012 has included a number of activities to be taken for management of street children ranging from information management to rescue, protection and rehabilitation and reintegrate to the family including providing support to the vulnerable families.

Ministry of Women, Children and Senior Citizens has enforced 'Street children rescue, protection and management guidelines, 2015' in order to rescue, counsel, protect, socialize and reintegrate street children to thier family and community with the mutual collaboration and coordination among GOs, I/NGOs, development partners and civil society in integrated way. The Ministry has a joint committee to steer this endeavor. The street children management process covers the following steps:

- Identification and rescue
- Drop-In-Ceter (Till July, 2019 altogether 110 children are residing in DIC)
- Socialization Ceter (Till July, 2019 altogether 78 children are residing in Socialization Centers)

- Family reintegration and support (Till July, 2019 altogether 582 children are reintegrated to their families)
- Institutional care/reintegration (Till July, 2019 altogether 45 children are in institutional care)
- Promotion, prevention and monitoring
- Prompt responses to new entrants/comers

Rt. Hon'ble PM, KP Sharma Oli has a keen concen to the issue of street children. Under the leadership of Ministry of Women, Children and Senior Citizens, management of NCRC and support from Nepal Police along likeminded NGOs (VoC, Child Watabaran Centre Nepal, CPCS, UCEP, Raksha Nepal, APC Nepal, Sobar Recovery Treatment and Rehabilitation Centre), the management of street children in the Kathmandu Valley with the slogan 'no street children require to live in street' is rapidly going on since 2016. As a result of this effort, 1011 street children (903 boys and 90 girls) have been rescued and managed till July 2019. Out of 1,011 children, 14 (1%) are between the age of 1-5 year, 141 (14%) are of between 6-10 year, 485 (48%) are of between 11-14 year and 371 (37%) are between 15-18 year. On the basis of caste of rescued children, majority of them falls under the category of Ethnic/Indigenous Nationalities 449 (44%), followed by Brahmin/Chhetri 298 (30%), Dalit 200 (20%), Madhesi 54 (5%) and 10 (1%) are unidentified. Among them, 742 (73%) are literate and 269 (27%) are illiterate. Of which, 697 children's (69%) both parents are found alive, 111 children's both parents are found dead, 79 children's mothers are dead and 124 children's fathers are dead. Among rescued children, 582 have already been integrated to their families, 110 are in drop-in-centers, 78 are in socialization centres, 45 are in child care homes, about 100 got skill trainings, and the rest are drop-outs.

Table 11: Origin districts of rescued children and number of children

SN	District	Number of Children	Percent
1	Kathmandu	111	11
2	Kavre	74	7
3	Sindhupalchowk	69	7
4	Dhading	60	6
5	Makawanpur	60	6
6	Ramechhap	46	5
7	Dolakha	36	5
8	Sindhuli	46	4
9	Nuwakot	35	3
10	Sarlahi	34	3
11	Others 52 districts	440	43
	<b>Total</b>	<b>1,011</b>	<b>100</b>

Source: National Child Rights Council, 2019.

The budget speech for FY 2076/77 accords that arrangements will be made by making a law on duties and responsibilities of guardians. Necessary laws will be made for making those leaving family members on the streets responsible for providing necessary protection to end the situation of the helpless destitute, infirm, and disabled individuals. Arrangements will be made for protection and care of the helpless, whereabouts of whose parents are unknown, infected, shelter less and those who require assistance through organisations engaged in humanitarian services (Point no. 80).

Similarly, the speech addresses that program will be implemented in coordination with the federal, provincial and local levels for rescue, rehabilitation and reuniting street children with their families in collaboration with child welfare centres. School age children among them will be enrolled at residential schools with scholarships. Child protection program will be implemented for the protection and care of children below school-going age. Day-care centres run for children of civil servants, will be expanded to the provincial level in coordination with the provincial government.

### **3.4 Child Marriage**

The Constitution of Nepal (2015), Civil (Code) Act, 2017 and other relevant laws restrict marriage under the age of 20 years. National Child Policy, 2012 mentions that joint efforts are encouraged to control child marriage among government, development partners and CBOs.

As a member of SAIEVAC, Nepal is committed to implement the first Regional Action Plan to End Child Marriage in South Asia (2015 - 2018). In November 2014, Nepal led in organizing SAARC level Seminar, and produced an outcome document as 'Kathmandu Call for Action to End Child Marriage in South Asia'.

The indicator of ending child marriage has been included in SDGs (2016- 2030). 'National Strategy to End Child Marriage, 2015 aims at ending child marriage by the year 2030. The strategy has envisioned for contribution towards developing child friendly and gender equity society. The strategy has put forward a campaign of 'Child Marriage Free Local Bodies (local governments)'. Accordingly, initiation of declaring child marriage free local body has also been initiated by local government.

Despite ample interventions against child marriage from government, non government organization and development partners, there are still cases of child marriage. In FY 2075/76, a total of 88 cases of child marriage have been registered in Nepal Police. As recorded, Nepal is in the third place after Bangladesh and India among SAARC member states in terms of child marriage cases.

National Census of 2011 revealed the fact that a total of 138,015 children (115,150 girls and 22,865 boys) were married before the age of 10 years. Similarly, between the age of 10-14 years, a total of 1,363,107 children (1,101,223 girls and 261,884 boys) were married and



a total of 6,517,281 children (girls 4,340,497 and boys 2,176,784 boys) were married at the age between 15-19 years. The data indicate that girls are more victimized than boys from child marriage. According to the chapter 2 (Social Demography) of Population Monograph published by Central Bureau of Statistics, 26.3 percent of children aged 10-18 years were married. Of this, marriage of children aged 17 and 18 year consists of 75.66 percent. A negligible event of marriage observed among children of age group 10 - 14 years. This indicates positive outcome of efforts against child marriage. Nepal Multiple Indicator Cluster Survey, 2014 revealed the fact that 15.5 percent of women aged between 15 and 49 were found married before the age of 15 years. The same survey covering girls aged between 15 and 19 years showed that 24.5 percent were married before the age of 18 years.

The report of media monitoring from CCWB showed that a total of 136 cases of child marriage were reported in different medias in FY 2074/075, in which 168 children (136 girls and 32 boys) were suffered, whereas a total of 137 cases of child marriage are reported in FY 2075/76, in which 196 children (137 girls and 59 boys) are affected. Among them, 59 couples are under the age of 18. Two girls are forced to marry with the people above the age of 60. A total of 62 percent are married with their own decision and remaining 38 percent are forced to marry. Altogether 24 incidents of child marriage are stopped by child club and police as well.

The Provincial Government has also given priorities to end child marriage from their respective province. For instances, Province no. 1 has committed to declare child marriage free province by the year 2025, Province no. 3 has committed to declare child marriage province free by the year 2022, Province no. 2 has committed to reduce child marriage through "Save the Girl: Educate the Girl" campaign. Similarly, Far Western Province is implementing *Sanai Chhu, Badna Deu: Bal Bibaha Haina, Padna Deu* (I am younger, let me grow: No marriage, Let me learn/study) slogan and program. Few local levels have adopted insurance policy to reduce child marriage.

Children themselves have also been active against child marriage through child clubs. There were incidences in which child marriage was stopped and ignored the wedding party as well. Efforts of declaring child marriage free local level have also been initiated in cooperation with concerned stakeholders. The government as well as development partners have to intensify their efforts in reducing child marriage.

The role of Office of Prime Minister and Council of Minister, Ministry of Women, Children and Senior Citizens, Ministry of Law, Justice and Parliamentary Affairs, Ministry of Education, Science and Technology, Ministry of Health and Population, Nepal Police including Provincial and Local Government have also to put their attention in the journey of ending child marriage from Nepal.

The budget speech for FY 2076/77 includes that all forms of discrimination, violence and exploitation of women will be ended. Awareness programs will be undertaken from

the federal, provincial and local levels for ending social malpractices such as witchcraft, dowry, *Tilak*, child marriage and *Chhaupadi*. (Point no. 86)

### 3.5 Rescue, Rehabilitation and Reunification of Vulnerable Children

#### 3.5.1 Rescue and Rehabilitation of Lost/Found Children

The issue of lost children is one of the major challenges to child protection in Nepal. National Centre for Children at-Risk (Toll Free no. 104) as a joint effort of Nepal Police and the then CCWB is in operation for a decade to deal with the cases of child lost/found. The service related to searching of lost children, family tracing of destitute and infirm children found in the street, family reunification, and community reintegration are now scaled up in 74 districts. Outside the Kathmandu valley, these services are integrated with Women, Children and Senior Citizens Service Centers of Nepal Police.

In the last FY (2017/18), a total of 2,330 children (923 boys and 1,407 girls) were reported lost, whereas 3,422 children (1,051 boys and 2,371) were recorded lost in FY (2018/019). Of which, 2,540 (825 boys and 1715 girls) have been found, and the search for the rest is going on. Generally, it is observed that the family reports to the police or NCCR (104) or any other agency as soon the children are lost, but the family does not report back to the police or NCCR (104) when the children are found. Due to this reason, we find a huge gap between the numbers of lost and found information.

Table 12: Details of Lost, Found and Search Ongoing Children for FY 2075/76

Province	Lost Children			Found among the Lost			Search Ongoing			Lost %	Found %	
	Boy	Girl	Total	Boy	Girl	Total	Boy	Girl	Total			
Province 1	113	406	519	86	272	358	27	134	161	15.17	10.46	
Province 2	139	514	653	89	266	355	50	248	298	19.08	10.37	
Province 3	Valley	148	80	228	111	73	184	37	7	44	6.66	5.38
	Outside	142	350	492	134	306	440	8	44	52	14.38	12.86
Gandaki	91	281	372	76	219	295	15	62	77	10.87	8.62	
Province 5	183	361	544	166	324	490	17	37	54	15.90	14.32	
Karnali	105	183	288	73	122	195	32	61	93	8.42	5.70	
Sudurpaschim	130	196	326	90	133	223	40	63	103	9.52	6.52	
<b>Total</b>	<b>1,051</b>	<b>2,371</b>	<b>3,422</b>	<b>825</b>	<b>1,715</b>	<b>2,540</b>	<b>226</b>	<b>656</b>	<b>882</b>	<b>100</b>	<b>74.23</b>	

Source: National Center for Children at Risk, National Child Rights Council, 2076.

The above table reveals that the number of lost children in each province is markable. Among the lost children, majority (21%) is from Province no. 3 and again the percentage of found children is highest (86.67) in Province no.3. The least percentage of lost children is 8.42 (288 children) in Karnali Province, among them only 67.71 percentage are found. Province no. 2 is characterized by less percentage (54.36) of found. The overall percentage of found children among the lost one is remarkably increased (74.23) in FY 2075/76 than that of 43.7 percentage in FY 2074/75.

Altogether 42 children (40 boys and 2 girls) were rescued from different places of India in the close coordination with Child Welfare Committee of India. The rescued children are traced and reintegrated to their families.

During this year NCCR (104) found 511 (340 boys and 171 girls) as unidentified/unaccompanied/ abandoned, of which, 309 (193 boys and 116 girls) have been reunified to their families, 194 (139 boys and 55 girls) have been in protection of child care homes, and the rest 8 (8 boys and 0 girls) ran away.

### **3.5.2 Rescue and Family Reunification of Vulnerable Children**

Children's Act, 2018 [clause 7(5)] mentions that each child has a right to be protected against corporal punishment, neglect, sexual exploitation & abuse and all forms of discrimination. With this provision, it is hoped that vulnerable children can have enabling environment in their life. The Act also clarifies the specific acts as violence against children for instances, engaging children in entertainment sectors, inhuman activities, corporal punishment, economic and sexual exploitation and so on (clause 66). The role of government, non government organizations, civil society organizations, media, school, family, child club and children themselves are crucial to end the violence against children.

The then Ministry of Women, Children and Social Welfare developed and implemented 'Guideline for Child Helpline Operational Procedures, 2007 to respond the problems of vulnerable children. The services from Helpline are managed by National Steering Committee coordinated by Ministry of Women, Children and Senior Citizens and facilitated by National Child Rights Council as Secretariate. The Helpline is known as Toll Free no. 1098 (10,9,8). Nepal Telecommunication Authority provides free service for it. Currently, there are 12 Child Helplines in 12 districts (Morang, Sunsari, Udayapur, Makawanpur, Chitwan, Kathmandu, Kaski, Banke, Surkhet, Dailekh, Kailali and Bajura) which provide services for about 60 districts. These Helplines are operated by NGOs. For strengthening Toll Free Helpline number in SAARC member states including Nepal, a project with the financial support from SAARC Development Fund is under implementation.

National Child Policy, 2012 has provision of free hotline/helpline service for those who are living under difficult circumstances and who are in need of special protection. Child Helpline is child friendly structure/mechanism to provide immediate services like rescue, protection, humanitarian support, reunification etc to those children whose rights are violated.

In FY 2017/018, a total of 3,385 children were provided with required services through these Helplines. In this FY, the services from Helpline reached to 7,806 children (3501 are rescued by Helpline and 4,001 are referred to Helpline). Among them, 381 are provided with health support, 2,170 are with psycho-social counseling, 1,814 are with family support, 497 are with legal treatment, 1,325 are with immediate protection and humanitarian support, 890 are with education support, and 726 are with different support. For FY 2017/18, the then CCWB provided financial support for 469 vulnerable children (218 boys and 251 girls). There are many vulnerable children all over the country.

Child Helpline no. 1098 is getting support from police, administration, local level, National Human Rights Council, hospitals, schools, media, communities and other likeminded NGOs to protect and promote the rights of children who are in need of special protection. The government (federal, province and local) as well as development partners should increase investment/efforts for those children who need special protection from the state or others.

### 3.5.3 Children Affected by Trafficking, Sexual Exploitation and Abuse

The Constitution of Nepal prohibits sexual and any form of exploitation and abuse against children. Children's Act, 2018 clause 7 (5) mentions that each child has a right to be protected against corporal punishment, neglect, sexual exploitation & abuse and all forms of discrimination. Act's clause 66 (3) mentions specific acts against children as sexual exploitation and abuse for instances, audio-visual pornography, sexual exploitation and abuse including any act relating to sexual intension, etc. against children. Notwithstanding, children are victims from sexual exploitation and abuse.

Article 34 of CRC mentions that State Parties undertake appropriate national, bilateral and multilateral measures to protect the child from all forms of sexual exploitation and sexual abuse. Nepal is a signatory of Optional Protocols to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, 2000 and Optional Protocols to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, 2000. As per the obligation of States Parties, Nepal has submitted its initial report in 2009 to UNCRC Committee. Nepal is committed to address the recommendations of the Concluding Observations on the report regarding budget, information management, curriculum reform, and others.

Almost every day, child sexual exploitation and abuse cases are publicized in media. Among all such cases, few are reported to Nepal Police or concerned authorities.

Table 13 : Details of Child Rape in FY 2018/19

Province	Below 10		11-16 Year		17-18 Year		Total	
	Boy	Girl	Boy	Girl	Boy	Girl	Boy	Girl
Province 1		79		228		47		354
Province 2		38		128		44		210
Province 3		44		88		26		158
Gandaki		22		84		18		124
Province 5		60		130		40		230
Karnali		9		62		12		83
Sudurpaschim		21		59		19		99
Valley		25		110		27		162
<b>Total</b>		<b>298</b>		<b>889</b>		<b>232</b>		<b>1,420</b>

Source: Women, Children and Senior Citizens Service Directorate, Police Headquarter, 2019.

In FY 2018/019, there are a total of 1,420 rape cases that were reported to Nepal Police, where as the cases are 995 in the FY 2017/018. Of which, 298 cases are against the girls below the age of 10 years. In addition, there are a total of 399 attempt to rape cases registered to Nepal Police. This is one of the cruel crimes against children. As per the information of Nepal Police, a total of 463 cases of children suffered from gender based violence are registered in FY 2018/19. Among them, 149 are of human trafficking, 256 are of domestic violence and remaining are of child marriage.

Since the case of rape and attempt to rape are higher in Province no. 1, Province no. 5 and Province no. 2, special attention from federal, provincial and local government along with development partners, NGOs, civil society, private sectors need to pay for promotional, preventive and curative activities against sexual abuse and exploitation so that each and every child can have better environment to live.

### **3.6 Birth Registration**

Article 7 of the CRC, Article 39 (1) of the Constitution of Nepal and Clause 4 (1) of Children's Act, 2018 state that every child has rights to be registered for their legal identity. Children's Act has further intensified the provision of birth registration. It has been over four decades that the government of Nepal introduced Civil Registration Act. The government of Nepal is committed to make universal birth register by the year 2023. Each local government registers the birth of children. According to the law, parents have to register their newly born child within 35 days of the birth and additional 35 days is the grace period. Exceeding this limit of the period is subjected to some fine as delayed registration fee. The birth registration certificate is generally used for enrolling child to school, having social security benefits including some other legal uses.

According to Nepal Multiple Indicators Cluster Survey, 2014, birth registration rate is 58.1 percent. Though there are legal provisions for registering the birth of each and every child found within the country, it has come to know that there are difficulties in registering the birth of children like, abandoned children or children whose parents and whereabouts is unknown, children who lack proper documents, street children and unaccompanied children. The government (federal, provincial and local) as well as development partners have to accelerate their efforts for increasing birth registration of children in course of ensuring the rights of children to identity.

### **3.7 Adoption**

Article 21 of CRC deals with child adoption. Further, the Hague Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption, 1993 has provision for adoption management. The 'Terms and Conditions and Process for Granting Approval for Adoption of Nepali child by an Alien, 2065' and Inter-country Adoption Management Development Committee (Formation) Directive, 2010 include various provisions for

adoption. Civil (Code) Act, 2017 states the provisions for in-country and out-country adoption. National Child Policy, 2012, Residential Childcare Home Operation and Management Standard, 2012 including Inter-Country Adoption Management Development Committee (Formation) Directive, 2010 mention about the alternative care of children. All available legal resources perceive the internal and international adoption as last resort of child protection. Currently, there is no international adoption. Similarly, Inter-country Adoption Management Development Committee has been dissolved. In-country adoption is dealt by district court since 2015, and the information is not available for this year from all district courts.

### **3.8 Refugee Children**

The Article 22 of CRC mentions that State Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

Accordingly, the Government of Nepal has always respected this provision. According to the Ministry of Home Affairs, 698 immigrants from Iran, Iraq, Myanmar, Pakistan, Bangladesh, Somalia, Srilanka, Afganistan and Congo are living in Nepal except from Bhutan and Tibet. Among this number there is no specific number of children.

In and out of Beldangi and Shanischare Camp, there were a total of 2,262 Bhutanese refugees' children in FY 2017/018. This number decreased to 2,085 (1009 girls and 1076 boys) in FY 2018/019. Among 2085 children, 463 are under the age of 4 years, 845 are between the age of 5-11 years and 777 are between 12-17 years. The number has decreased by 177 due to Third Country Settlement.

### **3.9 Children with Disabilities**

Article 2 of CRC mentions that State Parties shall respect and ensure the rights of children with disabilities. The Government of Nepal is sensitive enough to ensure the rights of children with disabilities (CWDs). The Article 39 (9) of Constitution of Nepal mentions that children with disabilities shall have the rights to get specific protection and services from state. Accordingly, Nepal has promulgated 'Persons with Disabilities' Act (First Ammendment), 2018. This Act, together with other general provisions, includes six specific provisions for children with disabilities – rights to dignified life, rights to education, health, personal development, expression, best interest, recreation, and specific protection. Children's Act, 2018 has also specific provisions for children with disabilities by which their rights and development are intensified and ensured. Disable or differently able

persons' Inclusive Education Policy, 2016 has been in implementation. The Government has assigned identity card to CWDs for claiming services and facilities from government and other different sources.

National Census of 2011 estimates about 513,321 persons with disabilities of any type (1.94 percent of the total population). According to the Population Monograph, Volume 2, of the total, there is 0.99 percent of population between the age of 0 – 14 years (92,012 persons) has any type of disability.

A total of 33 special education schools, 23 integrated schools, 380 resource classes and Braille books/materials and other IEC materials are available for differently able children. According to Education and Human Resource Department Center, there are 52,366 CWDs in basic level and 14,589 CWDs in secondary level (up to 12<sup>th</sup> grade) in 2075. Details are given in the table below:

Table 14: Details of Children with Disabilities in School Education, 2018/19

Level	Types of Disabilities								
	Physical	Intellectual	Deaf	Blind	Low Vision	Deaf blind	Speech Problem	Multiple	Total
Primary (1-5)	22833	5543	4110	1285	2119	146	2199	1585	39820
Lower Secondary	8021	1126	1184	408	923	33	590	262	12546
Basic(1-8)	30854	6669	5294	1693	3042	179	2789	1847	52366
Secondary (9-10)	9592	751	1011	476	981	24	492	188	13515
Higher Secondary (11-12)	656	93	103	56	107	0	28	31	1074
Secondary (9-12)	10248	844	1114	532	1088	24	520	219	14589
<b>Total (1-12)</b>	<b>41102</b>	<b>7513</b>	<b>6408</b>	<b>2225</b>	<b>4130</b>	<b>203</b>	<b>3309</b>	<b>2066</b>	<b>66955</b>

Source: Education and Human Resource Development Center, Flash I, 2019.

It is found that the number of CWDs has been slightly decreased as compared to the last year. This may be simply because of low birth rate and improvement in the situation to the cause of CWDs. The government provides both residential as well as non-residential scholarship for CWDs. Similarly, development partners also provide incentives for them. Despite all these incentives, it has been difficult to bring all CWDs to schools.

Out of 533 child care homes in 46 districts, 14 child care homes in 5 districts (Sankhuwasabha, Jhapa, Kathmandu, Lalitpur and Makawanpur) are providing services to CWDs. They are nurturing 356 CWDs (161 boys and 195 girls).

Budget Speech FY 2076/77 has addressed the issue of CWDs. It states that programme will be implemented in a manner where disabled children can feel that they are being protected

by the state. Existing social protection programs will be implemented in a coordinated manner (Point no. 77).

### 3.10 Road Accident and Children

Road accident is becoming serious problem in Nepal. Children are often affected by road accident. The updated information about casualties due to road accident is hard to get. However, the details within Kathmandu valley can be accessible. As per the information collected by Metropolitan Traffic Police Division, a total of 6,381 road accidents were recorded in FY 2017/18. With remarkable increment in number, a total of 8,511 road accidents are recorded for FY 2018/19. The number of road accidents is in increasing trend. The number was limited to 4,999 in FY 2015/16 followed by 5,668 in FY 2016/17. This trend indicates that road is not becoming safe at all for all age group of people.

Despite the concerted efforts and interventions (promotional, preventive and curative) from Traffic Police to reduce road accident, it is still to realize the result. The number of vehicles are beyond the road capacities, and the weak condition of road, efficiency of drivers and also road discipline of people led to accidents. As of information from Metropolitan Traffic Police Division, altogether 254 people lost their lives in road accident within Kathmandu valley in FY 2075/76. Among them, 15 are below the age of 16 years. Within 5 years (2071/72-2075/76), a total of 929 people including 74 children lost their lives in road accidents within Kathmandu valley. The number of casualties is in increasing trend. So, it calls for integrated and concerted efforts from all tiers of government, NGOs, civil society, private sectors, media, schools and communities to reduce road accidents and make road safe.

### 3.11 Social Security and Children

The Article 43 of Constitution of Nepal (2015) has ensured the rights of needy sections of the society including children to social security as provided by law. Similarly, the Clause 7 (4) of Children's Act, 2018 states that PWDs, conflict affected people, vulnerable children including street children have rights to have specific protection from the state. The Act identifies 13 groups of children under specific protection frame. The Clause 32 of Persons with Disabilities Act (First Ammendment), 2018 has special provisions of social security for PWDs including children. These instruments indicate that the Government of Nepal has sensitive towards protecting the rights of CWDs. The government has adopted various social security schemes - cash and kind transfer including free services. From FY 2076/77, the government provides Rs. 3,000/month to completely disable persons followed by Rs. 1600/month to unable disabled persons, Rs. 3,000/month to endangered person, Rs. 400/month to children below the age of five years of Karnali areas and Achham, Rautahat and Bajhang districts including *Dalit* children of all over the country - upto two children of a mother. Similarly, Rs. 5,000/month is provided to martyr's family and Rs. 5,000/month to upto three children of martyrs. There are various levels of scholarships (residential and



non-residential) for different categories of children together with free textbooks, stationery including daymeal to some schools. Free health services and enlisted drugs are provided to children.

The table below provides some information about budget release from Ministry of Federal Affairs and General Administration for social security allowance to children.

Table 15: Social security allowance for children in FY 2017/018 and 2018/019

SN	Types of Social Security	Number of Beneficiaries	Budget (Rs)
<b>FY 2017/18</b>			
1	Child Nutrition Grants	5,21,507	2,50,32,33,600
2	Completely disabled children*	16,530	39,67,20,000
3	Very Unable children with disability*	27,318	19,66,89,600
4	Children of Endangered categories*	10,360	24,86,40,000
	<b>Total</b>	<b>5,75,715</b>	<b>3,34,52,83,200</b>
<b>FY 2018/19</b>			
1	Child Nutrition Grants	7,37,579	3,54,03,79,200
	<i>Dalit</i>	3,63,006	1,74,24,28,800
	<i>Non Dalit</i>	3,74,573	1,79,79,50,400
2	Completely disabled children*	19,582	5,87,46,000
3	Very Unable children with disability*	33,865	5,41,84,000
4	Children of Endangered categories*	10,185	36,66,60,000
	<b>Total</b>	<b>8,01,211</b>	<b>4,01,99,69,200</b>

Source: Department of National Identity and Central Registration, 2018, 2019.

\* No. of children is calculated from the percentage (41.84) of child population

The table reveals that from social security scheme, a total of 8,01,211 children are directly benefitted. The number is bigger by 2,25,496 than that of previous FY. This outstanding increment indicates that state is more responsive and sensitive towards protecting the rights of children who are in need of special protection from the state.

Ministry of Women, Children and Senior Citizens and National Child Rights Council are providing immediate protection and humanitarian support to those children who are in need of special protection from the state. Some local levels are intervening to protect the rights of vulnerable and marginalized children.

The budget speech for FY 2076/77 states that all citizens will be affiliated with social security covering their lifecycle from conception till old age while building a welfare state for attaining prosperity with social justice. The social security program will be undertaken by providing health check-ups and nutrition after conception, vaccination, nutritious food and child protection during childhood; free education and scholarships to students, employment security as adults and social security allowance and free health insurance during old age. (Point no. 72)

Further, speech states Government strongly believes that not just senior citizens, but also children need state protection. The state has expanded the scope of child protection for the coming year to include children from families below the poverty line apart from *Dalits* and children from Karnali Region, and Terai-Madhes districts that lag behind in the Human Development Indicators.

### **3.12 Child Correction Home and Children in Jail with Their Parent**

#### **3.12.1 Child Correction Home**

If children below the age of 18 years commit any offensive activities is termed as juvenile delinquency. Such delinquents are resided under correction homes for the period as decided by the court. Children's Act, 2018 provisions for child correction home for rehabilitating those children who are decided as delinquent by the court. The children are provided with education and training services during their stay in the home. There are eight child correction homes in operation in eight districts – Morang, Parsa, Makwanpur, Bhaktapur, Kaski, Rupandehi, Banke and Doti. Currently, there are a total of 821 (798 boys and 23 girls) children in eight homes – highest number of 231 in Bhaktapur followed by 138 in Morang and 109 in Banke, whereas least number is 40 in Doti followed by 66 in Makawanpur. The total number 821 is bigger by 439 (115%) till July 2019. The juvenile delinquents are mostly accused of rape (335) followed by drugs trafficking (121) murder (112), theft (96), attempt to murder (29), and others like human trafficking, attempt to rape, etc. Out of 821 children in correction homes, 29 are below the age of 14 years, 195 are between the age of 14-15 years and 597 are between the age of 16-18 years. Since the numbers of delinquents are in increasing trend, the concerned authorities are to pay serious attention to correct the trend.

#### **3.12.2 Children in Jail with their Parent**

Some children are compelled to stay in jail with their parent due to absence of care for them in their own homes. In FY 2017/018, a total of 65 children were found staying in jails of 27

districts, where as 82 children are in jails of 27 districts in this FY 2018/019. Some NGOs are also working for protection of such children taking out of jail and rehabilitating to institutional care. Currently, 236 children (119 boys and 117 girls) are in institutional care which is fewer by 63 than that of 299 in FY 2017/18. Out of 236 children, 150 (75 boys and 75 girls) are in *Bandi Sahayata Nepal*, 43 (13 boys and 30 girls) in *Praramvik Bal Bikas Kendra*, 28 (16 boys and 12 girls) in *Bandi Sahayata Niyog* and 15 (15 boys and 0 girls) in *Pidit Sewa Sangh*. The total number of children in institutional care is in decreasing trend.

### 3.13 Child Care

Article 18 of the CRC states that both parents (and legal guardians) have common and primary responsibilities for the upbringing and development of the child. If they are not able to take care of their children, the government has to render appropriate assistance to parents and legal guardians to enable them to take of their children. According to the same article, the government is obliged to take appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible. Similarly, the article 20 of CRC mentions that the responsibility of the alternative care of orphan children lies on the shoulder of the state.

The Clause 48 of Children's Act, 2018 identifies different categories of children who are in need of special protection. According to the Clause 17 (5) of same Act, no child below the age of six years is let alone or unaccompanied without company of any adult in home and other settings. Similarly, the Clause 18 mentions about the obligation of state towards protecting the rights of children who need special protection and living under difficult circumstances.

Nepal Multiple Indicator Survey, 2014 shows that 23,132 children between the age of 0 and 17 years are orphan (without both parents), whereas 474,209 children have only one parent. There should be a mechanism to care the orphan children.

#### 3.13.1 Child Care Home

The establishment of *Paropakar Anathalaya* in 2008 BS is supposed to be the first institutional arrangement towards protecting the rights of orphan children. The services of education and nurturing for orphan children more intensified when the Nepal Children Organizations operated throughout the nation under National Guidance Act, 1961. The separate section for children under periodic plan was first started from Seventh Periodic Plan (2042/43-2046/47). The section mentioned about the strengthening of NCOs, *SOS Balgram*, *Paropakar Anathalaya* to protect the rights of orphan children.

Article 20 of CRC mentions that State Parties in accordance with their national laws must ensure alternative care for children who are temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment. With abiding this provision, 'Residential Child Care Homes (CCH)

Operation and Management Standard, 2012 was formulated and came into implementation. By which, orphan children and who are in need of special protection have been providing with services from CCHs. As per the rights indicated under the Clause 86 (1) of Children's Act, 2018, Child Care Homes Operation (model) Procedure, 2018 has been issued.

Currently, there are registered 533 Child Care Homes (CCH) in operation in 46 districts, in which 15,045 children are residing. No such home is in rest of the other districts. The number of child care homes is given in the table below.

Table 16: Number of child care home and children by province

Province	No of CCHs	Boys	Girls	Total
1	28	337	266	<b>603</b>
2	13	232	73	<b>305</b>
3	391	5,205	5,592	<b>10,797</b>
4	53	763	864	<b>1,627</b>
5	20	413	424	<b>837</b>
6	14	267	298	<b>565</b>
7	14	195	116	<b>311</b>
<b>Total</b>	<b>533</b>	<b>7,412</b>	<b>7,633</b>	<b>15,045</b>

Source: National Child Rights Council, 2019.

The above table shows the distribution of CCHs across the provinces. Province no. 3 has the highest number of CCHs (391) and Province no. 2 has the lowest (13). Sudurpaschim and Karnali Provinces have equal number (14/14) of CCHs. This indicates the unequal distribution of CCHs across the provinces.

The total number of CCHs in the previous FY and the current FY is same; however, the number of children is slightly different. In previous FY, 14,864 (7194 boys and 7670 girls) were residing in CCHs, whereas in current FY the number is slightly increased to 15,045 (7,412 boys and 7,633 girls). The number of boys is increased in comparison to girls.

The then CCWB has developed a software to manage the information of CCH. So far, staff of 361 CCHs has been provided with software training. The information of 7,485 children has already been entered to the software. The effort is going on. The software includes information like details of children and their family, annual estimated budget of CCH, renewal status, religion, health status, and status of family reunification of children.

The CCHs are monitored as per 'Residential CCH operation and management standard, 2012'. In FY 2018/019, a total of 82 CCHs were monitored, from which 192 children (116 boys and 76 girls) were rescued from five CCHs of Kathmandu, Lalitpur, Bhaktapur and

Nawalparasi, and the CCHs were informed to close as soon as possible. Out of the total rescued children, 186 (113 boys and 73 girls) have reintegrated to their families. Rest of the rescued children have been rehabilitated to other well operated CCHs in Kathmandu and Lalitpur. It has also come to know that some CCHs are operated from religious perspective as well as some CCHs are in operation without proper registration in the government mechanism. A detail study is required to conduct to find out the situation of all forms of CCH.

### 3.13.2 Martyr's Academy

According to the Program Implementation Guideline, 2011 regarding rehabilitation of children who lost their parent during armed conflict, five Martyr's academy were established one each in Sunsari, Dolakha, Kaski, Dang and Doti districts. Details are as follows:

Table 17: Details of children in Martyr's Academy, 2019

SN	District	Name	Address	Protected Children		
				Boys	Girls	Total
1	Sunsari	Martyr's Academy Nepal	Itahari	175	141	316
2	Dolakha	Martyr's Academy Nepal	Jiri	142	89	231
3	Kaski	Martyr's Academy Nepal	Pokhara	107	65	172
4	Dang	Martyr's Academy Nepal	Tulsipur	245	163	408
5	Doti	Martyr's Academy Nepal	Dipayal 1Silgadhi	184	80	264
<b>Total</b>				<b>853</b>	<b>538</b>	<b>1,391</b>
<b>Class 11 and 12</b>						
1	Sunsari	Martyr's Academy Nepal		13	16	29
2	Kaski	Martyr's Academy Nepal		42	29	71
3	Dang	Martyr's Academy Nepal		18	14	32
<b>Total</b>				<b>73</b>	<b>59</b>	<b>132</b>
<b>Grand Total</b>				<b>926</b>	<b>597</b>	<b>1,523</b>

Source: Martyr's Academy Nepal, 2019.

In the last FY, the number of children stayed in martyr's academies was 1,478 (906 boys and 572 girls) whereas it increased to 1,523 (926 boys and 597 girls) in this FY 2018/019.

### 3.13.3 Rehabilitation Centers

Rehabilitation centers provide services like short term shelter, socialization, family reintegration, psycho-social counseling, informal education, extra-curricular activities, and skill based training for those children who are identified as vulnerable and found as unaccompanied. Children are kept in rehabilitation center until their family are traced and reunified as well as referred for long term institutional care. In FY 2017/18, the number of

rehabilitation centers was 15 and it is increased to 17 in FY 2018/19. Among them, 7 are in Kathmandu, 3 in Lalitpur, 2 in Banke and 1 in each district of Jhapa, Dolakha, Bhaktapur, Chitwan and Sunsari.

In 17 centers, a total of 237 children (157 boys and 80 girls) are residing. In the previous FY, the number was limited to 212 (164 boys and 48 girls). In creating prosperous and happy society, every members of society including individual, families, teachers at need to contribute for promotion of child rights through discharging their responsibilities as indicated by existing legal resources. In this regard, the role of parents is crucial.

### **3.14 Children's Confidentiality**

Article 16 of CRC mentions that no child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, or to unlawful attacks on his or her honour and reputation. Further, the child has the right to the protection of the law against such interference or attacks. Article 28 of Constitution of Nepal (2015) has ensured the rights of privacy in relation to the person, and their residence, property, documents, records, statistics and correspondence. Children's rights to confidentiality/privacy is further intensified under clause 11 (1-3) of Children's Act, 2018. Supreme Court has issued procedural guidelines on confidentiality on 25 December 2007. Similarly, Child Friendly Media Guidelines, 2016 is in implementation to maintain children's confidentiality in media. All the available legal resources have laid enough emphasis to the children's rights to confidentiality.

### **3.15 Corporal Punishment and Bullying**

Article 19 of CRC stresses that States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child. Similarly, Article 37 (a) mentions that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment.

Clause 7 (5) of Children's Act, 2018 states that each child has rights against discrimination, exploitation, abuse, corporal punishment, bullying and any forms of inhuman behavior from parents, other family members, guardians, teachers and other persons. Child Friendly School National Framework, 2010 has emphasized on learning without fear, child friendly learning and corporal punishment free school. Education Regulation has provided enough space for child friendly learning. However, corporal punishment and bullying against children is rampant in families, schools and in the places where children are associated. Normal cases of corporal punishment and bullying are not reported to legal and administrative channels. Very few such cases are found reported to concerned authorities. Such serious cases are

used to publish from media. Serious corporal and mental punishment and bullying affect the life of children for long-term, and even it hinders to the personality development of children. Some initiations like awareness raising and action against serious cases have been initiated for some years. This issue should be taken seriously for protecting children from such punishment and bullying especially within families, schools and common places of children. Although some policies and guidelines are developed by Ministry of Education, Science and Technology, the incidence of corporal punishment and bullying has not been noticeably decreased.

### 3.16 Children and Information Technology

The arenas of child protection can be classified as real world setting and virtual world setting. The present society is characterized by the age of information and technology which is responsible for giving birth to an idea about the child protection in virtual world setting. So, it is unavoidable fact to explore the relation between children and information technology.

Article 39 (6) of Constitution of Nepal states that no child shall be subjected to recruitment or any kind of use in the army, police or armed groups, neglected, or used immorally, or abused physically, mentally, or sexually, or exploited through any other means in the name of religious or cultural practices. To correct the cyber crime, *Bidhutiya (Electronic) Karowar Act, 2006 (2063 BS)* is in implementation. The protection of children in virtual world is often highlighted by the Optional Protocols to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, 2000.

The rapid development and expansion of information technology causes easy access of children to social media. The busy schedule of parents in urban areas let the children be engaged in internet. The involvement of children in internet, social media has both positive and adverse effect. The online abuse and exploitation against children is the reflection of adverse effect. So, it calls for appropriate measures to protect the children from possible harm. To realize the intensity of cyber crime, Central Cyber Bureau is in operation from 7 June 2018 as the specialized unit of Nepal Police. As per the information from Bureau, a total of 357 cases of cyber crime are registered for FY 2018/19 including 13 cases related to children under the age of 18 years. Some organizations like Child SafeNet, and some others are working to raise awareness on safer use of the Internet and digital devices to protect children and young people from Internet addiction, online sexual abuse and exploitation, cyber-bullying, phishing, gaming addiction and to promote digital literacy.

Generally, children use internet for homework, gaming, chatting, engaging in facebook/viber/twitter/tik-tok and listening music. It is often found that children use internet for watching porn videos. By this act, they sometimes caught by online abuse and exploitation.

The dimension of internet use has been widespread in rural and urban setting. The people

from all ages are engaged in this virtual world. So, appropriate policy, legal, educational and administrative measures are to be initiated by all the tiers of government to protect the children from adverse effect on physical, mental, emotional and cognitive development.

### 3.17 Child Rights Violation Cases against Children as Published in Media

Each day, the incidents of violence against children are publicized in print and online media. These are the manifested cases only. Still a number of incidents might be in latent form. National Child Rights Council has been doing media monitoring of child rights related issues for over four years. As compared to the past, child rights violation cases have increased in this fiscal year (2018/019). NCRC (the then CCWB) recorded 654 cases in this year. By which a total of 1,080 children are victimized. Details are shown in the below table.

Table 18: Details of cases and victim children

Incidents/Cases	Boys	Girls	Infant	Total
Rape	18	234	0	252
Death	134	100	7	241
Child Marriage	59	137	0	196
Child Labor	91	21	0	112
Illicit Transport	59	37	0	96
Murder	25	26	14	65
Malnutrition	16	22	0	38
Corporal Punishment	23	14	0	37
Suicide	6	21	0	27
Kidnapping	10	2	0	12
Abortion	0	4	0	4
<b>Total</b>	<b>441</b>	<b>618</b>	<b>21</b>	<b>1,080</b>

Source: National Child Rights Council, 2019.

Above table reveals the cases of child rights violation which are publicized in different media in FY 2018/19. All the cases of child rights violations are inhuman behavior. Media monitoring report shows that 234 girls are victimized by rape. Among the offenders/predators, 38 are incest, 72 are close neighbors, 74 are acquaintance, 27 are civil servants and remaining are of others categories. This indicates that the incidence of rape is more likely to happen in family and community setting. So, it requires more promotive and preventive interventions in family and community level. There should be study and the government should take serious action.

Altogether 241 children lost their lives in road accidents, natural calamities and in human disasters (like drawn at river, pond and hole etc). A total 112 cases of child labor (91 boys and 21 girls) are publicized in this FY which is lesser by 272 than of previous FY. So, the incidence of child labor is in decreasing trend. Similarly, the total 58 cases regarding child trafficking and illicit transportation were publicized in FY 2017/18, whereas the case is



remarkably increased in FY 2018/19 and reached to 96 (boys 59 and girls 37). Among them, 70 were rescued by Nepal Police during illicit transportation from one district to another, 17 were rescued from child labor in India and 9 were rescued being involved in illegal transportation of drugs in India.

The horrible fact revealed in media is that in FY 2018/19, a total of 65 children (25 boys, 26 girls and 14 infants) are murdered. Among them 27 were killed/murdered due to domestic chaos, 20 infants who took birth by illegal sexual relation were killed, 13 children were killed by step father or step mother and 5 were killed after being kidnapped. The fact is great challenge to human civilization which needs to be addressed timely and promptly to create happy Nepalese and prosperous Nepal.



### 4.1 Introduction

This chapter includes child development issues such as child education, sports, and recreation as mentioned in Article 28, 29 and 31 of CRC respectively. The Constitution of Nepal ensures the education and development of children. The Section 15 of Children's Act, 2018 provisions for the free and compulsory education, sports and child development in child-friendly manner (Annex 1).

### 4.2 Early Childhood Development

Early childhood development (ECD) is a foundation of formal education development. The Government is sensitive on this matter. The Constitution of Nepal has mentioned early childhood development as a fundamental right. Early childhood development has been included in Education Act and its Regulation. Early childhood guidelines, 2006 includes the provisions of ECD operation and management.

The number of school based as well as community based ECD centres between the year 2014 and 2018 is presented in the table below.

Table 19: Number of Early Childhood Development Centre

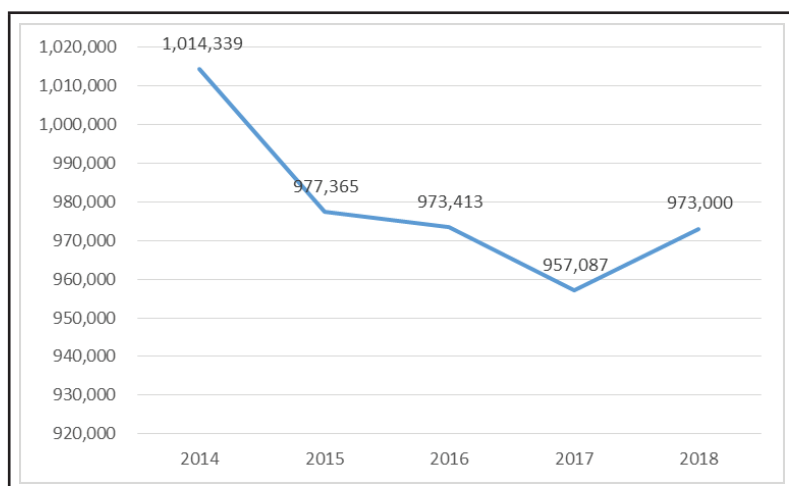
Early Childhood Development Centre	2014	2015	2016	2017	2018
School and community based	30,034	30,448	30,448	30,448	30,097
Private school based	5,087	5,543	5,645	6,120	5,896
Total	35,121	35,991	36,093	36,568	35,993

Source: Department of Education, Flash Report I, 2014-2017.

Source: Centre for Education and Human Resource Development, Flash Report I, 2018.

The above table shows that the number of ECD centres is in increasing trend from the year 2014 to 2017, and it decreased in the year 2018 by 351 ECD centres. It is because of merging some centres by local government as per their assessment under the rights given by Local Government Operation Act, 2017. Against the decreased number of ECD centres in the year 2018, the number of children in the centres has increased by 16,813 children. This is presented in the graph below:

Graph 3: Number of children enrolled in ECD centres



The above graph shows that the number of children in ECD centres started to decrease from the year 2015; however, it increased in the year 2018 against the decreasing rate of the child birth. It may be simply because of growing concerns of parents and community on the importance of ECD centres.

The table below presents the total number of children enrolled in grade 1, children with ECD experience and the percentage of ECD experienced children to the total children in grade 1:

Table 20: Province-wise children in grade 1, number of ECD experienced children in grade 1 and its percent

Province	New enrolment in grade 1			No. of children enrolled in grade 1 with ECD experience			% of ECD children enrolled in grade 1		
	Girls	Boys	Total	Girls	Boys	Total	Girls	Boys	Total
1	50,338	53,713	104,051	36,171	38,317	74,488	71.9	71.3	71.6
2	78,817	77,992	156,809	48,206	48,853	97,059	61.2	62.6	61.9
3	57,140	64,766	121,906	38,973	42,925	81,898	68.2	66.3	67.2
Gandaki	23,364	26,645	50,009	18,620	21,125	39,745	79.7	79.3	79.5
5	63,565	70,851	134,416	42,871	46,803	89,674	67.4	66.1	66.7
Karnali	34,242	32,917	67,159	21,063	20,932	41,995	61.5	63.6	62.5
Sudurpaschim	47,625	46,683	94,308	30,815	31,480	62,295	64.7	67.4	66.1
Total	355,091	373,567	728,658	236,719	250,435	487,154	66.7	67.0	66.9

Source: Centre for Education and Human Resource Development, Flash Report I, 2018.

The above table shows that little over two-third of children are in grade 1 with ECD experience in the year 2018 against 64.7 percent in the previous year. As of Centre for Education and Human Resource Development, ECD experienced children's physical, intellectual, emotional and cognitive development is observed better than non ECD experienced children in grade 1; therefore, it is required to encourage parents to send their children in ECD centres.

### **Dalit and Ethnic Children:**

Article 18 of the Constitution of Nepal includes right to equality, in which -

- (1) All citizens shall be equal before law. No person shall be denied the equal protection of law.
- (2) No discrimination shall be made in the application of general laws on grounds of origin, religion, race, caste, tribe, sex, physical condition, condition of health, marital status, pregnancy, economic condition, language or region, ideology or on similar other grounds.
- (3) The State shall not discriminate citizens on grounds of origin, religion, race, caste, tribe, sex, economic condition, language, region, ideology or on similar other grounds. Provided that nothing shall be deemed to prevent the making of special provisions by law for the protection, empowerment or development of the citizens including the socially or culturally backward women, *Dalit*, indigenous people, indigenous nationalities, Madhesi, Tharu, Muslim, oppressed class, *Pichhada* group, minorities, the marginalized, farmers, labours, youths, children, senior citizens, gender and sexual minorities, persons with disabilities, persons in pregnancy, incapacitated or helpless, backward region and indigent Khas Arya. Explanation: For the purposes of this Part and Part 4, “indigent” means a person who earns income less than that specified by the Federal law.

Article 40 of the Constitution of Nepal includes rights of *Dalit*, in which some sub-articles are related to children.

Article 2: Provision of free education with scholarship, from primary to higher education, shall be made by law for the *Dalit* students. Special provision shall be made by law for the *Dalit* in technical and vocational education.

Article 3: Special provision shall be made by law in order to provide health and social security to the *Dalit* community.

In addition to these provisions, other legal provisions include protection concerns of marginalized children.

Of the total population, ethnic groups constitute 37.2 percent whereas *Dalit* population constitutes 13.6 percent. Among the total children enrolled in ECD centres, the number and percentage of *Dalit* and ethnic children are presented in the table below:

Table 21: Number and percentage of *Dalit* and ethnic children in ECD centres

	Total 2015	<i>Dalit</i> %	Nationalities %	Total 2016	<i>Dalit</i> %	Nationalities %	Total 2017	<i>Dalit</i> %	Nationalities %	Total 2018	<i>Dalit</i> %	Nationalities %
Girls	4,70,520	18.6	39	4,59,069	17.9	39.3	4,52,259	18.4	39.2	4,49,075	16.8	37.3
Boys	5,06,845	17.2	38.7	5,14,344	17.1	38.8	5,05,868	17.7	39.1	5,25,825	16.0	36.7
Total	9,77,365	17.9	38.8	9,73,413	17.5	39	9,58,127	18	39.1	9,73,900	16.4	37

Source: Department of Education, Flash Report I, 2014-2017.

Source: Centre for Education and Human Resource Development , Flash Report I, 2018.

Above table shows that the number of children in ECD centres decreased in 2017 by 15,286 whereas it increased by 15,773 in 2018. This indicates that the concerns of parents to ECD centres increased. In terms of gender, in the year 2018, though the total number of children increased, the number of girls decreased. It is because of decreasing trend of girl child's population in recent years.

The following table presents the number and percentage of children from *Dalit* and nationality communities by province:

Table 22: Province-wise number and percent of children from *Dalit* and nationality communities

Province	Total	<i>Dalit</i>	%	Nationalities	%
1	179,650	22,148	13.8	85,374	23.6
2	133,068	29,191	18.3	21,499	6.0
3	200,981	15,383	9.6	108,960	30.2
Gandaki	95,582	21,337	13.3	40,001	11.1
5	199,832	33,582	21.0	78,358	21.7
Karnali	58,158	15,285	9.6	7,457	2.1
Sudurpashchim	106,629	22,991	14.4	19,528	5.4
Total	973,900	159,917	16.4	361,177	37

Source: Centre for Education and Human Resource Development , Flash Report I, 2018.

Above table shows that the lowest percent of the *Dalit* children of the total children enrolled in ECD centres is in Province - 3 and Karnali and the highest is in Province - 5. In regard to

ethnic children, the highest percent is in Province - 3 and the lowest is in Karnali province. The percent of children from these groups is noticeably varied from the past. A study is required to find out the variation.

### Children with Disabilities:

Regarding the rights of children with disabilities, Article 39 of the Constitution of Nepal provisions that the child who is helpless, orphan, with disabilities, conflict victim, displaced or vulnerable shall have the right to special protection and facilities from the State. Similarly, sub-article (3) of the Article 31 mentions that the citizens with disabilities and the economically indigent citizens shall have the right to get free higher education in accordance with law, and sub-article (4) includes the provision like, the visually impaired citizens shall have the right to get free education through brail script and the citizens with hearing or speaking impairment, to get free education through sign language, in accordance with law.

The Act relating to Rights of Person with Disabilities, 2018 (First ammendment) is in implementation. There is special provisions for the rights of children with disabilities in the section 12 of Children's Act, 2018. Inclusive education policy, 2016 is in implementation.

In 2018, there were a total of 35, 993 ECD centres (combining both school and community based) and 973,900 children in the centres. Of the total, children with disabilities consist 3,270 (0.34%). Province-wise number of children with disabilities by main type of disabilities are presented in the table below:

Table 23: Province-wise number of children with disabilities by main type of disabilities

Province	Main types of disabilities								Total
	Physical	Intellectual	Hearing	Vision	Low vision	Hearing & vision	Speech	Multi-disabilities	
1	348	61	33	22	8	0	22	29	523
2	294	95	2	43	4	0	5	47	491
3	404	125	29	31	26	2	52	29	698
Gandaki	140	37	12	5	14	1	28	36	274
5	509	114	18	26	22	2	25	52	766
Karnali	93	21	20	10	25	2	10	4	187
Sudurpaschim	207	36	34	17	7	0	14	5	323
Total	2,000	488	150	152	104	7	155	201	3,270

Source: Centre for Education and Human Resource Development , Flash Report I, 2018.

As of above table, physical disability alone constitutes of 2,000 children (61.2%) whereas the hearing and vision impaired constitute only seven. Of the total 3,270, there are 1,366 boys and 1,904 girls.

### 4.3 School Level Education

The Constitution of Nepal has ensured education under fundamental rights. As a result of increased investment on education sector by the government as well as increased awareness on education, school enrollment rate is increasing. As of Education and Human Development Resource Centre, primary education level net enrolment rate was 97.2 in 2017 whereas it came down to 96.5 in 2018. Except it, enrollment has increased in other school levels. The number of students by level of school education and by gender is presented in the table below:

Table 24: Level-wise number of students, 2017-2018

Level	Year 2017				Year 2018			
	Girls	Boys	Total	Girls %	Girls	Boys	Total	Girls %
Primary (1-5)	20,09,314	19,60,702	39,70,016	50.6	18,55,192	18,75,410	37,30,602	49.7
L.Secondary (6-8)	9,43,410	9,23,306	18,66,716	50.5	9,16,050	9,08,727	18,24,777	50.2
Basic (1-8)	29,52,724	28,84,008	58,36,732	50.6	27,71,242	27,84,137	55,55,379	49.9
Grade (9-10)	5,01,388	4,69,332	9,70,720	51.7	5,16,420	5,11,092	10,27,512	50.3
Grade (11-12)	3,15,012	2,69,060	5,84,072	53.9	3,20,097	3,11,537	6,31,634	50.7
Grade 9-12	8,16,400	7,38,392	15,54,792	52.5	8,36,517	8,22,629	16,59,146	50.4
Grade 1-12	37,69,124	36,22,400	73,91,524	51.0	36,07,759	36,06,766	72,14,525	50.00

Source: Centre for Education and Human Resource Development , Flash Report I, 2018.

As of above table, the number of students at the primary (grade 1-5) and lower secondary level (Grade 6-7) has decreased in 2018 in comparison to 2017, whereas the number of students increased in the secondary level (9-12). It can be assumed that decreasing rate of child birth affected to the total number of students at the basic level (1-8), and increased awareness on the importance of education, contributed to increase enrollment at the higher grades of school education.

The table below presents success, repetition and dropout rate at the primary, lower secondary and secondary level in the year 2017 and 2018:

Table 25: Pass, repetition and dropout rate

Level	Pass Rate			Repetition Rate			Dropout Rate		
	Girls	Boys	Total	Girls	Boys	Total	Girls	Boys	Total
Academic year 2017									
Primary (1-5)	89.9	89	89.5	6.8	7.2	7.0	3.3	3.8	3.6
L.Secondary (6-8)	92.0	91.4	91.7	3.8	4.1	4.0	4.2	4.5	4.4
Grade 9-12	93.4	93.4	93.4	2.9	3.0	2.9	3.7	3.6	3.7
Academic year 2018									
Primary (1-5)	89.7	88.8	89.3	6.7	7.2	7.0	3.6	4.0	3.8
L.Secondary (6-8)	92.9	91.7	92.3	3.5	4.0	3.8	3.6	4.3	3.9
Grade 9-12	94.2	93.6	93.9	3.5	3.6	3.6	2.3	2.8	2.6

Source: Centre for Education and Human Resource Development , Flash Report I, 2018.

Above table shows that there is no noticeable change in the rate of pass, repetition and dropout of students at the school level. It indicates that it has to adopt effective measures to improve the situation of education.

### **Dalit and Ethnic Children:**

The number of *Dalit* and ethnic students at the primary, lower secondary and secondary level is presented in the table below:

Table 26: Percentage of *Dalit* and ethnic students based on education level

Year	2015		2016		2017		2018	
	<i>Dalit</i>	Nationalities	<i>Dalit</i>	Nationalities	<i>Dalit</i>	Nationalities	<i>Dalit</i>	Nationalities
Level	%	%	%	%	%	%	%	%
Primary (1-5)	19.7	34.4	20.7	36.6	19.9	36.8	19.9	34.2
L.Secondary (6-8)	14.4	38.6	15.5	40.8	16	40.9	15.6	37.8
Basic (1-8)	18.1	35.7	19.1	37.9	18.7	38.1	18.5	35.4
Grade (9-10)	11	38.4	9.9	33.1	11.1	33.8	12.4	39.8
Grade (11-12)	6.6	29.3	6.2	26.9	6.5	23.3	6.9	23.1
Grade 9-12	9.6	35.5	8.6	31	9.4	29.9	10.4	33.5
Grade 1-12	16.5	35.65	17.1	36.56	16.7	36.35	16.6	35.0

Source: Department of Education, Flash Report I, 2015-2017.

Source: Centre for Education and Human Resource Development , Flash Report I, 2018.

As of above table, there are no noticeable changes in the percent of children from *Dalit* and Nationalities between 2015 and 2018.

### **Children with Disabilities:**

The Government of Nepal is sensitive and responsive towards the issues of children with disabilities. The Act of Person with disabilities' rights, 2018 (First amendment) is in



implementation. There are special provisions for the rights of children with disabilities in the section (12) of Children's Act, 2018. Inclusive education policy, 2016 is in implementation. In the academic year 2018, there are a total of 66, 955 students with disabilities between grade 1-12. The table below presents the number of students by types of disabilities:

Table 27: Number of children with disabilities enrolled in the year 2018

Level	Types of disabilities								Total
	Physical	Intellectual	Hearing	Vision	Low vision	Hearing and vision	Speech	Multi-disabilities	
Primary (1-5)	22,833	5,543	4,110	1,285	2,119	146	2,199	1,585	<b>39,820</b>
L.Secondary (6-8)	8,021	1,126	1,184	408	923	33	590	262	<b>12,546</b>
Grade (9-10)	9,592	751	1,011	476	981	24	492	188	<b>13,515</b>
Grade (11-12)	656	93	103	56	107	-	28	31	<b>1,074</b>
<b>Total</b>	<b>41,102</b>	<b>7,513</b>	<b>6,408</b>	<b>2,225</b>	<b>4,130</b>	<b>203</b>	<b>3,309</b>	<b>2,066</b>	<b>66,955</b>

Source: Centre for Education and Human Resource Development , Flash Report I, 2018.

The total students with disabilities in school education is 0.93 percent of the total students. Among the total students with disabilities, 39,820 students are in primary level followed by 12,546 in lower secondary level, 13,515 in grade 9-10 and 1,074 in grade 11-12. In terms of types of disabilities, physical disability alone constitutes 41,102 students, whereas the lowest 203 students come under hearing and vision impaired.

In academic year 2018, a total of 33 special schools, 23 integrated schools and 380 resource classes have been managed to increase access of children with disabilities in education. Similarly, programs for providing free braille textbooks to students with vision impaired as well as free textbooks of sign language to students with speech problem together with other educational materials.

Budget speech no. 37 of the FY 2019/20 includes provision for disable and child friendly schools.

### Learning Achievements in Schools:

Education Review Office publishes the situation of learning achievement of students in different subjects. For instance, Nepali subject in Grade 3; Nepali, Mathematics and English in Grade 5; and Nepali, Mathematics and Social Studies in Grade 8. As compared to the year 2014, the learning achievements in the year 2018 are not improved on the whole. It indicates that the quality of education is gradually being weaker. It is also observed that the learning achievement is weaker in community (government) schools as compared to institutional (private) schools. Though the enrollment of children in schools seems increased, it is a challenge to improve the quality of education. It requires to adopt appropriate policy and programs to address this situation.

## 4.4 Free and Compulsory Education

Article 31 of the Constitution of Nepal under the rights to education mentions that each citizen has rights to have compulsory and free education upto basic level as well as free education up to secondary level. Similarly, Section 15 of Children's Act, 2018 provisions that each child has rights to have compulsory and free education upto basic level as well as free education up to secondary level in child friendly environment. In addition, children from *Dalit* communities (one of the marginanized groups) has rights to have free education with scholarship. All these ensure that school education is heading towards compulsory and free. Compulsory and Free Education Act, 2018 is also in implementation.

## 4.5 Number of Schools

According to the report of the Ministry of Education, Science and Technology, there is a small change in the number of schools in the country in each year. It is because of merging and closing of some schools and some newly established schools. In the year 2017, there were a total of 35,601 schools, whereas it came down to 35,055 in the year 2018. Among the total, there are 27,728 community (government), 6,206 institutional (private) and 1,121 religious schools. The province-wise number and level of schools are presented in the table below:

Table 28: Province-wise number of school

Province	Total school	Primary (1-5)	L.Secondary (6-8)	Basic (1-8)	Secondary (9-10)	H.Secondary (11-12)	Secondary level (9-12)
1	6,742	6,679	3,088	6,703	1,784	679	1,829
2	4,042	3,985	1,547	3,993	817	403	848
3	6,911	6,795	3,806	6,823	2,656	986	2,793
Gandaki	4,311	4,273	1,928	4,316	1,268	566	1,288
5	5,698	5,632	2,555	5,652	1,494	533	1,524
Karnali	3,190	3,134	1,213	3,170	627	232	627
Sudurpaschim	4,161	4,121	1,892	4,136	997	403	1,010
<b>Total</b>	<b>35,055</b>	<b>34,619</b>	<b>16,029</b>	<b>34,793</b>	<b>9,643</b>	<b>3,802</b>	<b>9,919</b>

Source: Ministry of Finance, Economic Survey, 2018/19.

The total number of schools (35,055) is not exactly the sum of all levels of schools because primary as well as basic level might be included in the secondary level. Similarly, secondary level (Grade 9-10) might also be included in the higher secondary level. The number of schools in each province also depends on the size of total population of corresponding province.

There are also religious based schools in operation all over the country. The types and number of such schools are presented in the table below:

Table 29: Level and Type-wise number of religious school

Religious school	Total No. of School	Level-wise No. of School					
		Primary	Lower Secondary	Basic	Secondary	Higher Secondary	Secondary (9-12)
Year 2017							
Madarsa	907	907	33	907	17	4	17
Bihar/Gumba	114	114	11	114	1	0	1
Gurukul/Ashram	100	100	31	100	13	2	13
<b>Total</b>	<b>1,121</b>	<b>1,121</b>	<b>75</b>	<b>1,121</b>	<b>31</b>	<b>6</b>	<b>31</b>
Year 2018							
<b>Total</b>	<b>1,121</b>	<b>1,096</b>	<b>116</b>	<b>1,121</b>	<b>36</b>	<b>6</b>	<b>36</b>

Source: Centre for Education and Human Resource Development , Flash Report I, 2018.

Above table shows that the total number of religious schools altogether is same in both year, but the number of level of schools is somewhat changed in the year 2018. There is no clear information if all the schools are operated by community.

## 4.6 SEE and Higher Secondary Examination Results

### SEE Examination Result:

In Nepal, there was School Leaving Certificate (SLC) examination system, in which there was a grading system like, distinction, first, second and third division with obtained marks percentage till 2014. From the year 2015, the name of the examination was changed as Secondary Education Examination (SEE) and, GPA system introduced instead of division and percentage. The number of students appearing SEE and obtained GPA from the year 2015 - 2018 are presented in the table below:

Table 30: SEE (Regular) Examination Result from 2015 - 2018

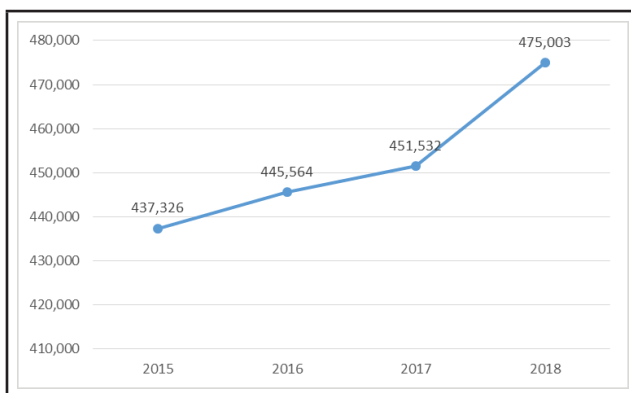
SN	Examination year	2015	2016	2017	2018
	Total students	437,326	445,564	451,532	4,75,003
	GPA result				
1	GPA 3.6-4	16,454	12,284	14,234	16,882
	Percent	3.76	2.76	3.15	3.55
2	GPA 3.2-3.6	41,577	42,427	46,133	48,960
	Percent	9.51	9.52	10.22	10.30
3	GPA 2.8-3.2	48,611	50,646	49,037	60,706
	Percent	11.116	11.3667	10.8601	12.78
4	GPA 2.4-2.8	63,181	61,955	70,512	74,110
	Percent	14.45	13.90	15.62	15.60
5	GPA 2-2.4	94,716	91,314	61,870	97,299
	Percent	21.66	20.49	13.70	20.48
6	GPA 1.6-2	104,278	108,464	101,043	95,209
	Percent	23.84	24.34	22.38	20.04
7	GPA 1.2-1.6	56,763	64,577	35,584	43,840
	Percent	12.98	14.49	7.88	9.23
8	GPA 0.8-1.2	8,000	11,285	58,688	4,429
	Percent	1.83	2.53	13.00	0.93

Source: Office of the Controller of Examinations, Sanothimi, Bhaktapur, 2016-2019.

Above table shows that the number of students appearing SEE is increasing year by year, and the percentage of students obtaining GPA 3.2 to 3.6 and 3.6 to 4 is also increasing gradually. The increased number of SEE appeared students in the year 2018 is quite noticeable.

The increasing trend of the SEE appeared students of four years is presented in the graph below:

Graph 4: Number of SEE appeared students from 2015 - 2018



Above graph indicates that retention rate at the secondary education level is gradually increasing.

### Higher Secondary Examination Result of 2017 and 2018:

National Examination Board has publicized the results of examination of Grade 11 in the year 2017 as well as grade 12 in the year 2018. Province-wise result with number of students is presented in the table below

Table 31: Result of grade 11 (2017) and grade 12 (2018)

Province	Grade 11 (2017)									Total	%
	3.61-4.0	3.21-3.60	2.81-3.20	2.41-2.80	2.01-2.40	1.61-2.00	1.21-1.60	0.81-1.20	0-0.80		
1	70	839	2551	5426	10825	19013	13026	2183	4141	58074	16.70
2	4	271	1585	4856	11080	11464	3836	657	3155	36908	10.61
3	885	7808	16017	20220	23689	24633	9874	1146	7107	111379	32.03
Gandaki	24	652	2143	4436	9290	12930	5901	708	1823	37907	10.90
5	77	967	2516	5320	12513	18333	6886	842	2774	50228	14.44
Karnali	1	40	164	1192	6688	8851	2228	176	2523	21863	6.29
Sudurpaschim	11	169	628	2205	8501	12642	4381	531	2321	31389	9.03
<b>Total</b>	<b>1072</b>	<b>10746</b>	<b>25604</b>	<b>43655</b>	<b>82586</b>	<b>107866</b>	<b>46132</b>	<b>6243</b>	<b>23844</b>	<b>347748</b>	100.0
Percent	0.31	3.09	7.36	12.55	23.75	31.02	13.27	1.80	6.86		

Province	Grade 12 (2018)										
	3.61-4.0	3.21-3.60	2.81-3.20	2.41-2.80	2.01-2.40	1.61-2.00	1.21-1.60	0.81-1.20	0-0.80	Total	%
1	99	1221	3621	7914	14607	12403	4234	647	2741	47487	15.85
2	8	143	933	5594	10220	7498	3434	1235	2196	31261	10.44
3	922	7653	15613	21383	24110	17892	6321	1099	5166	100159	33.43
Gandaki	77	990	2596	5911	10124	8656	3194	587	1380	33515	11.19
5	42	924	3453	8788	14551	10203	3083	578	1969	43591	14.55
Karnali	3	50	324	3624	7098	3597	647	67	2089	17499	5.84
Sudurpaschim	18	240	1103	5131	9588	6188	1821	274	1696	26059	8.70
<b>Total</b>	<b>1169</b>	<b>11221</b>	<b>27643</b>	<b>58345</b>	<b>90298</b>	<b>66437</b>	<b>22734</b>	<b>4487</b>	<b>17237</b>	<b>299571</b>	100.0
Percent	0.39	3.75	9.23	19.48	30.14	22.18	7.59	1.50	5.75		

Source: National Examination Board, 2019.

As of above table, a total of 347,748 students appeared in the examination of Grade 11, whereas among the students of Grade 11, only 299,571 students appeared the examination of Grade 12. A total of 48,177 students seemed to be as dropout in the second year. It requires to find out the reasons the adopt appropriate measures to address the situation.

#### 4.7 Miscellaneous

In FY 2018/19, the number of model school reached to 322. It is initiated to improve the quality of education in community schools. 'One nurse in one school' initiative is in implementation. From this initiation, students are being benefitted in having health care and services. It is in expansion process to all community schools. Keeping in view the problems of girls in school during menstruation period, the government has initiated free distribution of sanitary pad under school health program. The school girls are also provided with knowledge of making local sanitary pad.

'Literate Nepal' campaign is in implementation. Under this campaign, 50 districts (of 77) have been already declared as literate districts. Kavrepalanchowk, Sankhuwasava and Morang districts are in the threshold of declaring literate districts. Similarly, Kailali, Doti, Banke, Kathmandu, Kapilbastu and Taplejung districts have shown their commitment to declare literate districts. Mugu, Jumla, Kalikot, Achham, Bajhang, Bajura, Kanchanpur and Mahottari districts are in the situation of making declaration after additional efforts. Dhanusha, Rautahat, Sarlahi, Siraha, Saptari, Bara, Parsa, Solukhumbu, Humla and Dolpa districts require intensive efforts for making people literate.

In FY 2018/19, mid-day meal program increased to 42 districts for the children of ECD centres to primary level (upto grade 5). A total of about 0.8 million children have been benefitted from this program. It is expected to contribute in regularity in school and improve learning achievements of students.

With the aim of improving teaching-learning situation in secondary level community schools, computer education has been made available to 8,366 community schools (of 29,607) all over the country, and the government has an objective to expand the program in all secondary level community schools for improving quality of education.

### **Education related provisions in the budget speech of FY 2019/20:**

28. Provisions for compulsory education upto basic education level, and free education upto secondary level including non-formal or open school for those students who are not able to continue secondary education as well as opportunities of education in mother tongue.
29. Making full literacy to 70 districts (of 77) through the campaign of 'let's send school going children to school' as well as 'Literacy campaign' for declaring 'Literate Nepal'. Integration of Madarsa, Gurukul and Gumba to the mainstream of modern education system.
30. Focus on increasing access to technical and vocational education, reconstruction and infrastructure development of community schools, quality textbooks, supply of enough teacher, supply of educational materials, well-provision of laboratory and play ground for improving quality education by establishing 'President Education Improvement Trust'. Initiation of a provision for 'One school, one sport teacher'.
31. 2019-2028 decade will be taken as quality enhancement of community schools, and a total of 300 school building as well as classroom will be constructed to improve physical infrastructure of community schools.
32. Increase opportunity of scholarships to the children of poor, disable parents and martyrs including intelligent students. Only one type of scholarship will be provided to one student by integrating various scholarship provided by the government.
38. Free sanitary pad will be distributed to all school girls. Mid-day meal will be provided to a total of 2.23 million school children to reduce dropout rate.
39. Improvement of school level curriculum to develop student's patriotism and social responsibilities.
40. Provide free higher education to poor, disabled and *Dalit* students.
41. All school going aged children will be enrolled to schools by accelerating 'school enrollment campaign' in ensuring child's access to rights to education and, secondary education will be made compulsory and free gradually.
42. Conduct a campaign as 'bring all children to school, retain and teach'. All students upto grade 5 in community schools where the local level comes under low human development index, will be provided with local based nutritious mid-day meal.

88. Children's park will be developed for physical and mental development of children in partnership with each local government.

### Status of Educational Indicators:

The table below presents status of educational indicators from 2014 to 2018:

Table 32: status of educational indicators from 2014 to 2018

SN	Indicators	2014	2015	2016	2017	2018
1	Gross enrollment rate in ECD centres	77.7	81	82.9	84.1	84.7
2	Enrollment in grade 1 with ECD experience	59.6	62.4	64.7	66.3	66.9
3	Gross enrollment rate in grade 1	137	136.7	133.5	128.6	123.9
4	Net enrollment rate in grade 1	93	93.9	95.2	95.9	96.3
5	Gross enrollment rate in grade 1-5		135.4	134	132.3	118.8
6	Net enrollment rate in grade 1-5	96.2	96.6	96.9	97.2	96.5
7	Gross enrollment rate in grade 1-8	117.1	120.1	122	120.2	109.3
8	Net enrollment rate in grade 1-8	87.6	89.4	91	92.3	92.7
9	Ratio of girls in grade 1-8		1.00	1.00	1.00	0.98
10	Basic level (grade 8) completion rate		69.6	68.4	70.7	71.3
11	Gross enrollment in grade 9-12	51.6	57.7	59.6	60.6	66.2
12	Net enrollment in grade 9-12	34.7	37.7	38.9	43.3	46.4
13	Ratio of girls in grade 1-12		0.99	0.98	0.99	1.01
14	Literacy rate above 6 years of age	65.9	65.9	78	78	78
15	Literacy rate between 15 and 24 years of age	84.7	84.7	88.6	88.6	88.6
16	Literacy rate above 15 years of age	56.5	57	57	57	57

Source: Ministry of Finance, Economic Survey, 2018/19.

Above table shows that most of the educational indicators are in improving trend. Gross enrollment rate from grade 1 to 8 seems in decreasing trend, whereas the rate is in increasing trend from grade 9 to 12. Literacy rate above 15 years of age seems stagnant for the last five years.

In summary, there is improvement in school education. Student's enrollment rate in higher school grade is improving. There is no discrimination between girls and boys in school education. The number of students appearing SEE examination is in increasing trend. However, there are challenges to improve quality of school education; to bring out of school children to schools regularly; to make school classes regular; to reduce dropout rate; and to improve student-teacher ratio. The Government as well as community has to give due attention on these aspects.



### 5.1 Introduction

According to the CRC, child rights to participation is one of the main rights of children. Children have right to participate in all activities affecting them at all levels – family, school, community, district, regional, and national. It is based on their mental as well as physical capabilities. For the last few decades, child participation has been encouraged in the national periodic development planning process and other events. Generally, children participate in various activities through schools and child clubs. This chapter focuses on the article 12 of the CRC (respect to the views of children), article 13 (freedom to express), article 15 (freedom to be organized), and article 17 (access to information) that are related to the rights of children to participation.

The Constitution of Nepal has a provision for child participation in article 39 (3). Children's Act, 2018 mentions that the children have rights to provide their views in the decision making process on the issues of their concerns in the family, community, schools and any other public organizations. They have rights to express and information, to open institution and participate in mass gathering. Section 9 of the Act mentions the child rights to expression and information, which is followed by child rights to operate institution and peaceful gathering (Annex 1). With these provisions, the rights of children to participation is ensured by the law.

### 5.2 Children's Rights to Expression

The Constitution has provisioned for freedom of expression and views under fundamental rights and also ensures freedom of running an organization. These rights are equally applicable to children. After the ratification of the CRC, child participation has massively increased in the formulation of plans, policies and programs.

National daily newspapers have given special space for child centric materials as well as materials created by children. For instance, *Kantipur Daily* publishes additional section titled '*Kopila*' in each Sunday, *Annapurna Post* publishes '*Ankur*' in each Sunday, *Nagarik Daily* publishes '*Junkiri*' in each Saturday and *Gorkhapatra Daily* provides special space for materials created by children in each Saturday. *Gorkhapatra Daily* publishes monthly journal titled '*Muna*'. In addition, big publication houses have been publishing child related books. Similarly, some annual, halfyearly, quarterly and montly publications give space



for child related materials. It has come to know that over 10 monthly journals are published related to children in Kathmandu these days. In schools, children publish wall magazine. With all these medium, children express their views and creation.

### **5.3 Children's Participation to Recreational Activities**

Nepal is recognized for having unprecedented growth of FM stations across the country within a short span of time. Some FM radios conduct child related program every day. Similarly, some TV channels have been broadcasting programs related to children including the issue of child participation.

Print media are also regularly publishing child centered materials and also encouraging children to contribute in Nepali vernaculars. All these audio-vidual media have been in operation focusing on materials for child as well as materials developed by children for decades. With these efforts, child related materials come to public in one hand, and encourage children on the other hand. Lots of FM radios are in operation in these days. Over 12 FM radios in Kathmandu air child program. Child program is telecasted by TV stations.

### **5.4 Child Club**

Children's Act, 2018 mentions that children have rights to open child club or institution for protecting and promoting their rights as prescribed. Regulation of Children's Act is yet to approve. In the fiscal year 2017/18, it came to know that there were 23,606 child clubs in operation all over the country, and about 435,000 children were associated with those clubs. Those child clubs were based on both in schools and communities. The then Ministry of Federal Affairs and Local Development developed 'Child Organization Formation and Facilitation Guidelines (Sample) and Child Group Formation and Facilitation Directives, 2017. The Guidelines/Directives mention that school as well as community based child organization/club is required to enlist in local government authority (or in Ward of local government) within a month of formation, and school based club/group is to affiliate with the concerned school. In the fiscal year 2018/19, it was noticed that there were some confusions in local authority regarding registration of child club at the local level, and local government mechanism could not update the number of child clubs in their territory; therefore, the total number of child club in this fiscal year could not mention clear in this report. Hence, it is required to develop specific guidelines and disseminate to all local government about registration and facilitation of child clubs.

### **5.5 Child's Participation in Sports**

Children's Act, 2018 states that each child has rights to participate in sports that suit to their age and interest as well as in cultural activities based on own religion, practice without violating best interests of the child. Each school is supposed to manage sport materials and

encourage students for taking part in the sport activities out of their class time. Similarly, each child has rights to participate in their social, cultural, religious events without violating their best interest. For decades, the government has been organizing various sport competition as well as extra-curricular activities at the central, regional, district and school level. Children also participate in international sports competition, for instance, football, cricket, judo, karate and swimming. But the information on children's participation in such competition is not updated by the concerned authority. In fiscal year 2018/19, children of four provinces participated in the President Running Shield Sports Competition, whereas children of seven provinces participated in the Vice-President Children's Games. Details are given in the table below:

Table 33: Child participation in Provincial level sports competition

SN	Game	Province	Girls	Boys	Total
1	President Running Shield Sports Competition	1, 5, Gandaki and Sudurpaschim	188	188	376
2	Vice-President Children's Games	7 provinces	189	259	448
Total			<b>377</b>	<b>447</b>	<b>824</b>

Source: National Sports Council, 2019.

Above table shows that a total of 824 children (boys 447 and girls 377) participated in two competitions. Because of some technical problems, three provinces could not take part in the President Running Shield Sports Competition. Besides this information, other details of international sports where Nepalese children participated, could not be available. The concerned authority requires to maintain relevant information of child participation to sports.

In the point no. 221 of budget speech of FY 2019/20, it is mentioned that programs related to sports competition, training for players, capacity development and motivational activities will be conducted from the community level in collaboration with federal, provincial and local level for physical and mental development of children.

## 5.6 Child Friendly Local Governance, Child Friendly Local Level and Wards

Child friendly local governance is generally known as institutionalization of local level's policy, structure, system and working process into practice for internalizing the issues of children in development process. In other words, the approach of making child friendly legal, institutional and intervention measures to respect, protect and promote the rights of children is understood as child friendly local governance. This concept also refers to the process of planning, resource allocation, implementation, monitoring and evaluation at the local level.

Campaign of declaring child friendly village development committee was initiated from 2007 by developing 56 indicators in consultation with children too. In 2011, the then Ministry of Federal Affairs and Local Development reduced those indicators to 39 by editing and adjusting them in course of implementation of 'Child friendly local governance: National strategy and implementation procedures, 2011' and, training was provided to 64 districts (out of 75) and 32 municipalities. This effort was also appreciated by UNCRC Committee.

In the changed federal structure, Local Government Operation Act, 2017 has also provided Ward Committee to declare child friendly Ward. Accordingly, local level as well as Ward(s) are putting their efforts to declare their territory as child friendly local government or Ward. To date, four local governments (out of 753) have declared as child friendly local government - a) Kanchanrup Municipality, Saptari District under Province - 2; b) Bhimeshwor Municipality, Dolakha District under Province - 3; c) Devchuli Municipality, Nawalparasi (Bardaghat Susta East) District under Gandaki Province; and d) Sunawal Municipality, Nawalparasi District under Province - 5. Besides, a total of 35 Wards of 35 local level/government altogether of seven provinces have been declared as child friendly Wards. Though the number of local government and Ward seems low, this is encouraging beginning in course of developing child friendly local governance.

In essence, child participation is increasing in the process of child related policy and plan formulation process as well as relevant programs. By which children are getting opportunities to express their views. It has also been realized that the children's participation is meaningful to develop policy, plan and programs for the cause of children. Local governments seem to be more sensitive towards declaring child friendly local governance. It requires to give more priority to declare child friendly local governance by increasing participation of children as well as improve information management at the local level.



The Government of Nepal is very sensitive on the issues of the rights of children. The Constitution has taken the best interests of children as one of the priority concerns. Article 39 of the Constitution includes 10 sub-articles for the rights of children to education, health, protection, development and participation. The main principles as well as provisions of the CRC have been internalized in the Constitution. Hence, it seems to be one of the best Constitutions in the child rights perspective.

Children's Act, 2018 ensures 13 basic rights of children. It includes responsibilities of the state, parents, concerned institutions and media towards children. At the same time, the Act mentions the duties of children to obey and respect the advice and suggestions provided by parents, guardians, teachers, social workers and wellwishers for the sake of children's development and protection. Considering all the provisions of the Act, it can be taken as child friendly Act. Other Acts like, Local Government Execution Act, 2017, Free and Compulsory Education Act, 2018, Public Health Service Act, 2018, Social Security Act, 2018, Safer Motherhood and Reproductive Health Rights Act, 2018 are directly related to the cause of children. With all these legislative measures, it seems that the Government of Nepal is heading towards ensuring the rights of children.

It is a matter of fact that the Government of Nepal has prioritized the issues of the rights of children in the national agenda as soon the ratification to the CRC. Coming to date, there is paradigm shift in terms of legislative, policy, plan, institutional and program measures including coordination, collaboration and awareness raising concerns. Eventually, drastic changes can be seen in NER in the primary and secondary education, girl's ratio in school education, number of students appearing Secondary Education Examination, neonatal mortality rate, infant mortality rate and child mortality rate, nutritional status of children. Nepal has got international award for good results in child health sector. Encouraging results have been seen in child protection concerns. All achievements have been very encouraging. The changing trend of child related socio indicators have proved it.

The programs like free school education, free textbook distribution, various forms of scholarship, child nutrition grant, incentive of Rs. 1000/- for registering the birth within 35 days of birth, subsistence allowance for children of ultramarginal community are in implementation. Cash incentive up to Rs. 3000/- is also provided to women for delivery

in the health institution. Helicopter air lifting service for critical cases of pregnancy and delivery is ongoing under 'President Women Upliftment Program' that saved lives of both women and children.

As results of increasing investment on child education, health and protection, the lives of children are improving. Children requiring special protection have been benefited with the protection support provided by both government institutions and development partners. It is very encouraging that the government has given priority to the programs like, education, health, nutrition including child marriage, child labour, street children, sexual exploitation and abuse, child friendly local governance, orphan, vulnerable and marginalized children, birth registration, awareness raising. All these have contributed to protect and promote the rights of children.

Right Hon'ble Prime Minister K.P. Sharma Oli has shown deep concerns on the issues of street children. The street children rescue, support, rehabilitation and management program has been in implementation in Kathmandu Valley since May 2016. Till the mid of July 2019, a total of 1011 street children have been rescued, and managed to reintegrate some of them to their family and rehabilitate some of them whose family were not traced out. It is likely to expand this program out of Kathmandu Valley within this year. The Second Master Plan for Child Labour is in implementation. Child care homes monitoring and facilitation is in continuation, and during this process, if any child care home found executed against minimum standard, the children residing in the homes are rescued and managed as required. Then, the homes are put in legal process.

The Ministry of Women, Children and Senior Citizens in consultation with National Child Rights Council, prepares national plan of action for children and national periodic report on CRC. Similarly, Regulation of Children's Act, 2018, Directives, Guidelines, Standard Operating Procedures are likely to complete soon.

General awareness on child education and child rights has been growing. Intervention on child education, health, nutrition, protection concerns and participation has been increased. Accordingly, there has been positive results in the life of children in general and vulnerable children in particular. Notwithstanding, challenges exist especially in ending child rights violation cases like, child labour, child marriage, sexual exploitation and abuse of children, illicit transfer. And the challenges are further compounded in effective implementation of interventions regarding orphan, street children, children with disabilities, children infected and affected by HIV/AIDS still exist. In addition, addressing problems of children deprived of education, health and protection concerns in time, improve learning achievement of school children and improve nutritional status has been a challenge.

The government has been committedly working on improving legal, policy, plan, program and institutional measures in promoting child rights to survival, protection, development

and participation and, is preparing for ending child labour, child marriage, protection of orphan, street children together with supporting children required special protection from the state mechanism.

On the whole, it is required to continue good practices at all settings of the government mechanism, strengthen child related concerns from federal, provincial and local governments, and accelerate investment for the cause of children. In this effort, the role of development partners, non-government organizations, civil society, media, corporate sector including all concerned stakeholders is very significant. With the joint efforts of all actors, it is hoped that the life of all children can be made better in coming days.





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विवाहबारी २०  
वर्ष पारी ।



## Children's Act, 2018: The Rights of Children, Responsibilities towards Children, Duties of Children and Child Rights to Privacy

### Clauses for the Rights of Children:

#### 3. Right to live:

- (1) Every child shall have the right to live with dignity.
- (2) The Government of Nepal, Province Government and Local Level shall take necessary measures required for preventive and security service including prevention of possible accidents, minimization of risks that may occur on the children, in order to protect the rights of the child to live and development.

#### 4. Right to name, nationality and identity:

- (1) Every child shall have the right to have name with own identification and birth registration.
- (2) The father or mother of a child, after his or her birth, shall give a name to him or her and register it according to the prevailing laws.
- (3) The mother of a child born from rape or incest that is punishable by the prevailing laws shall register his or her birth by mentioning only the name of the mother if she so wishes.
- (4) While giving name pursuant to sub-section (2), if the father or mother of a child is not available immediately or there is no possibility that they can be available, then the child may have the name given by any other family member or guardian who looks after him or her.
- (5) Every child after birth may use the surname given by mutual consent of his or her parents or if such consent is not available he or she may use the surname of his or her father after his or her name.
- (6) Notwithstanding anything contained in sub-section (5), the child, if he or she so wishes, may use the surname of his or her father or mother or both.
- (7) A child whose paternal identity is not known may use his or her mother's surname after his or her name.
- (8) If a dispute arises regarding the surname of any child, except as proved

otherwise, it shall be deemed that the child is using his or her father's surname.

- (9) A child whose both father and mother are not identified may use the surname given by the guardian after his or her name.
- (10) The child welfare authority shall be informed about it when the guardian gives the name and surname pursuant to sub-section (9).
- (11) If the name of father, mother and grand-father, grand-mother must be mentioned pursuant to law in any formal legal proceeding or document, in cases where the father of the child is not known, he or she may mention his or her mother and parents' name and if the name of mother is also not known, mentioning that matter will suffice the requirement.
- (12) The mother, father or guardian of a child shall not change his or her name, surname that hides the identity of the child with an intention to gain undue benefits.

#### **5. Right against discrimination:**

- (1) No discrimination shall be made against any child on grounds of religion, race, caste, tribe, sex, origin, language, culture, ideological thought, physical or mental condition, physical disability, marital status, family status, employment, health condition, economic or social condition of him or her or his or her family or guardian, geographical area or similar other ground.
- (2) No one shall discriminate between son and daughter, son and son or daughter and daughter or children from ex-husband or wife or present husband or wife in maintenance, education or health care of children.
- (3) No one shall make any kind of discrimination between their own son, daughter and adopted son, daughter.
- (4) No discrimination shall be made with regard to maintenance, education and health care between children born to a man and woman before and after their marriage.

#### **6. Right to live and meet with the parents:**

- (1) No child shall be split or separated from his or her father or mother without his or her will.

- (2) Notwithstanding anything contained in sub-section (1), the Juvenile Court may issue an order to separate any child from his or her father or mother and entrust him or her to any guardian's custody for the best interests of the child, if necessary.

Provided that the concerned party shall not be deprived of an opportunity to submit his or her explanation before issuing such an order.

- (3) Except for the condition where the Juvenile Court has made a restriction stating that it would be not in the interests of a child, the child living separately from the father or mother or both shall have the right to make direct contact or meet with the father or mother regularly.
- (4) The person adopting a child shall allow the adopted child to meet, contact and make correspondence with his or her biological parents.
- (5) Any person or institution responsible for alternate care shall allow the children under their care or guardianship to meet their biological parents or families.

## **7. Right to protection:**

- (1) Every child shall have the right to obtain proper care, protection, maintenance, love and affection from his or her father, mother, other member of family or guardian.
- (2) The parents shall have equal responsibility in relation to care, protection and maintenance of their children. In cases where the parents are divorced or living separately due to any other reasons, financial expenses for the maintenance of their children shall be borne by both parents according to their capacity.
- (3) No father, mother, other member of the family or guardian shall abandon or leave the child of their own or under his or her guardianship unattended.
- (4) Children with disabilities, war victims, displaced, under vulnerable conditions, or living on street shall have the right to special protection as prescribed from the State for their secured future.
- (5) Every child shall have the right to protection against any type of physical or mental violence and torture, hatred, inhuman treatment, gender or untouchability-based mistreatment, sexual harassment and exploitation

that might be caused by his or her father, mother, other family member or guardian, teacher and other person.

- (6) Every child shall have the right to protection from being exploited economically and shall also be entitled to be protected from any activity which may be harmful to him or her or be obstacle to his or her education or detrimental to his or her health, physical, mental, moral, social development.
  - (7) No child shall be deployed in army, police and armed group and be used for armed conflict or political purpose directly or indirectly.
  - (8) No one shall attack, or make hindrance to the operation and management of any school, including the place, service or facility, used for the best interests of children, with any excuse at times of armed conflict or in any adverse situation of whatever type.
  - (9) Children below fourteen years of age shall not be deployed in any risky work or used as a house-servant or house-maid.
  - (10) The Government of Nepal, Provincial Government and Local Level may follow the necessary measures and make and implement the standards for the protection of the children.
- 8. Right to participate:** A child who is competent to form his or her own opinion shall have the right to participate in the decision-making process of family, community, school or other public institution or organization on the matters concerning him or her.
- 9. Right to freedom of expression and information:**
- (1) Every child shall have the freedom to express his or her opinion pursuant to the prevailing laws.
  - (2) Every child shall have the right to demand and receive information on the subject of his or her right, interest and concern subject to the prevailing laws.
- 10. Right to open organization and assemble peacefully:**
- (1) Every child shall have the right to open a child club or organization or the right to assemble peacefully for the protection and promotion of the rights of the child.

- (2) The provisions regarding the opening of a child club or organization pursuant to sub-section (1) shall be as prescribed.

#### **11. Right to privacy:**

- (1) Every child shall have the right to privacy regarding the subject of his or her body, residence, property, document, data, correspondence and character.
- (2) No one shall do, or cause to be done the act of creation of personal information, details, photo, collection of information, publishing, printing, demonstrating, sale and distributing or transmitting by any means that causes negative impact on the characteristics of a child or any shame, regret or domination to him or her.
- (3) The details that provide the identity of a child along with the name, surname, address, age, sex, family background, economic status, offence committed by, and any details regarding action, if any taken, against a child who is victim or accused of an offence by the Juvenile Court, police office, guardian, caretaker, or any other body shall be kept confidential. The details of a child kept confidential shall not be used elsewhere except as provided by the law.

Provided that if such details have to be published for any study or research work, only the age or sex of the child, without disclosing his or her name, surname, address, other data which may reveal his or her identity and his or her family may be published.

#### **12. Special rights of children with disabilities:**

- (1) Special arrangements shall be made, as prescribed, for the children with disabilities.
- (2) Every child with disability shall have the right to determine his or her own honour and prestige, to promote his or her own independency, to participate actively in the society and to live a life with dignity.
- (3) Every child with disability shall have the right to obtain special care and to be assimilated in the society and to obtain the opportunity to education, training, health care, rehabilitation service, preparation for employment and entertainment for the development of his or her personality.

- (4) Every child with disability shall have the right to equal access and utilize the public services and facilities.

**13. Right to nutrition and health:**

- (1) Every child shall have the right to proper nutrition, clean drinking water and the child up to two years of age shall also have the right to breast feeding.
- (2) Pregnant women and children shall have the right to get necessary vaccination to prevent diseases and allow to utilize the physical and mental health services according to the national standards, to get information about body, reproduction and reproductive health according to age and maturity.
- (3) Every child shall have the right to obtain free basic health service.

**14. Right to sports, entertainment and culture:**

- (1) Every child shall have the right to play games and participate in sports according to his or her age and interest.
- (2) Every school shall encourage the children to participate in sports at the time other than study and for that purpose, provide for necessary playgrounds and sports materials.
- (3) Every child shall have the right to child friendly entertainment according to his or her age, interest and requirement.
- (4) Every child shall have the right to take part in cultural activities according to his or her religion, culture, custom, tradition and conscience without causing any adverse effect on his or her interests.

**15. Right to education:**

- (1) Children below six years of age shall have the right to learn in a proper way according to their age and level of development and to pre-child development.
- (2) Every child shall have the right to acquire free and compulsory education upto the basic level and free education upto the secondary level pursuant to the prevailing law in a child friendly environment.
- (3) Every child shall have the right to acquire education through proper study materials and teaching method according to his or her special

physical and mental condition, pursuant to the prevailing law.

- (4) *Dalit* children shall have the right to acquire free education with scholarship pursuant to the prevailing law.

### **Responsibilities towards Children:**

#### **16. Priority to be given for the best interests of children:**

- (1) The officials of every organization and institution that carries out activities related to children shall adopt necessary child friendly process by giving priority to the best interests of children, while doing every activity.
- (2) It shall be the responsibility of everyone to instantly help children whose life is in risk.
- (3) The child welfare authority or Juvenile Court shall, while making arrangement for a child's alternative care, separating a child from his or her parents or guardian, making decision on who has to take care of and maintain a child after divorce between his or her father and mother shall adopt the process as prescribed for the best interests of the child pursuant to this Act.
- (4) Public and private social institutions where children stay or which provide services to children shall, while constructing or refurbishing the physical structures, make necessary arrangement that is child friendly.

#### **17. Responsibility of the family or guardian:**

- (1) Both the father and mother shall have equal responsibility on the child's care, maintenance and overall development.
- (2) It shall be the responsibility of every father, mother, other members of the family or guardian to care, maintain and protect, to provide the opportunity for education, treatment, along with personality development of, to provide environment full of love and care and to guide properly for future certainty of the child.
- (3) Father, mother, other family member or guardian shall provide suitable environment for acquiring education to every child of age to join school by admitting him or her to the school.
- (4) Father, mother, other member of the family or guardian shall not engage



the child on labour which may adversely affect his or her education, health and physical or mental development.

- (5) Father, mother, other member of the family or guardian shall not leave the child below six years of age alone at home or any other place or send alone elsewhere, without being accompanied by an adult person.

**18. Obligation of the State:** The State shall make necessary arrangement for the basic needs including maintenance, protection, health and education of children in need of special protection, on the basis of the available means and resources.

**19. Responsibility of the media sector:** It shall be the responsibility of the media sector to publish and transmit information, without violating the rights of the child and causing adverse effect on the interests of the child.

**48. Children in need of special protection:**

1. The children stated below shall be deemed to be children in need of special protection:
  - (a) Orphan children,
  - (b) Children that have been left or found abandoned in hospital or other public places or separated from parents or left unclaimed, with the identity of their parents unknown,
  - (c) Children that are not receiving appropriate care due to physical or mental disability or incapacity of their parents,
  - (d) Among children in conflict with law, those who have been referred for alternative care under the diversion process,
  - (e) Children staying in prison being dependent on their father or mother who is detained or imprisoned
  - (f) Infants born due to rape or incestuous relationships that are punishable by law and concerning whom application has been submitted to a child welfare authority, claiming inability to raise them,
  - (g) Children who have been separated from their families for their best interest due to abuse, violence or neglect by their fathers, mothers or guardians,

- (h) Children who are earning their livelihood by engaging in labour that is forced or bonded or hazardous or worst in form or that contravenes a prevailing law, are addicted to smoking, drinking or other narcotic drugs, or are infected with HIV,
  - (i) Children who are experiencing difficulty leading normal life or whose lives are at risk, having been suffering from serious physical or mental health problems or serious disability, due to the inability of their parents or families to afford treatment,
  - (j) Children who are the victims of offences against children or are at such risks,
  - (k) Children who have lost both or either of their parents, or whose parents have disappeared, or have themselves been suffering physically or mentally or facing disability due to disasters or armed conflict,
  - (l) Children belonging to deprived *Dalit* communities,
  - (m) Other children who are designated as children in need of special protection by the Ministry through a notification in the Nepal Gazette.
- (2) The services and support, including rescue, temporary protection, health treatment, psychosocial support, family reunion, rehabilitation, alternative care, family support, social security and socialization, as required, to children referred to in Subsection (1) shall be as prescribed.

## **66. Offences against children:**

- (1) If a person engages in any act of violence pursuant to Subsection (2) or sexual abuse pursuant to Subsection (3), it shall be deemed an offence against children under this Act.
- (2) If any person commits any of the acts, stated below, against children, it shall be deemed an act of violence against children:
  - (a) Involve in addictions such as smoking, drinking or gambling,
  - (b) Allow entry to, or use in, recreational facilities opened for adults such as dance bars and casinos,
  - (c) Show motion pictures or other audio-visual materials classified as

adult-only,

- (d) Inflict physical or mental punishment or behave in undignified manner, whether at home, school or any other place,
  - (e) Inflict physical injuries or harm, terrorize or intimidate, humiliate, neglect, discriminate, exclude or hate, isolate or cause mental torture,
  - (f) Harass or bully using electronic or other medium,
  - (g) Organize for political purposes or use in strikes, shutdowns, transportation strikes, sit-ins or rallies,
  - (h) Keep in illegal confinement, detention, jail or house arrest; handcuff them
  - (i) Treat in a cruel or inhumane manner or torture,
  - (j) Cause to beg or disguise as ascetic, monk or mendicant, except for tradition, custom or any religious or cultural activity,
  - (k) Forcibly declare as orphan or register as orphan,
  - (l) Offer or dedicate in the pretext of a pledge, religious or any other purpose or subject them to violence, discrimination, neglect or exclusion or mockery in the pretext of custom, culture or rituals
  - (m) Engage in magic or circus shows,
  - (n) Teach or train to commit offensive acts or involve in such acts,
  - (o) Fix marriages of children or marry, or cause to marry, children,
  - (p) Remove organs of children in contravention of a prevailing law,
  - (q) Use children for medical or any other experiment,
  - (r) Keep them in children's homes other than under a due process of law
- (3) If any person engages in any of the acts stated below against a child, she/he shall be deemed to have committed an act of child sexual abuse:
- (a) Show, or cause to show, obscene pictures, audio-visual recordings or other such materials or display, or cause to display, expressions or gestures that reflect obscene or sexual conduct or behaviour or display, or cause to display, child pornography,

- (b) Distribute, store or use actual or fictitious obscene pictures or audio-visual materials of children,
  - (c) Propose, entice, coerce or threaten for sexual activities,
  - (d) Use children in production of obscene acts and materials,
  - (e) Touch, kiss, hold sensitive parts of body, embrace with sexual intent or cause them to touch or hold sensitive parts of own body or body of another person or render them unconscious with sexual intent or display, or cause them to display, sexual organs,
  - (f) Use, or cause to use, children for stimulating sexual urge or sexual excitement,
  - (g) Use, or cause to use, children for the purpose of sexual gratification,
  - (h) Engage in, or cause to engage in, child sexual exploitation,
  - (i) Use, or cause to use, children with the intent of providing sexual services,
  - (j) Use, or cause to use, children with the intent of engaging in sexual abuse,
  - (k) Use children in prostitution or other sexual work,
- (4) Notwithstanding what is contained in Subsection (3), anything expressed by means of writing, speaking, gesturing or displaying any word, picture, audio, visual medium and objector material on a sex-related topic without displaying obscenity with the aim of imparting information and education or an act performed with good intent in the course of treatment of children or for saving children from an accident or danger shall not be deemed acts of sexual abuse.

**77. Duties of the child:** It shall be the duty of every child to respect his or her father, mother, guardian, other family members, teachers and social service providers and obey the advice, suggestion, guidance and instruction given by them, taking into consideration of his or her best interests.

**78. To maintain confidentiality:**

- (1) No person shall publish or broadcast through print or electronic media any details that discloses the identity of a child concerned with a case that is *sub judice* in the Juvenile Court.

- (2) No person shall broadcast information or news through any communication media by disclosing the identity of a child victim of an offence against children.
- (3) The police, government attorney or Juvenile Court shall make arrangements for maintaining records of child victims of the offences against children, without disclosing their names and identity.
- (4) The investigation authority, government attorney and Juvenile Court shall keep the identity of children in conflict with law confidential. Copies of documents related to such charge shall not be given to any person other than the concerned police and government attorney's office, Juvenile Court, the child concerned, family members, guardian, legal practitioner of the concerned child and Central and District Child Justice Committee.
- (5) Notwithstanding anything contained elsewhere in this Section, the details related to the child may be published or broadcast as follows, in the following circumstance:
  - (a) If publishing or broadcasting the details relating to the children in conflict with law does not adversely affect the interests of such children, such details, with the permission of the Juvenile Court,
  - (b) Data on the children in conflict with law may be published with the permission of the concerned agency, for any study or research, with the disclosure of their age or gender, without disclosing their names, surnames, personal details and addresses.

### Child Related SDGs - Goals, Targets and Indicators

Goal	Indicators	2015	2019	2022	2025	2030
2.1.1	Malnutrition (%)	36.1	27.3	20.6	14	3
2.2.1	Underweight <5 children (%)	27	22.6	17.8	13	5
2.2.2	<5 stunted children (%)	36	32	26.7	22.3	15
2.2.3	<5 children under weight against hight (%)	10	9.1	7.4	5.8	3
2.2.6	<5 aenimic children (%)	22.6	18.2	14.8	11.5	6
2.2.7	Children between 6-23 months consuming minimum calorie intake (%)	32.3	25.8	21	16.1	8
3.1.1	Maternal mortality rate (per 100,000 livebirth)	258	145	106	86	69
3.1.2	Delivery by skilled birth attendant (%)	58	68.5	73	79	90
3.2.1	<5 child mortality rate (per 1,000 livebirth)	39	30	28	26	22
3.2.2	Infant mortality rate (per 1,000 livebirth)	23	20	17	14	10
3.3.6.1	Diarrhoea incidence (per 1,000 children <5 yrs)	501	367	267	167	0
3.3.6.2	Diarrhea among children <5 yrs within last two weeks (%)	12	8.8	6.4	4	0
3.8.1.6	Immunized children between 12-13 months with Measles, BCG, OVP3, DPT3, HepB3 etc.	84.5	88.6	91.7	94.8	100
4.1.1	NER at primary school	96.6	98.5	99	99	99.5
4.1.2	Children completing primary education (%)	87.5	90.7	93.1	95.5	99.5
4.1.3	Survival rate of children enrolling in grade 1 and reaching to grade 8 (%)	76.6	81.5	92	93	95
4.1.4	Girls ratio to boys - Survival rate of children enrolling in grade 1 and reaching to grade 8 (%)	1.04	1.03	1.02	1.01	1
4.1.4	Girls ratio to boys - Survival rate of children enrolling in grade 1 and reaching to grade 12 (%)	1.1	1.04	1.03	1.02	1
4.1.9	Learning achievement/secured marks (Math, Nepali and English) %	55.6	60.8	64.6	68.5	75
4.1.10	Enrolment rate in secondary level (grade 9-12)	56.7	72	90	95	99
4.2.2	Day meal program	17	31	41	51	68
4.2.3	Enrolment rate in ECD	81	85.8	89.4	93	99
4.3.1	Girls enrolment ratio in technical and vocational education	0.53	0.66	0.75	0.84	1
4.3.3	Students who received scholarship (%)	37	38.3	39.3	40.3	42
8.7.1	Child labour at-risk (%)	30	22	16	10	0
10.4.3	Population benefitted by social security (%)	18	18.5	18.9	19.3	20
16.2.1	Children <14 year who were victim of mental and corporal punishment (within last one month) (%)	81.7	60	44	27	0
16.2.3	Number of trafficked children	64	47	34	21	0
16.9.1	Birth registration of children under 5 years (%)	58.1	66	79	86.9	100

Source: National Planning Commission, 2017

### A. Province-wise ECD Centre - Enrolment of Dalit and Ethnic Children, 2018/19

Province	Total			Dalit			Ethnic			Dalit	Ethnic
	Girl	Boy	Total	Girl	Boy	Total	Girl	Boy	Total	Girl	Boy
1	83,990	95,660	179,650	10,459	11,689	22,148	39,983	45,391	85,374	13.8	23.6
2	61,731	71,337	133,068	13,854	15,337	29,191	10,045	11,454	21,499	18.3	6.0
3	91,299	109,682	200,981	7,182	8,201	15,383	50,445	58,515	108,960	9.6	30.2
Gandaki	43,477	52,105	95,582	9,913	11,424	21,337	18,502	21,499	40,001	13.3	11.1
5	90,608	109,224	199,832	15,525	18,057	33,582	35,967	42,391	78,358	21.0	21.7
Karnali	28,155	30,003	58,158	7,437	7,848	15,285	3,643	3,814	7,457	9.6	2.1
Sudurpash-chim	49,815	56,814	106,629	11,231	11,760	22,991	9,093	10,435	19,528	14.4	5.4
<b>Total</b>	449,075	524,825	973,900	75,601	84,316	159,917	167,678	193,499	361,177	16.4	37

Source: Education and Human Resources Development Centre, Flash Report I, 2018

### B. Province-wise Dalit and Ethnic Children in Primary, Lower-Secondary and Basic Level, 2018/19

Province	Level	Dalit			Ethnic		
		Girl	Boy	Total	Girl	Boy	Total
1	Primary	40,986	40,050	81,036	139,599	143,515	283,114
	L.Secondary	17,377	15,965	33,342	81,831	78,636	160,467
	Basic	58,363	56,015	114,378	221,430	222,151	443,581
2	Primary	97,641	92,265	189,906	60,734	55,354	116,088
	L.Secondary	25,426	26,173	51,599	28,771	26,088	54,859
	Basic	123,067	118,438	241,505	89,505	81,442	170,947
3	Primary	28,486	28,536	57,022	191,305	202,263	393,568
	L.Secondary	14,868	13,705	28,573	104,981	103,063	208,044
	Basic	43,354	42,241	85,595	296,286	305,326	601,612
Gandaki	Primary	34,830	35,004	69,834	60,737	63,983	124,720
	L.Secondary	19,410	18,083	37,493	37,556	37,093	74,649
	Basic	54,240	53,087	107,327	98,293	101,076	199,369
5	Primary	69,089	71,101	140,190	133,578	139,362	272,940
	L.Secondary	28,372	26,990	55,362	74,278	72,110	146,388
	Basic	97,461	98,091	195,552	207,856	211,472	419,328
Karnali	Primary	47,968	46,137	94,105	19,575	18,985	38,560
	L.Secondary	18,485	17,265	35,750	9,310	8,782	18,092
	Basic	66,453	63,402	129,855	28,885	27,767	56,652
Sudurpash-chim	Primary	58,050	54,312	112,362	24,355	24,492	48,847
	L.Secondary	22,622	20,560	43,182	15,244	13,660	28,904
	Basic	80,672	74,872	155,544	39,599	38,152	77,751
<b>Total</b>	Primary	<b>377,050</b>	<b>367,405</b>	<b>744,455</b>	<b>629,883</b>	<b>647,954</b>	<b>1,277,837</b>
	L.Secondary	<b>146,560</b>	<b>138,741</b>	<b>285,301</b>	<b>351,971</b>	<b>339,432</b>	<b>691,403</b>
	Basic	<b>523,610</b>	<b>506,146</b>	<b>1,029,756</b>	<b>981,854</b>	<b>987,386</b>	<b>1,969,240</b>

Source: Education and Human Resources Development Centre, Flash Report I, 2018

## Province-wise Child Care Homes, 2018/19

Province	SN	District	No. of CCH	Boy	Girl	Total
1	1	Sankhuwasava	3	8	20	31
	2	Ilam	2	8	8	18
	3	Udaypur	2	4	3	9
	4	Bhojpur	1	5	5	11
	5	Jhapa	8	77	68	153
	6	Morang	6	109	60	175
	7	Dhankuta	1	7	7	15
	8	Sunsari	5	119	95	219
	<b>Total</b>			<b>28</b>	<b>337</b>	<b>266</b>
2	1	Parsa	4	128	0	128
	2	Sarlahi	5	64	48	112
	3	Bara	1	11	6	17
	4	Rautahat	1	23	3	26
	5	Siraha	1	4	9	13
	6	Dhanusha	1	2	7	9
	<b>Total</b>			<b>13</b>	<b>232</b>	<b>73</b>
3	1	Kathmandu	196	2690	2968	5854
	2	Lalitpur	112	1282	1387	2781
	3	Bhaktapur	18	336	258	612
	4	Chitwan	27	451	515	993
	5	Dolakha	1	11	0	12
	6	Sindhuli	1	3	5	9
	7	Dhading	6	56	63	125
	8	Sindhupalchowk	6	46	35	87
	9	Makwanpur	10	125	135	270
	10	Kavre	12	150	214	376
	11	Nuwakot	2	55	12	69
	<b>Total</b>			<b>391</b>	<b>5205</b>	<b>5592</b>



Gandaki	1	Lamjung	1	8	10	19
	2	Myagdi	1	4	6	11
	3	Tanahu	5	53	36	94
	4	Kaski	44	687	805	1536
	5	Gorkha	2	11	7	20
	<b>Total</b>		<b>53</b>	<b>763</b>	<b>864</b>	<b>1680</b>
5	1	Palpa	1	14	13	28
	2	Kapilvastu	1	16	4	21
	3	Banke	3	42	56	101
	4	Dang	2	19	126	147
	5	Nawalparasi	3	115	69	187
	6	Rupandehi	8	179	118	305
	7	Bardia	2	28	38	68
	<b>Total</b>		<b>20</b>	<b>413</b>	<b>424</b>	<b>857</b>
Karnali	1	Surkhet	5	135	124	264
	2	Dailekh	2	71	57	130
	3	Humla	4	36	86	126
	4	Jumla	2	20	29	51
	5	Mugu	1	5	2	8
	<b>Total</b>		<b>14</b>	<b>267</b>	<b>298</b>	<b>579</b>
Sudurpash- chim	1	Achham	1	11	8	20
	2	Bajura	2	5	4	11
	3	Dadeldhura	1	11	0	12
	4	Kailali	6	104	99	209
	5	Kanchanpur	4	64	5	73
<b>Total</b>		<b>14</b>	<b>195</b>	<b>116</b>	<b>325</b>	
<b>Total 46 districts - Grand Total</b>			<b>533</b>	<b>7,412</b>	<b>7,633</b>	<b>15,045</b>

Source: National Child Rights Council, 2019

## Child Friendly Local Level and Wards, 2018/19

SN+	Province	District	Local Devel	Ward	Declared date
	5	Nawalparasi	Sunawal Municipality	All wards	Aug, 2018
	Gandaki	Nawalparasi (BSE)	Devchuli Municipality	All wards	Sep, 2018
	Karnali	Kalikot	Tilgupha Municipality	2	Dec, 2017
	Karnali	Kalikot	Tilgupha Municipality	4	Dec, 2017
	Karnali	Dailekh	Aathbisa Municipality	4	Dec, 2017
	Gandaki	Parbat	Modi Rural Municipality	8	Jan, 2018
	2	Parsa	Birgunj Metropolitan city	31	Mar, 2018
	3	Chitwan	Ratnanagar Municipality	3	June, 2018
	3	Makwanpur	Indrasarobar Rural Municipality	4	June, 2018
	3	Makwanpur	Indrasarobar Rural Municipality	5	June, 2018
	1	Sunsari	Dharal Sub- Metropolitan city	13	July, 2018
	1	Sunsari	Ramduni Rural Municipality	2	July, 2018
	1	Sunsari	Dharal Sub- Metropolitan city	14	July, 2018
	3	Kavri	Panauti Municipality	12	Aug, 2018
	3	Chitwan	Ratnanagar Municipality	5	Sep, 2018
	1	Sunsari	Dharal Sub- Metropolitan city	20	Sep, 2018
	2	Parsa	Parsagadhi Municipality	2	Sep, 2018
	5	Kapilvastu	Shivraj Municipality	9	Sep, 2018
	5	Rupandehi	Shudhdodhan Rural Municipality	2	Oct, 2018
	1	Udaypur	Triyuga Municipality	15	Oct, 2018
	Karnali	Kalikot	Tilgupha Municipality	1	Nov, 2018
	Karnali	Kalikot	Tilgupha Municipality	3	Nov, 2018
	Karnali	Dailekh	Gunras Rural Municipality	6	Dec, 2018
	Sudurpashchim	Achham	Chaurpati Rural Municipality	6	Jan, 2019

	3	Chitwan	Ratnanagar Municipality	15	May, 2019
	1	Sunsari	Dharal Sub- Metropolitan city	12	May, 2019
	3	Kavri	Dhulikhel Municipality	10	June, 2019
	Gandaki	Parbat	Paiyutar Rural Municipality	7	June, 2019
	3	Kavri	Panauti Municipality	2	June, 2019
	3	Kavri	Panauti Municipality	3	June, 2019
	1	Sunsari	Dharal Sub- Metropolitan city	18	July, 2019
	3	Chitwan	Bharatpur Metropolitan city	14	July, 2019
	1	Sunsari	Ramdhuni Rural Municipality	5	July, 2019
	5	Pyuthan	Swargadwari Municipality	5	July, 2019
	2	Saptari	Kanchanrup Municipality	All wards	Sep, 2019
	3	Dolakha	Bhimeshwor Municipality	All wards	Sep, 2019
	Gandaki	Lamjung	Kwhlosothar Rural Municipality	1	Sep, 2019
	5	Kapilvastu	Kapilvastu Municipality	9	Oct, 2019
	5	Kapilvastu	Kapilvastu Municipality	10	Oct, 2019

Source: National CFLG Forum, 2019



## Children's Act, 2018: Main Clauses

Clause	Main Heading
3	Right to survival
4	Right to name, nationality and identity
5	Right against discrimination
6	Right to stay with and visit to parents
7	Right to protection
8	Right to participation
9	Rights to freedom of expression and information
10	Right to form institution and peaceful gathering
11	Right to privacy
12	Special rights of children with disabilities
13	Right to health and nutrition
14	Right to sports, recreation and culture
15	Right to education
	<i>Responsibilities towards children and duties of children</i>
16	Priority given to the best interests of children
17	Responsibilities of the family or guardian
18	Responsibilities of the state
19	Responsibilities of media
48	Children in need of special protection
66	Offences against children
77	Duties of children
78	To maintain confidentiality

## Article 39. Rights of the child:

- (1) Every child shall have the right to name and birth registration along with his or her identity.
- (2) Every child shall have the right to education, health, maintenance, proper care, sports, entertainment and overall personality development from the families and the State.
- (3) Every child shall have the right to elementary child development and child participation.
- (4) No child shall be employed to work in any factory, mine or engaged in similar other hazardous work.
- (5) No child shall be subjected to child marriage, transported illegally, abducted/ kidnapped or taken in hostage.
- (6) No child shall be recruited or used in army, police or any armed group, or be subjected, in the name of cultural or religious traditions, to abuse, exclusion or physical, mental, sexual or other form of exploitation or improper use by any means or in any manner.
- (7) No child shall be subjected to physical, mental or any other form of torture in home, school or other place and situation whatsoever.
- (8) Every child shall have the right to juvenile friendly justice.
- (9) The child who is helpless, orphan, with disabilities, conflict victim, displaced or vulnerable shall have the right to special protection and facilities from the State.
- (10) Any act contrary to in clauses (4), (5), (6) and (7) shall be punishable by law, and a child who is the victim of such act shall have the right to obtain compensation from the perpetrator, in accordance with law.

Article 18. Right to equality

Article 20. Rights to justice

Article 29. Right against exploitation

Article 31. Right to education

Article 35. Right to health

Article 40. Rights of *Dalit*

Article 42. Right to social justice

Article 43. Right to social security

Article 51. Policies of the State

(i) Policies relating to labour and employment:

(3) Abolish all forms of labour exploitation including child labour.

(j) Policies relating to social justice and inclusion:

(5) Take into consideration primarily of the best interests of the child.