

Child-Led Report on Universal Periodic Review (UPR) NEPAL



**Submitted to:
Office of the United Nations High Commissioner for Human
Rights(OHCHR)**

**Submitted by:
Children of Nepal**

**Facilitated and Coordinated by:
Consortium of Organizations Working for Child Participation
(Consortium Nepal)**



**कन्सोर्टियम - नेपाल
Consortium Nepal**

19 March 2020

To:

Office of the United Nations High Commissioner for Human Rights (OHCHR)

Palais des Nations

CH 1211 Geneva 10 – Switzerland

It is an immense delight for us to submit the first ever **Child-led Universal Periodic Review (UPR) Report (3rd cycle)** in OHCHR from Consortium of Organizations Working for Child Participation (Consortium Nepal).

Consortium Nepal, established in 1999, is a leading network to advocate for children's meaningful participation in all levels in Nepal. With regards to UN system and mechanism, Consortium-Nepal prepared and submitted the first Child-led Report on CRC in 2014 to the UN Committee on the Rights of the Child from Nepal. A girl and a boy from Nepal participated in the 69th pre-sessional working group and presented the situation of Nepali children in CRC Reporting process. Also, it facilitated the process for the first ever Girls-led Report on CEDAW in 2018. With these initiatives, Consortium Nepal is mainstreaming the meaningful participation of Nepali children in the reporting process.

Giving continuity to this glorious history set by Consortium Nepal, it took the initiation on Child-led Universal Periodic Review (UPR) Report (3rd cycle) for the first time in Nepal. In the first and second UPR cycles, adults prepared reports on the situation on child rights on behalf of children. However, children themselves engage and write-up the report to the OHCHR in Child-led UPR Report which is the uniqueness of this report. Thus, this report is the representation of the child rights situation of all the Nepali children.

UPR is a global platform on human rights where governments all around the world discuss and interact on the human rights situation of all the states. It is the third time Nepal is being reviewed. It triggers Government of Nepal to reflect the achievements it has made towards the realization of human rights in Nepal. On this backdrop, the Child led UPR Report will help OHCHR to raise the children's issues and facilitate other states to raise children's rights of Nepal. It will further make the Government of Nepal to fulfill its obligations towards the realization of children's rights.

Lastly, we convey our gratefulness to all who encouraged the children write-up team who pro-actively engaged in the whole writing process of the Child led UPR Report. We are equally thankful to all the children who directly or indirectly participated in the consultation process and helped to raise the local child rights issues. Our sincere regards goes to the parents who cooperated with us in ensuring the participation of children in all the consultations held in this report preparation process. We cannot forget to appreciate the valuable cooperation of the technical team members who facilitated the write-up team members to finalize the report. We convey our sincere regards to all the civil society Coalitions, development partners, executive committee members and secretariat team of Consortium Nepal for their invaluable support and cooperation throughout the process of finalizing Child led UPR Report.

Yours' Faithfully,

On behalf of all Nepali children:



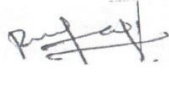
Mandira Shrestha
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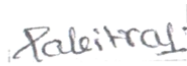
Kiran Thapa
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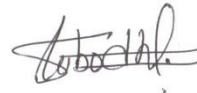
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Swikar Acharya

SUMMARY

1. In Nepal, children's issues are in less priority and often considered as "soft issues". Realizing the need to actively involve children, UPR presents excellent opportunity to get child rights featured in international human right debates. Child rights are also human rights. The UPR is a process of periodic reviewing of human rights situations of all 193 United Nations (UN) member states. It offers real opportunity and platform to raise child rights issues in a global action.
2. This is the first ever Child-led Report on UPR from Nepal. It was prepared by 169 children (84 girls, 79 boys and 6 children with disabilities) from 46 districts representing all 7 provinces of Nepal as a unique process itself. Its objective is to identify the challenges and actions that are taken to improve child right situations in local level in child-friendly way.
3. We did a "province level consultation" in all 7 provinces of Nepal. The children were oriented about the UPR and importance of Child-led UPR. Then, Child-led consultations were done to discuss and collect local child issues in child friendly ways (wall-magazine, poems, dramas, stories, essays, letters, quiz, pictures, drawings, cases, questionnaires, audios, videos etc.). After that, "National Validation Workshop" was organized in Kathmandu where the children discussed on achievements, problems and recommendations of Nepalese children. Throughout discussion, we found issues like child marriage, child labor, lack of adolescent friendly structures, girls protection and empowerment, service gaps for physically challenged, gender disparity etc. The government has taken certain steps (child right as fundamental rights in constitution, Children's Act 2018 etc.) to ensure child rights. We demand for the implementation of laws in practice and make every individual responsible to ensure child rights. The "Report write-up team" of 6 children (3 girls and 3 boys) was formed and the report was finalized and submitted in technical guidance of Consortium Nepal.
4. Consortium Nepal (1999) is a champion network of organizations working for child participation planned to include in a sharing of child rights practices. It has been working for the rights of children through campaigns and advocacy at all levels. It has been carrying out activities to influence the key institutions for making a policy to establish a system of child participation as a norm.
5. We know that the major problem for realization of child rights in Nepal is not only a lack of resources but also a lack of political will. As child representatives, we understand the realities on ground and are more up to date of the situation of children in Nepal. We also have the responsibility to make sure that children's rights are presented as part of human rights and not forgotten. We can get a huge impact at national level through this work. It is an opportunity to take our issues in international platform and make our government more responsible. So, we cannot afford to miss it.

"Take us seriously because we learn to solve problems now and will be more able to solve big problem later."

METHODS/PROCESS

- 6. Province level Consultation:** Children participated in province level consultations on Child Led UPR Report in all seven provinces of Nepal. In these consultations children were oriented about the UPR and importance of Child-led UPR. Then, Child-led Consultations were done to discuss and collect local child issues in child friendly ways (poems, songs, dramas, stories, essays, letters, quiz, pictures, drawings, cases, questionnaires, audios etc.) Then the presentation was done by children along with stakeholders.
- 7. Child-led Community Consultation:** The consultation was a brainstorming session as children who participated in session conducted meeting in their respective local level to bring out issues regarding children as each participant of the provincial consultations were provided with the forms which the participant discussed in their family, communities, child clubs and schools in a child friendly ways. Then they sent those forms to Consortium Nepal. Thus, all the children and their guardians were directly and indirectly involved in this process.
- 8. National Validation Workshop:** After provincial consultations, national validation workshop was held in Kathmandu where there was inclusive participation of children (two selected participants-1 girl and 1 boy) from seven provinces. Here, the participant children were oriented about Child Led UPR Report. Also, a sharing was done on how Consortium Nepal facilitated and submitted "Child Led Report on CRC" and "Girls Led Report on CEDAW." Afterwards, children worked in 4 different groups according to 4 pillars of child rights. The social issues like child marriage, child labor, lack of adolescent friendly structures, girls protection and empowerment, service gaps for physically challenged, gender disparity etc. were raised. It was presented by children in child friendly way like dramas, poems, letter to prime minister, wall magazine, songs, pictures, paintings, stories etc. Then, children write-up team was formed by the majority of children themselves that comprised six children to write Child-Led UPR report based on the view collected from children of all provinces. The closing session was done with palm print in a white cloth with the commitment of all guests and participants on unity in children's issues. 30 children (girls-16, boys-14) and 85 stakeholders (female: 37, male: 48) represented all 7 provinces.
- 9. Report Write-up and Submission:** A social media group including write up team and technical supporter team was created. Through the group discussion, write-up team had 13 meetings. In the first meeting, the team was oriented on the technical aspects of the report. Then, the team started writing the report in other meetings. Also, the recommendations to Nepal in UPR Second Cycle and other various child related articles were studied under the guidance of technical support team including girl co-leader of "Girls-led report on CEDAW ". Then, the Report was finalized and submitted by the children write-up team themselves in OHCHR.

SITUATION, PROGRESS, CASES, RECOMMENDATIONS

Rights to Survival:

10. **Sex-selective/unsafe Abortion:** Among 21.1% of abortion cases, 16.0% of abortion was unsafe¹. In desire of having boy child, couple determine the sex after 12 weeks and abort if the child is girl. In some of the areas, most of the women use piece of glasses, hot rod and other unhygienic local products inside vagina in order to abort.
11. **Progress:** Provision for safer abortion, Comprehensive Emergency Obstetric Care (CEOC) and forced or gender discriminated abortion is taken illegal. Government has prohibited selection of sex during pregnancy and legalized abortion on certain cases that has reduced the case of unsafe abortion.
12. **Case:**² *In Terai region of Nepal, one women got pregnant for the 5th time. She has given birth to 4 daughters and forced to give birth to son. They have religious belief in dhamijhankri (witch doctors) that they will find out whether the baby inside the womb is a boy or a girl. The women went there and came to know it was daughter. Without medically confirming, she inserted broken pieces of glass inside vagina due to which she bleed a lot and got hypovolemic shock.*
13. **Recommendation:** Government should supervise all the abortion centers to know any illegal abortion happening. Health institutions should be restricted from identifying sex during pregnancy. Strict laws and policy should be effectively implemented against sex selective abortion. Sexual and reproductive health education should be given to each and every couple. Safe abortion facilities should be available in all regions of Nepal and government should make sure that the facility is easily accessible.
14. **Lack of proper nutrition and health facilities to newborns and mothers:**³ 36% of children are stunted, 21% are under weight, and 10% are severe malnourished. Most of the newborns are deprived from required vaccinations in rural areas. In some of the cases, when girl child is born, she is deprived from all kinds of nutrition, love and affection, health facilities etc.
15. **Progress:** Safe motherhood program has been implemented that cover birth safety package, safer motherhood tablet (iron, folic acid, calcium), nutrition program, golden 1000 days program, incentives to institutional delivery, free health check-up etc. 97% of the population in Nepal has access to vaccination without any discrimination. Nepal was recognized as polio-free on 27th march of 2014. The constitution of Nepal 2015 (article

¹ BMC pregnancy and childbirth

² source: case interviewed by child-led report writing team, Mandira Shrestha

³ source: Nepal Demographic Health Survey 2016

- 39) has ensured child rights to health and nutrition. Provisions for child rights to nutrition, safe drinking water and breast feeding up to 2 years.⁴
16. **Case:**⁵ *In Nepal 21% babies have Low Birth Weight (LBW). LBW babies are always in risk of developing disease and chances of dying always greater. One in every 22 Nepalese children dies before he/she reaches one year of age 1, and one in every 19 does not live up to his or her fifth birthday. Socio demographic factors are key determinants to LBW in developing countries.*
17. **Recommendations:** The government should make viability of modern diagnostic and treatment equipment in health institutions across country and ensure that services are child friendly and accessible. Provision of well-equipped midwifery room in every health centers and well trained health professionals. Immunizations should be accessible in every region and provided as per policy of National Immunization Board. Facility of cold chain should be available in every primary health care. Practice of exclusive breastfeeding should be implemented.
18. **Lack of First Aid services:** Many schools don't possess first aid materials and if available, they are not utilized properly.
19. **Progress:** Government has started "One School, One Nurse" program. Schools are provided with first aid box.
20. **Case:**⁶ *In a school there was a fight between two children's group among which one child was seriously injured because there was no first aid facility in his school he was rushed to hospital and got more serious while reaching. If there had been first aid in his school he wouldn't have been injured seriously.*
21. **Recommendation:** The program of "one school, one nurse" should be effectively implemented in every school. Training on first aid should be given to students and teachers in schools.

RIGHTS TO PROTECTION

22. **Discrimination:** Caste and ethnicity based discrimination is social problem enrooted in the culture and structure of Nepali societies.
23. **Progress:**⁷ no one will be discriminated irrespective of origin, religion, caste, gender, physical condition, language and ethnicity. Rather, there are provisions for affirmative actions and rights to *Dalits (untouchables in Nepal)* to be taken to empower among the marginal groups of society.
24. **Case:**⁸ *Two friends went to their friends house to see her because she was ill but while they were about to enter to the house, her parents stopped them and asked them their caste among which*

⁴ Children's Act 2018

⁵ American Journal of Public Health Research (vol:3,2015)

⁶ Report write up Team, Pabitra Khadka

⁷ Constitution of Nepal 2015 (article 24)

⁸ source: experienced by Prekshya Adhikari, report writing team

one of them was Brahmin and the other was Dalit, because she was Dalit, she could not enter inside the house which affected her mental state.

25. **Recommendations:** The government should monitor whether the chance is given to so called lower caste groups to be on higher position. Different campaign should be initiated to enroll those groups of children in schools and other skill development activities.
26. **Chaupadi Practices:** *CHAUPADI*, the custom in which women and girls are kept in *Chhaughar* (small hut like cow-shade built in distance out of house) mainly to remain during menstruation cycle, is still prevailing in rural areas especially in Sudur Paschim province and Karnali province of Nepal. In urban areas, there is prevalence of considering menstruating girls and women as impure and are subsequently separated from others.
27. **Progress:** *Chaupadi* is regarded illegal by Nepal government. Nepal has initiated “destroy period huts or forget state support” campaign to end practices of banishing period women
28. **Case:** ⁹*On December 17, 2016, a 15-year-old girl in the Achham District in western Nepal died from suffocation in the shed where she was forced to sleep in because she was menstruating. Hers was the second chaupadi-related death that month in the District. Chaupadi-related deaths occur routinely in far-western Nepal.*
29. **Recommendation:** Policy level decisions and programs are needed for abolishing "chaupadi" custom. They should be provided with love, affection as well as nutritious food during menstruation. Awareness campaign should be raised against such practices. The government should legalize the campaign of “destroy period huts or forget state support”
30. **Street children:** Street children are stigmatized and have to face many problems: earn living by rag picking, begging on streets, working as laborers, drug abuse and addiction. Among the total population of Kathmandu i.e. 3.5 million of which there are reportedly over 1000 homeless street children. The vast majority of these children are illiterate boys aged between 10 and 18. ¹⁰
31. **Progress:** ¹¹ State provides special protection for vulnerable or street children. Under the “Street Children Rescue, Protection and Management Guidelines, 2015” developed by Ministry of Women, Children and Senior Citizens, National Child Rights Council (NCRC) is working for managing street children in the Kathmandu valley with the slogan of “no street children require to live in street.”
32. **Case:** ¹²*A child living on the street of Kathmandu was found using drugs (dendrite glue), while he was approached to be rescued, he didn't want to go because he was used to in the street.*

⁹ www.statnews.com 17 feb,2017)

¹⁰ Source: (State of Children in Nepal, CCWB 2018)

¹¹ The Children's Act 2018 (section 7)

¹² Interview with Krishna Bhusal, Administrative Head, NCRC

33. **Recommendations:** Street children shouldn't be stigmatized and their problems should be addressed by talking with street children and intervention should be planned accordingly. The Government of Nepal should design and implement programs for rescue, family reunion and rehabilitation of the street children.
34. **Corporal punishments:** In the name of disciplining students, corporal punishments are given, leading to fear education.
35. **Progress:** ¹³ "No child shall be subjected to physical, mental or any other forms of torture at home, in school or in any other places or situations." Nepal adopted the Children's Act 2018 which prohibits corporal punishments of children in all settings.
36. **Case**¹⁴: *One of the teachers in Nepal punished her students, they had to cut their hands if they didn't get good marks in pre-test. The teacher made students of class 6 and 7 cut their hands with blades.*
37. **Recommendations:** The concept of child friendly education has focused more on child friendly physical infrastructures till date. There is a need to emphasize on teacher student relationship and in learning process to promote child friendly education. The "learn without fear" approach should be implemented in every school.
38. **Sexual abuse and exploitation:** The case of Sexual abuse like eve teasing, molestation, rape, acid attack are severe crimes against children. Sale and trafficking of children especially for sexual and labor exploitations is happening due to open border. Some are trafficked within the country while others overseas. Many children are victimized due to online sexual abuse (sexting, grooming and child pornography). 242 cases were against child rape and attempt to rape. Few cases were related to murder after rape.¹⁵. Communities being aware of such issues are stopping girls from going out of families rather than teaching boys to behave properly.
39. **Progress:** ¹⁶Specific acts against children as sexual exploitation and abuse for instances, audio-visual pornography, sexual exploitation and abuse including any act relating to sexual intension etc. against children. The Child Helpline (toll free number 1098) is made available to respond such problems. Currently, there are 12 Child Helplines providing services for about 60 districts.
40. **Case**¹⁷: *In one of the schools in Lalitpur district a girl was studying in third grade and her Mathematics teacher was sexually abusing her. The girl was just 9 years old. Because of her age, she didn't know how to react. The teacher would always find a way to sit next to her in the class and molested her. It continued regularly for the next 2 years.*

¹³ Article 39 (7) of The constitution of Nepal

¹⁴ *Naya Patrika daily, 7th march 2020*

¹⁵ State of children in Nepal 2018

¹⁶ Children's Act 2018 (section 66)

¹⁷ *The Kathmandu Post daily*

41. **Recommendations:** There should be access to children in the community as well as in schools to complain against the case of child abuse by teachers or any other adults. Trainings on self-defense should be imparted to children to protect themselves from potential risks from abusers.
42. **Lack of proper child care:** Many children without parents are referred to residential child care homes for basic services including education and health care. However, there are many children in child care homes who don't need to be and there are many children who really need residential care but are not getting it. Physical infrastructure of child care homes is weak with inadequate facilities including sanitation and health facilities.
43. **Progress:** The government can establish or allow any person or organization to establish children's welfare home in the various regions of the country as per requirement¹⁸. In addition, the clause 43 of same Act has provision of establishing orphanage and center for orphans, disabled or mentally retarded children having no parents. There are 553 child care homes in operation in 46 districts. Where total 14864 (7194 boys and 7670 girls) are provided care.¹⁹
44. **Case²⁰:** *There is a boy in Nepal working in the street who is orphan and does not even have healthy and nutrient food to eat. Every one teases and beats him when he is all alone and can't share his feeling to anyone and he is mentally tortured.*
45. **Recommendations:** Government should support only those children who are in real need of child care. Residential child care homes should take permission from concerned government authority before operating. The government should take stand on closing down the homes which are running without permission.
46. **Acid attack:** Nepal averages round 40 acid attacks every year and victims were not entitled to any immediate payment to help with urgent medical care. In 40% burn cases in Nepal, victims die. Most often, victims get treatment only after travelling for 10-12 hours to a well-equipped facility.
47. **Progress:** Before 17 August 2018, there was no rule against acid attacks. Afterwards, the Supreme Court made an order that the victims should get immediate financial support from the government to cover the costs of treatment. New Criminal Code 2018 specifies that culprits are sentenced to 5 to 8 years of jail and have to pay fine NPR 1,00,000 to NPR 5,00,000. Burn victims will also be entitled to treatment costs according to new law.
48. **Case²¹:** *A 16 years old girl, while she was walking home with her friends, four masked men forced her into a room and splashed acid on her. While undergoing treatment, she became suicidal and jumped out of hospital window.*

¹⁸clause 34 of Children's Act 2018

¹⁹ State of children in Nepal,2018

²⁰ *The Kathmandu Post daily*

²¹ *The Kantipur Daily*

49. **Recommendations:** The government should arrange immediate emergency treatment for acid attack victims. Trainings should be given to the staffs of all health centers so that victim don't have to travel long for treatment. Strict laws should be made and implemented against it.
50. **Child labor:** The demise of parents, desertion of family, polygamy, financial crisis, child marriage and low economic conditions of family drive children to engage in various types of works. Children involved in labor are deprived from their rights. Domestic laborers are deprived from parental love and care and do not get to visit their families even during holidays showing more chores during festival.
51. **Progress:** The Constitution of Nepal (2015) prohibits child labor in factories, mine and other risky sectors. Each child should be protected from labor and economic exploitation²². Different local government is declaring "Child-labor friendly Zone/District
52. **Case**²³: *A 14 years old boy of Kritipur was forced to work as a water tank helper after his mother died five years ago. He was mentally stressed and had to leave the house and work as a child labor because his step mother forced him to.*
53. **Recommendations:** Government should immediately rescue all the child labors and provide basic services and education. Awareness programs against child labor should be conducted.
54. **Drug Abuse:** School going children smoke, chew tobacco and also use drugs. They are also involved in stealing, robbery to make money to buy drugs.
55. **Progress:** Children act 2018 has the provision for child correction homes for rehabilitating children who are victim of drug abuse. Awareness campaign related to drug abuse by various organizations. There is provision of NPR 100 fine and/or imprisonment up to 6 months for smoking cigarettes and/or consuming alcohol in public places.
56. **Case**²⁴: *A boy from eastern Nepal living his father started going to work with his father who was a driver. When he was 9, he started to smoke and slowly he was addicted to drugs. He died of lungs cancer after 2 years.*
57. **Recommendations:** Government should establish child correction centers. Proper counseling should be given instead of punishments. Massive awareness and sensitization programs should be run for prevention of drug abuse among children through electronic and print media.
58. **Child marriage:** 37% of girls in Nepal marry before age of 18 and 10% are married at age 15 in spite of the minimum age of marriage under Nepal law is 24 years.

²² Children's Act 2018

²³ province level Consultation, province no.3

²⁴ province level consultation, province no.1

59. **Progress:** Marriage under age of 18 are restricted²⁵. Question of ending child marriage has been included with priority by SDGs (2016-2030). 'National Strategy to End Child Marriage,2015' aims ending child marriage by the year 2020. Children themselves have been active against child marriage through child clubs.
60. **Case²⁶:** *A 15 years old girl in Nepal was also forced to marry in early age and was made to give birth at early age which affected her health and resulted to her death.*
61. **Recommendations:** Government should empower girls with education, information and skills. Economic support and incentives to girls and their families should be provided. Parents should also be educated. Programs like “*beti padhau, beti bachau*” (Educate Girls, Protect Girls), insurance facility to girls child (*smart chhori*) etc. should be run in every regions.
62. **Discrimination between boys and girls:** "Why to water neighbors' plant" is the attitude of parents towards investing in girls. Sons are sent to private schools and girls in government. In some areas, girls don't even get that chance. Instead of school, they are involved in household chores. Girls are involved in chores from early childhood, so that they can learn and continue household chores as they grow up, whereas the boys are expected to play and study. Mostly, son are taken as the legacy of parenteral property and girls are taken as the burden for dowry.
63. **Progress:** Children's Act 2018 recognizes girls as the same status as boys. Sons and daughter have equal rights on ancestral property²⁷
64. **Case²⁸:** *In Karnali province of Nepal, there lived a girl who was mentally distressed because of her parents, she was not sent to school and had to do household chores all day, although skillful and talented she never went to school.*
65. **Recommendations:** Efforts should be made to develop equality based on name, caste, family/economic background, race, gender or any division of human beings. Girls should be informed about equal inheritance property rights and should be empowered to claim their rights and demand support by their parents in pursuing education.
66. **Trafficking:** Children are trafficked to involve them in child labor, organ peddling, and for sexual exploitation within and outside the country. In the present years, the tendency to obtain passport before the legal age is also being observed.
67. **Progress:** The Government has arranged check post in the border areas to check out the ingoing and outgoing citizens. Various organizations are rescuing the trafficked children. The government has established various shelter home and arranged educational and life skill facilities.

²⁵ Constitution of Nepal,2015 and Civil Code Conduct,2017

²⁶ Province level consultation, Sudur Paschim Province

²⁷ The constitution of Nepal (article 20)

²⁸ Consultation with children in Karnali Province

68. **Case²⁹:** *A girl was born to an unmarried woman who left the girl with maternal uncle. She fell in love with her neighbor, he lured her with assurance of taking up a good job and providing her a luxurious life she eloped with the boy who sold her at the brothel in Janakpur.*
69. **Recommendations:** Strict security in border check points as well as mobilization of police in open border areas should be done so that the cross border trafficking of children can be controlled. Appropriate justice and compensation should be ensured to children who have been victims of trafficking.

Right to Development

70. **Lack of proper educational facilities:** Due to long distance between school and home, children have to travel hours, skip morning meals and are not allowed to enter classroom if late. The bias behavior of teachers, keeping attention only on talent students and neglecting poor students, unavailability of well-equipped library, science lab, computer lab, unnecessary public holidays, less priority to extracurricular activities not punctual teachers are creating problems in quality education. Irregularity in attending schools and drop out of girls during menstruation period is common due to lack of well facilitated gender friendly toilets.
71. **Progress:** Since 2015, the result of Secondary Education Examination (SEE) has been started to publish in grade system, in which none of student fails due to which students are encouraged to go high schools. Provision of scholarship and midday meal to student has encouraged their families to send their children, especially daughters to schools and helped in girls enrolment in schools. Provision of free sanitary pads in school and establishment of gender friendly toilets are ongoing.
72. **Case³⁰:** *A boy in Nepal had to walk for two hours to reach school due to which he was always late and was scolded by his teacher. He was suffering more and it badly affected his studies. Day by day, he was tortured and didn't feel like going to the school.*
73. **Recommendations:** The Government should increase the number of scholarships to the needy students by properly identifying their condition. Where the schools are far from the settlements, alternative arrangements should be made to students. Schools should be established in certain kilometers and all facilities should be accessible.
74. **Lack of Extra-Curricular Activities (ECA):** Sports have been divided based on gender. Girls are not motivated to play the sports played by the boys or vice-versa. Some parents do not encourage child to show their talent, learn new things and prove themselves. Sports materials are insufficient in schools and if available, not in use. Moreover, there is also lack of ECA teachers in schools to provide proper guides.

²⁹ Asian foundation.org (case study, Sabina)

³⁰ Consultation with Child in Sudur-Paschim Province

75. **Progress:** Each child has rights to participate in sports that suit to their age and interest³¹. Each school is supposed to manage sports materials and encourage students for taking sports activities out of their class time. The Government has been organizing various sport competition as well as ECA at the school, community, local, provincial, federal level.
76. **Recommendations:** ECA should be made compulsory in school's curriculum and there should be ECA in-charge in every schools. Sufficient sports material should be available in all school and children should be encouraged to participate in ECA.
77. **Deprivation from getting birth/citizenship certificate:** Children of institutional care, street children, LGBTIQ+ children are facing difficulty to obtain birth/citizenship certificate. Due to this, children are facing difficulty for their legal identity.
78. **Progress:** Every child has rights to be registered for their legal identity³². The government of Nepal is committed to register the birth of all children by the end of 2023. According to the law, parents have to register their newly born child within 35 days of the birth and additional 35 days is the grace period. The government has implemented the law of getting the citizenship card from mother.
79. **Case³³:** *A 17 years old girl was filled with joy at the prospect of acquiring citizenship but when she went to apply for the citizenship and it was compulsory to mention father's name, she had been living single and is unaware of her father and couldn't apply for the citizenship.*
80. **Recommendations:** Government should make easy and systematic way to provide birth/citizenship certificate.

Rights To Participation

81. **Less opportunities to children with disability:** Children with disabilities are generally excluded in family discussions, community activities and ECA in schools. In public transportation, the seats allocated for person with disability are often occupied by others. Also, the budget for people with disability is spent in other activities.
82. **Progress³⁴:** Six specific provisions for children with disabilities- Right to dignified life, right to education, health, personal development, expression, best interest, recreation and specific protection.
83. **Case³⁵:** *In mid-western part of Nepal, there was a school where students and teachers discriminated the children with disability. Once municipality organized art competition for the students, one boy didn't get the chance because of his disability. He requested his teacher but he was not considered, his interest was in vain and he was mentally tortured.*

³¹ children's act 2018

³² Civil Registration Act (article 7)

³³ Province level consultation, province 5

³⁴ Persons with Disability Act, 2018

³⁵ National Validation Workshop on Chil-Led UPR

84. **Recommendation:** The Government of Nepal should manage disability-friendly infrastructures in every public places. There should be separate seat for children with disability in public transportation.
85. **Lack of Meaningful Child Participation:** Our feelings are not addressed properly by family members, schools, local leaders and other seniors. Children's opinions and decisions remains undermined. Child clubs are established but there is no proper supervision and guide for them. In most of the cases, children are invited in local planning process but their voices are not reflected in plan. The budget allocated for child participation activities are not properly used.
86. **Progress:** All children have rights to open child club or institution for protecting and promoting their rights³⁶. Currently, there are 23606 child clubs in operation all over the country, and about 435000 children are associated with those clubs.³⁷ The clubs are working for raising awareness on issues of child rights for instances, birth registration, school enrollment, against child marriage & child labor, immunization, learning without fear etc.
87. **Case:** *A boy from Bagmati Province shared that he wanted to keep his view in his local level's planning process but he was not given space to keep his view forward.*
88. **Recommendations:** Government should form proper guidelines for meaningful child participation in all levels. Also, Government should allocate enough budget and ensure its optimal utilization in the field of child development with effective child participation.
89. **Children and schools in politics and election:** Children are used in various election and political activities and exposed to violence and various other accidents and malpractices related to politics like conveying message, managing water and snacks during political activities, carrying flags and wearing t-shirt of certain political parties.
90. **Progress:** No children and schools should be involved in election publicity, assembly and procession. ³⁸
91. **Case:** ³⁹During the election 441 cases of children misused in promotion of election was found among these registered cases 12429 children were used.
92. **Recommendations:** Government should ensure that no children and schools are used in politics and election.
93. **Children in emergency:** Due to undermined system and structures, children are exposed to new threats such as loss of or separation from families, negligence, sexual exploitation, trafficking, recruitment into armed groups and increased psychosocial

³⁶ Children's Act 2018

³⁷ State of children in Nepal, 2018 CCWB

³⁸ Election commission issued Election Code of Conduct-2016

³⁹ CCWB report on legislative election 2070

stress. It impacts negatively on children's learning and overall quality of education. Books and other educational materials are destroyed in disaster while school premises are often used as evacuation centers.

94. **Progress:** Disaster preparedness, rescue, relief and rehabilitation activities are listed in concurrent powers of federal and provincial government.⁴⁰ In September 2017, the parliament of the Government of Nepal endorsed the new Disaster Risk Reduction and Management Act replacing the Natural Calamity Relief Act of 1982. Formation of Local Disaster Management Committee. Provision of Emergency Child Mitigation Fund by the Interim Constitution, 2067.
95. **Cases⁴¹:** *During covid19 outbreak, a boy from province no.2 reported that he was having hard time to spend time at home as his parents vent their anger on him, and he felt alone and neglected. The uncertainty of continuation of his school education made him anxious. During the 1st month of lockdown period, suicidal rate was increased by 41% in context of girls and 46% in context of boys comparison to 1 month before lockdown⁴²*
96. **Recommendation:** Engage with national and sub national authorities and key partners to develop a country specific operational plans with estimated resources required. Coordination of government with 'Ministry of Women, Children and Senior citizen' and 'Department of Women and Children' to develop plan and process for children. Promote child centered disaster risk reduction (DDR) to emphasize importance-of disaster and climate risk assessments and take children's vulnerabilities and special needs into account. Formation of school safety clubs and create child friendly spaces. Timely and effective dissemination of early warning system in areas prone to natural calamities.

⁴⁰ Schedule 7 of Constitution 2072

⁴¹ Online group session: Emotional support for well-being of adolescents, organized by Consortium Nepal

⁴² Cid.nepalpolice.com, 24 march-23 april 2020

ANNEXES:

Annex 1: Cover letter

Annex 2: Write-up team members list

Annex 3: Children's Creations

Annex 4: Coalition members list

Annex 5: Child-Led UPR process video

Annex 6: Acknowledge

Acknowledgements

Yes, we completed this First ever Child Led UPR Report of Nepal and we all are really proud to be part of it and complete this historic task and been able to be the collective voice of Children of Nepal. We were able to collect the voices, issues from all the provinces of Nepal. Provincial Consultations took places in all the seven provinces, where we learnt about UPR, it's process, Child Led UPR Report and its importance. We collected child related issues in the forms of articles like Essay, Story, Poem, Drawings etc. We believe that this report will be supportive to the OHCHR to understand the voices/ issues of children of Nepal, have constructive interactions with the delegations of Government of Nepal, and finalize the concluding observations afterwards.

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Write Up Team