



CHILD RIGHTS MOVEMENT IN NEPAL:

**A Reflective Study on Key Milestones,
Achievements, and Future Directions**

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Disclaimer

The study team has made every effort to accurately reflect the historical milestones of the child rights movement in Nepal. Any gaps or omissions in the content are purely unintentional and are not intended to diminish the significance of the subject matter.



Dedicated to the children of Nepal, whose leadership, resilience, and unwavering contributions drive the child rights movement in Nepal.

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FOREWORD

Nepal has a distinctive history of child rights movement. Among the various organized social and civil rights movements in Nepal, the child rights movement stands out there. Dozens of community organizations, civil society organizations, and networks in Nepal are actively promoting and protecting child rights. They have implemented numerous good practices in areas, such as child rights promotion, child participation enhancement, and the strengthening of child clubs and networks.

This study, titled "*Child Rights Movement in Nepal: A Reflective Study on Key Milestones, Achievements, and Future Directions*," aims to document these exemplary practices. The study was a collaborative effort by a wide range of organizations, including Alliance against Trafficking in Women and Children in Nepal (AATWIN); Consortium of organizations working for Child participation (CONSORTIUM-Nepal); National Child Protection Alliance (NCPA); Child Care Home Network Nepal (CNET Nepal); CRC Committee, Human Rights Treaty Monitoring Coordination Center (HRTMCC); Children as Zone of Peace National Campaign (CZOP); National Alliance of Child Rights Organisations (NACRO); National Child Friendly Local Governance Forum; National Coalition for Girls' Rights; Girls Not Brides Nepal; Destination Unknown: Children on the move campaign in Nepal (DUCOM Nepal); Education Watch Group; National Campaign for Education Nepal (NCE); Inclusive Education Forum Nepal; National Alliance of Organisations Working for Street Children in Nepal (NAOSC); Social Protection Civil Society Network (SPCSN); Ratify OP3CRC Coalition Nepal; National Initiative for Child Survival (NICS); MenEngage Alliance Nepal; and Net4Good Alliance Nepal.

During the study, activists, experts, and experienced professionals in the field of child rights made invaluable contributions. I would like to express my gratitude to Bishnu Bahadur Khatri and Sushil BK for their assistance with information gathering and the initial drafting of the report as members of the study group. My thanks also go to Mohan Dangal, Santosh Maharjan, and Gaurav KC for their coordination of the study. I am deeply grateful to Chandrika Khatiwada from the Institute for Legal Research and Consultancy for reviewing the initial report as an expert, as well as for providing good contributions to supplementary writing and editing. Special thanks to Nina Maharjan for assisting with language editing. I also wish to acknowledge the members of the Study Steering Committee, the presidents and officials of various networks, the executive committee officers, advisors, and staff of the Consortium Nepal Secretariat, as well as all my colleagues who contributed to and guided the preparation of this report. Finally, I would like to extend my heartfelt gratitude to our partner organization, Save the Children, for providing both financial and technical support in preparing this study report.



.....
Kiran Thapa
On behalf of Consortium Nepal and the Study Steering Committee

FOREWORD

PARTNERSHIP WITH CHILDREN: A FOUNDATION OF CHILD RIGHTS IN NEPAL

Nepal has made significant progress in embedding children's rights as a fundamental aspect of its development, ensuring that children's participation is central to all initiatives. This progress would not have been possible without the collaboration and alliances of civil society organizations, government bodies, key stakeholders, and—most importantly—the children themselves. Their lived experiences, voices, and agency continue to shape both the present and the future of the child rights movement.

Reflecting on the journey of child rights in Nepal, beginning with the ratification of the 1989 Convention on the Rights of the Child, and the subsequent social and political progress, we see undeniable strides in securing these rights. Through the efforts of civil society organizations and dedicated child rights advocates, we have worked to ensure that children's rights are never an afterthought. This collective commitment has helped us overcome major challenges, from navigating the conflict period to the establishment of democratic governance and practices.

Throughout these efforts, children, their needs, their voices, and their rights have remained central—and this should be the inevitable standard. However, challenges persist, underscoring the need for stronger coalitions to ensure that children's voices and leadership remain at the forefront. This is a commitment Save the Children has made, both in Nepal and globally.

We are acutely aware of the shifting geopolitics and the visible and invisible threats to child rights, ranging from climate change and natural disasters to the technological divide and restrictive social norms. In response, the study "*Child Rights Movement in Nepal: A Reflective Study on Key Milestones, Achievements, and Future Directions*" offers both a legacy perspective and an actionable recommendations to guide, anchor, and strengthen our child rights movement, ensuring that children's voices and agency remain central to all our efforts.

Let me be bold and reiterate: child rights are not merely an issue for children or the organizations that advocate for them—it is everyone's issue. We need the commitment and leadership of all to advance the gains we have made in the child rights arena. There is no denying that children represent a unifying cause, a common ground, and, at Save the Children, we believe they are the key to bringing us together—regardless of our backgrounds or beliefs. Children deserve to be at the heart of development and social discourse, and our united coalition and alliance are vital to making this vision a reality.



.....
Tara Chetry
Country Director
Save the Children - Nepal and Bhutan Country Office

ACRONYMS

AATWIN	: Alliance against Trafficking in Women and Children in Nepal
CAAFAG	: Children associated with armed forces and groups
CFLG	: Child Friendly Local Governance
CNET	: Child Care Home Network Nepal
CNFN	: Child NGO Federation-Nepal
CONSORTIUM	: Consortium of organizations working for Child participation
CWIN	: Child Workers in Nepal Concerned Centre
CWISH	: Children and Women in Social Service and Human Rights
CRC	: Child Rights Convention
CZOP	: Children as Zone of Peace National Campaign
DUCOM	: Destination Unknown: Children on the move campaign
EWG	: Education Watch Group
GNNB	: Girls Not Brides Nepal
NACG	: National Action and Coordinating Group
NACRO	: National Alliance of Child Rights Organisations
NAOSC	: National Alliance of Organisations Working for Street Children in Nepal
NCE	: National Campaign for Education
NCPA	: National Child Protection Alliance
NICS	: National Initiative for Child Survival
NCGR	: National Coalition for Girls' Rights
NCPN	: National Coalition of Party for Nepal
NAP	: National Action Plan
MoWCSC	: Ministry of Women, Children, and Senior Citizens
OP3CRC	: Third Optional Protocol to the Convention on the Rights of the Child
SPCSN	: Social Protection Civil Society Network
SOS	: Save Our Souls
UN	: United Nations
UNCRC	: United Nations Convention on the Rights of the Child
UNICEF	: United Nation's Children Fund
UPR	: Universal Periodic Report



Eglantyne Jebb and the Geneva Declaration

The First World War, which occurred from 1914 to 1918, resulted in a massive loss of life and property worldwide. Millions of people lost their lives, and countless children were left destitute. Many became orphans, suffered injuries, or were left disabled, while others were deprived of basic necessities. Even after the war ended, the countries involved remained primarily focused on political concerns, particularly physical and economic reconstruction, giving little attention to the dire situation, suffering, and hardships faced by children.

In this tragic context, the pitiful condition of the affected children inspired Eglantyne Jebb to take decisive action to save their lives. In 1919, she and her sister Dorothy Buxton founded the organization Save the Children. The organization provided food, medicine, and other life-saving aid to these children. Under Jebb's leadership, Save the Children's efforts began to gain international support.

“ I believe we should claim certain rights for children and labour for their universal recognition, so that everybody – not merely the small number of people who are in a position to contribute to relief funds, but everybody who in any way comes into contact with children, that is to say the vast majority of mankind – may be in a position to help forward the movement. ”

—Eglantyne Jebb

Eglantyne Jebb's ideas, thinking, and approach were inherently bold and visionary. She advocated for establishing children's rights as a major global issue. Her work with Save the Children went beyond providing emergency relief; she also led various campaigns to secure worldwide recognition of children's rights to health, education, and protection. To achieve global recognition for the child rights movement, she drafted a declaration that reflected her vision.

In 1923, the child rights declaration prepared by Eglantyne Jebb was accepted by the League of Nations on September 26, 1924. The Geneva Declaration was the first significant attempt to gain international recognition for children's rights. The framework of the United Nations Convention on the Rights of the Child (UNCRC), adopted in 1989, was based on the same foundational document—the Geneva Declaration—that Jebb had prepared.

The following five points of the Geneva Declaration on the Rights of the Child were approved by the League of Nations on September 26, 1924:

1. The child must be given the means requisite for its normal development, both materially and spiritually;
2. The child that is hungry must be fed; the child that is sick must be nursed; the child that is backward must be helped; the delinquent child must be reclaimed; and the orphan and the waif must be sheltered and succored;
3. The child must be the first to receive relief in times of distress;
4. The child must be put in a position to earn a livelihood, and must be protected against every form of exploitation;
5. The child must be brought up in the consciousness that its talents must be devoted to the service of fellow men.



Déclaration de Genève

(Adoptée par le Conseil général de l'Union Internationale de Secours aux Enfants dans sa session du 25 février 1923, votée définitivement par le Comité exécutif dans sa séance du 17 mai 1923, et signée par les membres du Conseil général le 28 février 1924.)

Par la présente Déclaration des Droits de l'Enfant, dite Déclaration de Genève, les hommes et les femmes de toutes les nations, reconnaissant que l'humanité doit donner à l'enfant ce qu'elle a de meilleur, affirment leurs devoirs, en dehors de toute considération de race, de nationalité et de croyance :

1. L'Enfant doit être mis en mesure de se développer d'une façon normale, matériellement et spirituellement.
2. L'Enfant qui a faim doit être nourri, l'enfant malade doit être soigné, l'enfant arriéré doit être encouragé, l'enfant dévot doit être ramené, l'orphelin et l'abandonné doivent être recueillis et secourus.
3. L'Enfant doit être le premier à recevoir des secours en temps de détresse.
4. L'Enfant doit être mis en mesure de gagner sa vie et doit être protégé contre toute exploitation.
5. L'Enfant doit être élevé dans le sentiment que ses meilleures qualités devront être mises au service de ses frères.

J. A. J. J.

E. J. J. J.

C. J. J. J.

Chiffon
Para Gathia & Thao
A. Groot, Pfr.
Rob. H. Epprecht, Jr.
Ensa Lee Wright
Anna Torvik
Miss G. J. P. P.
Miss K. K. K.
Stocuhotten
Van Fran. P. P.
Joh. K. K.

H. D. Watson
G. V. V.
J. J. J.
L. I. Young
A. K. K.
Monaghan Dr. J. J.
E. J. J.
D. J. J.
P. K. K.
Smith. C. C.
W. J. J.

E. J. J.
J. J. J.
S. J. J.
A. J. J.
T. J. J.
W. J. J.
E. J. J.
L. J. J.



The Declaration of Geneva

Formulated by The Save The Children International Union, Geneva, 1923, and adopted by the Fifth Assembly of the League of Nations, 1924.

BY the present Declaration of the Rights of the Child commonly known as "THE DECLARATION OF GENEVA", men and women of all nations, recognising that mankind owes to the Child the best that it has to give, declare and accept it as their duty that beyond and above all considerations of race, nationality or creed :

- (i) THE CHILD must be given the means requisite for its normal development, both materially and spiritually.
- (ii) THE CHILD that is hungry must be fed the child that is sick must be nursed; the child that is backward must be helped; the delinquent child must be reclaimed; and the orphan and the waif must be sheltered and succoured.
- (iii) THE CHILD must be the first to receive relief in times of distress.
- (iv) THE CHILD must be put in a position to earn a livelihood and must be protected against every form of exploitation.
- (v) THE CHILD must be brought up in the consciousness that its talents must be devoted to the service of its fellow-men.

THE SAVE THE CHILDREN FUND

(Incorporated under the Companies Acts, 1908 to 1917, and Registered under the War Charities Act, 1916)

exists to carry the Declaration of Geneva into practical effect.

British Office : 26 Gordon Street, London, W.C.1.

A Glimpse into Some Milestones in the Child Rights Movement in Nepal:

1976	<ul style="list-style-type: none"> Save the Children UK began its programs in Nepal, focusing on health, nutrition, and education to improve the lives of children.
1980	<ul style="list-style-type: none"> Launch of the 'Hatemalo Radio Program,' providing a platform for discussing and advocating for child rights and related issues.
1989	<ul style="list-style-type: none"> The first South Asian international workshop on child labour was organized by the Child Workers in Nepal Concerned Center (CWIN).¹
1990	<ul style="list-style-type: none"> Nepal ratified the UN Convention on the Rights of the Child, 1989, becoming a state party committed to upholding the rights and protections outlined in the convention.
1992	<ul style="list-style-type: none"> Nepal enacted the Children's Act, 1992, as an integrated law for the rights and welfare of children. Child rights activists from Nepal and India conducted a march (rally) from Kolkata to Kathmandu to raise awareness and advocate against child slavery and child labour.
1992	<ul style="list-style-type: none"> Implementation of the Eighth Five-Year Plan (1992–1997), which specifically included programs addressing children's issues. The Government of Nepal formulated and implemented the first ten-year plan (1992-2001) focused on children.
1994	<ul style="list-style-type: none"> Establishment of the Child NGO Federation-Nepal (CNFN).
1995	<ul style="list-style-type: none"> The Rugmark Foundation was established to certify that carpets produced in Nepal were free of child labour. Implementation of the Children's Rules, 1994. Nepal submitted its initial report on the implementation of the Convention on the Rights of the Child to the UN Committee on the Rights of the Child.
1996	<ul style="list-style-type: none"> Aastha Tuladhar, a member of the then Baal Chetana Samuha (a network of child clubs), represented Nepali children in discussions with the UN Committee on the Rights of the Child regarding Nepal's initial report on the CRC. Seven organizations working against human trafficking in Nepal collaborated to rescue girls from Mumbai (then Bombay).
1997	<ul style="list-style-type: none"> Establishment of the Alliance against Trafficking in Women and Children in Nepal (AATWIN).
1998	<ul style="list-style-type: none"> A year-long "Global March against Child Labour," involving 130 countries, culminated with the submission of a petition at the headquarters of the International Labour Organization (ILO) in Geneva. Save the Children Norway and Save the Children US conducted a comprehensive study on child clubs in Nepal.

¹ See, Bijay Saiju, *25 years of Child Rights Movement in Nepal*, CWIN Nepal: Smarika, 2069.

1999	<ul style="list-style-type: none"> Publication of the study report titled "<i>The Children's Clubs of Nepal: An Assessment of a National Experiment in Children's Democratic Development</i>," conducted by Save the Children Norway and Save the Children US. Establishment of CONSORTIUM Nepal, based on the findings and recommendations of the aforementioned study on child clubs.
2000	<ul style="list-style-type: none"> Enactment of the Child Labour (Prohibition and Regulation) Act. Krishna Thapa from Kaski represented Nepali children at the Preparatory Committee (PrepCom) for the UN Special Session on Children at the United Nations Headquarters in New York.
2001	<ul style="list-style-type: none"> The Supreme Court of Nepal ruled in favor of the right of children to form their own organizations, in accordance with Article 15 of the CRC. Initiation of the Children as Zone of Peace National Campaign. Formation of the National Alliance of Child Rights Organisations (NACRO).
2002	<ul style="list-style-type: none"> Nepali children, including Dilmaya Ghising (Morang), Sanjog Thakuri (Kathmandu), Bidur BK (Lamjung), and Ganga Adhikari (Bhutanese Refugee Camp, Jhapa), participated in the main session of the UN Special Session on Children. Establishment of the National Alliance of Organizations Working for Street Children in Nepal (NAOSC).
2003	<ul style="list-style-type: none"> Establishment of Children as Zone of Peace National Campaign (CZOP). Establishment of Child Rights Committee as a part of the Human Rights Treaty Monitoring Coordination Center. Establishment of the National Campaign for Education (NCE) Nepal.
2004	<ul style="list-style-type: none"> Submission of the First and Second (Combined) Periodic Report by Nepal Government to the UN Committee on the Rights of the Child. Development and Implementation of Nepal's First Master Plan for the Elimination of Child Labour. Formulation and Implementation of a Ten-Year Action Plan for Children (2004-2014) by the Nepal Government, with a detailed action plan on child survival, development, protection, and participation.
2005	<ul style="list-style-type: none"> Establishment of Child Care Home Network Nepal (CNET Nepal).
2006	<ul style="list-style-type: none"> Enactment of Juvenile Justice Procedural Rules, 2063. Ratification of the CRC's Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography. End of a Decade-Long Armed Conflict with the Signing of the Comprehensive Peace Agreement between the Nepal government and the Nepal Communist Party (Maoist). Adoption of the Comprehensive Action Plan for the Protection and Reintegration of Children Involved in Armed Conflict by the Nepal government.
2007	<ul style="list-style-type: none"> Ratification of the Optional Protocol to the CRC on the Involvement of Children in Armed Conflict (on January 3, 2007). Implementation of the Interim Constitution of Nepal, 2063 (2007), which guaranteed the identity, name, nationality, health, education, and protection rights of children. Establishment of MenEngage Alliance, Nepal.

² The writers of this study are Jyasmín Rajbhandari, Rogar Hart and Chandrika Khatiwada.

2008	<ul style="list-style-type: none"> • Submission of the Initial Report on the Optional Protocols to the CRC on the Sale of Children, Child Prostitution, and Child Pornography to the UN Committee on the Rights of the Child.
2009	<ul style="list-style-type: none"> • Submission of the Initial Report on the Optional Protocols to the CRC on the Involvement of Children in Armed Conflict to the UN Committee on the Rights of the Child.
2010	<ul style="list-style-type: none"> • Release of 2,394 children (verified child soldiers) involved in armed conflict in accordance with the Comprehensive Peace Agreement between the Nepal government and the CPN (Maoist). • Establishment of National Child Protection Alliance (NCPA).
2011	<ul style="list-style-type: none"> • Adoption of the School as a Zone of Peace Implementation Framework, 2011. • Enactment of Child-Friendly Local Governance and Child-Friendly Local Governance Implementation Guideline, 2028, marking the Nepal Government's initiation of a campaign to declare local governments as child-friendly.
2012	<ul style="list-style-type: none"> • Adoption of the National Child Policy, 2069. • Submission of the Third, Fourth, and Fifth (Combined) Periodic Report on the status of the 1989 CRC implementation to the UN Committee on the Rights of the Child. • Establishment of Girls Not Brides Nepal Network. • Establishment of the Social Protection Civil Society Network. • Establishment of National Action and Coordinating Group (NACG) Nepal. • Save the Children and Blue Diamond Society (BDS) conducted an assessment on the status of LGBTI+ children in Nepal, a first-of-its-kind research focusing on the rights of LGBTI+ children.
2013	<ul style="list-style-type: none"> • Establishment of the National Campaign for Education Nepal.
2014	<ul style="list-style-type: none"> • Preparation of the first supplementary report on the 1989 Convention on the Rights of the Child, led by children and facilitated by Consortium Nepal with technical support from the Institute for Legal Research and Consultancy, and its submission to the UN Committee on the Rights of the Child. • Participation of Hema Rai and Tilak Paudel as representatives of Nepali children in the 69th pre-session meeting of the United Nations Committee on the Rights of the Child held in Geneva to discuss the supplementary report prepared and submitted by children. • Establishment of the National Network of Organizations working with street children. • Nepal's Ministry of Education incorporated LGBTQ+ issues into the secondary (Grade 6, 7, and 8) and university-level education curricula.
2015	<ul style="list-style-type: none"> • Promulgation of the Constitution of Nepal 2015 (2072 BS). • Establishment of Destination Unknown- Children on the move campaign in Nepal. • Establishment of the Education Watch Group.
2017	<ul style="list-style-type: none"> • Establishment of the National Child Friendly Local Governance Forum. • Establishment of the Ratify OP3CRC Coalition Nepal (Civil Society Network for the Ratification of the Third Optional Protocol to the Convention on the Rights of the Child).

2018	<ul style="list-style-type: none"> • Enactment of the Children's Act, 2075 (2018 AD). • Nepal became the 54th country in the world to prohibit physical and mental punishment of children in schools, households, and workplaces, in accordance with the Children's Act, 2075. • Submission of the supplementary report on the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), under the leadership of Nepali girls.
2019	<ul style="list-style-type: none"> • Implementation of the Juvenile Justice Procedure Rules, 2076 (2019 AD). • Establishment of the National Coalition for Girls' Rights. • Establishment of the National Initiative for Child Protection (NICS).
2020	<ul style="list-style-type: none"> • Continuation of child protection and learning campaigns through alternative means during the COVID-19 lockdown.
2021	<ul style="list-style-type: none"> • Implementation of the Children's Rules, 2078 (2021 AD). • Submission of the Sixth and Seventh (Combined) Periodic Reports on the CRC by the Government of Nepal to the UN Committee on the Rights of the Child.
2022	<ul style="list-style-type: none"> • Preparation of child-informed and child-led supplementary reports on the CRC, led by children and child rights organizations. • Establishment of the Net4Good Alliance Nepal.
2023	<ul style="list-style-type: none"> • Adoption of the National Child Policy, 2080. • Submission of at least 8 supplementary reports by national child rights organizations and networks, and children, to the UN Committee on the Rights of the Child
2024	<ul style="list-style-type: none"> • Preparation of a child-informed and child-led <i>Sustainable Development Goals (SDGs) Voluntary National Review</i> report, submitted to the National Planning Commission. • Completion of the study titled, "Child Rights Movement in Nepal: A Reflective Study on Key Milestones, Achievements, and Future Directions."

CHAPTER - 1

The Child Rights Movement in Nepal

1.1 Background

The term "movement" generally refers to a collective effort aimed at achieving a specific task, objective, or goal. When examining the origins of the child rights movement in Nepal, it is important to consider which standards should form the basis of our understanding. However, it is clear that the child rights movement in Nepal began to formalize in the 1980s.

The 1959 UN Declaration on the Rights of the Child, adopted on November 20, 1959, along with the proclamation of 1979 as the International Year of the Child, amplified the global call for child rights. During this period, Nepal began formulating and implementing programs aimed at addressing the specific needs and issues of children, recognizing them as a distinct group.

In Nepal, the first significant effort to advance the child rights movement with a rights-based approach was led by a group of students from Tribhuvan University, under the leadership of Gauri Pradhan. This initiative, which began in 1987, led to the establishment of CWIN Nepal, a civil society organization dedicated to promoting child rights.

1.2 The 1990 Political Movement in Nepal and the Child Rights Movement

Before the political movement of 1990 (2046 BS), the child rights movement in Nepal was closely tied to the broader democratic movement for social change. At that time, the one-party Panchayat system severely restricted citizens' rights, and there was little space for open discussions on human rights. In such a time, raising issues related to child rights was also challenging.

During this period, the primary mission of the democratic rights movement was to dismantle the one-party Panchayat system, and restore a multiparty democratic system. Human rights issues, including the rights of women, farmers, labourers, and Dalits, were particularly prominent.³ Child rights activists, therefore, aligned their concerns with the broader struggles for democracy and human rights.

In this context, the child rights movement in Nepal can be seen as a relatively "younger" movement, emerging in the later phases of the larger rights movement.

³ Gauri Pradhan, *30 years of Child Rights Movement, 25 years of CWISH in the Child Rights Movement (2018)*, Kathmandu, Nepal



1.3 Adoption of the United Nations Convention on the Rights of the Child and Nepal's Ratification

On November 20, 1989⁴, the United Nations General Assembly adopted the *Convention on the Rights of the Child*. Following this, efforts were made in Nepal to translate the Convention into Nepali to promote child rights and facilitate discussions around it. Embracing the principles and spirit of the Convention, Nepal's child rights movement made significant progress.

With the success of the 1990 people's movement, a multiparty democratic system was restored in Nepal, leading to the formation of an interim government. In 1991 (2047 BS), Nepal issued a new Constitution incorporating the achievements of the movement. Based on this Constitution, the interim government signed and ratified the Convention on the Rights of the Child, along with other human rights conventions and treaties.

Immediately thereafter, the *Children's Act*, 2048 (1992 AD) was enacted as Nepal's first comprehensive law concerning children. In drafting this Act, several provisions from the *Convention on the Rights of the Child* were incorporated, as Nepal had already ratified the Convention.

Additionally, in 1996 (2052 BS), during the tenure of Prime Minister Manmohan Adhikari, a ministry specifically focusing on the issues of children was named. Today, this ministry operates as the *Ministry of Women, Children, and Senior Citizens* (MoWCSC).

1.4 Establishment and Functionality of Civil Society Organizations in the Child Rights Sector

Following the establishment of multiparty democracy in Nepal, numerous non-governmental organizations (NGOs) were formed, as civil society entities to work on child rights. In the years that followed, networks were established, often inspired by specific events and global social movements. For example, the formation of *Alliance against Trafficking in Women and Children in Nepal* (AATWIN) was linked to the campaign for the repatriation of Nepali girls rescued from India.⁵ Similarly, the formation of Consortium Nepal stemmed from the findings and recommendations of the study, *The Children's Club of Nepal: An Assessment of a National Experiment in Children's Democratic Development*, conducted by Save the Children Norway and Save the Children USA. Additionally, the establishment of the Children as Zones of Peace (CZOP) National Campaign was an effort to protect children affected by armed conflict. The child rights movement in Nepal gained momentum, securing priority on both national and international platforms. This success led to the emergence of activists, scholars, professionals and experts dedicated to child rights.

1.5 Practice of Child Participation

Through the efforts of child-centered national and international organizations, children across Nepal have organized into child clubs, youth groups, and networks. Even before the establishment of democracy in 1990, various children's groups—such as school and community child clubs, sports clubs, cultural groups, and Junior Red Cross Circles—had already been formed spontaneously and were actively engaged.

In Nepal, the child club movement focused on promoting child rights and ensuring the basic rights of children with disabilities. Around 1996, a "Child-to-Child" initiative was launched to promote health education among children, with a specific focus on those with disabilities. Junior Red Cross Circles and Scouts have been active since the 1980s. Following the 1979 political movement, popularly known as the 1979 Student Protests, student organizations expanded their presence in schools, organizing students. This also served as a form of child participation.

Subsequently, the practice of child participation gradually spread, particularly in schools. In 1994, a national child assembly was held to prepare Nepal's initial report on the Convention on the Rights of the Child. Around the same time, events such as the *National Conference of Child Labourers* were organized by civil society organizations.

Internationally, in 1996, Astha Tuladhar, a member of the Baal Chetana Samuha (a network of child clubs) of that time, participated in discussions on Nepal's initial report on the 1989 Convention. Children from Nepal also took part in the Preparatory Committee for the UN Special Session on Children in 2000 and the main session of the conference in 2002.

On January 18, 1999 (04 Magh 2055 BS), Tilottam Paudel, then president of the *Jagriti Child Club*, led and filed a case in the Supreme Court to ensure the rights outlined in the *Convention on the Rights of the Child*, particularly the right of children to organize themselves. On August 9, 2001 (25 Shrawan 2058 BS), the court ruled in favor of children's right to form organizations as stated in the Convention.

Today, child participation through child assemblies in local planning processes at local government is a model practice in Nepal.

1.6 The Constitution of Nepal and the Advancement in the Child Rights Movement

The Constitution of Nepal (2015), promulgated following the establishment of Nepal as a Federal Democratic Republic, marked a significant milestone for child rights by enshrining child-specific provisions as fundamental rights. This advancement not only strengthens Nepal's commitment to child rights but also sets a valuable example for other nations. The rights of children, guaranteed under Article 39, form a progressive framework for child protection. Child rights activists, civil society organizations, networks, and development partners played a crucial role in ensuring these rights were recognized in the constitution. A parliamentary group for child rights was actively engaged in advocating for children's issues during the constituent assembly discussions.

The Act Relating to Children, 2075 (2018 AD), has been enacted to implement the rights of children guaranteed in the Constitution. Structural arrangements are being established at all tiers of the government to enforce the constitutional, legal, and policy frameworks related to child rights. Specifically, various efforts are being made at the local government level to protect and promote child rights. In this way, Nepal's child rights movement is progressing with a reinvigorated vision.

⁴ International Child Rights Day is observed globally every year to mark the day.

⁵ See: *Two Decades of AATWIN*

CHAPTER-2

Purpose of the Study



2.1 Objective of the study

The main objectives of the study are as follows: (a) To review and document the child rights movement in Nepal, including its key achievements, milestones, and related aspects; and (b) To gather and compile suggestions for the future direction of the child rights movement.

Based on these objectives, the study seeks to answer the following questions: (a) What are the historical aspects, contributions, and achievements of the child rights movement in Nepal? (b) What are the main challenges facing the child rights movement in Nepal? (c) What should be the future direction of the child rights movement in Nepal?

2.2 Processes and Methodology

Based on the objectives and key questions developed, this study documents and reviews the historical milestones and current status of the child rights movement in Nepal. It also analyzes the movement's achievements, key challenges, and issues, while seeking suggestions for its future direction.

The study concept was discussed and agreed upon by 18 national networks⁶ active in promoting child rights in Nepal on November 16, 2021. During this meeting, the concept, rationale, and methodology were thoroughly reviewed and approved. The responsibility for developing the concept note and coordinating the study was then assigned to Consortium-Nepal.

A six-member Steering Committee was formed to oversee the study. Additionally, a 22-member Study Advisory Committee, consisting of representatives from national networks, child rights activists, and experts, was established. The Steering Committee finalized the concept note prepared by Consortium-Nepal, selected the study team, and defined the team's scope of work and overall work plan. The committee also held regular meetings to provide thematic and technical guidance, to help to ensure the study's effectiveness.⁷ Both the Steering Committee and the Advisory Committee, along with Save the Children, provided, technical assistance, as required, in defining the main questions and methodologies for the study.

Throughout the process, periodic discussions between the study team and representatives from national networks contributed to the development and implementation of the work plan, fostering a sense of ownership over the study.

2.3 Literature Review

In line with the objectives of the study, various reports, policy papers, study documents, and resource materials published by government bodies, organizations, networks, and individuals were reviewed.

⁶ See chapter 3 for the details of the network.

⁷ The meetings of the committee held on 16 November and 6 April 2021 and on 21 December and 19 March 2020.

Some of the reports, and resource materials reviewed in the study include:

- *Experiences, Annual Report of Consortium Nepal, Issues 1-8* (Publisher: Consortium Nepal)
- *Essays on of Child Rights in Nepal, 2017* (Publisher: CWISH Nepal)
- *Child Rights in Nepal, 25 Years of the Convention on the Rights of the Child, 2072* (Publisher: CWISH Nepal)
- *25 years of Child Rights Movement in Nepal - SAMARIKA* (Publisher: CWIN Nepal)
- *Strategic Review of Child Clubs in Nepal, 2068* (Publisher: Consortium Nepal)
- *Collection of Initial and Periodic Reports on the Convention on the Rights of the Child in Nepal, 2070* (Publisher: then Ministry of Women, Children, and Social Welfare)

The review of past research, reports, and resource materials also contributed to finalizing the framework of the study.

2.4 Interviews and Consultations with Child Rights Advocates, Researchers, Experts, and Stakeholders

During the study, consultations and discussions were held in all seven provinces, involving representation from almost all districts and participation from active child rights advocates and stakeholders.⁸ Province-level consultations focused on the main questions of the study to gather suggestions.

At the national level, consultations were held with representatives from child clubs and child club networks across all provinces to gather children's suggestions and verify information from various sources.⁹ These consultations included children from the *National Child Advocates Council*, facilitated by CONSORTIUM Nepal.

To enhance the study's effectiveness, discussions were conducted with child rights advocates, researchers, experts, former members of child clubs, and stakeholders working in child rights and development. In line with the study's objectives, key informant interviews (KIIs) were also conducted. These discussions and interviews particularly helped to: (a) Make the study participatory, (b) Reflect the knowledge, lived experiences, and learning of child rights advocates, researchers, experts, and stakeholders, (c) Foster a sense of ownership and belonging among child rights networks and organizations involved in the study.

Furthermore, consultations were held with federal parliamentarians, provincial assembly members, commissioners of constitutional commissions, and representatives from line ministries and relevant government bodies. These consultations aimed to review existing policy actions and achievements, and to gather suggestions related to the challenges and opportunities in Nepal's child rights movement to date

⁸ The date of consultations and total number of participants in each of the seven provinces are as follows: Koshi Province, completed on 10 March 2024, with 25 participants; Madhesh Province, completed on 23 Aug 2022, with 18 participants; Bagmati Province, completed on 14 March 2023, with 23 participants; Gandaki Province, completed on 6 March 2022, with 11 participants; Lumbini Province, completed on 13 November 2022, with 17 participants; Karnali Province, completed on 24 August 2022, with 13 participants; Sudurpashchim Province, completed on 5 April 2022, with 22 participants.

⁹ The consultations workshops with children were completed on 18 November 2021, and 8 April 2024.

2.5 Study Report Writing and Revision

The study team prepared an initial report summarizing the findings and recommendations. This preliminary report was discussed with representatives from child rights networks¹⁰, as well as members of the advisory and steering committees, to gather feedback. A one-day workshop was organized for this purpose, and the feedback received was incorporated into the report, leading to further revisions.

The study report was then reviewed by child rights experts for both technical and thematic aspects, prompting additional revisions. To facilitate this review and consultation, a workshop was held, including children, representatives from child clubs and networks, adults from sexual and gender minorities, Dalits, at-risk groups including persons with disabilities, former child club members, leaders in the child rights movement, activists, researchers, experts, organizations and networks active in child rights, elected representatives, members from government bodies, constitutional commission representatives, and other stakeholders.¹¹ Workshop participants provided comments and suggestions on the presentation made by the initial writing group, which were integrated into the report.

After completing these processes, the revised draft of the study report was prepared. This draft was reviewed and triangulated based on supplementary findings and research. A cohort of experts and stakeholders reviewed the report to ensure accuracy and representation of key milestones and actions contributing to the larger child rights movement in Nepal.¹²

2.6 Ethical Standards Followed in the Study and Ensuring Child Safeguarding

To enhance the effectiveness and reliability of the study, fundamental ethical standards and child protection measures were strictly followed. The study team, steering committee, and advisory committee discussed and adopted the following ethical principles, ensuring all involved parties were oriented accordingly:

- **Informed Consent:** Before conducting interviews or discussions with children, written informed consent was obtained from both the children and their parents/guardians.
- **Confidentiality:** Data and information collected during the study were committed to confidentiality and used solely for the study's purposes, ensuring they would not be used for any other purpose.
- **"Do No Harm" and Child Safeguarding:** The principle of "Do No Harm" was adhered to, ensuring no participant or person involved in the study process experienced any harm. Child protection sensitivity was applied when working with groups involved in the study, including:
 - Women, men, and sexual and gender minorities
 - Boys and girls
 - Children and adults with disabilities

¹⁰ The workshop with child-centered Networks was held on 16 November 2021.

¹¹ The workshop held on Ashad 22 June 2024 in Lalitpur district saw 54 participants (women 8, men 29, girls 6 and boys 11).

¹² The study report will be distributed to various agencies at the federal, provincial, and local levels; civil society organizations and their networks; development partners; United Nations agencies; diplomatic missions; child clubs and their networks; and other stakeholders.

- Respect for Professionalism in Research: The analysis and presentation of data and information collected during the study were conducted with utmost professionalism. Careful attention was given to prevent any controversies arising from the study, ensuring the ethical integrity of the research process.

2.7 Limitation of the Study

The study team has made efforts to produce a comprehensive and detailed report; however, not all topics could be included. This study is a starting point and should be expanded further.

The study primarily relied on reviewing past studies, reports, and source materials, as well as consultations and interviews with key informants. To address the limitations of the study, the team also utilized virtual platforms to collect additional information and data. Every effort was made to include historical initiatives and achievements of the child rights movement. The study team has strived to accurately reflect the historical milestones in child rights in Nepal, and any gaps or omissions are unintentional.

CHAPTER-3

Networks Working for the Rights of Children



3.1 Networks Related to Children's Rights

Non-governmental organizations (NGOs) actively working to promote child rights, child protection, and enhance child participation often form networks to collaborate and achieve specific objectives. Some of these networks are well-structured with clear goals, while others operate as part of larger networks, contributing to shared objectives.

The primary networks active in the field of child rights are:

- *Child NGO Federation-Nepal (CNFN)*, 1994
- *Alliance against Trafficking in Women and Children in Nepal (AATWIN)*, 1997
- *Consortium of organization working for Child participation (CONSORTIUM-Nepal)*, 1999
- *National Alliance of Child Rights Organisations (NACRO)*
- *National Alliance of Organizations Working for Street Children in Nepal (NAOSC)*, 2002
- *Children as Zone of Peace (CZOP) - National Campaign*, 2003
- *Child Rights Committee, Human Rights Treaty Monitoring Coordination Center*, 2003
- *National Campaign for Education Nepal (NCE-Nepal)*, 2003
- *Child Care Home Network Nepal (CNET Nepal)*, 2005
- *MenEngage Alliance Nepal*, 2007
- *National Child Protection Alliance (NCPA)* 2010
- *National Action and Coordinating Group (NACG) Nepal*, 2012
- *Girls Not Brides Nepal*, 2012
- *Social Protection Civil Society Network*, 2012
- *Destination Unknown- Children on the move campaign in Nepal*, 2015
- *Education Watch Group (EWG), Nepal*, 2015
- *National Child Friendly Local Governance Forum*, 2017
- *Ratify OP3CRC Coalition Nepal (Civil Society Network for the Ratification of the Third Optional Protocol to the Convention on the Rights of the Child, 1989)*, 2017
- *National Coalition for Girls' Rights*, 2019
- *National Initiative for Child Survival (NICS)*, 2019
- *Net4Good Alliance Nepal*, 2022

3.2 Main Objectives of the Primary Networks Active in Child Rights and Child Protection

Child NGO Federation Nepal was established in January 1994 through the initiative of representatives from non-governmental organizations working in the field of child rights. It serves as an umbrella organization, registered with the Kathmandu District Administration Office and affiliated with the Social Welfare Council. The main objectives of this organization are as follows¹³ :

- Promote the principles and provisions of the 1989 UN Convention on the Rights of the Child.
- Coordinate, activate, and foster synergy among non-governmental organizations working in child rights and child development to promote children's welfare in the country.
- Cooperate with local, national, and international agencies, helping member organizations implement various child rights and child development programs.
- Evaluate the welfare of children in all sectors and communities, contributing to social mobilization and raising awareness to ensure the guarantee of child rights.

The objectives of the *Alliance against Trafficking in Women and Children in Nepal (AATWIN)*, established in 1997, are as follows:

- Support and facilitate policymakers and lawmakers in formulating, revising, and implementing laws and policies against human trafficking, with a focus on targeted interventions to prevent child trafficking.
- Inform rights holders and stakeholders by generating evidence related to human trafficking and its impact, especially on women and children.
- Enhance the capacity of civil society organizations working against human trafficking; particularly those involved in women's and children's rights sectors.
- Develop AATWIN as a national resource center on human trafficking.
- Build the capacity of AATWIN's members and staff in response to the evolving landscape of human trafficking.

The objectives of the *Consortium of organization working for Child participation (CONSORTIUM-Nepal)*, established in 1999, are as follows:

- Conduct advocacy and campaigns to promote meaningful child participation.
- Enhance the capacity of member organizations and stakeholders in the field of child participation.
- Conduct research and monitoring on issues related to child participation.
- Coordinate, cooperate, and create networks to mainstream child participation issues.

The National Alliance of Child Rights Organisations (NACRO), established in 2001, was created with the objective of promoting child rights, specifically focusing on safeguarding the rights of children engaged in labour.¹⁴

¹³ For more information please see <https://childfederation.org.np/index.php?page=about-us>.

¹⁴ 25 years of CRC: Child Rights in Nepal, CWISH, 2072 (2015), P57.

The National Alliance of Organizations Working for Street Children (NAOSC), formed in 2002 under the name "Street Net," aims to foster cooperation, coordination, and collective capacity building among organizations working with street children.¹⁵

The objectives of the **Children as Zone of Peace (CZOP) - National Campaign**, established in 2003, are as follows:

- Advocate for evidence-based policies to ensure child protection and integrate social welfare programs into the CZOP - National Campaign.
- Strengthen child protection systems at all administrative levels.
- Protect and promote children's rights in federal Nepal through inclusive participation, education, and advocacy campaigns.
- Enhance the capacity of the CZOP-National Campaign and its members by developing institutional capacity and networking to establish child-friendly governance at local, provincial, federal, regional, and international levels.

The objectives of the **National Campaign for Education (NCE) Nepal**, established in 2003, are as follows:

- Advocate for the integrated and systematic development of education policy.
- Promote quality, inclusive, equitable, and life skills education for all.
- Conduct studies and research on contemporary educational issues, designing programs for the implementation of recommendations along with advocacy and dissemination.
- Engage in advocacy and promotion of educational issues through interactions, workshops, consultations, networking, collaboration, and dialogue.
- Build the capacity of NCE Nepal through training, policy advocacy, technical assistance, and scaling up campaigns to develop it as an educational resource center.
- Strengthen NCE Nepal as a robust network both nationally and internationally.

The objectives of the **Child Rights Committee (Human Rights Treaty Monitoring Coordination Center)**, established in 2003, are as follows:

- Prepare a civil society report on child rights and submit it to the United Nations Committee on the Rights of the Child.
- Facilitate the united engagement of civil society organizations in presenting child rights reports to the United Nations Committee on the Rights of the Child.

The **Child Care Home Network Nepal (CNET)** was established in 2005. The network's origins date can be tracked back to a 2000 program that was organized to discuss the problems faced by child care homes and the children residing in them. The meeting, which included 78 child care homes from across the country, concluded that common issues could only be solved through collective efforts, leading to the formation of an umbrella organization. CNET works to operate and manage child care homes in a safe, child-rights-focused, and child-friendly environment.¹⁶ Its objectives include:

- Lobbying and advocating with the government to address the challenges faced by child care homes.
- Enhancing the capacity of child care homes to increase sensitivity towards sheltered children, ensure child protection, and provide quality services.
- Raising organized voices on behalf of children without parents or guardians, as well as those sheltered in child care homes, within local communities, local governments, government entities, and sometimes international organizations.

The **MenEngage Alliance**, established in 2007, operates with the following objectives:

- Ensure gender justice by challenging structural barriers to achieving women's rights and gender equality, thereby reducing gender-based violence and discrimination, and promoting health and well-being for all.
- Understand the injustices caused and perpetuated by patriarchal masculinity in society and seek ways to transform them.
- Support and show solidarity with movements related to gender justice, women's rights, LGBTQI+ rights, caste/racial equality, climate justice, and other social justice issues.
- Work towards changing the behaviors and attitudes of men and boys to achieve gender equality.

The objectives of the **National Child Protection Network**, established in 2010, are as follows:

- Raise awareness and advocate for various aspects of child protection rights in Nepal.
- Contribute to the capacity building of organizations working in the field of child protection.
- Maintain a common vision, coordination, and solidarity among civil society activists working in child protection in Nepal.
- Establish a referral mechanism among organizations working in child protection to ensure timely action.
- Recognize institutions, individuals, child groups, and community organizations making significant contributions to child protection.

The **National Action and Coordinating Group to End Violence against Children (NACG)**, established in 2012, consists of 10 networks actively working in the field of child rights in Nepal. NACG Nepal primarily works to end violence against children based on the themes identified by the South Asian Initiative to End Violence against Children (SAIEVAC). These themes focus on the prevention and response to:

- Child marriage
- Child trafficking
- Physical and mental punishment of children
- Sexual abuse and exploitation of children
- Child labour

The objectives of the **Girls Not Brides Nepal (GNB Nepal)**, established in 2012, are as follows:

- Study and research the causes, problems, and suitable solutions related to forced marriages, self-initiated marriages before the legal age, and marriages based on Nepal's traditions and practices, providing recommendations to relevant Nepal government bodies.

¹⁵ 25 years of CRC: Child Rights in Nepal, CWISH, 2072 (2015), P57

¹⁶ 25 years of CRC: Child Rights in Nepal, CWISH, 2072 (2015), P56.

- Assist the Government of Nepal in addressing early marriages, child marriages, and forced marriages as per Nepal's laws, the National Child Policy 2080, and action plans and policies adopted by provincial and local levels to end child marriage.
- Collaborate with central, provincial, and local governments, and coordinate with other social institutions and civil society organizations to run programs for the welfare of children, including addressing gender-based violence, gender inequality, providing sexual and reproductive health education for youth and adolescents, and combating traditional harmful practices that discriminate against women and children.

The **Social Protection Civil Society Network (2012)** was established with the following objectives:

- Assist in ensuring that targeted groups benefit from social security programs and in establishing social security as a fundamental right.
- Promote enhanced coordination and cooperation among the three tiers of government and relevant entities in social security programs.
- Ensure all social security programs are evidence-based, with meaningful participation from targeted groups in the monitoring of these programs.
- Develop the network into a structured, impartial, independent, and sustainable national-level entity, playing an active role in social security concerns.
- Increase access to social security programs for targeted groups and beneficiaries.

The **Inclusive Education Forum Nepal (2013)** was created with the following objectives:

- Broaden partnerships and cooperation among educational stakeholders, resource centers, organizations of persons with disabilities (OPDs), and government bodies to promote inclusive education for children with disabilities.
- Advocate with relevant government bodies for the development of policies, laws, and systems that support the expansion of educational opportunities for children with disabilities.
- Collaborate with development partners to support inclusive education, aligning with the goal of education for all.

The **Destination Unknown- Protection of the Rights of Children on the Move Campaign**, established in 2015, has the objective as follows:

- Ensuring the full guarantee of the rights of children on the move, leaving their home places, by establishing strong child protection mechanisms, an active civil society, responsible government structures, and necessary policy and programmatic arrangements.

The **Education Watch Group**, created in 2015, is an open and independent civil society network focused on monitoring the right to education. The objectives of this group include:

- Monitoring whether educational policies, rules, programs, and budgets at local and national levels align with established norms and principles of the right to education.
- Assessing the practical application of national policies on education at the local level.
- Advocating for the capacity building of local authorities, concerned offices, and civil society to respect, protect, fulfill, and promote the right to education.
- Investigating and reporting on various issues related to the right to education.
- Promoting cooperation, coordination, partnerships, and solidarity at local, national, and global levels to advance the right to education.
- Raising awareness and carrying out advocacy activities to promote the right to education.

The **Child-Friendly Local Governance National Forum** was established in 2017 with the following objectives:

- Advocate with policymakers for the implementation of child-friendly local governance at all government levels and the creation of an appropriate environment for children.
- Document the experiences of various development partners, focusing on best practices and lessons to help effective planning and risk reduction.
- Enhance the capacity of member organizations and relevant government entities on child-friendly local governance through collaboration with ministries and officials.
- Collect evidence on child rights incidents at national and international levels, provide a more effective legal framework for child participation, and advocate accordingly.
- Provide technical support to government entities and NGOs for the adoption of child-friendly local governance practices.
- Identify and mobilize expertise and resources to ensure the achievement of child-friendly local governance.

The **Ratify OP3CRC Coalition Nepal (2017)** was created to:

- Advocate with the Government of Nepal for the ratification of the Third Optional Protocol to the Convention on the Rights of the Child (OP3CRC).
- Conduct campaigns in collaboration with civil society organizations to push for the ratification of OP3CRC in Nepal.

The **National Coalition for Girls' Rights (2019)** aims to bring practical changes in the lives of girls and ensure the recognition of girls' rights within Nepal's federal system. The objectives of this network include:

- Advocate for the formulation and implementation of policies that ensure girls' rights and equal opportunities, and promote changes in social values and practices.
- Advocate for the effective implementation of laws and policies to protect girls' rights and end harmful practices, while collaborating with government bodies, civil society, media, the private sector, and politicians to monitor enforcement.
- Enhance the capacity of active member organizations working on girls' rights and related issues.
- Document best practices, facilitate information exchange between members, and promote learning within the network.

The **National Initiative for Child Survival (NICS)** was established in 2019 with the following objectives:

- Conduct advocacy and campaigns focused on child survival.
- Enhance the capacity of member organizations and stakeholders in the child survival field.
- Conduct research and monitoring on issues related to the network's main goals.
- Increase coordination, collaboration, and networking among organizations working on child survival.

The **Net4Good coalition**, initiated in January 2022 through the joint efforts of UNICEF Nepal, Nepal Telecommunications Authority, Creation Society Nepal, and 16 other organizations, has the following main objectives:

- Accessible Internet for All: Advocate and lobby for access to the internet and information and communication technology (ICT) facilities for children with diverse conditions or circumstances.
- Advocacy for Policy Development: Advocate for the revision and implementation of laws and policies to ensure digital safety for children.
- Capacity Building of Government Entities: Support and collaborate with government entities to build their capacity in addressing digital safety issues for children.
- Collaboration with Civil Society Organizations: Facilitate coordination between civil society organizations on issues related to civic liberties in the digital space.

3.3. Key Achievements of the Networks and Alliances of Child Rights Organizations

Some notable actions and achievements of major child rights networks in Nepal can be discussed as follows:

Child Rights Awareness Raising

- *Promotion of the United Nations Convention on the Rights of the Child (CRC)*: Child rights networks have actively promoted the principles and provisions of the 1989 United Nations Convention on the Rights of the Child, ensuring that children's rights are widely recognized and respected.
- *Collaboration with Agencies*: These networks have coordinated and collaborated with local, national, and international agencies to implement various programs that support the development and protection of child rights across Nepal.

Support in Policy and Law Formulation and Revision

- *Advocacy for Policy and Law Reform*: Child rights networks have been instrumental in advocating for, influencing, and campaigning for the formulation, revision, and implementation of policies and laws aimed at protecting children's rights.
 - *Child-Informed Processes*: Efforts have been made to ensure that children are informed and actively involved in processes to strengthen and advocate for child-friendly policies and laws.
 - *Constitutional Inclusion of Child Rights*: Networks played a key role during the Constituent Assembly period, running phased programs to ensure that children's rights were included as fundamental rights in 2015 Constitution of Nepal.

Promotion of Child Participation

- *Facilitating Child-Led Research and Action*: Networks have anchored and facilitated child-led and informed research, consultations, and actions at all levels, ensuring that children's voices are heard and respected.
 - *Bridging the Gap between Children and Policymakers*: These efforts have bridged the gap between children and policymakers by ensuring children's voices and agency are incorporated into policy formulation and implementation, particularly at the provincial level.

Campaigns and Advocacy with Relevant Stakeholders

- Initiated and led advocacy for comprehensive child protection and social welfare programs through the Children as Peace Zone National Campaign.

- Focused on protecting children during armed conflicts and lobbied relevant authorities to prioritize child rights in such contexts.
- Advocated for policies and programs to address critical issues, including:
 - Child marriage and gender-based violence.
 - Discrimination between sons and daughters.
 - The rights of children with diverse sexual orientation, gender identity, gender expression, and sex characteristics (SOGIESC).
 - Sexual and reproductive health and rights (SRHR) education for adolescents and young people.
 - Tackling traditional harmful social norms that discriminate against women, children, and underrepresented groups.

Submission of Complementary Report on the Periodic Report of the 1989 Convention on the Rights of the Child

- Supported the Government of Nepal in preparing its periodic reports on the 1989 Convention on the Rights of the Child, and the Universal Periodic Review Report on human rights.
 - Prepared and submitted a complementary report from civil society to United Nations bodies.
 - Provided technical support for child rights-related reports led by children, and helped to submit those reports to the relevant United Nations agency.
 - Assisted for representation of children and civil society organizations at pre-session meetings of the United Nations Committee on the Rights of the Child.

Strengthening Child Protection Mechanisms and Promoting Child-Friendly Local Governance at the Local Level

- Led advocacy and provided institutional capacity development and technical support to promote child-friendly local governance at all tiers of government.
- Supported the strengthening of child protection mechanisms and systems at the local level.
- Worked and advocated to ensure the inclusion of children's rights in local level plans.
- Advocated for legal arrangements to ensure that target groups benefit from social security programs, and supported initiatives to expand the reach of these programs to vulnerable children and their families.

Promotion of Quality, Inclusive, Equitable, and Life-Skills Based Education

- Advocated for inclusive, equitable, and quality education for all children, with a focus on integrating life skills-based education to equip children for both academic success and life challenges.

Capacity Building of Member Organizations and Stakeholders

- Played a crucial role in enhancing the capacity and networking of member organizations and stakeholders.

3.4. Networks in the Child Rights sector that were active in the past but are not currently active.

Children at Risk Network Group (CAR-NWG), 1992

The *Children at Risk Network Group (CAR-NWG)*, established in 1992, aimed to ensure child protection and the realization of children's rights. It was particularly focused on combating violence and exploitation of children while promoting social and economic justice. The network's activities encompassed a broad range of child welfare and development efforts, with the overarching goal of safeguarding vulnerable children.

The network group, which had its office in Dillibazar, Kathmandu, was composed of organizations active in various areas of child rights at that time. CAR-NWG conducted advocacy campaigns for the amendment and formulation of child-related laws in line with the 1989 Convention.¹⁷ The group also provided support during the preparation of the initial report on the 1989 Convention, which was submitted by the government of the time.¹⁸ Additionally, the network played a significant role in enhancing the capacity of organizations active in child rights advocacy. It had financial support from Danish Fund.¹⁹

Child Rights Monitoring Nepal, 1994

In March 1994, *Child Rights Monitoring Nepal* was established following a three-day workshop in Kathmandu. The workshop, which aimed to discuss and provide feedback on the initial report prepared by the government on the 1989 Convention on the Rights of the Child, was attended by over 150 representatives from non-governmental organizations (NGOs) across the country. The event was organized by UNICEF Nepal, INHURED International, the Child NGO Federation, the Children at Risk Network Group, and Redd Barna (Save the Children Norway). Public Service Announcements (PSAs) were broadcasted on television, radio, and published in newspapers to invite NGOs to participate.

During the workshop, a draft prepared by the *National Planning Commission Secretariat's Children and Women Development Section* was distributed, and comprehensive feedback was gathered and presented to the government.²⁰

At the conclusion of the workshop, the participating organizations decided to form a network called *Child Rights Monitoring Nepal*, with the goal of actively promoting child rights. The network worked continuously to refine the initial report and organized step-by-step training programs to develop skilled human resources on child rights across the country. Additionally, it played a pivotal role in advocating for the revision of existing laws related to child rights.

3.5. Some Insights into Nepal's Child Rights Movement

The child rights movement in Nepal has been driven by activists, civil society organizations, and networks, drawing on the lived experiences and voices of children and young people in the country. Initially, thematic networks were formed to focus on specific campaigns within the child rights field. Over time, additional networks emerged, operating through peaceful and pressure-driven programs as well as social mobilization efforts. In the more recent period, new 'spontaneous' networks and even 'networks of networks' have formed in the country. These networks have received support from development partner organizations actively involved in the child rights sector.

The networking of civil society organizations, aimed at promoting children's right to organize, amplifying their voices, building the capacity of social mobilizers, and conducting awareness programs and campaigns, is not inherently negative. However, sincere efforts are being made to ensure that these networks evolve beyond being mere events or donor-led projects, which often do not fully align with the core mandate and objectives of the child rights movement. To institutionalize the achievements within the child rights sector, Nepal's child rights movement must critically assess its future direction.

¹⁷ See= <https://archive.crin.org/en/library/organisations/children-risk-network-group-nepal-office.html>

¹⁸ See Preamble of Nepal's 1995 Initial Report to CRC.

¹⁹ See Preamble of Nepal's 1995 Initial Report to CRC.

²⁰ 25 years of CRC: Child Rights in Nepal, CWISH, 2072 (2015), p56.

CHAPTER-4

Evolution of the Child Rights Movement in Nepal



4.1 Child Rights Movement prior to the 1990 Political Movement

The child rights movement in Nepal largely began in the 1980s. However, various activities related to child welfare had already been initiated before that time.

Establishment of Child Welfare-Focused Institutions and Child-Centered Work

In 1927, the *Nepal Charkha Pracharak Gandhi Tulsi Smarak Mahaguthi and Tulsi Mehar Women's Ashram* were established, and they remain operational today. These institutions have provided protection and care to women and children living in vulnerable and distressing conditions.

In 1947 (2004 BS), under the leadership of the late Dayabir Singh Kansakar, the *Paropkar Sanstha* (a charity organization) was established. This organization distributed medicines to poor and marginalized citizens affected by epidemics such as malaria, dysentery, cholera, and typhoid. Following the political change of 1950, this pioneering organization expanded its services in various social welfare sectors and began operating a residential home for orphaned and neglected children at Bhimsensthan in Kathmandu from 1952.²¹

In 1952, Scouting was established in Nepal. The *Nepal Scouts organization* provides training to children and youth in different categories: Cubs and Brownies (ages 6 to 11), Boy Scouts and Girl Scouts (ages 11 to 16), and Rovers and Rangers (ages 16 to 25), guiding them through the scouting process. Currently, the total number of members in Nepal Scouts, including both children and adults, is 109,000.²²

In 1964 (2021 BS), the *Nepal Children's Organization* was established with the aim to provide residential care and protection to orphaned children. Today, this organization has a network in all 77 districts of Nepal and provides care to over 360 children in various child homes.²³

The *Nepal Red Cross Society* began its operations in 1963 and was recognized by the International Committee of the Red Cross in 1964. It is one of the largest humanitarian organizations in Nepal, with a network across all 77 districts. The Nepal Red Cross Society runs Junior Red Cross and Youth Red Cross Circles in schools, campuses, and communities, engaging student and youth volunteers in its programs. Currently, the Society operates 6,538 Junior and Youth Red Cross Circles.²⁴

In 1972, the first *SOS Children's Village* was established in Sano Thimi, Bhaktapur. The program formally began in 1973. SOS Nepal was officially registered as a local NGO in 1986 (2043 BS) and became a member of the Social Welfare Council. SOS Children's Village Nepal works through various projects focused on the care, protection, and development of children. The organization operates 10 children's villages across Nepal, providing services to children who have lost family protection.²⁵

²¹ Based on the interview with Rabin Nepal, the president of the Association of Former Students of Paropkar Orphanage.

²² See: <https://nepalscouts.org/news/> accessed on 19102024.

²³ See: <https://www.nconepal.org.np/about-us/> accessed on 20102024.

²⁴ See: <https://nrccs.org/about-nrccs/> accessed on 19102024.

²⁵ Guidelines on Alternative Care of Children, SOS Children Village Nepal, April, 2022, p58.

International Child-centered Organizations and Agencies in Nepal

In 1976, *Save the Children (UK)* began its programs in Nepal, initially focusing on child health, nutrition, and education.

The *United Nations Children's Fund (UNICEF)* started its operations in Nepal in 1964, initially managed from its office in New Delhi, India. Subsequently, in 1968, UNICEF opened a liaison office in Kathmandu with two staff members, and in 1972, a full office was established.²⁶

Study on Children with Disabilities, Establishment of Community-Based Rehabilitation Centers, and the Hatemalo Radio Program

In 1981, a study was conducted on children with disabilities in Nepal, which highlighted the need for specific interventions. Based on the findings of this study, a *Community-Based Rehabilitation (CBR)* Center was established in 1985 in the Bhaktapur district through the initiative of *JAYCEES Bhaktapur*. Initially, the center focused on providing education to children with intellectual disabilities, marking the beginning of its work in supporting children with special needs.²⁷

In 1982, a team led by Nupur Bhattacharya began a children's radio program called "**Hatemalo**" on Radio Nepal. This initiative aimed to promote children's talent and creativity through a session called '*Ko Bhandu Ko Kam*' (a child-to-child program). It also introduced the concept of Radio Listener Clubs for Children, an early attempt at engaging children in participatory activities. The concept grew over time, eventually leading to the establishment of an organization called *Hatemalo Sanchar*, which continues to operate today.

In November 1990, Hatemalo Sanchar launched "**Sunkesra**," a children's magazine. The first issue of the magazine was published in 1990, and it continued to be published until 2006. The magazine's 100th edition was printed in 2004. This magazine played a significant role in promoting children's participation in media and raising awareness about children's rights and issues.²⁸

Discussion on Child Labour in Nepal at the International Conference

After the 1979 student movement and the subsequent political change that restored multi-party democracy in Nepal, children's rights began to gain attention alongside broader human rights concerns. A significant milestone in this regard occurred in 1983 when the Asian Students Association (ASA) organized an international conference in Thailand focused on human rights and youth issues. At this conference, Gauri Pradhan, a leader from the All Nepal Student Union, representing Tribhuvan University's Central Campus, had the opportunity to present a paper titled "*Child Labour and Human Rights in Nepal*."²⁹

Following this, in 1984, a seminar was held at Tribhuvan University's Central Campus in Kathmandu on the occasion of International Human Rights Day, focusing on child labour and child slavery. The seminar concluded with recommendations for further research and study on child rights and child slavery, emphasizing the need to free children from exploitation.³⁰

The collective effort of a group of students led by Gauri Pradhan to advance the child rights movement with a rights-based approach in 1987 has already been discussed above in Chapter 1. In that same year, a South Asian Regional Workshop on child labour was held in Tripureshwor, Kathmandu. This was the first workshop on child labour held in Nepal³¹ and was coordinated by the Child Workers in Nepal Concerned Centre (CWIN).³²

From 1990 onward, Nepal's child rights movement adopted a more structured and systematic approach, integrating child rights into the broader human rights agenda as part of a rights-based movement, rather than addressing them in isolation.

4.2 Child Rights Movement from 1990-2002

Efforts to Incorporate Child Rights into the Constitution of the Kingdom of Nepal 2047

Following the People's Movement of 1990, which successfully reinstated multi-party democracy in Nepal, significant efforts were made to incorporate child rights into the new constitution. A delegation of child rights advocates from various sectors presented a 10-point memorandum to the Constitutional Drafting Commission.³³

Children's rights guaranteed in the Constitution of the Kingdom of Nepal, 2047

- 1. Article 11: Right to Equality**
 - o **Clause (3):** The state shall not discriminate between citizens on the basis of religion, caste, gender, ethnicity, or ideological beliefs. However, provisions may be made by law to protect and develop the rights of vulnerable groups, including women, children, the elderly, and physically or mentally disabled individuals, as well as educationally backward communities.
- 2. Article 18: Right to Culture and Education**
 - o **Clause (2):** Every community shall have the right to operate schools that provide education to children in their mother tongue at the primary level.
- 3. Article 20: Right against Exploitation**
 - o **Clause (2):** No minor shall be employed in work in any factory or mine or engaged in any other hazardous work.
- 4. Article 26: State Policies**
 - o **Clause (8):** The state shall make necessary arrangements to protect children from exploitation and to safeguard their rights and interests. The state shall make gradual arrangements to provide free education to children.
 - o **Clause (9):** The state shall adopt policies to make specific arrangements in matters of education, health and social security to protect and promote the welfare of orphan children... persons with disabilities, and those who are handicapped.

²⁶ See <https://www.unicef.org/nepal/about-us> accessed on 19102024.

²⁷ See cbrbhaktapur.wordpress.com/about/history/ accessed on 19102024.

²⁸ Based on the talk with Nupur Bhattacharya and see website of Hatemalo Sanchar at <https://hatemalosanchar.org.np/public/what-we-do/7> accessed on 19102024.

²⁹ *25 Years of CRC: Child Rights in Nepal, CWISH, 2072 (2015), p33.*

³⁰ *25 Years of CRC: Child Rights in Nepal, CWISH, 2072 (2015), p34*

³¹ See, Bijay Saiju. *25 years of Child Rights Movement in Nepal, CWIN Nepal Smarika, 2069 (2012), p65.*

³² Though CWIN Nepal was established on 20th November 1986, it was formally announced on 1st January 1987 (see *25 Years of CRC: Child Rights in Nepal, CWISH, 2072, p34.*

³³ *25 Years of CRC: Child Rights in Nepal, CWISH, 2072 (2015), p36.*

Ratification of the 1989 Convention on the Rights of the Child

The interim government formed after the political movement ratified the 1989 UN Convention on the Rights of the Child. This ratification facilitated a broader understanding of child rights and strengthened advocacy efforts with the government.

Enactment of the Children's Act

Immediately after ratifying the CRC, the Children's Act, 2048 (1991), was enacted as an integrated child rights law in Nepal, coming into effect on April 13, 1993³⁴. This act led to the establishment of various policies, legal frameworks, and structural arrangements to promote child rights from the central to the local level.

As envisioned by the Children's Act, 2048, structures such as the Central and District Child Welfare Committees began to be formed. In 1995, the Children's Rules were implemented to expand the provisions of the Children's Act. These regulations helped define responsibilities and procedures related to child protection, established child welfare committees across the country, and made the monitoring and evaluation of child welfare activities more effective.

Preparation of the Initial Report on the 1989 Convention on the Rights of the Child

In accordance with the requirement to submit an initial report to the United Nations Committee on the Rights of the Child within two years of ratifying the 1989 Convention on the Rights of the Child, the Government of Nepal initiated the report preparation process in 1994. During this time, the National Planning Commission prepared a draft of the report.

In March 1994, a meeting was held in Kathmandu with representatives from over 150 organizations to discuss the draft and provide suggestions to the Government of Nepal. This meeting was coordinated with the government and received financial and technical support from UNICEF Nepal, Redd Barna (Save the Children Norway), the Child NGO Federation, and INHURED International, among others.

The detailed recommendations from the meeting were provided to the government, and the draft revision committee included representatives from civil society organizations and children. The initial report, finalized with the cooperation of the government, civil society organizations, and children, was submitted in 1995. It was praised by the Committee on the Rights of the Child. The organizations present at this meeting also formed Child Rights Monitoring Nepal with the intention of collaborating in the field of child rights (as mentioned in Chapter 3).

Formation and Registration of the Child-led Child Club Network "Balchetna Samuha"

From April 18-23, 1994, the second workshop for children was jointly organized in Kathmandu by UNICEF Nepal, Redd Barna (Save the Children Norway), the Child NGO Federation, and INHURED International. This followed the first workshop, which had taken place from March 23-27, 1994, aimed at consulting children on the draft of the initial report on the 1989 Convention.

The first workshop included 29 children from various parts of the country, representing different communities, ethnic groups, and socio-economic backgrounds. The second workshop expanded participation to 56 children.

On the last day of the second workshop, April 26, 1994, the Balchetna Samuha (a network of child clubs) was formed.³⁵ The group's purpose was to work on achieving, protecting, and promoting child rights in an organized manner through collaboration among children, embodying the goal of "children working for children's rights." The Balchetna Group was formally registered at the Kathmandu District Administration Office on February 7, 1996.³⁶ At that time, the group had 70 members aged 8 to 18, the Samuha had a 15-member working committee and a 13-member advisory committee.

Formation of the Ministry of Women, Children, and Social Welfare

In 1994, the government established the Ministry of Women, Children, and Social Welfare to oversee child-related issues. Initially, the ministry's name did not include 'children,' but it was added after child rights activists raised their voices in advocacy. Around the same time, the government led by Prime Minister Man Mohan Adhikari formed the Women and Child Development Council, chaired by the Prime Minister. The primary responsibility of this council was to formulate national policies on child development and women's rights, as well as to coordinate and monitor activities related to child development and women's rights conducted by governmental and intergovernmental bodies.³⁷

Campaign against Child Labour and Child Abuse

The campaign to rescue and rehabilitate children engaged in child labour in hazardous sectors, as well as efforts to make these sectors free of child labour, stands as an exemplary initiative. Around 1994, a report revealed the widespread use of child labour in Nepal's carpet industry. In response, a campaign was launched to eliminate child labour from the carpet sector through the collective efforts of various stakeholders. In 1995, the Rugmark Foundation was established to monitor and certify that carpets produced in Nepal were free of child labour.³⁸

Further efforts to combat child labour continued with the initiation of the Green Flag Campaign in 2014, aimed at eliminating child labour. This campaign was a joint effort between the CWISH and the Lalitpur Sub-Metropolitan City. Similarly, in 2015, the Black Cap Campaign was launched by CWISH to address child sexual abuse.

In 1998, a World March for Child Rights was held, involving 130 countries. This year-long march concluded in Geneva with the submission of a petition to the headquarters of the International Labour Organization (ILO).

During this period, significant efforts were made to rescue and rehabilitate street children, domestic child labourers, children working in transportation, porters, child hawkers, and children employed in brick kilns, sand mines, stone quarries, and other hazardous sectors. These children were provided with vocational training, formal education, and various rehabilitative services to support their reintegration into society.

³⁴ While adopting the Act, Nepal Government said it would come into effect from the date of publishing a notice about it on Nepal Gazette. And, the effective date was announced by publishing a notice in extra-issue of Nepal Gazette on 13 April 1993 (1st Baishakh 2050 BS).

³⁵ See brochure of Balchetana Samuha.

³⁶ 25 years of CRC: Child Rights in Nepal, CWISH 2072 (2015), p7.

³⁷ For details, see point number 33 of Nepal's Initial Report (1995) to CRC.

³⁸ Now the organization and campaign are operational under GoodWeave International.

Rescue of Women and Girls Trafficked to India

In 1996, seven organizations working against human trafficking collaborated to rescue women and girls trafficked to Mumbai (then Bombay). Many of those rescued were girls. Civil society organizations played a crucial role in the rehabilitation of the rescued women and children. This initiative was a notable effort led by activists within the child rights movement in Nepal.

Child Rights Movement during the Decade-Long Armed Conflict

While the child rights movement in Nepal was gaining momentum, the country was plunged into an armed conflict in 1996. The decade-long conflict had a profound impact on children, as they were not only victims but were also exploited in various ways. Rebel groups used children as soldiers, subjecting them to violence and abuse. Schools, which should have been sanctuaries for learning, were used as shelters by armed groups, disrupting education across the country. Many teachers became victims of the conflict, and numerous schools suffered physical damage, further hindering children's access to education. The child rights movement, which had been progressing, was severely impacted during this period, as the conflict deepened the challenges facing children in Nepal.

Field Study of the Incident at Sharada Secondary School in Mudbhara, Doti

A first-hand field study was conducted by Nepali civil society organizations active in child rights, focusing on the attack that occurred during the armed conflict at Sharada Secondary School in Mudbhara, Doti, and the subsequent situation. The findings of this study were published in a report, which highlighted the devastating impact of the conflict on children and educational institutions. Following the recommendations made in this report, a significant foundation was laid for the National Campaign for Children as Zone of Peace.

During the armed conflict in Nepal, child rights activists, advocates, and related organizations consistently called for the protection of children's education, the prohibition of their involvement in armed conflict, and the safeguarding of institutions like schools and health centers. They conducted regular field studies across the country to assess the impact on children's basic rights and kept all parties informed. On September 21, 2003, during International Peace Day, a nationwide campaign was held, ringing bells to promote the message that children are a zone of peace. These advocacy efforts also gained the attention of the international community.

Between 1996 and 2006, during the ten-year armed conflict, 230 children lost their lives, and 107 were disabled. Approximately 5,000 children lost or were separated from their parents, and an estimated 11,000 children were involved in the conflict. The conflict officially ended with the signing of the Comprehensive Peace Agreement on November 21, 2006. In December 2007, UNMIN reported that 2,973 children (1,988 boys and 985 girls) were disqualified from the recruitment process, having been underage (below 18) at the time³⁹. Dil Bahadur Ramtel from Gorkha became the first child martyr of the conflict.

³⁹ See the clauses 45 and 47 of Nepal's Initial Report, 2012, on the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, 2000.

Campaign for Children and Schools as Zones of Peace

During the armed conflict in Nepal, the government prioritized and implemented the "Schools as Zones of Peace" (SZOP) campaign, which had been initiated by civil society. In 2011, the Government of Nepal developed the National Framework and Implementation Guidelines for Schools as Zones of Peace.

Special UN Session on Children and Participation of Nepali Children

To amplify the voices of Nepali children onto national policy and international platforms, programs related to the UN General Assembly Special Session on Children (UNGASS) and the Global Movement for Children (GMC) were conducted nationwide from 2000 onwards, with support from Save the Children Alliance and Consortium Nepal. Krishna Thapa from Kaski represented Nepali children at the PrepCom meeting for UNGASS in June 2000, while Dilmaya Ghising (Morang), Sanjog Thakuri (Kathmandu), Bidur BK (Lamjung), and Ganga Adhikari (Bhutanese Refugee Camp, Jhapa) represented Nepali children at the main session of UNGASS.

Expansion of the Child Rights Campaign to Districts and Local Levels

The child rights campaigns, which were initially focused on organizations around the capital, gradually expanded to districts and local levels across Nepal. By around 1999, district-level child meetings were being organized, district child forums were registered, and child representation in child welfare committees was ensured. In line with the principle of children's leadership on issues affecting them, various initiatives were undertaken to end discrimination and child marriage, and to establish child rights, led by the children themselves.⁴⁰

Declaration of Kamaiya and Kamalari Freedom

Although the Kamaiya system (bonded labour) was abolished in 2000, many children continued to be forced into bonded labour. The Kamalari system was officially abolished in 2013, granting freedom to all Kamalari.

4.3 Child Rights Movement: From 2006 to the Promulgation of the Constitution of Nepal, 2015

End of Armed Conflict and Implementation of the Interim Constitution

To protect children from the effects of the armed conflict and implement the Comprehensive Peace Agreement, the Interim Constitution was promulgated in 2007. During its drafting, special programs focused on incorporating children's rights into the constitution as part of the broader child rights campaign.

⁴⁰ Based on the talk with Child Rights activist Tikaram Acharya

Some Provisions Related to the Rights of Children in Nepal's Interim Constitution, 2063

Article 13. Right to Equality:

Clause (3) The State shall not discriminate among citizens on grounds of religion, race, caste, tribe, gender, origin, language or ideological conviction or any of these. Provided that nothing shall be deemed to prevent the making of special provisions by law for the protection, empowerment or advancement of women, Dalit, indigenous ethnic tribes, Madhesi or peasants, labourers or those who belong to a class which is economically, socially or culturally backward, or children, the aged, disabled or those who are physically or mentally incapacitated.

Article 17. Right to Education and Culture:

Clause (1) Each community shall have the right to receive basic education in their mother tongue as provided for in the law.

Clause (2) Every citizen shall have the right to receive free education from the State up to secondary level as provided for in the law

Article 22. Rights of Children:

Clause (1) Every child shall have the right to his or her own identity and name.

Clause (2) Every child shall have the right to be nurtured, to basic health and social security.

Clause (3) Every child shall have the right not to be subjected to physical, mental or any other form of exploitation. Any such act of exploitation shall be punishable by law and any child so treated shall be compensated as determined by law.

Clause (4) Helpless, orphaned or mentally retarded children, children who are victims of conflict or displaced and street children at risk shall have the right to receive special privileges from the State to ensure their secure future.

Clause (5) No minor shall be employed in factories, mines or in any other hazardous work nor shall be used in army, police or in conflicts.

Universal Periodic Report (UPR), Supplementary Report by Civil Society on the Convention on the Rights of the Child, and Involvement of Children

In 2010, the Government of Nepal presented its first Universal Periodic Report (UPR) on human rights to the United Nations Human Rights Council. A supplementary report, developed in consultation with children, was submitted by Civil Society.

In 2014, a supplementary report led by children was submitted regarding the periodic report on the Convention on the Rights of the Child (CRC), which Nepal had presented in 2012. During the pre-session meeting of the UN Committee on the Rights of the Child in Geneva that same year, two children, Hima Rai and Tilak Paudel, actively participated in the discussions.

National Action Plan (NAP) for the Rehabilitation and Reintegration of Children Affected by Armed Conflict

Following the signing of the Comprehensive Peace Agreement between the Government of Nepal and the Nepal Communist Party (Maoist), ending the 10-year armed conflict, a national action plan was developed for the rehabilitation and reintegration of children affected by the

conflict. This plan was created with input from government bodies, UNICEF Nepal, Save the Children, and CWIN, representing a group of organizations working on the social reintegration of children associated with armed forces and armed groups (CAAFAG Working Group).

The draft action plan was finalized after regional and central workshops, involving government and non-government representatives, as well as children directly affected by the conflict, whose feedback was incorporated. The final version was approved by the Government of Nepal's Council of Ministers on December 29, 2010.

Launch of Child Helpline 1098

In 2007, the Government of Nepal, in collaboration with NGOs, launched the Child Helpline 1098 to protect vulnerable children by offering critical services for their safety, rehabilitation, and access to referral pathways.

Adoption of Child-Friendly Local Governance

In 2011, the Government of Nepal adopted the concept of child-friendly local governance and implemented the corresponding strategy and procedures to ensure child welfare at the local level.

Concept of Child-Friendly Local Governance

The concept of child-friendly local governance was based on the United Nations' 10-year action plan, *A World Fit for Children*, adopted in 2002. Building on this framework, UNICEF and the Innocenti Research Centre introduced the concept of child-friendly cities in 2009, which was discussed at an international conference. In Nepal, the concept of child-friendly local governance was introduced through a project on decentralization for women and children run by UNICEF, in collaboration with the Ministry of Local Development (now the Ministry of Federal Affairs and General Administration). The initial implementation began with village development committees and municipalities involved in UNICEF's program. Starting in 2004, municipalities and village development committees that had already initiated programs to eliminate child labour also adopted the child-friendly local governance approach. However, Plan Nepal had already launched the "Child-Friendly Village" program around 1998.

In 2021, the Government of Nepal implemented the *Child-Friendly Local Governance Implementation Guidelines, 2078* to adapt to changing circumstances and further advance the movement. By the fiscal year 2022/23, a total of 23 local levels (1 metropolitan city, 19 municipalities, and 3 rural municipalities) were declared child-friendly. The target for the fiscal year 2024/25 is to declare 2,955 wards from 130 municipalities and 200 rural municipalities as child-friendly.⁴¹

School as Zones of Peace (SZOP) National Framework and Implementation Guidelines, 2068

The Government of Nepal adopted the School as Zones of Peace (SZOP) National Framework and Implementation Guidelines, 2068, on May 25, 2011. The document states:

⁴¹ See: *National Status Report on Children in Nepal, 2024*, NCRC, pp. 76.

“...Considering the need to establish schools as zones of peace and the necessity for a defined framework for such zones, this guideline has been prepared by incorporating suggestions and feedback from discussions, workshops, and interactions conducted during the initiation of the Children as Zones of Peace National Campaign in 2065 (2008). This included input from the Government of Nepal’s Ministry of Education, along with representatives from political parties, teachers’ organizations, student organizations, education-related professional groups, guardians, teachers, private school boards, and education experts...”

The child rights movement played a significant role in the formulation and implementation of the SZOP National Framework and Implementation Guidelines. The guidelines set forth three primary objectives:

1. To keep schools free from armed activities and other forms of violence.
2. To keep schools free from party politics and other forms of interference.
3. To keep schools free from discrimination, abuse, neglect, and exploitation.⁴²

Adoption of National Policy on Children, 2069

The *National Policy on Children, 2069*, approved by the Government of Nepal’s Council of Ministers on April 17, 2012, was developed with contributions from Nepal’s child rights movement. The policy was designed to fulfill Nepal’s international commitments and address issues related to children. Its goal was to create an environment where children from all classes and communities could fully enjoy their rights and develop as competent and capable citizens, through coordinated cooperation among government entities, local bodies, parents, teachers, and national and international NGOs. This policy has since been replaced by the National Children’s Policy, 2080.

Presentation of Supplementary Report on the Third, Fourth, and Fifth (Combined) Periodic Report on the 1989 Convention on the Rights of the Child, by Child Rights Movement Networks and Children’s Leadership

In 2012, after the Government of Nepal submitted the third, fourth, and fifth (combined) periodic report on the Convention on the Rights of the Child to the United Nations Committee on the Rights of the Child, a supplementary report was prepared and submitted by child rights networks, led by children. The preparation of this supplementary report was facilitated by the CRC Reporting Coalition, a group of child rights networks.

Additionally, with the facilitation of Consortium Nepal and technical support from the Institute for Legal Research and Consultancy, the first child-led supplementary report on the Convention on the Rights of the Child was prepared and presented to the United Nations Committee on the Rights of the Child in 2013. This marked the first time a supplementary report was submitted under the leadership of children. At the 69th pre-session meeting of the United Nations Committee on the Rights of the Child in Geneva, Hema Rai and Tilak Paudel, as representatives of Nepali children, participated in discussions on the this supplementary report.

4.4 Child Rights Movement after the Promulgation of the 2015 Constitution

Promulgation of the 2015 Constitution by the Constituent Assembly

The 2015 Constitution of Nepal established child rights as fundamental rights. Article 39 of the Constitution outlines specific rights for children in ten clauses, marking a significant advancement in the policy framework for child rights.

Before the election of the Constituent Assembly, efforts were made to include child rights-related issues in the election manifestos of major political parties. After the formation of the Constituent Assembly, effective campaigns were undertaken. These included the formation of a group of Assembly members focused on child-related issues (the Caucus), submitting memorandums to various thematic committees of the Constituent Assembly, and engaging in dialogues on these issues.

Implementation of Laws to Enforce the Constitution Guaranteed Fundamental Rights

To implement the fundamental rights of children included in Nepal’s Constitution, the Government of Nepal has enacted various laws. Primarily, these include:

- *Act Relating to Children, 2075 and its Regulations, 2078*
- *Free and Compulsory Education Act, 2075*
- *Social Security Act, 2075*
- *Act on the Rights of Persons with Disabilities, 2074*
- *Local Government Operations Act, 2074*
- *National Child Policy, 2080*

Structural Arrangements for Promoting Child Rights

According to the *Act Relating to Children, 2075*, national, provincial, and local structures have been established to promote child rights. These include the National Child Rights Council at the federal level, Provincial Child Rights Committees at the provincial level, and Local Child Rights Committees at the local levels. Additionally, provisions have been made for child welfare funds, child welfare officers, child psychologists, and social workers at the local level. The government has also integrated child rights issues into social security programs, other government schemes, and budget allocations to ensure the guarantee of child rights.

Prohibition of Physical or Mental Punishment and Abusive Behavior toward Children

Section 66(2) (d) of the *Child Rights Act, 2075* prohibits "inflicting physical or mental punishment on, or behaving in an undignified manner toward children in any setting, including homes, schools, or other places." Such acts are considered violence against children and are penalized under Section 72. Nepal became the first country in South Asia and the 54th in the world to criminalize corporal punishment against children.

Furthermore, the '*Chhaupadi*' tradition—an age-old, draconian cultural practice, followed in many parts of Nepal, that forces menstruating women and girls to live in flimsy tents, or cowsheds outside their homes, depriving them of nutritious food, protection, and safety—was criminalized under the National Penal Code, 2074.

⁴² See: <https://www.doe.gov.np/assets/uploads/files/6d342ea1ad0ff5e6b6b8c346a28c3780.pdf>

Declaration to Make Nepal a Street-Child-Free Country by 2025

The current government has committed to making Nepal a street-child-free country by 2025, and efforts are being made to achieve this goal.

Provincial Governments' Campains

- **Madhesh Province:** In 2019, Madhesh Province launched the "Beti Bachao, Beti Padhao" (Save the Girl Child, Educate the Girl Child) campaign and introduced an insurance program for girls' education. Under this program, the government provided insurance coverage for all girls born in the 8 districts of the province. Upon reaching the legal age for citizenship, the girls would receive NPR 125,000.
- **Karnali Province:** In 2020, the Karnali Province government initiated a program (Bank Accounts for Daughters, for Secure Life) to open a bank account with NPR 1,000 for all newborn girls. The program involved depositing NPR 500 monthly into their accounts until they turned 20, providing economic security for their future. By the time the girls reached 20, the account would accumulate around NPR 200,000. A total of NPR 38.4 million was allocated for this initiative across all 79 local levels.

Local Governments' Campaigns

- Following the implementation of the National Master Plan against child labour and Child Labour-Free Local Government Declaration procedure 2020 (2077 BS), various campaigns have contributed to a reduction in the number of child labourers and street children across the country.
- In 2022, Tribeni Rural Municipality in Rolpa declared itself child labour-free local government. This was the result of a joint effort from various sectors working to eliminate child labour and protect the rights of children.
- In 2022, Gurans Rural Municipality in Dailekh became the first in Nepal to implement a social protection policy specifically targeting sexual and gender minority children and youth.

4.4 Challenges in the Fulfillment of Child Rights

Significant improvements have been made in the status of children in Nepal, thanks to child-focused policies, action plans, and programs from state and government entities, as well as the ongoing advocacy, coordination, and collaboration of child rights campaigns.

However, political instability and lack of resources have hindered efforts to guarantee child rights, and challenges are increasing. Poverty and social inequality within families also make it difficult to ensure access to education, health services, care, and protection for children, especially those from marginalized backgrounds.

Here are additional challenges in fulfilling child rights in Nepal:

- **Child Survival Issues:** Several challenges related to child survival, as outlined in the 1989 Convention on the Rights of the Child, remain prominent. These include sex-selective abortions, lack of access to proper health check-ups and services during pregnancy, absence of safe childbirth facilities, inadequate nutrition, limited access to vaccines, and a shortage of pediatric hospitals and specialist doctors.
- **Child Protection Issues:** In the area of child protection, significant problems persist, such as child marriage, sexual abuse and exploitation (including rape and killing after rape), and ongoing child labour. Other issues include disparities in access to quality education, physical and humiliating punishment in teaching practice, online abuse,

prevalence of street children, cybercrime, substance abuse, unsafe sexual practices, teenage pregnancy, and discrimination against LGBTQI+ children and children with disabilities. Additionally, caste-based discrimination, incidents of suicide, harmful social practices like Chaupadi, juvenile delinquency, and insufficient access to justice and security mechanisms remain major concerns.

- **Child Development Issues:** Key challenges in child development include limited access to education, particularly for children with disabilities and those from diverse SOGIESC backgrounds. Additional issues include inadequate child-friendly infrastructure, spaces, and behaviors in schools, as well as a lack of child-informed policies. There are insufficient opportunities for physical and intellectual growth, a shortage of life skills and skills-based education, and limited psychosocial support in schools. Furthermore, children in institutional care lack sufficient developmental support, while disparities in the quality of education between private and public schools, exacerbated by the privatization of education, contribute to a growing social divide.
- **Child Participation Issues:** Challenges related to child participation include limited and ineffective involvement of children in planning processes. There is also a lack of proper formation, capacity development, and operation of child clubs, as well as a failure to implement child participation policies at the local level. Additionally, child participation is not prioritized by the government and other stakeholders, and there are limited child-friendly resources. Children with disabilities and those from the LGBTQI+ community often face inadequate attention to their concerns. Moreover, local levels lack the capacity to register, renew, and update data on child clubs and networks.
- **High-Risk Groups:** Certain communities or groups of children in Nepal face heightened risks. Dalit children, in particular, endure caste-based discrimination, untouchability, family poverty, malnutrition, and limited access to education and healthcare.
- **Risks Faced by Girls:** Girls in Nepal face numerous risks, including discrimination, violence, sexual exploitation, rape, trafficking, child marriage, acid attacks, bullying, and cybercrime. They are also forced to endure harmful practices such as Chaupadi.
- **Challenges for Children with Disabilities:** Children with disabilities face discrimination and neglect, as many families view them as a burden. This is compounded by the lack of disability-friendly infrastructure in schools, homes, and community centers. Additionally, these children experience higher levels of abuse and violence and encounter difficulties in seeking help and reporting incidents.
- **Challenges for Children in the Terai-Madhesh Region:** Children in the Terai-Madhesh region suffer from discrimination based on color and language, as well as poverty, dowry, child marriage, child labour, health issues, and human trafficking. LGBTQI+ children face disrespect and lack of family support, bullying, discrimination, and challenges related to obtaining identity and citizenship.
- **Climate Change and Children's Involvement:** Despite being the most vulnerable to the effects of climate change, children are rarely included in the development of plans, policies, and programs related to climate change and environmental conservation. Their experiences and perspectives are often overlooked in these discussions.
- **Issues for HIV-Infected and Street Children:** Children infected with HIV face challenges in identification, treatment, safety, and self-esteem. Street children struggle with issues related to identification, birth registration, and face difficulties in reintegration and rehabilitation as they grow older.

- **Child Labour and Orphaned Children:** Children working in entertainment, the brick and stone industries, hotels, and as domestic workers face unique challenges. Many are still engaged in hazardous labour. Children who have lost parents due to war, disasters, pandemics, or accidents struggle with the lack of alternative care and proper protection.
- **Natural Disasters and Climate Change Risks:** Nepal, being prone to natural disasters like earthquakes, floods, and landslides, is among the 20 countries most affected by climate change. These disasters pose additional risks to children, who are often displaced, lose family members, become separated from caregivers, and face inadequate services and protection in humanitarian emergencies, increasing their vulnerability.

There is an ongoing need for coordinated and integrated campaigns to address the unique risks and issues faced by children from diverse classes, communities, and regions.

CHAPTER-5

Opportunities and Challenges for the Child Rights Movement



The strength of Nepal's child rights movement lies in its ability to raise child rights issues as they evolve, at the right time, and establish civil society organizations and networks that advocate for these rights with government and state bodies. Furthermore, the movement has consistently capitalized on opportunities arising from both national and international contexts.

The following sections explore some of the opportunities and challenges facing Nepal's child rights movement.

5.1 Legal and Policy Framework

Nepal's Constitution (2015) guarantees certain child rights as part of fundamental rights. To implement these rights, several acts have been enacted, including the *Free and Compulsory Education Act* (2018), the *Act on the Rights of Persons with Disabilities* (2017), the *Public Health Service Act* (2018), the *Social Security Act* (2018), the *Privacy Act* (2018), and the *Act Relating to Children* (2018), among others, which directly address children's rights.

Nepal has adopted a federal governance system to ensure the decentralization of power. The federal, provincial, and local governments actively work to fulfill their constitutional and legal responsibilities.

Under the *Children's Act* (2018), structural arrangements have been made in each local government to promote child rights and ensure child protection. These include the establishment of local child rights committees, child welfare officers, social workers, child psychologists, and child funds. In all 77 districts, the National Center for Children at Risk (toll-free number 104) provides services, along with Child Helpline services operating in 18 districts (toll-free number 1098).⁴³

However, gaps remain, especially:

- The effective implementation of constitutional, policy, and legal provisions related to child rights has not been achieved due to the lack of strategic plans, programs, and budget allocations, preventing the expected improvements in the situation of children.
- Child issues are not prioritized in the policies, plans, and programs of all three tiers of government, and there has been insufficient investment in the child sector.
- The institutional and structural arrangements outlined in the *Children's Act*, 2018, have not been fully activated in all 753 local governments.⁴⁴
- There is still a need for better coordination, cooperation, and continuous advocacy with federal, provincial, and local governments to mobilize strategic plans and programs that ensure the guarantee of child rights and child protection at the state level.

To address these issues, it is essential to diversify the child rights movement and build alliances and coalitions with both state and non-state actors. Most importantly, deliberate efforts must be made to ensure that discussions on children and their rights are informed and led by the

⁴³ The districts where the child helpline service is operational are Ilam, Sankhuwasabha, Morang, Udayapur, Sunsari, Dhanusha, Bara, Makwanpur, Chitwan, Kathmandu, Kaski, Rupandehi, Banke, Surkhet, Dailekh, Kalikot, Kailali, and Bajura.

⁴⁴ In the fiscal year 2022/23, among the 753 local levels: (a) Guidelines on child rights and child protection were implemented in 373 local levels. (b) Local child rights committees were formed in 209 local levels. (c) Child welfare officers were assigned in 294 local levels, and child welfare officers were appointed in 9 local levels (a total of 303). (d) Child funds were established in 246 local levels. (e) Social service and child psychologists were registered in 9 local levels. (Refer to the National Status Report on Children in Nepal 2080, NCRC, p14).

children themselves, with civil society organizations and government entities playing a more facilitative and supportive role.

5.2 Need for strengthened capacity and investment on child rights

Significant investment has been made to strengthen the capacity of government officials at all three tiers of government, along with teachers, police, law enforcement agencies, and stakeholders working in child protection, systems strengthening, and child rights governance. This effort also includes engaging parents, community members, children, and other relevant stakeholders.

However, gaps remain in effectively embedding and sustaining child rights practices in governance, services, and social norms. These challenges persist due to the following reasons:

- Stereotypical and monolithic attitudes, coupled with regressive norms, undermine children's voices and agency.
- A lack of child-sensitive approaches and perspectives, and inadequate understanding of the importance of child rights across government bodies, bureaucratic practices, political parties, the private sector, and media.
- De-prioritization of children's issues in budget allocations and resources (institutional, financial, and human), with funding often being bundled under broader development initiatives without specific scoping or assessment of its impact on children and their development.
- Treating children as a homogenous group, thus overlooking the diverse needs of children from a more inclusive perspective.

5.3 Practice of Child Participation

In Nepal, policies have been formulated, and various practices implemented, to promote child participation. The 2023 National Child Policy includes provisions related to child participation. The Madhesh Provincial Government and some local levels have endorsed and implemented child participation procedures. The 2021 Child-Friendly Local Governance Implementation Guidelines emphasize organizing children's assemblies and incorporating their demands into local plans and programs as an indicator.

As of 2022⁴⁵, there are 19,904 school-based child clubs, and when including those based in the community, more than 25,000 child clubs and their networks are active. These clubs and networks have made significant contributions to raising and addressing child rights issues at the local level.

There are numerous examples of former members of child clubs and their networks actively participating in and leading Nepal's child rights movement⁴⁶, demonstrating coordination and cooperation across at least three generations within the movement.

However, several challenges remain:

- Despite the quantitative growth of child clubs and their networks, child participation in informal sectors has not been strengthened.
- Members of child clubs and their networks have not been adequately trained in child rights, child protection, inclusive and meaningful participation, life skills, or the management of child-led organizations.

⁴⁵ See National Report on Situation of Children in Nepal, 2080, NCRC, p75.

⁴⁶ Young people and adults who were cultivated through child clubs have gone on to lead various networks such as CZOP, the Consortium Nepal, the National Forum for Child-Friendly Local Governance, the National Network for Girls' Rights, the Education Watch Group, and the Social Protection Civil Society Network, among others.

- There has been a lack of specific efforts to ensure the rights, social justice, and increased participation of children with disabilities and other marginalized children.
- No arrangements have been made for child-sensitive social protection targeting marginalized children to actively engage them in rights campaigns.
- There has been no focused effort to ensure children's safe access to digital technology and protect them from cybercrime.
- Efforts to raise awareness among children about the adverse effects of disasters caused by climate change have been lacking.
- The Government of Nepal has yet to ratify the Third Optional Protocol on Communications Procedures (OPIC) to the 1989 UN Convention on the Rights of the Child.

5.4 Nepal's Civil Society Movement for Child Rights

The primary objective of civil society organizations and networks involved in the child rights movement is to identify child rights issues at the community level and coordinate, collaborate, and advocate with the three tiers of government to address these issues. While these child-centered civil society organizations and networks play a significant role in promoting child rights, they should not assume responsibilities that are the government's duty, as this could allow state mechanisms to evade their obligations.

Nepal's child rights movement has achieved significant milestones,⁴⁷ but there is an ongoing debate about whether it has accomplished the expected concrete progress in overall economic and social transformation.

Several key aspects emerge upon examining the child rights movement:

- The movement tends to be project-oriented, often reliant on donor agencies or institutional grants.
- Instead of focusing on broad social transformation with strategic plans based on comprehensive studies of the child rights situation, the movement has been preoccupied with activities like programs, seminars, and celebration of various children's days.
- Activists leading civil society organizations and networks have remained in their positions for extended periods, limiting the movement's potential for new energy and depriving younger activists of leadership opportunities.
- There is a bitter reality where some civil society organizations use child-related issues and children's voices at the community level for their institutional interests or benefits, yet the overall child rights movement has largely remained silent on this.⁴⁸
- Individuals involved in politics, various professional sectors, and businesses have not been effectively engaged in the child rights movement.
- While civil society organizations have formed numerous networks and coalitions for campaigns on various issues, these networks have not been active in alignment with their purposes and objectives. Some networks also exhibit duplication in their goals and issues.

To address these challenges, civil society organizations and networks in Nepal's child rights movement need to embrace these realities and transform accordingly. This transformation will broaden the scope of the child rights movement, accelerate its progress, and enhance leadership and involvement from the new generation.

⁴⁷ See Paragraph 3 for a detailed discussion on the achievements obtained, including the contributions of the child rights movement.

⁴⁸ For example, some organizations have interpreted the child rights related to freedom of thought, belief, and religion as provided in Article 14 of the 1989 UN Convention on the Rights of the Child, in a way to cater their own agendas and run their campaign. Children have the freedom to form their own opinions on any subject and to follow the religion of their family's tradition without infringing on the rights of others.

CHAPTER-6

Conclusion, Recommendations, and Way Forward

6.1 Conclusion

With the promulgation of Nepal's Constitution in 2015, the country adopted a federal system of governance, decentralizing power across three tiers of government. This shift has empowered elected representatives and local structures with significant influence and opportunities to shape and implement child-centered policies, plans, and actions. Despite these advancements, however, the child rights movement in Nepal still struggles to secure prominent attention, investment, and socio-political will. Challenges such as the COVID-19 pandemic, frequent political transitions, climate change, and natural disasters have further stalled and derailed the movement.

This study provides valuable insights and recommendations from child rights practitioners, experts, and children themselves on ways to strengthen the child rights movement. It highlights steps that different entities and stakeholders can take to build momentum, ensuring child rights remain central and protected from external influences.

6.2 Overarching Recommendations

- **Strengthening Institutional Capacities for Sustainability of Child Rights Movement:** To ensure the sustainability and institutionalization of child rights issues raised by Nepal's child rights movement, it is crucial to strengthen the institutional capacities of civil society organizations and especially of networks actively engaged in child rights; particularly those engaged in alliances and coalition building. These organizations and networks should be aligned, and empowered to conduct advocacy, influence, and campaigns focused on core issues, especially those of underrepresented children. Additionally, the localization of national networks leading the campaign and enhancing capacities at the provincial and local levels should be emphasized. Localization is not merely the shifting of resources, but also sharing power, and building capacity to sustain major gains, and ensuring streamlined, and aligned partnerships, and alliances to take forward the gains made by the child rights movement.
- **Mainstreaming Child Rights Issues:** Child rights issues should be mainstreamed within academic communities, professions, businesses, political parties, and liberal arts and humanities sectors. Policies and laws at all tiers of government should be integrated and effectively implemented to meet the needs of children, with all agencies and levels held accountable. Public investment in child rights implementation should be increased.
- **Strengthening Child Rights through a Multi-Sectoral and Multi-Stakeholder Approach:** Child rights should not be viewed as the responsibility of a single ministry or entity, but rather as a collective concern and responsibility. All sectors and stakeholders must share the responsibility. Child rights should also be mainstreamed across key areas such as disaster management, climate change, poverty reduction, education, health, information technology, infrastructure development, and economic prosperity. Targeted actions are necessary to ensure the voices and agency of historically underrepresented children—including Dalits, LGBTQI+, and children with disabilities—are prioritized and integrated into all decision-making processes and platforms.

- **Establishing High-Level and Independent Monitoring Mechanisms:** There is a critical need for a high-level constitutional or legal mechanism to monitor the implementation of international conventions, national laws, and policies related to child rights. This mechanism should facilitate increased coordination and collaboration among constitutional commissions, relevant government bodies, ministries, development partners, and civil society organizations. It should work toward integrating and mainstreaming child rights and issues across all sectors. A multi-stakeholder task force should be established, with clearly defined roles for both public and private sectors in the implementation of child rights.
- **Promoting Meaningful Child Participation:** It is crucial to promote the meaningful participation of children in all decision-making processes and structures that affect them. The active involvement of children, families, communities, and civil society organizations is essential to sustain and build ownership of the child rights movement. This will, in turn, support the strengthening of child rights and the development of child-focused services.
- **Outcome-Focused Child Rights Campaign:** While the child rights campaign requires adequate resources, it should not become project-driven solely to secure funding from development partners. There must be a clear distinction between projects and the broader campaigns. The child rights movement should progress as a collective effort involving all levels of society, across various sectors and institutions, to create meaningful change on specific issues. Projects can play a role as part of a larger, outcome-focused campaign.
- **Child and Youth-Led Campaigns with Distinct Identity:** At times, there is a lack of distinction between the activities of various networks and the work of individual organizations, indicating a blurred identity within the campaign. It is essential for all campaign stakeholders to recognize this and work towards a clearer, unified direction. Furthermore, overlap in the areas of focus among different networks can dilute impact. To strengthen the child rights movement, networks should focus on engaging in impactful campaign activities, not merely increasing in number. Leadership should not be dominated by one individual or generation; instead, children and youth should be empowered to take the lead in driving the child rights campaign.

6.3 Recommendations for Relevant Agencies, Organizations, Networks, and Stakeholders

Recommendations for Government and Relevant Government entities

- **Adopting a Coordinated Working Process across Government Tiers:** In line with Nepal's Constitution and the federal governance system, a clear and effective working process should be established. The federal government should take responsibility for formulating policies, laws, regulations, procedures, and guidelines aimed at promoting child rights, while also monitoring and evaluating their implementation and providing technical support to provincial and local governments. Provincial governments should focus on coordination, and local governments should be responsible for the implementation of these policies and legal frameworks.
- **Prioritizing Social Development at All Government Levels:** All three tiers of government—federal, provincial, and local—must prioritize social development and work collaboratively to ensure children's rights to education, health, protection, development, and participation are fully realized.
- **Ensuring Effective Implementation of Child Rights Frameworks:** The government must ensure the effective implementation of the Constitution, national policies on children, relevant laws, periodic plans, the Sustainable Development Goals, strategic plans, and provisions of the 1989 Convention on the Rights of the Child. This will guarantee the rights of all children, ensuring their well-being and protection.

- **Ensuring Meaningful Child Participation in Decision-Making:** Ministries and agencies working for children at all tiers of government must ensure the meaningful inclusion of children in decision-making processes. Local governments should actively engage children through pre-planning assemblies, making the planning and budgeting process more participatory and responsive to their needs.
- **Establishing Child-Focused Institutional Structures at Local Levels:** Each local government should establish dedicated institutional structures for child rights by developing necessary policies, acts, and procedures. They should allocate human and technical resources, including child welfare officers, and invest in capacity building to strengthen these structures. The formation and functioning of Local Child Rights Committees must be ensured in all 753 local governments. Child Welfare Officers, as mandated by the Children's Act 2018 and the Children's Regulations 2021, should be appointed based on competency. Additionally, services from social workers and child psychologists (psychosocial counselors) should be readily available.
- **Prioritizing Vulnerable and Marginalized Children:** The issues faced by children from ethnic, marginalized, sexual and gender minority communities, children with disabilities, and those who are culturally and geographically neglected should be given priority. Efforts should be made to address the issues of children who have specific protection needs, ensuring they are adequately supported and protected.
- **Developing and Implementing Investment Plans for Child Rights:** All three tiers of government should develop and implement comprehensive investment plans to ensure the realization of child rights, with targeted resources and strategies to address the specific needs of children at local, provincial, and national levels.
- **Effective Monitoring and Reporting on the Convention on the Rights of the Child:** There should be a robust system in place to effectively monitor the implementation of the 1989 Convention on the Rights of the Child. Regular reports should be submitted to the UN Committee on the Rights of the Child, with the effective implementation of recommendations. Additionally, children's participation should be ensured in these monitoring and reporting processes.
- **Protecting Children from Disasters, Pandemics, and Climate Change:** Concrete plans and strategies must be developed and implemented to protect children from the impacts of disasters, pandemics, and climate change, ensuring their safety, well-being, and rights in times of crisis.

Recommendations for Constitutional Commissions

- **Identify and Address Children's Issues:** National Human Rights Commission, National Dalit Commission, National Women Commission, Madhesi Commission, Tharu Commission, Muslim Commission, Indigenous Nationalities Commission, and the Inclusion Commission should proactively identify and address children's rights issues within their respective jurisdictions and for the communities they represent. These bodies must take specific initiatives to monitor and ensure the protection and promotion of children's constitutional rights.
- **Joint Monitoring and Recommendations:** A joint monitoring mechanism of all the commissions should be established to assess the implementation of the Constitution, laws, international conventions, and commitments related to child rights. These bodies should provide recommendations for effective implementation and play a crucial role in holding the state accountable for fulfilling these provisions.
- **Dedicated Child Rights Desks:** Dedicated child rights desks should be established within the National Human Rights Commission and other constitutional commissions. These desks should operate systematically, ensuring effective cooperation, coordination,

and collaboration among the commissions to enhance child rights advocacy and implementation.

Recommendations for Political Parties

- **Leadership in Child Rights:** Political leaders should take proactive and decisive actions to safeguard and advance the accomplishments of the child rights movement. They must create an environment where every child can fully enjoy their rights, by aligning constitutional, policy, legal, structural, programmatic, and budgetary provisions to support the realization of these rights.
- **Political Commitment to Investment in Children:** Political parties should demonstrate a clear commitment to increasing public investment in children, ensuring that sufficient resources are allocated for their welfare and development.
- **Respect for Children as Zone of Peace:** Political parties and actors must ensure that children are not involved in any political activities, upholding the concept of children as a "zone of peace" where their safety and rights are prioritized.
- **Special Mechanisms for Child Rights:** Political parties should prioritize child rights as they do other social movements, establishing dedicated mechanisms within their parties to oversee child rights issues and ensure that the necessary commitments are implemented.
- **Leadership in Ending Discrimination:** The political sector should take the lead in eliminating all forms of discrimination, exclusion, and harmful practices faced by children, championing policies that promote inclusion and equal rights for all children.

Recommendation for Child-focused Civil Society Organizations, Networks and groups

- **Clear and Strategic Movement:** Civil society organizations and networks should continue their vital contributions to the child rights movement by working strategically and in a coordinated manner. They must collaborate to advance the movement with a unified strategy, plan, resources, and actions, ensuring that efforts are focused and impactful.
- **Institutionalization and Networking:** Efforts to strengthen the child rights movement should be systematically institutionalized and effectively networked. This includes establishing robust connections between various national networks, linking community-level issues to central-level platforms, and vice versa, ensuring a cohesive and supportive approach across all levels.
- **Advocacy for Implementation of Global and National Commitments:** Civil society networks should lead advocacy efforts to ensure the fulfillment of global and national commitments, such as the Sustainable Development Goals (SDGs) and the National Child Policy, which is grounded in the principle of leaving no one behind. This advocacy should focus on enhancing partnerships with public entities, civil society organizations, and children themselves to drive meaningful change.
- **Strategic Actions for Mainstreaming Child Rights in Emerging Issues:** Collaborate with government bodies, donor agencies, and relevant stakeholders to develop and implement strategic actions that mainstream children's rights into responses to emerging challenges such as disasters, pandemics, and climate change. This proactive approach should ensure that children's needs are prioritized in these critical situations.
- **Capacity Strengthening of Emerging Activists, Actors, and Professionals on Child Rights:** Focus on building the capacity of the new generation of child rights activists and professionals. This involves transferring knowledge, experiences, and skills essential for advancing the child rights movement. Additionally, foster collaborative leadership and establish structured handover processes that empower emerging leaders to sustain momentum and continue championing child rights.

- **Influence Building for Accountability:** Design interventions that influence state agencies to fulfill their responsibilities in implementing child-related policies, structures, programs, and budgets. This can be approached through child-led initiatives, evidence-based advocacy, dialogue, media campaigns, legal advocacy, and creating positive pressure groups to ensure accountability and transparency in the realization of children's rights.
- **Unified Campaigns:** Lead cohesive, targeted initiatives to eradicate harmful practices such as child marriage, Chhaupadi (menstrual seclusion), and other discriminatory traditions. Align these efforts with result-oriented action plans, implemented through strategic cooperation with relevant stakeholders, aiming for tangible outcomes on a national scale.
- **Advocate for Establishing Child Rights Desks:** Advocate for the creation of child rights desks within constitutional commissions focused on human rights. Lobby to empower these desks to oversee and ensure the effective implementation of child rights, with clear guidelines and pressure for action in the communities they represent.
- **Prioritize Children's Voices:** Ensure that children's voices and lived experiences are central to all decision-making processes, campaigns, and discussions concerning their rights. Focus on facilitating child-centered campaigns rather than leading them, avoiding performative activism. Ensure that children's authentic voices are genuinely heard and prioritized. Superficial activism remains a significant challenge to the child rights movement.
- **Advocate for Children's Space in CSO Discourse and Actions:** Advocate for and promote the inclusion of children as integral members of civil society, highlighting the importance of incorporating their lived experiences and perspectives into CSOs discussions. Empower stakeholders to adopt anchoring and facilitative roles that create spaces for children to express themselves authentically, without diminishing their individuality or concerns. This approach will foster a genuine and enabling environment for children's voices to be heard and acted upon.

Recommendations for Child Clubs, Child Club Networks, and Children

- **Capacity Sharing:** Child clubs, their networks, and children themselves should actively engage in strengthening their capacity and the capacity of the organizations they lead, enabling them to assert their rights effectively and with clarity.
- **Meaningful Child Participation:** Consistently advocate and engage in programmatic activities that ensure children's meaningful participation in all levels of state mechanisms, development agencies, and community-based organizations, ensuring that their voices are integrated into decision-making processes.
- **Skills and Leadership Development:** Implement targeted initiatives that support children in learning about their rights, developing essential life skills, and honing leadership abilities. This will empower them to grow into competent, responsible citizens who can contribute positively to their communities and society.
- **Promote Achievements:** Highlight and celebrate the remarkable achievements and successes of Nepali children on both national and international platforms.

Recommendation for Development Partners and Organizations

- **Building Coalitions and Strengthening Ownership of Child Rights:** Development agencies and civil society organizations (CSOs) should collaborate with donors, like-minded organizations, and institutions to ensure the integration of child rights into broader rights-based discussions. Advocacy efforts should emphasize that child rights are integral to the larger human rights framework and should not be viewed in isolation. Forming coalitions

and alliances is crucial to building awareness and ownership of child rights. By prioritizing diverse partnerships, agencies can foster a commitment to embedding a child rights perspective across all areas of programming, advocacy, operations, and partnerships.

- **Shifting from Project-Based to Movement-Building Approaches:** Advocacy and influence work in child rights often follow a projectized structure, which can limit long-term impact. To build a sustainable child rights movement, we must transition towards organic, child-led discussions and issue-based dialogues that allow for continuous learning and course correction. Instead of restrictive, short-term projects, we must advocate for flexible funding that enables children, youth, networks, and NGOs to lead their own campaigns. This shift will drive sustained change and foster a robust child rights movement.
- **Moving from Capacity Building to Capacity Sharing:** Power imbalances in campaigns can stifle the potential of child rights movements. There is a need to reimagine movement-building by prioritizing children's lived experiences, empowering local leadership, and fostering shared power through the distribution of knowledge, resources, and new ideas, particularly around emerging themes like climate and gender justice.
- **Monitoring International Commitments:** Financial and technical supports are essential for monitoring the implementation of the 1989 Convention on the Rights of the Child and related commitments. Agencies should coordinate with public bodies and civil society to develop a targeted strategy addressing the rights of vulnerable groups, including children affected by harmful practices, Dalit children, children with disabilities, and those in Madhesh and remote areas.
- **A More Anchor and Facilitative Role:** Development partners and CSOs should take on an anchoring or facilitative role to ensure children's voices are connected to regional and global discussions and platforms. This approach strengthens children's capacity to build influence and create meaningful impact. It is also important to advocate within the CSO space for prioritizing leadership transition in the child rights sphere to avoid the monopolization of leadership, which may at times derail and diminish the lived experiences of children. Encouraging and prioritizing second-in-line or new voices in the child rights space is essential for a dynamic and effective movement.

Annex-1: Information Collection Questionnaire: Checklist and Main Questionnaire for Study

Initiation of the Child Rights Movement in Nepal

- When did the child rights movement begin in Nepal?
- From when did the child rights campaign start formally and organized way?
- What was the context and environment of the child rights campaign at that time?
- How did people understand child rights?
- How was it connected to the international child rights movement?
- Who were the initiators of the child rights movement, and how did they organize the campaign?

Issues Raised by the Child Rights Movements

- What issues were raised by the child rights movement during different periods?
- Can these issues be viewed in terms of policy and structural/institutional issues?
- Were the four pillars (rights, protection, participation, and development) that we refer to now raised explicitly, or were they raised in a different way?
- What was the relevance of the international context to these issues?

Nature of the Child Rights Movement

- What was the nature of the child rights movement at the beginning? How is it now?
- What activities were carried out in the child rights movement?
- What pathway was used to raise issues at the international level?
- In what ways is Nepal's child rights movement similar to and different from movements in other communities?
- What was the nature of the movement? Do you think any changes should have been made to the work done at that time?
- How do you explain the strengths and weaknesses of the movement?
- How do you assess the role of stakeholders in this movement? (Civil society, NGOs, international NGOs, donor agencies, political parties, children and representatives of child clubs, parents, etc.)

Major Achievements of the Child Rights Movement

- Achievements in the four pillars of child rights: child rights, child protection, child participation, and child development.
- Policy Achievements
 - What policy achievements have been attained?
 - Are these achievements sufficient?

- Structural/Institutional Achievements
 - How do you explain the structural achievements?
 - Have the necessary structures for child rights been established?
 - What were the key contributing factors to these achievements, and how did they become possible?
- What are the successful aspects of the child rights movement?
- Were there any limitations or failures in the movement?
- How can the overall opportunities and challenges of the movement be explained?
- How do you assess the current situation of children in Nepal?
- What are the emerging and pressing issues for children in Nepal that the child rights movement needs to address now?
- What has been the practice of gender equality and social inclusion (GESI) mainstreaming in the child rights movement? Has the movement succeeded in bringing marginalized girls, gender and sexual minorities, and other children into the mainstream?
- What do you think are the key leanings from this movement?
- What changes have occurred in terms of political, social, and economic changes in the context of Nepal and the region (especially South Asia) and global context?
- How can Nepal's child rights movement and its achievements be explained in comparison to the global context?
- Do you think whether Nepal's child rights movement adapted to changing contexts (e.g., new constitution, federalism)? What should be the main destination of the movement now on?
- What do you think should be the role of stakeholders in advancing Nepal's child rights movement in the new context?
 - All three tiers of government
 - Political parties
 - Civil society organizations and their networks
 - Development partners
 - Children, child clubs, and representatives of child club networks
 - Parents
- Is there anything else you would like to add or think is missing?

Annex 2: List of Individuals and Study Respondents Present at the Consultation Meeting

Distinguished individuals present at the consultation meeting held on 29 March 2024 at the Consortium Nepal's conference hall were as follows:

Bijaya Sainju	Mohan Dangal	Rupa Munkarmi
Chandrika Khatiwada	Narendra Dangol	Samjha Shrestha
Gyanbhakta Maharjan	Pradeep Kumar Lamichhane	Tarak Dhital
Krishna Subedi	Pramod Acharya	Writu Bhatta Rai
Kumar Bhattarai	Rabin Nepali	

Participants of the Consultation Meeting Held on 7th May 2024 at the Save the Children Conference Hall

Amrita Paudel	Firoz Siddiqui	Shree Ram Bajagain
Ayush Shrestha Joshi	Jiyam Babu Shrestha	Shrishti Kolakshapati
Deepesh Paul Thakur	Prakash Koirala	Taskila Nicholas
Dil Air	Saroj KC	Uddhav Raj Poudel

Participants of the Consultation with Children

Aradhya Pyakurel, Bhadrapur
Arjun Shah, Parsa
Binod Adhikari, Dailekh
Diya Nyaupane, Rupandehi
Khem Joshi, Kanchanpur
Krishna Adhikari, Surkhet
Krishna Ghimire, Nawalparasi
Likhesh Budhathoki, Nawalparasi
Pradeep Tiwari, Bhojpur
Roshani Katuwal, Kathmandu
Sabin BK, Kaski
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