

# NGO REPORT TO THE COMMITTEE ON THE RIGHTS OF THE CHILD ON THE 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> REPORT OF NEPAL

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## About us

Childreach International and Childreach Nepal have years of experience in unlocking the potential of some of the world's most marginalised children. By breaking down barriers that stop them from living as children should, we provide thousands of children every year with a chance to transform their lives. Our vision is a world where all children have the opportunity to unlock their potential in life. In order to accomplish this vision, our mission is to improve children's access to healthcare, education and child protection; restore children's rights; empower children to create positive change; establish a global movement of child rights supporters; and to use our global voice to influence others to act.

Childreach International believes that the best decisions are made locally and that every community and nation has distinctive and unique approaches to finding solutions. In line with this organisational philosophy, each Childreach International office is registered as an independent NGO with their own boards of trustees, comprised of community stakeholders and child development experts. Each office develops its own strategy and is staffed by local people with valuable knowledge of the culture and context, enabling Childreach International to address development issues at a grassroots level. This also allows us to develop strong and effective relationships with our partner organisations. Our offices facilitate the work of these agents of change, empowering them whilst also providing any required support.



## Preface

1. Childreach International and affiliate organisation Childreach Nepal (“Childreach International”) appreciate this opportunity to contribute to the Committee on the Rights of the Child’s (“the Committee’s) pre-sessional working group for its upcoming review of Nepal and its conformity to the Convention on the Rights of the Child (CRC).
  2. This civil society report responds to the third, fourth and fifth periodic reports of the United Republic of Nepal (CRC/C/NPL/3-5) submitted to the Committee in January 2012. In this report, Childreach International and its affiliate office in Nepal assess the extent to which the State party has or has not implemented the recommendations contained in the Concluding Observations from the CRC’s second periodic review of Nepal in 2006 (CRC/C/15/Add.261) and provides more information to the Committee on the implementation of the Convention within the boundaries of said State.
  3. This report covers the period from 2008 to 2014, and documents the State party’s implementation of the Convention in Nepal only.
  3. Under each heading, the Report commends progress made by the Government of Nepal in the implementation of the Convention on the Rights of the Child, but also raises concerns. Recommendations for each provision will be included in the General Recommendations list at the end of this Submission.
  4. Nepal is going through a transitional phase currently, with the system of monarchy now abolished. There is an Interim Constitution in place, but a final Constitution is still in the process of being drafted. This is subsequently a pivotal time for children in Nepal as the text and provisions of the future Constitution could dramatically affect their rights.
  5. Childreach International welcomes the ratification of/accession to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, in 2007; the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in 2007; the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, in 2006; the Convention on the Rights of Persons with Disabilities and its Optional Protocol, in 2010; the United Nations Convention against Transnational Organized Crime, in 2006, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention, in 2008; and the South Asian Association For Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, in 2007.
- Nepal has also enacted the Domestic Violence (Control and Punishment) Act, 2009, and the Human Trafficking (Control) Act, 2007, during the reporting period. Amendments were also made in 2008 to the relevant Chapter in Muluki Ain (General Code) with regard to abduction of children.
6. Despite these legislative steps forward, the government of Nepal has failed in a number of areas including the state of orphanages and the adoption procedure within the country, inclusivity of children with disabilities and corporal punishment to implement the recommendations made by the Committee in its 42<sup>nd</sup> Session, and children remain in a precarious position within Nepali society.

## Civil rights and freedoms

### Birth Registration, name and nationality (art. 7)

Birth registration is the continuous, permanent and universal recording, within the civil registry, of the occurrence and characteristics of births in accordance with the legal requirements of a country. In terms of the Recommendations from the Concluding Observations, the Government of Nepal has worked with UNICEF to help individuals complete child registration grant applications, birth registrations and give nutritional advice, with the effect of causing the rate of registration to increase from 20,896 to 85,624 during the reporting period. However, only 42% of Nepalese children are currently registered at birth. In Nepal, older children are far more likely to be registered, for example a four-year-old child is more than twice as likely to have their births registered than infants under a year old.

Nepal Citizenship Act 2006 allowed citizenship to be transmitted from mother to child, previously only father to child. Prior to 26 November 2006, there was no provision for acquisition of Nepalese citizenship by virtue of birth in Nepal. Under the Act a person born in Nepal before mid-April 1990 has permanent domicile and been continuously resident in Nepal can apply for citizenship.

However, despite guarantees of equality in both the Citizenship Act and the Interim Constitution, extensive discretionary power is given to local officials and discrimination persists. In practice, currently, authorities only grant citizenship by descent through the father. In practice, this has led to women being forced to provide their children's fathers' documents in order to prove Nepali citizenship of their children. As a result, local NGOs have documented a variety of cases in which women and children have been denied access to full citizenship rights including widows, abandoned women, and women married to non-nationals.

Despite the Supreme Court's 2011 decision that applicants may seek citizenship through either their father or mother, many were denied citizenship due to lack of access to local authorities, or lack of awareness of the law by applicants or government officials. This led to problems attaining citizenship and difficulty in school admissions (U.S. Department of State, 2013).

Additionally, whilst carrying out research in 2010, Childreach Nepal found evidence that identity documents, including birth certificates, had been falsified or given out by Village Development Committee's with false information on them.

## Violence against children

### The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, including corporal punishment (arts. 37 (a) and 28, para. 2)

Corporal punishment is still to be prohibited in the home, alternative care settings, day care, schools, penal institutions and as a sentence for crime. Corporal punishment and other acts that humiliate children are accepted practice in both Nepali schools and homes, and are used as a means to modify children's behaviour. A study carried out by Save the Children (Norway) revealed that the majority of student respondents revealed that by "punishment" they mean infliction of pain by a teacher or other educational official upon the body of a student and causing psychological distress as a result of

misconduct. The study shows that a huge majority of students are subjected to punishment at schools. A majority of them were asked to catch their ears and sit up and down repeatedly as a penalty and were beaten. They were also expelled from the classes, scolded, hit with a stick and duster, made to stand on the benches, got their ears and hairs pulled and were asked to fight with a friend. Most teachers and parents think the best way to discipline children is with severe physical and emotional punishment because it creates fear in them which prevents misbehavior and promotes obedience (UNICEF, 2004).

Additionally, school bullying appears to be a persistent problem within Nepalese schools, with most schools failing to acknowledge that a problem exists. More needs to be done to combat the issue. Cyber bullying also appears to be an ever-increasing concern. Out of 27 million Nepali people, total 65 per cent (84% of Urban and 60% of rural) have access to mobile phone, 51% people use media/technology, 7% of people have access to computer and 3% have internet access (CBS, 2011). With increasing access to ICT in schools, the use/misuse of this new technology can be a serious concern particularly when it comes to the issue of increased possibility of cyber bullying.

There is a distinct need for legislation to repeal provisions which allow corporal punishment in schools, the home and in childcare. Teachers need to be trained on the consequences of severe punishment and alternative methods of disciplining students e.g. use of recognition and positive reinforcement for appropriate behavior. Public awareness must be raised about the extent of corporal punishment and verbal humiliation and the negative consequences on child at school and at home. Media should be involved to disseminate information and educate people about the dangers of physical and emotional and abuse and promote positive ways of disciplining and raising children.

## Family environment and alternative care

### Adoption, national and inter-country (art. 21)

Nepal signed the Hague Convention on Protection of Children and Co-operation in respect of Inter Country Adoption on 28 April 2009. After signing the Convention, the Ministry of Women, Children and Social Welfare has formed an Inter-country Adoption Management Committee on 14 May 2010 to regulate adoption effectively. Nepal has failed to ratify the Convention.

A study by Terres des homes and UNICEF in 2008 found that adoption in Nepal does not always take into account the best interests of the child. Only four out of every hundred adoptions are domestic, with many children that are put up for adoption not being orphaned but merely separated from their families.

In 2010 the U.S. Department of State and United States Citizenship and Immigration Services suspended processing of new adoption cases from Nepal which involve children who are claimed to have been found abandoned. Evidence found that these likelihood that these children had actually been abandoned was very slim. The U.S. Department of State continues to strongly recommend that prospective adoptive parents refrain from adopting children from Nepal due to grave concerns about the reliability of Nepal's adoption system and credible reports that children have been stolen from birth parents, who did not intend to irrevocably relinquish parental rights. Alternative means of caring for a child should only be considered when a child's family cannot be traced or the family is unavailable, unwilling or unable to care for him or her.

The latest investigation by UNICEF, the UN's children agency, found that 85% of children in the orphanages they visited had at least one living parent. These orphanages often lack proper regulations and regulations on who can operate a residential care institution for children are non-existent. They have become a lucrative business in Nepal with profit to be made from both the families – who are deceived as to what will happen to their children – and from well-intentioned foreign tourists who donate funds in the belief they are supporting genuine orphans. Children are being trafficked into these orphanages internally from other parts of Nepal to meet the demands of volunteers and other donors who are prepared to pay to supposedly “help” Nepal’s orphans.

Orphanage “voluntourism” usually begins with tourists paying a volunteer agency, or a children’s home directly, for the opportunity to volunteer at a children’s home for a few days or weeks. There are many volunteer and tourist agencies based in both Nepal and foreign countries which offer this service. These volunteers pay up to US\$200 per week to volunteer in a children’s home. What may begin as an ‘experience’ for the tourist whilst on holiday can evolve into scenarios where they return home to raise funds for their chosen orphanage.

Management is often less interested in the well-being and future of the children and more motivated by the potential financial gains to be made from inter-country adoption and sponsorships. Children raised in institutions fail to receive appropriate adult care and attention and therefore do not benefit from an environment which would enable them to develop their potential. They have significantly fewer opportunities to learn through play and through following adult behaviour and guidance, rendering them at a significant disadvantage in their adult lives.

More needs to be done to ensure that those children offered up for adoption have no remaining relatives that could, and are willing to take care, of them. Children must not be taken away from parents solely on the basis of poverty. While calls for better regulations of child centres and orphanages may have some effect, it is highly unlikely that these regulations would be effectively enforced. Therefore, alternative children care systems should be introduced as highlighted in UNICEF, 2011. Residential institutions such as these orphanages should be slowly closed down, and instead replaced by a child protection system of fostering and internal adoption.

## Disability, basic health and welfare

### Measures to prohibit all forms of traditional harmful practice – early marriage (art. 24(3))

Nepal should be commended for having amended its laws to establish an equal minimum age of marriage for girls and boys<sup>1</sup> however the harmful practice of child marriage remains common in Nepal. It remains widespread, exposing young girls to a continuum of reproductive health harms and sexual violence without effective legal protection and recourse. Between 2000 and 2011, 41% of women aged between 20 and 24 had been married or had entered into union before they turned 18 (UNFPA, 2012). Ten percent of girls were married before they turned 15.

In Nepal, child marriages are rarely challenged in a court of law and instances of domestic and sexual violence often go unpunished. While the government’s Fourth and Fifth (Combined) Periodic Report to the CEDAW Committee submitted in 2009 reveals that only 12 cases of child marriage were

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<sup>1</sup> In Nepal, the age of marriage for boys and girls is 18 years with parental consent and 20 years without parental consent.

reported in the period of 2003/04 – 2006/07, the Second Periodic Report to the Committee fails to disclose this information. According to one recent study, only 22 cases of child marriage were reported to the police from 2009-2012, which represents a mere 0.3% of reported cases on gender-based violence.<sup>126</sup> A review of the Supreme Court's Annual Reports reveals there were altogether only seven cases of child marriage recorded in the Supreme Court, six in the Appellate Courts and thirteen in the District Courts of Nepal in fiscal year 2011/12. The punishment for child marriage is imprisonment for up to three years and a fine of up to 10,000 rupees (£87) however so few people are prosecuted and those that are often receive sentences far lighter than the penalties established by law.

Recent evidence however suggests that many girls in Nepal appear to initiate their own marriages due to "love" and "self-initiation" (Plan Asia, 2013). This suggests that current initiatives to combat child marriage need to be more directed towards educating children about the repercussions in later life about the dangers of early marriage.

The CEDAW Committee recently expressed concern regarding the weak penalty for marital rape in Nepal and called on the government to significantly increase the punishment for marital rape. All instances of marital rape are criminalised no matter the age of the victim however it carries a far lesser sentence than rape by someone other than a spouse.

### Harmful traditional practices – Chhaupadi (art. 24(3))

Chhaupadi is a social tradition in Nepal for Hindu women which prohibits women from participating in normal, everyday family activities such as cooking and cleaning during menstruation because they are considered to be impure and dirty during this period. The women are often forced out of the house and made to live in a shed for the duration. They are also restricted from going to school or performing their daily functions such as bathing, forced to stay in the conditions of the shed.

During this time, women are often deprived of adequate food and water; they are forced to survive in extremely cold temperatures in the sheds without sufficient clothing to keep warm; they can be attacked by animals and some are sexually assaulted or raped whilst in the sheds.

Chhaupadi was outlawed by the Supreme Court in 2005, however the decision has had little impact on the daily lives of many women. Deaths of women and girls staying in these sheds are reported every year.

## Special protection measures

### Economic exploitation of children, including child labour (art. 32)

In 2012, Nepal made a minimal advancement in efforts to eliminate the worst forms of child labour yet it is estimated that 1.6 million children between the age of five and 17 are in the work force in Nepal. About three-quarters of them are under the age of 14, and most are girls. National Plan of Action against Bonded Labour was set up in 2009 and ratified ILO Convention No. 29, 138 and 182 all concerning forced labour. The government conducted a raid on embroidery factories employing child labourers and rescued 124 children from exploitative labour (ILO, 2012).

The Labour Act of Nepal and the Child Labour (Prohibition and Regulation) Act of 2000 are both mainly effective in the formal sector but the majority of employed children are employed in the

informal sector where these laws fail to reach. The Child Labour (Prohibition and Regulation) Act of 2000 establishes the minimum age for work at 14 and the minimum age for hazardous work at 16. This minimum age for hazardous work is not consistent with international standards and fails to protect children ages 16 and 17 from work that could jeopardize their health and safety. Additionally, the lack of compulsory education means there is no alternative to sending children out to work and there are no real, effective repercussions for not sending a child to school.

Children also work in the production of bricks, spending long hours in dust-filled environments. They carry loads of bricks on their heads and suffer from back injuries. Children are also found working in mining and stone breaking, which exposes them to dangers such as falling off steep hillsides, working in unstable tunnels at risk of collapse, and injuring their eyes and hands while breaking rocks. In the construction sector, children operate heavy machinery and may face many dangers due to a lack of proper safety precautions. Children also work long hours in domestic service where they perform physically demanding tasks that can have harmful effects on their physical, mental, and social development and in shops and restaurants where they often work in small, unhygienic, and poorly ventilated workspaces. Other children work in the transportation industry where they face mental and physical abuse or the entertainment industry where they are sexually exploited.

Despite its illegality bonded labour exists in agriculture, cattle rearing, brick kilns, the stone-breaking industry, and domestic servitude. Labourers freed from bonded labour are left vulnerable to human trafficking in the absence of sufficient government-mandated rehabilitation services. Nepali law also prohibits forced or compulsory labour under the Kamaiya Labour (Prohibition) Act of 2002 which forbids keeping or employing any person as a bonded labourer.

## Sale, trafficking and abduction (art. 35)

Nepal is a source, transit and destination country for men, women, and children who are subjected to forced labour and sex trafficking. Nepali girls are trafficked domestically as well as across borders to India, the Middle East and China, and subjected to forced labour in Nepal, India and China as domestic servants, beggars, factory workers, mine workers, and in the entertainment industry. They are subjected to sex trafficking and forced labour elsewhere in Asia including Malaysia, Hong Kong and South Korea. It is understood that between 16% and 33% of female sin the adult entertainment industry in Nepal are under the age of 18. Nepali boys are also transported to Nepal, subjected to forced labour within the country, especially in brick kilns and the embroidered textiles, or zari, industry. It is estimated that children in Nepal accounted for 36% of all trafficking victims between 2007 and 2009 (girls 33% boys 3%). It is believed that approximately 12,000 children are trafficked every year from Nepal, although other estimates put the number between 7,000 and 15,000 each year.

Nepal ratified the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography on 20th January 2006. It also implemented the Human Trafficking (Control) Act in 2007. The Act protects the rights of the victim by ensuring her/his right to confidentiality, social rehabilitation and reintegration in the family among other provisions. The Act protects whistle blowers and protects their identity. This may go a long way in encouraging people to come forward if they know of any incidents of trafficking. The statute additionally provides the victim of trafficking with a counsel during criminal cases, which goes a long way in protecting the rights of the victim.

A lack of laws governing child trafficking in Nepal is not a significant problem. The problem lies with the lies with the fact that these legal provisions are inadequately enforced and a low risk of arrest

and prosecution fails to discourage traffickers. According to the U.S. State Department in their 2013 report, anti-trafficking structures are not fully effective and trafficking victims have not received sufficient support from the government, while laws have been inconsistently implemented.

Limited efforts have been made to protect trafficking victims. Government officials rarely proactively identified victims of trafficking among high-risk persons with whom they came in contact. In raids of “adult entertainment” establishments, some trafficking victims, including girls, were reportedly arrested and then bailed out by their traffickers, further indebting the girls to their exploiters. Other sex trafficking victims were charged under “public offense” provisions of the law. Child sex trafficking victims were also reportedly returned to their abusers following raids on these establishments.

Research shows that government officials are complicit in trafficking-related crimes. Traffickers reportedly use ties to government officials to facilitate trafficking, including by paying bribes for protection and favours, although the scope of the problem is not established. Some Nepali officials reportedly have been bribed to include false information in genuine Nepali passports or to provide fraudulent documents to prospective labour migrants. The U.S. State Department has noted that dance bars, cabin restaurants and massage parlours that facilitate sex trafficking are occasionally co-owned by senior police and army officials.

Research carried out in 2010 by Childreach Nepal revealed four major causes of child trafficking in two districts in central Nepal. These reasons included high school dropout rate for girls, the ease at which fake documentation can be obtained, families sending their children abroad for employment and children going abroad of their own accord.

## General Recommendations

- The Government of Nepal is currently in an optimum position to progress the rights of children within the country through a new constitution. The Constitution should include provisions that mirror those included within the CRC.
- Children in rural areas of Nepal to not possess the same levels of access to services as children in urban areas e.g. with regards to birth registration, healthcare, protection from trafficking. This needs to be addressed immediately.

### Birth registration

- Ensure that the process of acquiring citizenship is freely accessible to all people in Nepal as laid out in the 2006 Citizenship Act and the 2007 Interim Constitution.
- Set out in law reasonable means by which children who cannot identify their parents can establish their citizenship and access documents.
- Amend all citizenship laws and policies to explicitly provide for mothers to convey citizenship on their children without requiring involvement of the father or any other relatives.
- Awareness raising campaigns to ensure the registration of all children at birth ensure that all children of refugees and asylum-seekers born in the State party are issued with birth certificates.

### Corporal punishment

- Article 4 of Chapter 9 of the Muluki Ain which states that guardians and teachers should not be held responsible for hurting a child in the context of education or defence should be repealed, and Article 7 of the Children Act 1992 should also be repealed as it exempts scolding and minor beating of a child from the prohibition of cruel treatment.
- Need for teacher training on the consequences of severe punishment and alternative methods of disciplining students e.g. use of recognition and positive reinforcement for appropriate behavior.
- Public awareness must be raised about the extent of corporal punishment and verbal humiliation and the negative consequences on child at school and at home. Media should be involved to disseminate information and educate people about the dangers of physical and emotional abuse and promote positive ways of disciplining and raising children.
- To combat bullying in schools, inexpensive measures such as including an anti-bullying policy in the student handbook, adding a section on school bullying in teacher training manuals and starting an anti-bullying week to raise awareness of the issue ought to have a significant effect in reducing bullying and improving students' well-being.

### Adoption

- Nepal must introduce new child rights legislation and new adoption legislation to bring it in line with the Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption 1993 (The Hague Convention). It additionally needs to ratify the Convention.
- Abolish the provisions in the Conditions and Procedures made to provide Nepalese Children to Foreign Nationals for Adoption (2000) that states that poverty of the parents of a child can be a legal ground for adoption.
- Develop and implement strict criteria for the adoption of Nepalese children and ensure that exhaustion of all means to prevent termination of parental responsibility and/or separation

of the child is set as a clear criterion in all cases involving adoption; review current mechanisms and procedures for domestic country adoption and ensure that professionals responsible for adoption are fully equipped with the technical expertise needed; investigate all cases of irregular adoption, smuggling of children and of unauthorised shelters and orphanages.

- Deindustrialise orphanages and introduce alternative children care systems should be introduced as highlighted in UNICEF, 2011.

#### Harmful traditional practices

- The law establishing the minimum age for marriage for both boys and girls at 18 with parental consent needs to be enforced.
- Regulations need to be introduced which make it a crime for anyone to be aware of a marriage taking place between two individuals where one or both is under-age.
- Awareness-raising of the minimum age of marriage needs to take place and the damage it has on the lives and rights of those forced to marry, especially with regards to right to health and education.
- Issues of child marriage, early pregnancy and reproductive health issues all need to be incorporated into the curriculum in schools alongside the need for equality.
- Education is the best prevention against child marriage and activists recommend that efforts have to be made to improve not only girls' enrolment, but also retention.
- As child marriage is widely prevalent in communities, especially among Dalits and other poor and marginalised people and community networks comprising all concerned stakeholders can be formed and mobilised. Programmes for ending child marriage should be linked with livelihood opportunities made available in the concerned communities.
- Take all necessary measures to eradicate all traditional practices harmful to the physical and psychological well-being of children, by strengthening awareness-raising programmes. The State party should also consider passing legislation explicitly banning and criminalising such harmful practices.

#### Child labour

- Amend laws so that they are in line with ILO Convention No. 182.
- Amend laws so that the age for entry into hazardous work is raised from 16 to 18 and extending protections in the Child Labour Act to include children working in home-based enterprises and non-registered establishments in the informal and agricultural sectors.
- Extend protections in the Child Labour Act to include children working in home-based enterprises and non-registered establishments in the informal and agricultural sectors
- Nepal lacks the number of labour inspectors necessary to effectively monitor child labour practices in illegal factories or in residential home where they are forced to work as domestic helpers.
- One of the most effective ways to combat child labour is to education, which acts as a foundation for social change. Primary education needs to be made compulsory to ensure children are attending school and are therefore not as vulnerable to the worst forms of child labour.
- The number of labour inspectors needs to be increased and more resources need to be dedicated to enforcing amended child labour laws.
- Institute a referral system to ensure coordination between enforcement agencies and NGOs providing rehabilitation services to children removed from child labour.

## Trafficking

- Ratify the UN Convention against Transnational Organised Crime and the UN Trafficking Protocol as soon as possible so there will be a common blueprint and legal framework.
- Carry out a full data study into the levels of trafficking within the country, disaggregated by age, sex and country of origin, in order to identify trends to assist in the development of a national strategy to combat child trafficking. This will also assist in targeting districts that are most affected.
- Amend the Human Trafficking and Transportation (Control) Act and 2008 Regulation so that the prostitution of children as a form of human trafficking absent evident force, fraud or coercion is considered to be a crime.
- The HTTCA needs to be more effectively enforced, with perpetrators punished with suitable sentences and victims protected. The Ministry of Labour and Employment (MoLE) has previously indicated that the number of investigations and convictions for child trafficking is inadequate relative to the scope of the problem. This includes government officials who are complicit in the trafficking of children. In relation to this, ensure that trafficking victims are not prosecuted, especially if they are found with forced documentation.
- Raise awareness among government officials and the public of the existence of forced prostitution and trafficking of Nepali children. This should be through media campaigns that not only reach urban Nepali citizens but also those living in rural areas who are most affected. This should also be applied to the dangers of foreign labour.
- Make primary education compulsory to minimise the chances of children being trafficked in the first place. Simultaneously minimise extra costs including school uniform and school lunch to minimise financial pressures placed on families.
- Ensure that the scope of laws addressing trafficking includes boys as well as girls as frequently boys are not recognised as potential victims of trafficking. This would permit the establishment of better preventative and protective measures for both genders (e.g., specialised services for support, recovery and social rehabilitation)
- Improve links between India and Nepal especially along the border to ensure that the free movement of individuals between the two countries does not include trafficked children. Cooperation is taking place but this has not been made official or incorporated into domestic legislation; it is being done sporadically and bilaterally through individual initiatives of governmental or non-governmental organisations.
- States must commit finances for more and better schemes to rehabilitate victims and introduce programs in highly effected areas to ensure effective re-integration of victims.
- Cases must be taken up in designated courts, e.g., courts dealing with violence against women; and judges must be trained and sensitized to handle matters on trafficking. Training should also be provided to police forces and other relevant government officials.
- Nepal must accept back nationals who have been trafficked and the focus must be on protecting and rehabilitating the victim.

# Annex

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