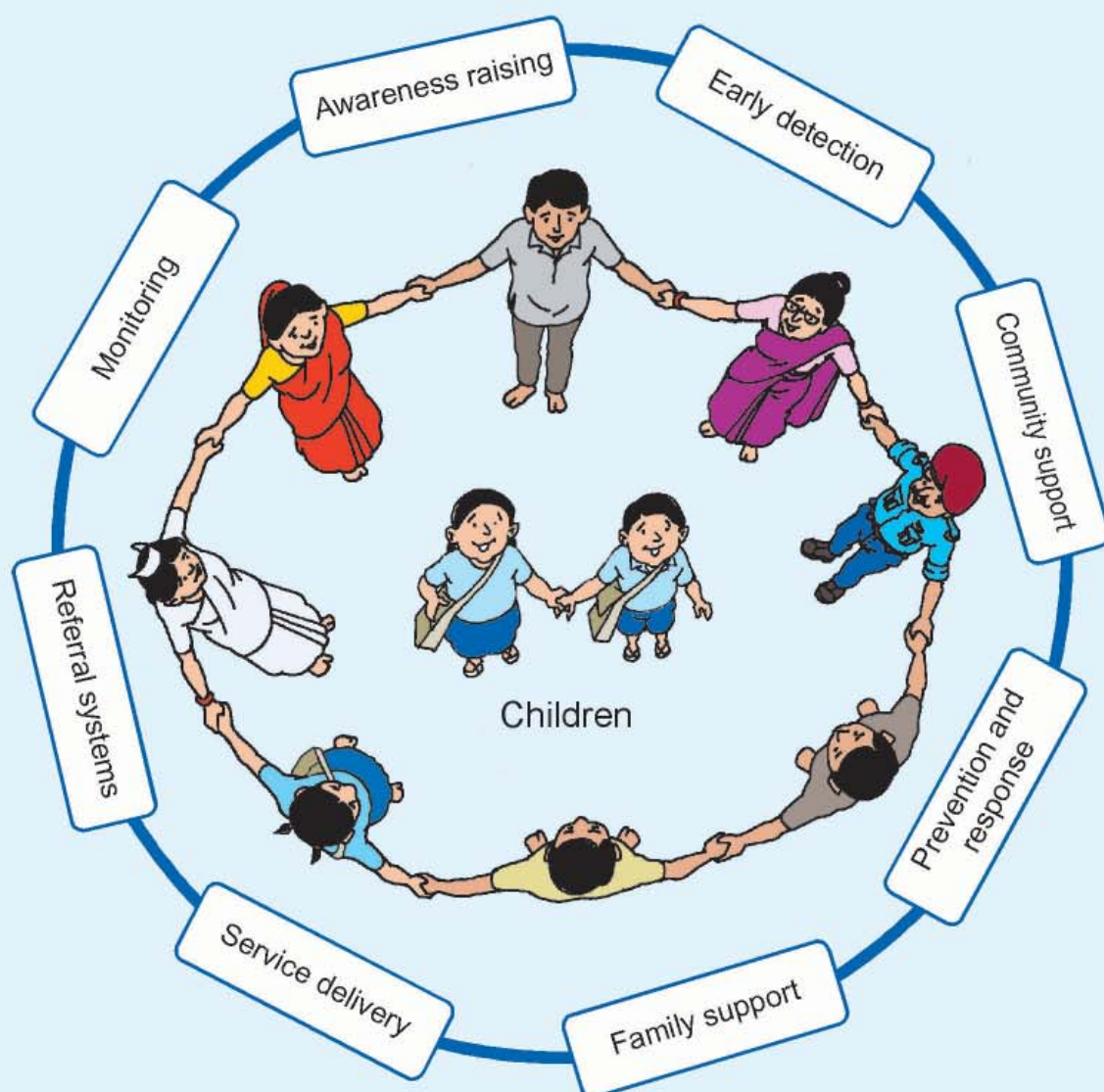


Mobilising Communities for Child Protection

A Resource Kit



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Publisher:

UNICEF Nepal
P.O. Box 1187
Telephone: +977-1-5523200
Kathmandu, Nepal

Authors:

Kate Berry and Surendra Regmi

Technical advice and support:

Joanne Doucet and Bhanu Pathak

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Editor:

Jenny Riley

Illustrations, layout design and cover artwork:

The Image Creators

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FOREWORD

Creating a protective environment for children requires commitment and action by a range of different actors at different levels. Families, communities, community-based organisations, civil society and local service providers play an essential role in building this protective environment.

Mobilising Communities for Child Protection: A Resource Kit aims to strengthen local child protection networks and initiatives. The kit provides information, suggestions and practical advice for organisations and individuals working with children and families in Nepal.

When communities are mobilised for the protection of children, they can play a vital role in preventing and responding to abuse, neglect, violence and exploitation experienced by children.

With knowledge, skills and established local networks, communities can work together with local government authorities to have a significant and consistent impact on children's protection.

UNICEF hopes that this kit, together with the associated training manual, will help to strengthen understanding and skills within communities on child protection. UNICEF further hopes that this will contribute to developing a protective environment for all children in Nepal.

Gillian Mellsof

Gillian Mellsof
Representative
UNICEF Nepal

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INTRODUCTION

What is the aim of the resource kit?

The resource kit aims to:

- Explain child protection;
- Give practical advice on how to mobilise communities to identify child protection concerns;
- Give practical advice on how to develop or strengthen local strategies aimed at preventing and responding to child protection concerns;
- Explain how to work with children, families, communities, community-based organisations (CBOs), civil society and service providers;
- Provide information on child protection issues in Nepal.

Who is the kit for?

This kit is written for local organisations and people working directly with children, families and communities in Nepal, such as:

- Community mobilisers;
- Village facilitators;
- CBOs, clubs, committees, federations and user groups.

The kit may also be useful for service providers, civil society groups and non-government organisations (NGOs) who work with children and families.

*Namaste!
My name is Radha.
This kit is made for people
like me who work with
children and families in
Nepal!*



How can the kit be used?

The kit provides background information about child protection and ideas for community mobilisation.

Community mobilisers may choose to use it together with posters, flipcharts, pictures or other materials.

A training manual will be developed for use with this resource kit.

*An idea:
Consult the kit before
talking with communities
or while deciding what
action to take.*



How was the kit developed?

The kit was developed by UNICEF Nepal through a consultative process held in Sunsari, Tanahu, Dang and Kathmandu Districts. The organisations that participated include:

- CBOs: Para-legal Committees; Child Clubs; Women's Federations; and School Management Committees;
- National NGOs: Children Nepal; Child Workers in Nepal (CWIN); and Forum for Human Rights and the Environment Nepal (FOHREn Nepal);
- Government offices: Ministry of Women, Children and Social Welfare; Central Child Welfare Board (CCWB); Women's Development Officers (WDOs); District Child Welfare Boards (DCWBs); and District Resource Groups (DRGs);
- International NGOs: Save the Children; and Plan International;
- UN Agencies: UNFPA.

CHAPTER I

BASICS OF COMMUNITY-BASED CHILD PROTECTION

A. FREQUENTLY ASKED QUESTIONS

a. Who is a child?

According to the Convention on the Rights of the Child, a child is any person under the age of 18 years.

In Nepal, the Child Rights Act 1992 states that a child is a person under the age of 16 years.



b. What is child protection?

Child protection means protection from abuse, neglect, exploitation and violence against children.

Child protection is based on child rights. Under international and Nepali law, children have rights to protection from harm and abuse, e.g., hazardous labour, child marriage, domestic violence, sexual exploitation and trafficking.

Children can experience abuse and harm from:

- Parents and family members;
- Neighbours, children, family friends and strangers;
- Community members, village leaders and employers;
- Service providers, teachers, doctors and police.

Child protection concerns exist when:

- Families do not or cannot protect children from abuse, neglect, violence or exploitation;
- Communities and service providers allow abuse or do not take action to stop it.

The definition of child protection

Child protection means protection from abuse, neglect, exploitation and violence against children.

Abuse: Physical and psychological harm; threats of harm.

Neglect: Not providing adequate food, shelter, clothing, healthcare, supervision, physical contact or a safe home.

Violence: Actions causing physical or sexual harm; threats and insults that cause emotional and psychological harm.

Exploitation: Making a person work or do sexual acts by physical force, threats or deceit.

c. What is community-based child protection?

Community-based child protection means communities working together with local authorities to prevent and respond to abuse, neglect, violence and exploitation of children.

Community-based child protection means mobilising communities to:

- **Identify** child protection concerns;
- **Identify strategies to prevent** child protection concerns;
- **Identify strategies to respond** to child protection concerns when they occur;
- **Follow up** to make sure that a child's situation is improving and that he/she is no longer at risk.

Community-based child protection engages different groups at the local level.

Different groups are engaged in community-based protection



Children

Children can have an active role in protection. They can tell trusted adults about protection concerns, support their friends, and take part in awareness raising on child protection.



Parents and families

Parents (or caregivers) have the main responsibility for the wellbeing, upbringing and development of their children. Family members also care for and assist children.



Communities

Communities (e.g., friends, social groups and neighbours) can identify children at risk, refer children to service providers, support families to care for children and provide assistance such as food, shelter, and clothes.



CBOs

CBOs (e.g., child clubs, women's federations and user groups) can identify children at risk, refer children to service providers, link with civil society to raise awareness and mediate with families on child protection issues.



Civil society

Civil society (e.g., local media and NGOs) can influence social attitudes and government policy on child protection through advocacy. Some civil society groups provide assistance for children, e.g., psychosocial support and shelter.



Service providers

Service providers can be government (e.g., schools, health posts, WDOs, police) or NGOs. Service providers can offer healthcare, shelter, education, legal aid, social services and psychological support.

Different groups have different roles in community-based child protection. When all of the groups work together effectively, we can create a **protective environment** for children.

When there is a protective environment, children can grow, learn and play without fear or harm. They are loved, supported, cared for and have their needs met. Protection concerns are prevented or, if they do happen, effective action is taken in response.



A protective environment means:

- There are laws, essential services and government commitment to child protection.
- Social attitudes support child protection, children have life skills, and families and communities have the capacity to care for and protect children.
- There is open discussion on child protection issues, and monitoring and reporting of issues.

d. What protection concerns do children experience?

In Nepal, children face many protection concerns. Often they experience more than one.

These can include:

- Child labour
- Victims and witnesses of domestic violence
- Child marriage
- Corporal punishment
- Discrimination
- Sexual abuse and exploitation
- Children out of school
- Children with disabilities
- Children infected with or affected by HIV/AIDS
- Children without birth registration
- Children without parental care
- Trafficking
- Children in emergencies:
 - Children affected by armed conflict
 - Children affected by natural disasters
- Abduction
- Children in conflict with the law

Child protection concerns can often be hidden.

What are the child protection concerns occurring in your area?



In certain regions of Nepal, children can experience protection concerns specific to that area.

These can include:

- Kamalari
- Jhuma
- Kumari
- Chhaupadi
- Sanyasi
- Bhikkshu
- Boxsi

e. Why do children need protection?

Children need protection because:

- *Their physical strength is not fully developed.* They are less able to defend themselves or escape harm.
- *Their knowledge and emotions are developing.* They are less able to recognise risks or cope with the effects.
- *They are dependent on adults for their basic needs.* They are vulnerable to adults with power over them and may feel unable to speak about violence or abuse they experience.

As children grow, they have different needs for their health, development and protection. Children will also have different needs from each other, e.g., girls are more likely to experience sexual abuse than boys.

The **life-cycle** diagram shows the stages of childhood development. The table on the next page explains the needs and risks children face throughout the life cycle.

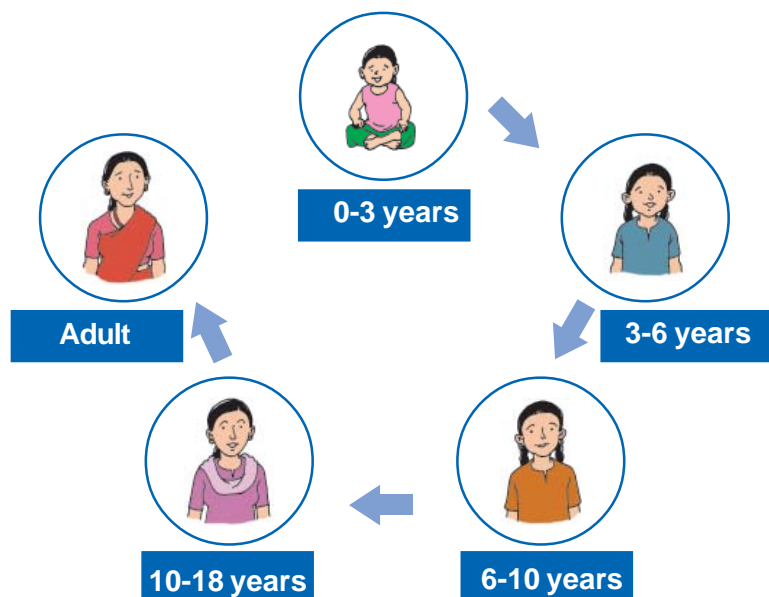


Table 1: Development needs and risks through the life-cycle

	0-3 years	3-6 years	6-10 years	10-18 years
Development	Rapid physical and brain development; speech, walking and coordination skills developing; learning social skills; learning behaviour.	Speech developing; development of social skills; learning behaviour and customs.	Primary education; social and life skills developing; learning behaviour, social values and customs.	Secondary education. social skills developing; learning life and livelihood skills; reproductive changes; decision making capacity evolving.
Possible risks	Lack of birth registration and immunisation; physical, sexual and verbal abuse; lack of parental care or supervision; malnutrition; discrimination between children.	Lack of parental care or supervision; lack of preschool learning and social interaction; discrimination between children; verbal physical and sexual abuse; malnutrition.	Lack of schooling; lack of parental guidance and supervision; illness; corporal punishment; malnutrition; child marriage; sexual abuse and exploitation; child labour.	Lack of schooling; lack of reproductive health and sex education; family breakdown; lack of participation in decision making; child marriage; sexual abuse and exploitation; child labour; corporal punishment.
Possible consequences	Disability; illness; disease; physical and brain damage; stunting; slow growth; social stigma due to HIV; distress; psychological accidents; death.	Lack of social skills; physical and brain damage; slow physical growth; disease; disability; psychological distress; accidents; death.	Child labour; sexual exploitation; slow growth; disability; pregnancy; injuries; accidents; reproductive damage; STIs; HIV/AIDS; death.	Hazardous labour; sexual abuse and exploitation; early pregnancy; HIV/AIDS; STIs; drug and alcohol abuse; poverty; suicide; injuries; reproductive damage; death.

f. Why do child protection concerns occur?

Child protection issues can occur because of:

- Unexpected events such as death, sickness, HIV infection, mental illness, parents' separation;
- Lack of awareness of parents (or caregivers) on the protection and development needs of children. They may think they are protecting or helping the child, or may not know how to act in other ways;
- Self-interest, money or power;
- Cultural, religious and social practices such as discrimination against girls, people infected with HIV, or people from different castes;
- Poverty, causing lack of resources and awareness;
- Conflicts and natural disasters, which can damage family networks and expose children to harm.

g. What is the impact of child protection concerns?

Abuse, neglect, violence and exploitation can lead to:

- Physical harm, e.g., injuries, disease;
- Psychological distress, e.g., depression, anxiety;
- Disability, e.g., mental and physical disability;
- Death, e.g., from suicide, injuries, disease, HIV/AIDS;
- Children leaving school, e.g., to work;
- Increased risk, e.g., street children can be at increased risk of drug use;
- Poverty, e.g., resulting from lack of education, injuries or disability.



B. THE LEGAL FRAMEWORK

Children have rights. When these rights are threatened or abused, children may need protection.



Children's rights are contained in international and Nepali laws.

What is the law in Nepal for child protection?

The key law for children in Nepal is the *Child Rights Act 1992*. A new law on child rights may soon be passed.

Key rights for children in the Child Rights Act

- *Rights to an upbringing, education, healthcare and recreation.* This is the responsibility of parents.
- *Protection from discrimination.* Parents must give equal treatment in upbringing, education and care to boys and girls, adopted children, and illegitimate children.
- *Protection from torture and cruel treatment.* Parents can not cause severe harm to a child.
- *Protection of children from sexual exploitation* including pornography, trafficking and prostitution.
- *Protection from hazardous work.* Children are not permitted to do dangerous work that harms their health.
- *Protection for orphaned and abandoned children.* The State is responsible for organising a relative or guardian for children without parental care.

What is the Convention on the Rights of the Child?

The most important international treaty for children is the Convention on the Rights of the Child (CRC).

Key facts about the CRC

- The CRC applies to all children around the world.
- Nepal ratified the CRC in 1990.
- The CRC recognises children as being active in their own lives, decision-making and development.
- Boys and girls have the same rights.
- Parents (or caregivers) have the main responsibility for children's well-being.
- Governments are responsible for supporting and helping parents to look after children.
- Almost all countries around the world have signed the CRC. These countries have a responsibility to ensure that their own laws are consistent with the CRC.
- The CRC applies at all times - in peace, conflict and natural disasters.



Child rights contained in the CRC can be grouped into **four categories of rights**. These rights are interrelated.

SURVIVAL RIGHTS

Rights to: parental guidance (Art. 5); life survival and development (Art. 6); healthcare and health services (Art. 24); and adequate standard of living (Art. 27).

DEVELOPMENT RIGHTS

Rights to: registration, name, nationality and care (Art. 7); identity (Art. 8); living with parents (Art. 9); family reunion (Art. 10); social security (Art. 26); education (Art. 28); leisure, play and culture (Art. 31); special care for children with disabilities (Art. 23); and special care and protection for refugee children (Art. 22).

PROTECTION RIGHTS

Protection of: rights (Art. 4); children deprived of a family environment (Art. 20); adopted children (Art. 21); refugee children (Art. 22); children during conflict (Art. 38); and children in conflict with the law (Art. 40).

Protection against: kidnapping (Art. 11); sale, abduction and trafficking (Art. 35); all forms of violence (Art. 19); hazardous labour (Art. 32); sexual exploitation (Art. 34); other exploitation (Art. 36); and harmful detention and punishment (Art. 37).

PARTICIPATION RIGHTS

Respect for: the views of the child (Art. 2); child's right to express themselves and take part in decisions affecting them (Art. 12); and right to privacy (Art. 16)

Freedom of: association (Art. 5); expression (Art. 13); thought, conscience and religion (Art. 14); and access to information and mass media (Art. 17).

These rights are supported by **four core principles**. Each of the principles relate to each of the rights.

Participation

When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account.

Non-discrimination

All children should enjoy equal rights.

No exclusion or ill-treatment based on the child's or parent's caste, class, religion, ethnicity, colour, sex, language, disability or other.

Life survival development

Children have rights to life, healthcare, a family and social, moral and spiritual learning. Children have a right to education and to play.

The best interests of the child

The best interests of a child must be a main factor when adults make decisions that affect children. This applies to parents and governments.

The CRC also has a **special principle**:

Recognition of the evolving capacity of children

Parents or governments must recognise that children's capacity develops as they grow. They should be treated appropriately for their age and capacity.

CHAPTER II

MOBILISING COMMUNITY FOR CHILD PROTECTION

A. WHAT IS COMMUNITY MOBILISATION?

Community mobilisation is the process of engaging different local actors to protect children from abuse, neglect, violence and exploitation.

Community mobilisation aims to get communities active in child protection by:

- **Engaging** communities to prevent and respond to child protection concerns;
- **Connecting** children, families, community organisations, civil society and service providers;
- **Strengthening** and supporting local structures to create a safer and happier place for children.



Mobilisation aims to create long-term change in community attitudes, knowledge and behaviour. This is essential for building a protective environment for children.

B. HOW TO MOBILISE COMMUNITIES

Mobilising communities can take many forms.

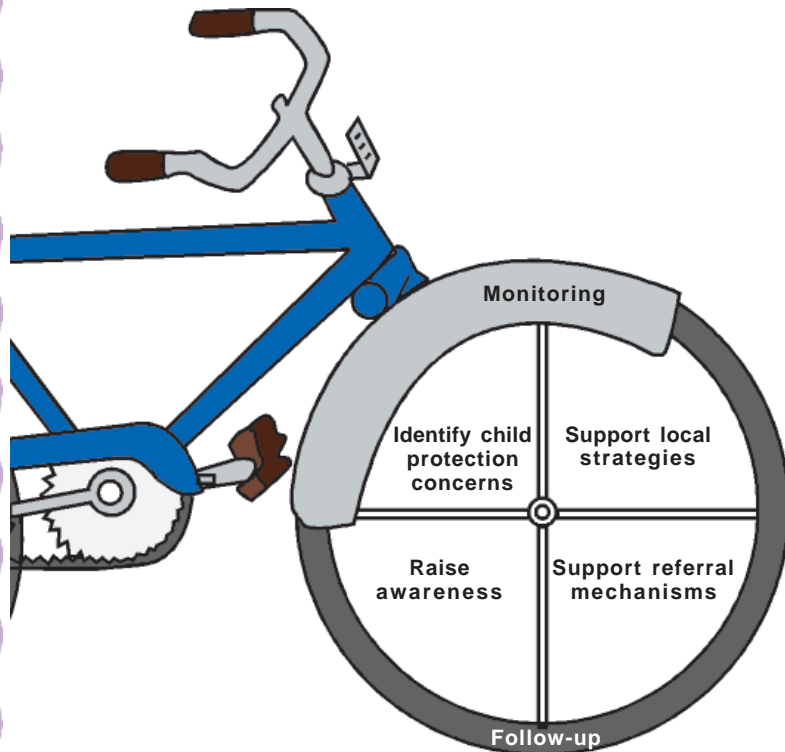
Mobilisation aims to get communities active in child protection !



The **mobilisation bicycle** shows you how to do this!

There are four key areas of mobilisation. These form the structure of the wheel and make it strong. Together they can help turn the wheel and make the bicycle move!

But without tyres, the mobilisation bicycle will not get far! Regular monitoring and follow up is needed to make sure that children are being protected from abuse, violence, neglect and exploitation. Monitoring and follow-up need to occur during all four areas of mobilisation.



1. IDENTIFY CHILD PROTECTION CONCERNS

Communities, civil society, CBOs and service providers can all help to **identify child protection concerns**. Identifying issues early can help to prevent risks. This is called early detection.

To identify child protection concerns, communities need to recognise and analyse:

- What are the child protection concerns in the family, community or area?
- Which children are most at risk? Why? Where? What time of the day? Are girls and boys facing different risks?
- Who is causing the problem?
- Who is allowing it to occur?
- What are the causes and contributing factors?
- What are the consequences?

Chapter III provides information on the different child protection issues in Nepal.
What issues are occurring in your area?



You can mobilise different groups within communities to identify and analyse child protection concerns by:

- *Using participatory tools* to create discussion within separate groups, such as children, parents and teachers. Participatory tools include mapping, focus groups, timelines, role-playing and seasonal calendars;
- *Raising awareness with families* and communities on child protection so that they can identify children at risk;
- *Teaching children life skills* so that they can recognise protection risks and learn how to protect themselves.

2. SUPPORT POSITIVE COMMUNITY STRATEGIES

In the area where you work, parents, families and communities will have their own ways or **strategies** to protect children from harm.

These strategies may be positive:

**Strategies
with
positive
impact**

- Aim to protect children.
- Effectively prevent, stop, and respond to individual protection concerns, e.g., extended families care for orphaned children.
- May not always be used regularly to help children at risk.

However, some strategies can have a negative impact:

**Strategies
with
negative
impact**

- Aim to protect children.
- May have some positive impacts.
- Can also have negative or harmful impacts, e.g., parents beat children to discipline them.
- Communities may not realise the negative consequences.

You can mobilise communities to:

- *Identify how they currently protect children, e.g., young children cared for by sisters while parents at work.*
- *Analyse if these strategies have positive or negative impacts, e.g., care by elder sisters prevents harm to small children but prevents girls from going to school.*
- *Develop ways to support positive strategies, e.g., identify extended family members able to care for small children.*
- *End strategies with negative impacts on children, e.g., families commit to girls' education.*
- *Create new positive strategies to protect children, e.g., extended families care for small children while parents at work and girls complete schooling.*

Participatory tools are helpful for communities to analyse and develop protection strategies.

3. AWARENESS-RAISING

Awareness-raising is action that aims to provide communities with information. It aims to **change attitudes, knowledge and behaviour** to improve the protection of children.

Awareness-raising can include public campaigns such as street dramas, posters, *deuda*, *dohori* and cultural song and dance programmes. It can also be informal such as parents meetings to encourage non-violent discipline.

Before starting awareness activities, it is important to plan:

- What child protection issues will you focus on?
- What attitudes, knowledge and behaviour do you want to change?
- What will be your key message?
- Who will you target, e.g., children out of school, parents, employers of domestic child labourers, etc.?
- What activities or actions will you use?

Awareness campaigns can mobilise communities to:

- *Recognise protection concerns faced by children in the community;*
- *Improve community strategies to better protect children;*
- *Support and help children and parents to prevent and respond to protection concerns;*
- *Seek assistance from service providers and CBOs when protection concerns occur.*

You can work with CBOs, service providers, and civil society! Who will you work with to raise awareness in your area?



4. REFERRAL MECHANISMS

A referral mechanism is a plan on **how service providers can work together to respond** to child protection issues.

Services can be provided by the government, such as schools and health posts, or by NGOs. Service providers may offer healthcare, shelter, education and legal aid.

Communities can be mobilised to:

- *Map the service providers* that offer assistance for children in their area;
- *Refer cases to service providers* when protection concerns occur;
- *Raise community awareness* on where to go for help;
- *Follow up on referrals* to ensure that the situation of children at risk has improved.

Sample Code of Conduct

- Work carefully. Do not take risks.
- Refer cases to service providers.
- Develop confidentiality procedures and only share information with appropriate people.
- Provide information on what you can do for the child or family in clear language. Make sure they understand.
- Ensure that the child and family involved agree to you sharing information.
- Help the child or family to plan for safety to prevent further risks.

Great! A code of conduct will help me to sure that I do not cause harm to children and families...



5. MONITORING AND FOLLOW-UP

Monitoring means **regularly checking** if the situation of a child or children is improving.

Monitoring aims to track if child protection concerns are being identified, prevented and responded to effectively.

The best way to monitor is to plan with a community, family and/or child:

▪ What change they want to achieve

Issue example: reduction in child marriage.

Case example: stop boys teasing and sexually harassing girls at school.

▪ How they will make that change occur

Issue example: awareness-raising with child clubs and parents groups about the laws on child marriage and the harm it causes children.

Case example: meetings with parents, teachers, students and principal about harassment at school.

▪ How they will know when change has happened

Issue example: number of child marriages prevented.

Case example: harassment by the boys stopped.

If the situation is not improving you may need to:

- *Take a different approach;*
- *Follow up* with service providers;
- *Be patient*, as it can take a long time to change attitudes and behaviour.

It is everyone's responsibility to refer child protection concerns to service providers and follow up to see if the child's situation is improving.







C. WHEN TO MOBILISE COMMUNITIES

Mobilisation on child protection is needed all the time!

Social attitudes and behaviour can be slow to change. The most effective approach is to have different actors work on complementary activities at the same time.

Table 2: Example of complementary actions on corporal punishment

<p>Preparation</p> <p>Communities develop child protection plans, e.g., CBOs explain to parents that corporal punishment is wrong and encourage them to tell CBOs if children are beaten by teachers.</p>	
	<p>Immediate</p> <p>Immediate action to stop abuse or help a child, e.g., CBOs and parents report abuse to the school principal.</p>
<p>Medium term</p> <p>Actions to prevent problems from re-occurring, e.g., training for teachers on how to use non-violent discipline in schools.</p>	
	<p>Long term</p> <p>Actions that build a stable protective environment for children, e.g., child clubs and local media campaign to ban violence in schools.</p>

D. WHO TO MOBILISE

1. CHILDREN

What is the role of children?

Children can have an active role in their own protection and the protection of other children.

However, parents have the main responsibility for children's well-being.



Why are children important to child protection?

It is important to engage children because:

- Children have different needs to adults;
- Children can help in prevention and response;
- It respects their wellbeing, safety and opinions;
- It encourages children to understand and respect the roles of families, communities and service providers;
- It is part of their education process, where children can learn that abuse and harm is wrong;
- It can have a long-term impact on changing social attitudes, knowledge and behaviour.

How can children identify child protection concerns?

Children can help to identify child protection concerns. Some ideas for mobilising children include:

- *Organising child club discussions* for children to identify key protection concerns, who is most at risk and when;
- *Teaching children life skills* (such as decision-making and self-confidence) so that they can identify when they are at risk or experiencing protection concerns;
- *Supporting children to talk with friends* about problems so that they can help each other to recognise abuse.

Children can be better prepared to identify protection concerns if they have awareness, knowledge and skills.

Case study:

Child taking action to stop child marriage

Sharada (name changed) was a 14-year-old girl living in Biratnagar city. While her father was working as a labourer in India, her mother decided to marry her to a 29-year-old Indian man who was very wealthy.

Sharada refused to marry the man. She wanted to continue her education. She had completed non-formal education and was enrolled in Grade 9. From the knowledge she had gained through her involvement in a child club, Sharada explained to her mother that child marriage is illegal and that there are negative impacts on children from marrying early.

Her mother was not aware that marrying a 14-year-old girl is considered to be child marriage and is illegal. Once she learnt about this and the negative impact from her daughter, the mother agreed to stop the marriage. Sharada was able to continue with her studies.

Case study provided by FOHREn, Biratnager

How can children prevent child protection concerns?

Children can play an important part in preventing child protection concerns. Ideas for mobilising children include:

- *Awareness campaigns on child rights and protection concerns.* Campaigns could be *dohori*, quizzes and cultural dance programmes organised by children;
- *Participatory activities for children to share experiences on how to prevent risks;*
- *Developing local strategies with children on how to avoid risks and where to go for help, e.g., trusted adults, friends, teachers and paralegal committees.*

What ideas can you think of for mobilising children?



How can children respond to protection concerns?

Children can play an important role in response. Some mobilisation ideas include:

- *Helping children to seek assistance* from local service providers, such as the police or health post;
- *Teaching children to tell a trusted adult* if they are, or another child is, experiencing abuse, neglect, violence or exploitation;
- *Linking children with local mediation efforts* by CBOs, such as paralegal and child protection committees;
- *Talking with other children* and providing emotional support;
- *Encouraging children to join child clubs* for support and to learn about child protection and rights.

Tips for communicating with children

- Children must be able to express their feelings openly, without fear.
- When talking with children, sit or crouch at their level.
- Talk calmly and listen carefully.
- Be patient.
- Never hit, yell at or abuse a child.
- Make sure you speak with girls and boys.
- Use language and activities that are appropriate for the children's ages and capacities.
- Do not judge children or dismiss their opinions.
- Use positive words, praise and encouragement.
- Be flexible to adapt to different children's needs due to age, gender, ethnicity, disabilities or other factors.
- Have fun and use humour, when appropriate.
- Be creative and develop interesting ways to engage children, e.g., songs, drawings, *dohori*, *deuda*, plays, stories, poems and games.
- Be open to feedback and suggestions for change.
- Praise what children have done well.
- Where possible, speak in the children's local dialect.
- Clearly explain how much power children's perspectives have in decision-making processes of adults.

Tips for mobilising children

- Support children to work together to plan and participate in activities.
- Link child clubs with adult groups. Child clubs enable children to discuss issues and develop ideas.
- Make sure that children know that their participation is voluntary and that they can leave at any time they choose.
- Try to ensure that girls and boys participate equally.
- Organise some separate activities for boys and girls. They will have different issues and may feel more comfortable talking in separate groups.
- Organise separate discussion groups or activities for children of different ages. Children will have different needs and issues related to their age and experience.
- Involve children from different backgrounds, e.g., different castes, ethnic groups, religions.
- Encourage children to share experiences and learn from each other how to avoid risks.
- Organise activities at the best time for the children, e.g., after school, or around work for child labourers.
- Organise activities in safe and central locations that children can easily access, e.g., schools.
- Recognise children's skills and needs may vary, depending on their experiences, gender, age and background.
- Encourage parents, teachers or employers to support children's involvement in child protection activities.

2. PARENTS AND FAMILIES

What are the roles and responsibilities of parents and families?

Parents usually have the main responsibility for raising their children and for their wellbeing. Sometimes other people will have the main responsibility. These people are called primary caregivers.

Under the CRC and Nepali laws, parents and primary caregivers are responsible for:

- Raising their children;
- Providing adequate food, healthcare, clothing, shelter and play for children's needs;
- Sending children to school;
- Not discriminating between children, e.g., boys and girls;
- Not harming, abusing, neglecting or exploiting children.

Other family members (e.g., aunts, brothers, grandparents) also care for children. They help to meet their needs, protect them from harm and teach them social behaviour and values.

The government has a responsibility to support parents (or caregivers) to look after children.

If a child is without parents, or his/her parents are unable to care for him/her, the government must take measures to ensure that the situation of the child is improved.



Why are parents and families important to child protection?

Parents and families are important to child protection because they have the main role in children's wellbeing.

However, families can harm children by:

- *Not understanding the negative impact of their actions.* Families may think they are helping or protecting a child, e.g., by humiliating a child to teach a lesson;
- *Abusing children,* e.g., an older sibling may sexually abuse younger children;
- *Neglecting children,* e.g., parents may not provide girls with adequate food;
- *Blaming a child for abuse by adults,* e.g., a child may be blamed for being raped by an uncle;
- *Allowing violence against children by other people,* e.g., parents may approve of their children being beaten by teachers.

Families can be supported and mobilised to create a safe and loving home for their children.



How can parents and families identify child protection concerns?

Families can be mobilised to **identify** protection concerns. Some ideas are:

- *Monitoring their children* for behaviour changes or signs of abuse, e.g., bruising;
- *Discussing with other parents* to analyse their parenting practices and identify if they are causing children harm;
- *Encouraging their children* to talk about on their problems and listening to them;
- *Checking regularly with teachers and other parents* to see if their children are happy, learning well and making friends.

What are the positive ways that parents in your area protect children? Can these ideas be shared with other parents?



How can parents and families prevent child protection concerns?

Parents and families can be mobilised to **prevent** abuse, neglect, violence and exploitation. Some suggestions are:

- *Awareness-raising* to encourage parents not to abuse their children, e.g., using non-violent discipline;
- *Developing strategies* with children on where to go for help, e.g., paralegal committee, grandparents or teachers;
- *Conducting participatory activities* to discuss parenting challenges and identify positive strategies to prevent protection concerns.

How can parents and families respond to protection concerns?

Families can play an important part in **response**. Ideas include:

- *Seeking assistance* from service providers to help children recover from abuse, such as medical assistance or counselling;
- *Providing material support* to children such as clothes, shelter and food;
- *Providing emotional support* by comforting and listening to children;
- *Explaining to children what action can be taken*, what assistance is available and the process.

Case study:

Parents act against corporal punishment in a school

In Pokhara, Sumit and Sundeep told their parents about being beaten by teachers at the secondary school. The parents were angry. They organised with a local NGO, Children Nepal, to meet with the school principal and teachers involved.

During the meeting, the teachers verbally abused and insulted the students. They justified the classroom beatings saying that *Dalit* children should not attend the school.

The parents defended their children's right to an education. They argued that teachers can teach without violence. Children Nepal facilitated the discussion and continues to work with the school to reduce corporal punishment.

Case study provided by Children Nepal

Tips for working with parents and families

Communicating with families

- *Do not be quick to judge.* Some families may not be aware of the impact of their actions.
- *Be aware of power dynamics within families.* Some voices may not be heard, e.g., girls.
- *Be aware that family members may be perpetrating or allowing abuse to occur.* Other family members may be threatened or too scared to say anything.
- *Acknowledge and praise positive behaviour* and achievements of the family.

Mobilising families

- *Support parents to participate in CBOs* and raise awareness of child rights.
- *Provide practical tips for raising children* in a positive and supportive way, e.g., non-violent discipline.
- *Encourage parents to consult paralegal and child protection committees*, wherever possible.
- *Encourage families to take action* if it is clear that serious abuse has occurred, e.g., reporting cases of rape to the police.
- *Support families to seek assistance* from service providers when protection concerns occur, e.g., hospital.
- *Encourage families to get involved in campaigns* on child rights and protection.
- *Organise activities* when and where fathers and mothers can participate (separately or together).
- *Be patient.* Work carefully to change attitudes, knowledge and behaviours.

3. COMMUNITIES

What is the role of communities?

The role of communities is to support parents and families informally to care for and protect children. Community members can include children, families, neighbours, friends, local businesses, religious leaders and employers.

Communities can:

- Support parents;
- Support children;
- Help to develop local strategies to prevent and respond to child protection concerns.

Why are communities important to child protection?

Communities are important to child protection because they can help and support children and families experiencing problems.

Communities impact on social behaviour, values and attitudes.

Engaging communities in child protection helps to promote respect for and care of children.



How can communities identify child protection concerns?

Communities can help to **identify** child protection concerns. Some suggestions include:

- *Discussing within the community* how to identify child protection concerns and the causes and consequences;
- *Encouraging children* to tell trusted friends or adults if they experience protection concerns;
- *Identifying and monitoring children and families at risk*, such as families that are known to experience domestic violence.

How do community members help children in your area? How can they become more active in child protection?



How can communities prevent child protection concerns?

Communities can help to **prevent** protection concerns. Some ideas that communities can do include:

- *Taking part in awareness-raising* about child protection concerns, e.g., street dramas, *dohori* and *deuda*;
- *Engaging in discussions about child protection issues in the community*, e.g., fathers can talk with other men about educating girls and boys equally;
- *Helping children to know where they can go for help*, e.g., friends, health post or paralegal committee;
- *Developing positive strategies to prevent harm and abuse of children*, e.g., local businesses can agree not to use child labour.

How can communities respond to protection concerns?

Communities can be mobilised for **response**. They can respond to child protection concerns by:

- *Connecting children and families with service providers*, e.g., informing friends about assistance offered by police or health services;
- *Following up with children and families*, e.g., to see if a child's situation has improved;
- *Providing support and assistance to children*, e.g., money, shelter, clothes, food and transport;
- *Providing emotional support*, e.g., talking with children about problems that are distressing them;
- *Mediating with families*, e.g., encouraging parents to delay child marriage.

Case study:

Community support to child at risk

Sita (name changed) was a six-year-old girl who lived in Sunsari District. Her father had died. She lived with her mother, who left her alone in the village while she worked as an agricultural labourer. Sita relied on food and care from community members who were worried about her.

The village facilitator identified Sita's situation and the risks she faced from being neglected by her mother. The village facilitator arranged for Sita to live with another family in the village. The community raised funds to send Sita to school. The funds were also provided to the foster family to pay for her food, clothes and basic needs. A local organisation provided psychosocial assistance to the mother. Sita is able to continue her studies.

Tips for working with communities

Communicating with communities

- Use a range of participatory tools to engage different people within a community, e.g., child labourers, children with disabilities, elderly persons, women.
- Be flexible to accommodate the needs of the community. If people cannot read or write, use pictures, drawings or drama.
- Be aware of power dynamics within communities. Do not only speak with the powerful people or leaders.
- Use simple language to explain issues.
- Speak in the local dialect, if possible.

Mobilising communities

- Organise activities in safe and accessible locations, e.g., places where people with disabilities can attend.
- Organise activities at times that suit the people who are attending, e.g., around working hours.
- Spend time with the community, e.g., attend festivals and drop by for casual visits. This will help to establish trust and will help you to understand the community's concerns.
- Link child protection concerns with other community issues or activities, e.g., if people are discussing HIV/AIDS, encourage them to examine the impact on children when parents are infected.

4. COMMUNITY-BASED ORGANISATIONS (CBOs)

What is the role of CBOs?

CBOs are local non-government organisations working at the village or district level. The role of CBOs is to help and assist different groups within communities.

CBOs can include mothers' groups, child clubs, forest user groups, water user groups, paralegal committees, child protection committees and women's federations.



Why are CBOs important to child protection?

CBOs are important to child protection because they are close to children and families. They can help mobilise communities to prevent and respond to child protection concerns.

CBOs can help to change social values, attitudes and behaviours in ways that enhance child protection.

How can CBOs identify child protection concerns?

CBOs can help to mobilise communities and service providers to **identify** abuse, neglect, violence and exploitation. They can do this by:

- *Providing training* on how to identify protection issues and signs of abuse and how to talk with children;
- *Organising participatory discussions* with community members to identify and analyse child protection concerns;
- *Visiting families regularly* to check on the situation of children, build trust, and identify child protection issues.

Try to identify the different protection concerns a child may be experiencing. Children at risk will face more than one issue.



How can CBOs prevent child protection concerns?

CBOs can help to **prevent** child protection concerns. Some ideas are:

- *Organising participatory discussions* within the community to support existing or new strategies that protect children from abuse and harm;
- *Supporting children* to hold discussions on child protection issues and prevention strategies;
- *Making connections between issues* and identifying other concerns that children may be experiencing;
- *Identifying proactive people from the community* who can help to build support for child protection within the community.

How can CBOs respond to protection concerns?

CBOs can mobilise communities to **respond** to protection concerns. Some things that CBOs can do include:

- *Informing parents and children* where they can go for assistance and support and following up to see if the child's situation has improved;
- *Linking with civil society* to advocate for police and local authorities to take action on child protection concerns;
- *Mediating with families* on some child protection issues;
- *Reporting serious cases* to the police;
- *Referring cases* to paralegal committees and child protection committees.

Case study:

Mediation on family violence by CBO

Samrita (name changed) was a 13-year-old girl living with her aunt and uncle in Dang District. Her father had died and her mother was working in India. Her aunt and uncle often yelled at her, and beat and punished her. She was made to do heavy and difficult domestic work.

A friend helped Samrita to inform the Women's Development Office, Village Facilitator and Paralegal Committee (PLC) about her situation. Samrita refused to go back to the house.

The PLC met with the aunt and uncle, encouraging them to stop mistreating Samrita. After ongoing negotiations with the PLC and pressure from neighbours, the aunt and uncle agreed to look after Samrita properly. Samrita returned to the house and lived there until her mother returned from India.

Tips for working with CBOs

- *Find out which CBOs work in your area.* CBOs will have different priorities, resources and approaches.
- *Develop good relationships with CBOs* and share relevant information on child protection issues.
- *Develop a referral mechanism* with CBOs and service providers.
- *Promote child protection and child rights* with CBOs through joint campaigns and activities.
- *Share ideas and lessons learnt with CBOs.* Learn good practices and how to avoid causing harm.
- *Map out activities to avoid duplication.* Coordinate with CBOs, NGOs, civil society and service providers as much as possible.
- *Do not compete with other CBOs.* Prevention and response will be stronger by working together.
- *Work with CBOs from different backgrounds to promote inclusion,* e.g., across religions or castes.
- *Link with different types of service providers,* e.g., health posts, NGOs, police, schools and WDOs.
- *Encourage CBOs to develop a code of conduct* to ensure that harm is not caused through their actions. See page 20 for an example.

5. CIVIL SOCIETY

What is the role of civil society?

The role of civil society is to advocate and pressure for change on issues of concern. Civil society can also provide services and support to children and families.

Civil society is made up of groups that represent different interests or issues. It can include:

- NGOs
- Local media
- Child rights and human rights groups
- Social movements
- Religious groups
- Activists
- Interest groups
- Volunteers

Civil society groups can help to change social behaviour and attitudes! How can you mobilise civil society on child protection?



Why is civil society important to child protection?

Civil society groups are important because they:

- *Can influence the attitudes, values and behaviour* of the community;
- *Can pressure the government* to create changes in policies, laws and practices;
- *Can provide services to children and families,* e.g., such as healthcare, psychosocial support, shelter and education services.

How can civil society identify child protection concerns?

Civil society groups can help communities to **identify** child protection concerns by:

- *Organising participatory discussions* with different community members to identify and analyse child protection concerns;
- *Organising media and awareness events* to help families and communities identify protection concerns;
- *Monitoring children and families* for signs of abuse, e.g., NGO service providers can watch for signs of neglect.

How can civil society prevent child protection concerns?

Civil society can help to **prevent** protection concerns by:

- *Organising events and discussions* to identify and promote positive strategies for protecting children;
- *Advocating with VDCs and districts* for resources for child protection activities;
- *Building the capacity of CBOs and service providers* to address root causes of protection concerns;
- *Advocating with district and national authorities* for greater policy focus on child protection.



Case study:

Civil society campaign on child labour

In Biratnagar, child rights advocacy groups and child clubs identified the issue of exploitation of child labourers. They recognised that the Biratnagar Sub-metropolitan Office was actively opposed to the practice. The advocacy groups and child clubs worked with the Sub-metropolitan Office to develop a code of conduct for employers who hire children.

The Sub-metropolitan Office signed the code as an example to employers. The advocacy groups and child clubs then provided the code of conduct to employers and explained their responsibility not to exploit children. The Sub-metropolitan Office and advocacy groups regularly monitor employers to ensure they are respecting the code. The child clubs continue to follow up with child labourers to check their situations are improving.

Case study provided by FOHREn Nepal

How can civil society respond to protection concerns?

Civil society can **respond** to abuse, neglect, violence and exploitation of children by:

- *Reporting serious cases* to the police or local authorities;
- *Informing children and families* which service providers and CBOs can provide assistance and following up to see if the child's situation is improving;
- *Advocating with local authorities* to take action on cases of abuse, neglect, violence and exploitation;
- *Providing direct assistance* to children and families (if a service provider);
- *Providing psycho-social support* to children and families (where appropriate).

Tips for working with civil society

- *Map who is doing what and where.* This can help to clarify who can be engaged in different areas.
- *Be aware that civil society is very diverse* and often not organised.
- *Recognise that different groups have different interests.* Find out the position, focus and approach of different groups.
- *Look for influential and charismatic leaders* in civil society that can help to influence the opinions of government stakeholders and communities.
- *Help to create linkages between civil society groups* on common issues and organise joint campaigns or programmes.
- *Raise awareness on child protection with civil society groups.* Encourage them to participate in events and campaigns.
- *Link children with civil society groups,* where appropriate, e.g., child clubs could work with a local radio station to develop a weekly child rights programme.
- *Coordinate with civil society* to have a greater impact.
- *Avoid duplication* with civil society groups.
- *Be aware* that civil society groups may have political biases or connections. Remain neutral. Your interest is to protect children.
- *Encourage civil society groups to develop a code of conduct* to ensure that harm is not caused through their actions. See page 20 for an example.

E. SERVICE PROVIDERS

What is the role of service providers?

Service providers are parts of the government that have special roles to assist and help people, e.g., hospitals, police, courts, DCWBs, WDOs and schools.

The government is responsible for protecting children from abuse, neglect, violence and exploitation. The government must also provide services to help stop, prevent and response to these issues when they occur.

However, services such as psycho-social support, legal aid, shelter and counselling can also be provided by CBOs, NGOs and other civil society groups.

Service providers can work at the village, district and national levels to:

- Support parents to care for and protect children;
- Offer services e.g., healthcare, education, social services, legal aid and psychological support;
- Establish child protection mechanisms at the village level.

Seek help from, and refer cases to service providers



Support parents and community activities

Why are service providers important to child protection?

Service providers are important because they:

- *Support parents* to care for and protect their children;
- *Provide essential assistance* to children and families;
- *Provide prevention and response services*;
- *Help children and families* to stop abuse and recover from it;
- *Can coordinate child protection prevention and response* at the district or VDC level.

Remember! Work closely with service providers. They offer assistance that communities and CBOs cannot do.



How can service providers identify child protection concerns?

Service providers can **identify** abuse, neglect, violence and exploitation by:

- *Monitoring children* for signs of abuse, trauma or neglect;
- *Making connections between issues* by recognising related risks or concerns that children may be experiencing;
- *Meeting regularly* with other service providers to identify common issues and coordinate responses.

How can service providers prevent child protection concerns?

Service providers can **prevent** protection concerns by:

- *Training all staff on child rights and child protection*, not only the staff focused on these cases;
- *Providing specialised training* such as training teachers in non-violent teaching methods;
- *Monitoring* implementation of national child protection policies and standards related to their service;
- *Developing a referral mechanism* between service providers, explaining when and how to refer cases;
- *Encouraging parents and families* to use positive strategies to protect children.

Case study:

Service providers work together on rape case

Rama (name changed) was a three-year-old girl living in a village in Dang District. Her mother worked for daily wages and her father stayed at home with her.

One day, a neighbouring girl heard Rama crying and saw Rama's father trying to have sex with her. The girl informed Rama's mother, who reported the rape to the Village Facilitator and Paralegal Committee. Rama was taken to the hospital. The Paralegal Committee assisted her mother to report the rape to the police. The police immediately arrested the father and the court tried the case. The father was imprisoned.

Rama continues to suffer health problems. The DCWB helped fund her treatment in a nearby hospital. The Village Facilitator is monitoring the case.

How can service providers respond to protection concerns?

Service providers can **respond** to child protection issues by:

- *Ensuring quick, effective and reliable assistance* to reports of abuse, neglect, violence and exploitation;
- *Referring cases to other service providers* or CBOs that can assist and support the child or family;
- *Mobilising adequate resources* to address child protection issues at the VDC, district and national levels;
- *Creating a child-friendly environment* so that the service is welcoming and comfortable for children of different ages to report issues;
- *Monitoring and following up* on children at risk to see if their situations are improving;
- *Helping families* to identify positive parenting strategies to end abuse and harm of children.
- *Recording reported cases* and monitoring trends in child protection issues.



Tips for working with service providers

- *Map which service providers work in or visit the area.* Understand the role and function of different service providers.
- *Understand that time, resources and funding may be limited for service providers.* Work in partnership to develop the best approach with limited resources.
- *Work with service providers* to identify priority issues and the main actions needed to address them.
- *Support referral pathways* between service providers.
- *Involve service providers in awareness campaigns* about child protection concerns.
- *Meet regularly with service providers* to develop a relationship and highlight child protection concerns.
- *Get involved in programmes* that service providers are organising.
- *Identify leaders and influential people within service providers* who could help to encourage awareness of child protection concerns.
- *Help to create linkages* between service providers, civil society groups and CBOs on common issues, and organise joint campaigns or programmes.
- *Support service providers to do outreach with communities* so that children and families know where and how to access assistance.
- *Encourage service providers to develop a code of conduct* to ensure that harm is not caused through their actions. See page 20 for an example.

CHAPTER III

CHILD PROTECTION CONCERNS IN NEPAL

Children can experience many protection concerns. It is important to remember that many of these concerns are interrelated. One protection concern can lead to another, or they may share common causes.

This section provides a reference of the key protection concerns experienced by children throughout Nepal. The issues are discussed in the following order:

- Child labour
- Victims and witnesses of domestic violence
- Child marriage
- Corporal punishment
- Discrimination
- Sexual abuse and exploitation
- Children out of school
- Children with disabilities
- Children infected with or affected by HIV/AIDS
- Children without birth registration
- Children without parental care
- Trafficking
- Children in emergencies:
 - Children affected by armed conflict
 - Children affected by natural disasters
- Abduction
- Children in conflict with the law

*This section provides some ideas on how you can mobilise communities to identify abuses and develop positive prevention and response strategies. What can you do in your community? Look at the **mobilisation bicycle** on page 16 for some ideas!*



CHILD LABOUR

In Nepal, **child labour** is defined as children working below the age of 14 years. Child labour includes:

- *Domestic labour* - looking after children, cleaning and cooking for other families;
- *Construction* - on building sites, in factories or mines;
- *Street children* - begging or selling on the street;
- *Service industries* - in shops, restaurants, buses;
- *Production* - carpet-weaving or clothing manufacture.

Hazardous work is work that has a negative impact on a child's physical development, education and health.

Causes and contributing factors

- Lack of awareness of risks related to child labour.
- Poverty can cause families to rely on the income of children or not be able to afford education costs.
- Social expectations that children will work and contribute financially to the household.
- Lack of government policy on compulsory schooling.
- Difficulty accessing school, e.g., monsoon flooding can prevent access or long distances may be a disincentive.
- Corporal punishment by teachers may cause children to leave school.
- Caste system and gender roles can determine the types of work children do and at what age.
- Children may leave home and start to work due to domestic violence, sexual abuse or parents' remarriage.

Possible consequences

- Children leave school.
- Physical harm, e.g., injury, disability, death.

- Long-term poverty from low-skilled labour.
- Risk of trafficking.
- Risk of sexual abuse and exploitation by employers.
- Psychological problems.
- Drug and alcohol abuse due to lack of parental supervision.



Prevention actions

- Government authorities can make education compulsory for all children.
- Parents and communities can encourage children to stay in school.
- Child clubs and civil society can run awareness campaigns on the risks associated with child labour.
- Civil society can advocate with local authorities for equitable school scholarships to disadvantaged families.

Response

- District authorities can regularly monitor employers to ensure children are not involved in hazardous work.
- Police can take action against employers who abuse or exploit children.
- CBOs can meet with employers to encourage them to respect children's rights not to be harmed or abused.

Legal framework

- In Nepal, children cannot work before they are 14 years old. After 14 years of age, they cannot work in hazardous conditions (Art. 3, *Child Labour Act. 2000* and Art. 27, *Interim Constitution 2007*).
- Under international law, children are protected against hazardous and exploitative labour (Art. 32, *CRC 1989* and *ILO Worst Forms of Child Labour Convention 1999*).

VICTIMS OR WITNESSES OF DOMESTIC VIOLENCE

Domestic violence can be physical, sexual or psychological violence occurring within the family. Children can also be indirect victims as they may see parents, other family members or siblings being harmed.

Causes and contributing factors

- Unequal power relationships within the family.
- Frustration and tension due to economic problems and poverty.
- Alcohol and substance abuse.
- Social acceptance of violence within the family.
- Discrimination between children (e.g., where girls are more likely to be abused than boys).
- Lack of parenting skills may cause parents to use violence rather than other techniques to discipline.
- Weak or no policing or judicial response (as a deterrent or to prevent further abuse through imprisonment).

Possible consequences

- Psycho-social distress, e.g., depression, anxiety, fear, nightmares, bedwetting, trauma, and lack of confidence and self-esteem.
- Physical harm, e.g., injuries and disabilities.
- Death as a result of injuries or suicide.
- Reduced ability to make friends and develop relationships.
- Children can learn violent behaviour from their parents and use violence against family members.
- Negative impact on schooling performance and study.
- Child may leave home, increasing their risk of child labour and trafficking.

Prevention

- CBOs can develop parenting orientation courses.
- CBOs and service providers can regularly monitor and provide counselling to at-risk families.
- NGOs can run programmes for alcohol and substance abusers.
- Child clubs, CBOs and civil society groups can run awareness campaigns promoting non-violence.
- Civil society can raise awareness on the impact of domestic violence.
- Child clubs can teach children life skills, e.g., self-esteem and recognising risks.

Response

- Police and courts can investigate and punish abusers.
- Service providers can offer healthcare and psycho-social support.
- Extended families can offer food, clothing and healthcare to children and families.
- Family members and neighbours can mediate in violent situations.
- Children who are victims or witnesses of domestic violence can be encouraged to join child clubs and learn life skills, e.g., self-esteem, not blaming themselves.

Legal Framework

- In Nepal, domestic violence is prohibited (Art. 3, *Domestic Violence Act 2009*) and women are protected against physical, mental or other violence (Art. 29, *Interim Constitution 2007*).
- Under international law, children are protected from all forms of violence (Art. 19, *CRC 1989*).

CHILD MARRIAGE

Child marriage is when children are married.

In Nepal, the law prohibits marriage of people aged less than 18 years. A person can marry from the age of 18 years with their parents consent and from the age of 20 years of their own will.

Causes and contributing factors

- Tradition and cultural custom that allows and encourages early marriage.
- Lack of education and awareness.
- Parents may want to reduce the financial burden of raising many children.
- Children may decide to marry.
- Parents may believe it is for the protection of girls, e.g., to avoid sexual abuse, exploitation or relationships.
- Religious beliefs, such as purity of girls (to be married before menstruation begins) and Hindu beliefs (people will go to heaven if they see the face of their grandchild).

Possible consequences

- Early pregnancy can result in immature birth, maternal mortality and reproductive damage.
- Risk of domestic violence by spouse and in-laws.
- Schooling is stopped.
- No parental care to assist and support the child.
- Risk of becoming a single parent in the case of divorce or death of spouse.

Child marriage can have many different effects. What impact have you seen in cases in your area?



Prevention actions

- ▶ NGOs can organise income-generation projects with families to reduce poverty.
- ▶ Children, families, communities, civil society and CBOs can run awareness and education campaigns against child marriage.
- ▶ CBOs can mediate between families and children to prevent or delay child marriages.
- ▶ Children can become engaged in schooling and child club activities.
- ▶ Teachers and community members can be trained to monitor children who may be preparing for early marriage.
- ▶ Civil society can advocate with local authorities to disburse equitable school scholarships to disadvantaged families.
- ▶ Friends, family members and neighbours can encourage families to stop or delay child marriages.

Responsive actions

- ▶ CBOs and service providers can offer legal advice, psychosocial support and healthcare;
- ▶ CBOs can run awareness activities to educate communities on where they can go for assistance;
- ▶ Service providers can encourage children to continue with formal or informal education (as appropriate).

Legal framework

- ▶ In Nepal, children are not allowed to marry. People aged 18 years can marry with parental approval or aged 20 years of their own will (Chapter 17, *Muliki Ain (Country Code) 11th Amendment*).
- ▶ International law says that children should not be married before the age of 18 years (Art. 16 (2), *CEDAW 1979*).

CORPORAL PUNISHMENT

Corporal punishment:

- ▶ Is a type of violence children experience in schools (by teachers), institutions or homes (by parents or family members), with the aim of discipline;
- ▶ Can be physical, e.g., beatings (with sticks, canes, fists or pipes), pulling or twisting ears or being forced to stand in difficult positions for long periods of time;
- ▶ Can be psychological, e.g., degrading words, insults, humiliation, threats, sexual harassment and teasing.

Causes and contributing factors

- ▶ Traditional or cultural attitudes towards discipline.
- ▶ Social and community acceptance of violence.
- ▶ Lack of alternative non-violent teaching and parenting skills.
- ▶ Frustration and tension within the family, resulting from poverty, unemployment, conflict, divorce and remarriage.
- ▶ Drug and alcohol abuse by family members.

How can you engage communities and service providers to change social acceptance of corporal punishment?



Possible Consequences

- ▶ Physical harm such as injuries and disabilities.
- ▶ Children may learn violent behaviour from parents and teachers.
- ▶ Psychological problems such as low self-esteem, nightmares, anxiety and depression.
- ▶ Children may leave home or school due to violence.

Prevention

- Teachers and parents (or caregivers) can be trained in non-violent methods of discipline.
- School Management Committees can meet regularly with parents to discuss the progress of their children.
- Parent-Teacher Associations can be formed to work with schools and teachers to ban corporal punishment.
- Child clubs and CBOs can promote non-violent approaches and raise awareness of child rights.
- NGOs, local media and human rights activists can work together to influence government policy and laws on corporal punishment in schools and homes.

Response

- CBOs can mediate between children and parents or teachers.
- Schools can take action against violent teachers (e.g., dismissal or a warning).
- Family members and neighbours can talk with parents and encourage them to use non-violent discipline.
- Children can report abuse to friends, trusted adults, school principals or paralegal committees.

Legal framework

- In Nepal, children are protected from torture, cruel treatment and violence (Art. 7, *Child Rights Act 1992* and Art. 3, *Domestic Violence Act 2009*).
- Under international law, children are protected from all forms of violence (Art. 19, *CRC 1989*).

DISCRIMINATION

Discrimination is distinction, exclusion or restriction of people because of their sex, gender, caste, class, sexuality, disability, age, ethnicity, economic status, religion, political affiliation or other local differences.

Causes and contributing factors

- Power inequality in societies and within families.
- Superstition about certain people or minorities.
- Cultural, religious and traditional practices, e.g., caste system and discrimination against girls and women.
- Social acceptance of different treatment and exclusion.
- Lack of education and exposure to inclusive values.
- Poor implementation of laws intended to prevent discrimination.

Possible consequences

- Reduced social interaction, e.g., children may not be able to play with children from other castes.
- Reduced access to health and social services due to discriminatory policies.
- Increased risk of physical abuse and exploitation, e.g., corporal punishment in schools against poor children.
- Psychological harm, e.g., feelings of humiliation, powerlessness, depression, anger or inferiority.
- Neglect by parents and families, e.g., children with disabilities may be denied schooling or adequate food.
- Increased frustration and anger may lead to violence, e.g., teenage boys from ethnic minorities may join gangs or armed groups.

How can you end discrimination of children in your community?



Prevention

- ▶ CBOs can run parenting orientation classes to teach parents the importance of equal treatment of children.
- ▶ District authorities can monitor businesses, schools and service providers to monitor inclusive practices.
- ▶ Civil society can promote inclusion through media articles, exhibitions, speaking tours and street dramas.
- ▶ CBOs and child clubs can encourage people from different groups to join their organisations.
- ▶ Children from minorities can learn life skills to promote self-esteem, decision-making and negotiation.

Response

- ▶ CBOs can mediate with service providers that refuse or expel people because of discrimination.
- ▶ Communities can report discrimination to the local authorities (e.g., police or courts) or service providers (e.g., health and counselling services).
- ▶ Schools, businesses and service providers can investigate cases of discrimination by their staff.
- ▶ Children who have experienced discrimination can be encouraged to join child clubs.

Legal framework

- ▶ In Nepal, parents cannot discriminate between boys and girls, illegitimate or adopted children (Arts 5 and 6 *Child Rights Act 1992*).
- ▶ Under international law, children cannot be discriminated against for any reason (Arts 2 and 23, *CRC 1989*; Art. 5, *Convention on the Rights of Persons with Disabilities 2006*; Art. 1, *Convention on the Elimination of all Forms of Racial Discrimination 1965*; and Art. 1, *CEDAW 1979*).

SEXUAL ABUSE AND EXPLOITATION

Sexual abuse of children is any kind of sexual activity done to children, especially by someone who is responsible for them, has power over them, who they should be able to trust.

Sexual exploitation of children is the mistreating, abusing and/or taking advantage of someone for personal gain, by involving them in sex work or sexual activity that is illegal or inappropriate.

Causes and contributing factors

- ▶ Lack of education and understanding by children and families of what sexual abuse is and its consequences.
- ▶ Social acceptance of abuse and exploitation.
- ▶ Gender discrimination and the position of women and girls in society.
- ▶ Vulnerability of children in exploitative work to sexual abuse by employers.
- ▶ Lack of parental supervision and care due to armed conflict, natural disasters, family breakdown or displacement.
- ▶ Child marriage.
- ▶ Weak policing or judicial response.

Possible consequences

- ▶ Physical harm, e.g., injuries and damage to reproductive capacity.
- ▶ Disease, e.g., HIV/AIDS and STIs.
- ▶ Psychological harm, e.g., trauma, anxiety, depression, anger, fear and social problems.
- ▶ Death resulting from suicide, disease or injuries.
- ▶ Social stigma, discrimination and isolation.
- ▶ Child may be blamed for sexual abuse and exploitation.
- ▶ Child may leave school or home due to abuse or blame.

Prevention

- CBOs can run awareness campaigns to promote understanding about the impact of sexual abuse and exploitation.
- Schools and service providers can develop codes of conduct for staff.
- Teachers, families and service providers can be trained on how to identify signs of abuse.
- CBOs can develop programmes to help parents talk with children about risks.
- Communities can support victims rather than isolating or discriminating against them.



Response

- Parents, families and teachers can monitor children for signs of abuse or changes in behaviour.
- Children can report abuse to child clubs, trusted adults, CBOs or service providers.
- CBOs can link children who experience abuse with service providers.
- Service providers can respond quickly and effectively.
- Civil society can campaign for police and courts to take action to arrest and punish perpetrators.

Legal framework

- In Nepal, all children have rights to protection against physical, mental and other abuse, and sexual exploitation (Arts 5 and 16, *Child Rights Act 1992*).
- Under international law, children are protected against all forms of violence, and sexual exploitation and abuse (Arts 19 and 23, *CRC 1989* and *Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography 2000*).

CHILDREN OUT OF SCHOOL

Children out of school are children who have stopped their education or have had their schooling interrupted. It also includes children who may never have attended school.

Causes and contributing factors

- Poverty can cause families to rely on the income of children or not be able to afford education costs.
- Lack of awareness of the importance of education.
- Discrimination by schools, e.g., against *Dalit* children or children infected with HIV.
- Discrimination within families, e.g., parents may be less likely to support girls to complete school.
- Corporal punishment may cause children to drop out.
- Conflict or natural disasters can damage schools or restrict access, e.g., schools may be used as IDP camps.
- Lack of government policies on compulsory schooling.
- Lack of birth registration may prevent children being able to enrol.
- Child marriage may interrupt or prevent schooling.
- Ineffective scholarship distribution, e.g., poorest not targeted or families may use money for other purposes.
- Abduction and trafficking can interrupt schooling.
- Children who are without parental care may need to work to support themselves and their siblings.

Possible consequences

- Child labour, including hazardous work.
- Increased risk of exploitation, trafficking and abuse.
- Ongoing poverty due to low-skilled work.
- Early marriage.
- Increased risk of drug and alcohol abuse.

- Attraction to antisocial or violent behavior.
- Recruitment into armed forces and armed groups.
- Increase risk of sexual abuse and sexually transmitted diseases due to lack of awareness, e.g., HIV/AIDS.

Prevention

- Parents and communities can encourage and support children to stay in school.
- Schools can ensure equitable scholarship distribution.
- Schools can ban corporal punishment and train teachers in child-friendly teaching methods.
- CBOs can mediate with families to stop or delay child marriage or labour and keep children in school.
- Civil society can run awareness campaigns on the importance of schooling, particularly girls' education.
- CBOs and service providers can offer assistance in organising birth registration.

Response

- Schools can monitor children not attending and follow up with families and children.
- Local authorities can provide fair and equitable scholarship distribution and follow up to ensure children are attending school.
- NGOs can provide income-generation activities to poor families.
- Service providers can establish temporary schools in emergency situations.
- CBOs can support children to re-enter formal schooling.

Legal Framework

- In Nepal, parents are responsible for providing their children with an education within their economic ability (Art. 4, *Child Rights Act 1992*).
- Children have a right to primary and secondary education under international law (Art. 28, *CRC 1989*).

CHILDREN WITH DISABILITIES

Children with disabilities include those:

- Who have long-term physical, mental, intellectual, or sensory (e.g., hearing, sight) impairments; and
- Whose impairments may stop them being able to participate in society on an equal basis with others.

Causes and contributing factors

- Disease.
- Lack of immunisation causing illness or disease.
- Accidents, e.g., fires, road accidents and accidents in the home.
- Physical abuse.
- Genetic disorders.
- Natural disasters.
- Neglect and lack of parental supervision may cause children to have accidents or take risks.
- Landmines or improvised explosive devices (IEDs).
- Malnutrition during pregnancy, breastfeeding or a child's first years.

Possible consequences

- Discrimination in access to education by schools.
- Social stigma and isolation.
- Neglect or discrimination in care by parents and family.
- Ill-treatment or being placed in degrading conditions.
- Increased risk of physical and sexual abuse.
- Increased risk of psychological abuse or humiliation.
- Difficulties in reaching their potential due to discrimination and lack of service provision.

Prevention

- ▀ Parents can immunise children.
- ▀ Service providers can offer pre-and postnatal care.
- ▀ NGOs can run mine-risk education programmes.
- ▀ Child clubs can run activities on how to avoid accidents.
- ▀ Parents, families and communities can teach children to avoid risks and how to respond, e.g., first aid.

Response

- ▀ CBOs and communities can report cases of neglect and abuse to police or hospitals.
- ▀ Police can investigate reports of abuse and threats against children with disabilities.
- ▀ Families and communities can include children with disabilities in events, discussions and planning.
- ▀ Child clubs can encourage children with disabilities to join and learn about child rights.
- ▀ CBOs and media can run campaigns on social acceptance of children and adults with disabilities.
- ▀ Parents can provide health, education and support services for children with disabilities.
- ▀ CBOs can connect families with service providers.
- ▀ CBOs can identify and promote the achievements of disabled children as role models.



Legal framework

- ▀ In Nepal, children with disabilities have entitlements to social security (Art. 35, *Interim Constitution 2007*).
- ▀ Under international law, the rights of children with disabilities must be equally respected to the rights of other children (Art. 7, *Convention on the Rights of Persons with Disabilities 2006* and Art. 23, *CRC 1989*).

CHILDREN INFECTED OR AFFECTED BY HIV/AIDS

Acquired Human Immunodeficiency Syndrome (**AIDS**) is a disease of the immune system. It is caused by the Human Immunodeficiency Virus (**HIV**).

People can become infected by injecting drug use, transmission of contaminated blood or unsafe sex. Children are significantly affected when one or both parents have the disease or die as a result.

Causes and contributing factors

- ▀ Drug use.
- ▀ Unsafe sex.
- ▀ Prostitution.
- ▀ Sexual abuse, especially rape.
- ▀ Lack of sex education and reproductive health knowledge can lead to unsafe sex.
- ▀ Migration to cities or overseas for work can lead to sex with prostitutes and/or unsafe sex.
- ▀ Lack of parental supervision, divorce or separation can cause children to engage in risky behaviour.
- ▀ Children without parental care are more likely to be sexually abused, trafficked or engaged in prostitution.
- ▀ Street children are particularly vulnerable due to exposure to drug and alcohol abuse, sexual abuse and trafficking.

Possible consequences

- ▀ Illness and/or death.
- ▀ Discrimination and social stigma due to HIV+ status.
- ▀ Death or illness of family members may cause children to become orphans or the head of the household.
- ▀ Children may need to leave school and work in order to support sick parents or younger siblings.

- Psychological distress, e.g., depression, trauma, feelings of hopelessness and grief.

Prevention

- CBOs can run life skills programmes for children on safe sex, reproductive health and HIV/AIDS transmission.
- Service providers can identify and monitor children of HIV+ parents and the risks they face.
- Service providers can provide education to HIV+ parents on transmission risks.
- Civil society and CBOs can run campaigns to encourage HIV/AIDS testing.
- Service providers can ensure that condoms are easily available and communities know how to use them.

Response

- Service providers can offer healthcare and counselling for families affected and infected by HIV/AIDS.
- CBOs can engage children from families affected by HIV/AIDS in child club activities for peer support.
- NGOs can provide income-generation support for poor families.
- Service providers can run rehabilitation programmes for drug users.
- Extended families can take responsibility for the upbringing of children.

Legal Framework

- In Nepal, parents are responsible for providing healthcare equally to all their children (Arts 4-6, *Child Rights Act 1992*).
- Under international law, children have rights to the best healthcare possible and discrimination against children is prohibited (Arts 2 and 24, *CRC 1989*).

CHILDREN WITHOUT BIRTH REGISTRATION

Birth registration is one of the most effective methods to protect a child's identity. Registration records vital information on date of birth, name and parents' identity.

Without birth registration, children can be prevented from accessing services and denied rights they enjoy as children.

Causes and contributing factors

- Parents' lack of awareness of the importance of birth registration.
- Births taking place at home rather than at hospital.
- Distance to VDC Secretaries to register births.
- Lack of access to VDC Secretaries, who often live at district headquarters.
- Parents may not see the immediate benefit of birth registration.
- Fees for late registration may be a disincentive.

Possible consequences

Without birth registration, children face problems with:

- School enrolment;
- Tracing and family reunification during emergencies;
- Citizenship;
- Property ownership or inheritance;
- Marriage;
- Voting rights;
- Verifying age for juvenile justice mechanisms and protection against child labour, child marriage and recruitment into armed forces or armed groups.

Prevention

- ▶ Service providers and CBOs can organise awareness campaigns on the importance of birth registration.
- ▶ Service providers can explain the process of birth registration to new parents.
- ▶ Service providers can link birth registration with social services, e.g., health and education.
- ▶ VDC Secretaries can increase their presence in areas outside the district headquarters.
- ▶ VDC Secretaries and health posts can monitor the registration of new births.
- ▶ Civil society and community members can encourage parents to register births.

Response

- ▶ CBOs and village facilitators can monitor families with new babies and encourage birth registration.
- ▶ Child clubs, paralegal committees and child protection committees can organise birth registration campaigns.
- ▶ Service providers can track birth registration indicators.
- ▶ Extended families and communities can encourage parents to register children.

How can you mobilise communities to encourage parents to register births?



Legal Framework

- ▶ In Nepal, children have a right to a name, identity and for their birth date to be recorded (Art. 2, *Child Rights Act 1992* and Art. 22, *Interim Constitution 2007*).
- ▶ Children have a right to a name and nationality under international law (Art. 7, *CRC 1989*).

CHILDREN WITHOUT PARENTAL CARE

Children can be without parental care either temporarily or as a long-term situation. Children without parental care include:

- ▶ Separated children who are not living with their parents or caregivers but extended family or other adults;
- ▶ Unaccompanied children who are without the care or protection of any adults.

Causes and contributing factors

- ▶ Death of parents.
- ▶ Conflict, natural disasters and displacement may cause children to become orphaned or separated.
- ▶ Abandonment by parents, particularly parents who are poor, mentally disabled or homeless.
- ▶ HIV/AIDS causing death and/or illness of parents.
- ▶ Remarriage causing children to leave home.
- ▶ Overseas travel by parents for work can force parents to leave children alone.
- ▶ Corporal punishment or sexual violence in schools and at home can motivate children to leave home.

Possible consequences

- ▶ Discrimination and social stigma of orphans or children living alone.
- ▶ Psychological distress, trauma or depression.
- ▶ Increased risk of trafficking, sexual abuse and violence due to lack of parental care and supervision.
- ▶ Health problems and disease.
- ▶ Child labour as children may have the responsibility for younger children or may become the head of the household.

- Dropping out of school.
- Child marriage.
- Children may live on the street.

Children without parental care can be exposed to many risks. What risks have you identified in your area?



Prevention

- CBOs can provide counselling to at-risk families.
- NGOs can offer income generation programmes for poor families.
- Service providers can offer support to parents and children, e.g., healthcare or counselling.
- Communities and extended families can provide emotional and material support.

Response

- Extended families can become caregivers of children.
- Extended family and the community can provide support and assistance, e.g., shelter, food and education.
- CBOs can offer life-skills training for children who are head of households.
- Child clubs can engage at-risk children in activities.
- CBOs can link children with informal or formal schooling.
- CBOs can refer separated children to service providers.
- Civil society can campaign for resource allocation to extended families who become caregivers.

Legal framework

- In Nepal, the government is responsible for organising a relative or guardian for children without parental care (Arts 21-31, *Child Rights Act 1992*).
- Under international law, children have the right to special protection if they cannot live with their parents (Art. 20, *CRC 1989*).

TRAFFICKING

Trafficking is the selling and/or trading in human beings for forced sexual activities, forced labour or services, slavery or removal of organs by physical force, threats or deceit.

Causes and contributing factors

- Children without parental care, supervision and protection are more easily taken by traffickers.
- Lack of awareness and education of children, parents and families on the risks of trafficking.
- Displacement leading to family separation leaves children without parental supervision.
- Family problems such as domestic violence, sexual abuse, discrimination between children and remarriage may cause children to leave home.
- Children can be attracted by offers of money or new experiences.
- Lack of family support and protection, if a child is working in exploitative labour.

Possible consequences

- Sexual exploitation, especially prostitution.
- Exploitative working conditions with little or no payment, abusive living and working environment.
- Social stigma and discrimination may make it difficult for children to return to families and communities.
- Forced removal from schooling.
- Physical harm, e.g., illness, abuse, injuries, disease, HIV/AIDS and STIs.
- Psychological problems, e.g., trauma, anxiety and fear.
- Loss of parental care, protection and support.

Prevention

- Authorities can develop compulsory schooling policies.
- Child clubs can teach children how to avoid risks.
- Teachers, CBOs and child clubs can monitor children who may be at risk of trafficking.
- Communities can report suspicious people to the police.
- Child clubs involved with working children can raise awareness of the risks of trafficking.
- CBOs can mediate with parents and children in cases where they are considering an offer to move cities for schooling or work.
- Authorities can maintain border security.

Response

- Police and courts can investigate and prosecute traffickers.
- CBOs can run awareness campaigns to promote community acceptance of trafficked children.
- CBOs can link trafficked children with formal or informal schooling (as required).
- Service providers can offer healthcare and psychosocial support to families to support a child's return.

Legal framework

- In Nepal, children are protected from trafficking and bonded labour (Art. 3, *Human Trafficking and Transportation (Control) Act 2007* and Art. 29, *Interim Constitution 2007*).
- Under international law, children cannot be trafficked or kidnapped for any reason (Art. 11, *CRC 1989*; *Optional Protocol on the CRC on the Sale of Children, Child Prostitution and Child Pornography*; *Optional Protocol to the UN Convention against Transnational Organised Crime 2000*; and *ILO Convention 182 on the Worst Forms of Child Labour 1999*).

CHILDREN IN EMERGENCIES

Emergencies can be conflict or natural disaster situations. Sometimes both can occur at once.

During emergencies, people are at risk of dying, great suffering or loss of dignity.

Nepal has faced many emergencies, including floods, earthquakes, landslides, fires and armed conflict.

Why is child protection important in emergencies?

Children can be exposed to risks due to emergencies. Child protection may be needed because:

- Families and communities can become separated because of accidents, displacement or injuries;
- Parents and family members may not be able to care for children due to injuries, illness, disease, death, psychosocial distress and poverty;
- Emergencies can damage or weaken service providers. Families and communities may not be able to receive help, support or assistance.

Key points to remember...

*Children's rights do not stop in emergencies.
Children are impacted in different ways from adults.
Issues faced by children can be difficult to recognise. Identification is essential.*



i. CHILDREN AFFECTED BY ARMED CONFLICT (CAC)

Armed conflict can expose children to serious risks to their health, education, family life and wellbeing. In Nepal, CAC can include:

- Children Associated with Armed Forces and Armed Groups (CAAFAG), e.g., combatants, cooks, porters, spies or messengers;
- Internally displaced persons;
- Children separated from their parents or orphaned;
- Victims of landmines, explosive remnants of war or IEDs;
- Victims of conflict-related violence, including sexual violence and psychological violence.

Causes and contributing factors

- Children may join armed groups because of poverty, peer pressure, not being in school and curiosity.
- Accidents can be caused by lack of mine-risk education.
- Children may be victims of or exposed to explosions from IEDs or explosive remnants of war.
- Children may be targets of violence due to ethnicity or if parents are associated with political parties.
- Lack of family and community preparedness may lead to separation during emergencies or displacement.

Possible consequences

- Death, disease, injuries or illness due to exposure to conflict and difficult conditions during displacement.
- Psychological distress, e.g., trauma, anxiety and fear.
- Interruption of schooling due to displacement, school closures or insecurity.
- Discrimination of children with disabilities from mine or IED incidents and returned CAAFAG.

- Death, illness or separation may cause children to become orphans or the heads of households.
- Children without parental care are more at risk of sexual exploitation, abduction, trafficking and exploitative labour.

Prevention

- Schools can engage and maintain children in schooling.
- NGOs can run mine-risk education programmes.
- Families can develop disaster preparedness plans.
- Civil society can raise awareness on the consequences of child recruitment.
- Child clubs can teach children life skills to identify risks.

Response

- Communities and CBOs can identify children at risk.
- CBOs can refer children to service providers such as health posts or child rights organisations.
- Child clubs can link children with formal and non-formal education (as appropriate).
- Service providers can offer psychosocial support.
- NGOs can run family-tracing programmes in emergencies.

Legal Framework

- In Nepal, children have the right to protection from physical, mental and other abuse, and are prohibited from taking part in armed forces until the age of 18 years (Art. 22, *Interim Constitution 2007*).
- Under international law, children have rights to protection from all forms of violence (Art. 19, *CRC 1989*) and from taking part in armed groups or forces before the age of 18 years (*ILO Convention on the Worst Forms of Child Labour 1999; Paris Principles; Optional Protocol to the CRC on the Involvement of Children in Armed Conflict*).

ii. CHILDREN AFFECTED BY NATURAL DISASTERS

Natural disasters occur because of natural or environmental factors. They cause serious damage to buildings, agricultural land, and death or injuries of people and animals. In Nepal, natural disasters include flooding, landslides, earthquakes and fires.

Protection risks children face in natural disasters

Children can be exposed to risks when families and service providers are not able to provide care and protection adequately.

Protection risks that children can be exposed to include:

- Sexual abuse or exploitation;
- Trafficking into prostitution or hazardous labour;
- Neglect, if parents cannot or do not care for children;
- Injury due to accidents;
- HIV/AIDS due to sexual abuse or unsafe sex;
- Abduction for ransom or trafficking;
- Child labour due to poverty and parents' unemployment;
- Increased domestic violence due to family tensions;
- Violence from community members due to frustration, poverty, displacement and loss of family members.

Possible Consequences of these risks

These protection problems may cause:

- Disease, illness, injury, death, suicide;
- Psychosocial distress, e.g., trauma, depression, grief and anxiety;

- Interruption of schooling;
- Separation from family members;
- Abandonment, if parents are unable to care for child due to trauma, economic reasons or illness;
- Discrimination and rejection by communities;
- Exposure to sanitation and health problems in IDP camps.

Prevention: Before natural disasters

Planning is the best way to reduce risks for children in emergencies. Children, families, communities, CBOs, civil society and service providers can all be involved in planning.

Developing family and community strategies on how to respond to emergencies and how to assist the most vulnerable in an emergency can include:

- *Identifying risks* that the community may face such as an earthquake, landslide or flooding;
- *Identifying who is most at risk* and how such as younger children who may be left behind or sexually abused;
- *Mapping what resources the community can access.* These can include natural and material resources as well as skills and knowledge;
- *Mapping service providers and organisations* that could help in an emergency such as police and health posts.

What types of participatory activities can you use to help communities plan for emergencies?



Response

During emergencies, communities can assist, care and provide support for children and families. This can include:

- *Identifying children at risk* or experiencing child protection concerns;
- *Helping to trace families and reunite* separated children with families;
- *Caring of children* by extended families, neighbours or friends when parents are missing, sick or dead;
- *Awareness-raising* on the risks children can face such as trafficking, sexual exploitation, abuse and accidents;
- *Forming of watch groups* to monitor camps or local area for separated or at-risk children;
- *Establishing or re-establishing child clubs* or safe places for children where they can run educational and recreation activities, organise child rights campaigns, and receive psychosocial support;
- *Resuming all possible regular services* for children as soon as possible, e.g., schools, healthcare.
- *Linking with service providers or NGOs* for assistance or referral for children and parents.

Legal framework

- Children's rights under Nepali and international law do not stop in natural disasters. In particular, children's rights to protection from abuse and violence, separation from parents and family, and rights to health, education and living conditions must be protected (*Child Rights Act 1992 and CRC 1989*).

ABDUCTION

Abduction is the illegal removal, movement and holding of children. In Nepal, children are abducted for: recruitment into armed groups; ransom; prostitution and sexual exploitation; organ removal; and economic exploitation.

Causes and contributing factors

- Conflict and displacement can cause increased exposure to recruitment by armed groups.
- Children without parental care can increase exposure to risks.
- Insufficient parental supervision can increase children's exposure to risk.
- Weaknesses in border security.
- Children in exploitative labour can be at greater risk of abduction or sale.
- Wealthy families can be targeted for ransom.
- Weak legal framework or action by authorities to arrest abductors.

Possible consequences

- Children become separated from the family.
- Death, injuries or disease as a result of abuse, organ removal or violence.
- Schooling interrupted or stopped.
- Exposure to violent conflict through recruitment.
- Sexual abuse and exploitation by traffickers.
- Psychological distress such as depression or anxiety.
- Discrimination and social stigma against trafficked children when they return to their communities.

Prevention

- CBOs can train children in life skills such as how to recognise and avoid risks.
- Communities can map dangerous places in the area.
- Communities can report suspicious people to the police.
- Service providers can provide alternative care for children without parents.
- Child clubs can encourage children to remain in or return to schooling.
- NGOs can run family reunification programmes during emergencies.



Response

- Families can report cases of abduction to the police.
- Civil society can advocate for children's release such as from armed groups.
- Service providers can provide assistance to returned children, e.g., healthcare, psychosocial support.
- CBOs can run family counselling sessions to help the reintegration of children.
- Service providers can integrate children into formal or non-formal education.
- NGOs can provide vocational training for older children who do not wish to return to school.

Legal Framework

- In Nepal, children are protected from trafficking (Art. 3, *Human Trafficking and Transportation (Control) Act 2007*).
- Under international law, children cannot be kidnapped (Art. 11, *CRC 1989*).

CHILDREN IN CONFLICT WITH THE LAW

The term '**children in conflict with the law**' refers to anyone under 18 who comes into contact with the justice system. This can occur when a child is accused or suspected of committing an offence.

Most children in conflict with the law have committed minor offences such as begging, alcohol use or petty stealing.

Prevention

- CBOs can educate parents and families on the responsibilities of children under the law.
- Child clubs can teach children life skills on how to avoid risky behaviour.
- CBOs and service providers can identify children at risk (such as homeless children or drug users) and link them with assistance for care and support.
- Family and community members can serve as positive role models for children to reduce attraction to crime.

Response

- Civil society groups or appropriate service providers can inform children in conflict with the law about their rights.
- Parents and families can support children who have committed offences. They can encourage them to re-enrol in formal or non-formal schooling or vocational training.
- Families and communities can seek legal advice on how a child is being treated by the police.
- CBOs and service providers can offer counselling and family support to assist reintegration of children who have committed offences.

Legal framework

In Nepal, the *Muliki Ain (Country Code) 11th Amendment* covers children in conflict with the law. It has the following provisions for children in conflict with the law:

Situation where no punishment is imposed

- There is no punishment imposed if the child is below 10 years of age when he/she commits an offence.

Situation where a child may be warned or imprisoned for 6 months

- If the child is 10 years or above, and below 14 years, the child may be given a warning.
- If the offence is serious, the child may be imprisoned for a maximum 6 months.

Situation where a child may be imprisoned

- If the child is 14 years or above and below 16 years, the child may be imprisoned.
- The length of prison time will be half that of an adult for the same offence.

Figure 1: Provisions in Nepali law for children in conflict with the law

Under international law, children have the right to legal assistance if they are accused of breaking the law (Art. 40, *CRC 1989*) and not to be punished in a cruel or hurtful way (Art. 37, *CRC 1989*).



According to the *CRC*, children in conflict with the law have a right to dignified treatment. Their age must also be taken into account in their treatment and punishment.

Child protection is everyone's responsibility.

