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Child Rights: An Assessment in Kailali, Nepal

*Impact on Child Rights by Rani
Jamara Kuleriya Irrigation Scheme
Funded by The World Bank*



Bal Kshetra Nepal



National Indigenous Disabled
Women Association Nepal



Bank Information Centre

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Acronyms

CBS	Central Bureau of Statistics
CCWB	Central Child Welfare Board
CRC	Convention on the Rights of Child
CRPD	Convention on the Rights of Person with Disability
CSO	Civil Society Organization
CWIN	Child Workers in Nepal Concerned Centre
CWISH	Children and Women in Social Service & Human Rights
DoE	Department of Education
DoI	Department of Irrigation
FGD	Focus Group Discussion
GoN	Government of Nepal
HH	Household
IDA	International Development Association
IFAD	International Fund for Agriculture Development
ILO	International Labor Organization
IP	Indigenous People
MoE	Ministry of Education
MoF	Ministry of Finance
MoRJKIP	Modernization of Rani Jamara Kuleriya Irrigation Project
MoWCSW	Ministry of Women, Children & Social Welfare
NDHS	Nepal Demographic and Health Survey
NHRC	National Human Rights Commission
NLSS	Nepal Living Standard Survey
OPAC	Optional Protocol on Involvement of Child on Armed Conflict
OPSC	Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography
SDG	Sustainable Development Goals
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
VCDP	Vulnerable Community Development Plan
WB	World Bank
WUA	Water User Association
WUC	Water User Committee

Executive Summary

The government of Nepal is implementing several infrastructure development projects in various sectors and locations across the country, but not all affected individuals benefit equally from these projects. The World Bank is collaborating with the government of Nepal to accelerate development activities in the agriculture sector through large-scale irrigation projects. Modernization of the Rani Jamara Kulariya Irrigation Scheme (MoRJKIP) is one such initiative. This study aims to demonstrate the impact of MoRJKIP on child rights protection and child labor exploitation in both the project's design and implementation phases, and highlights challenges that should be addressed in the second phase of MoRJKIP.

The modernization of the Rani Jamara Kuliriyia Irrigation Scheme was a major initiative by the government of Nepal to improve irrigation in the agricultural sector in the far western part of Nepal. This project aimed to enhance irrigation services and promote better farming practices for farmers in the irrigated areas of the Rani Jamara Kuliriyia Irrigation Scheme.

Despite targeting all groups residing in the project implementation area (Lamkichuha, Janakinagar, and Tikapur Municipality), sufficient consultations were not held with marginalized groups, especially children, during the project's design phase. Although public dialogue was necessary for such a large-scale project, there was not enough engagement among stakeholders. Due to a lack of consultation with key societal stakeholders during the design phase, their needs and concerns were not addressed in the implementation phase. The Vulnerable Community Development Plan exists, but it does not clearly specify the vulnerable groups, including children. Addressing safety issues also requires improvement and serious attention, as the irrigation canal passes through human settlements. Therefore, the project's design was not fully inclusive and failed to incorporate all vulnerable stakeholders.

Furthermore, on the implementation side, we found room for improvement in protecting child rights, especially regarding child labor. Child labor occurs widely across the country, including in Kailali district, where the MoRJKI project is being carried out. Children from the same area are found working on weekends (those who go to school) and even on weekdays for those who are out of school. A few cases of child labor have been reported in some sites within the MoRJKIP construction area. Monitoring mechanisms for such activities exist on paper but are not being effectively enforced. Due to a weak monitoring system, there has been no decrease in child labor. Advocacy and campaigns related to child protection are mostly superficial and lack proper education. These efforts are not conducted regularly with all stakeholders, and their impact is minimal. Providing alternative sources of income to vulnerable families could help reduce child labor in the MoRJKIP implementation area. Given these facts, the project's implementation is not fully inclusive, and it does not adequately address the needs of vulnerable communities, nor has it made a significant contribution to child protection issues at the local level.

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Introduction

The Government of Nepal, with support from the World Bank, is involved in many infrastructure development projects that have direct and indirect impacts on child rights issues, especially child labor and other forms of child protection. One of the projects financially supported by the World Bank is the Rani Jamara Kuleriya Irrigation Scheme, which is being implemented in Kailali district in the far western part of Nepal. This project is considered a national pride project because of its large scale in terms of goals, investments, expected results, and affected area. National pride projects benefit a significant number of people in the country and often represent the national identity. Additionally, it is being constructed in an area prone to child rights violations.

This study examines the impact of the Rani Jamara Kuleriya Irrigation Scheme on children in the respective area, particularly in relation to child protection, as well as other common issues affecting child rights in society. The irrigation project covers two municipalities (Tikapur and Lamkichuha) and one rural municipality (Janakinagar) in Kailali district, aiming to improve the irrigation system and generate multiple positive impacts in the implementation area. In this context, the study examines common child rights issues, with a focus on child protection concerns related to the irrigation project. Additionally, it examines whether the design and implementation of the project consider child rights issues to ensure their protection, especially concerning child labor and other protection issues faced by vulnerable children in the project area. The study employed various methodological tools, including desk review, key informant interviews, focus group discussions, and field observations, and triangulated data from these methods to understand the complex phenomenon of child rights issues in the area. To achieve these objectives, the study investigates five major dimensions: child protection, child survival and development, child participation, and monitoring.

Study Objectives and Questions

The study objectives are to:

- Do an assessment of child rights conditions in MoRJKI project area in Kailali district.
- Explore whether the Rani Jamara Kuleriya Irrigation Project Phase 2 in Kailali considered child rights issues during the design and implementation phase.
- Identify the prominent child rights issues and explore stakeholders' engagement in the MoRJKI project area in Kailali district.

The study is guided by the following questions:

- Does such a huge irrigation project design consider child protection issues?
- How does this irrigation project affect multiple child protection issues during the implementation phase?
- How are child protection issues responded to by stakeholders in the society?
- Are child survival and development issues well recognized by state and non-state parties?
- How is child participation happening in different frontiers of society?
- How are the safeguard and monitoring systems of child rights operationalized at the grassroots level in the MoRJKI project area in Kailali district?

General Background

Existing Context

Nepal has made significant progress in protecting children's rights over the last two decades. Despite these advances, there is still room for improvement, and ongoing stakeholder engagement is necessary to achieve the desired outcomes. The current situation indicates that protecting child rights is even more challenging in areas where large-scale development projects are underway. In this regard, this section provides a brief overview of the child protection context in Kailali district, where the MoRJKI project is being implemented.

The participation of children in various aspects of society is crucial for empowering them. CRC also highlighted and considered child participation as one of the pillars of child rights. In the MoRJKI project implementation area, 50 community-based child clubs and two dozen school-based child clubs are active. The child clubs, formed through active participation and leadership of children, are conducting awareness programs related to child rights. Some prominent and effective programs run by child clubs include: birth registration awareness campaigns, school admission campaigns, child labor reduction programs, child participation enhancement programs, child immunization information campaigns, free and compulsory education promotion campaigns, dissemination of information on the rights to education in a fearless environment, environmental conservation programs, parent awareness campaigns, and initiatives to eradicate child marriage. To address local child rights and protection issues, engaging children through child clubs appears to be effective. In Kailali district, especially in the MoRJKI project area, all child rights stakeholders need to involve and collaborate with child clubs to promote and empower them, ensuring the protection of child rights and reduction of violations. However, child participation in child rights issues facilitated by the project in the area has been limited. Projects like MoRJKI should also actively engage in social issues affecting children, contributing to their protection and development, which can increase project acceptance and mutual support, ultimately leading to successful project completion. The activeness of child clubs can also be helpful in establishing a monitoring mechanism at the local level for violations of child rights.

Another important aspect of the development project design is situation analysis. Most of the social analysis of the project seems to be linear. However, social phenomena are quite complex and require more detailed analysis that considers interdependence and intersections of many issues in society. In the project area, 80% of males go to India for temporary jobs after paddy plantation and return for harvesting, 7% of people are landless, 1.8% are disabled, and more than a third of them are children. Around 18% of households are headed by females with dependents children.¹

The worst form of violence that exists is human trafficking. Nepal is a source country for children, men, and women trafficked who are used in the forced labor market. Lately it is

¹ See DoI (2017), Vulnerable Community Development Plan of Rani Jamara Kuleriya Irrigation Project Phase II

found that Nepal is both a source and destination for human trafficking.² Child rights officer of one CSO working in the MoRJKI project area says:

‘In many cases, the children are trafficked to India for labor work. It was reported that both boys and girls are trafficked to work in poultry firms and other agricultural farms in different places in India.’³

The MoRJKI project implementation area is also adjacent to the border of India, making it very sensitive with a higher risk of cross-border trafficking of children. There is a possibility of children being taken from India to join the labor force in Nepal, as well as Nepalese children trafficked to India for forced labor. Since there is heavy labor influx during the MoRJKI project implementation and potential interaction between local and temporary migrant workers, the project stakeholders should be aware of the need to ensure child protection from forced labor and other forms of violence against children.

Child marriage is a traditional harmful practice and violence against children, which is widespread across the nation, especially in the Terai region (the southern plains of Nepal). Kailali district, where the MoRJKI project is implemented, is also part of the southern plains where child marriage occurs at the national average. All projects, programs, and other stakeholders in such areas should recognize and be aware of this social phenomenon to protect children from existing and potential violence.

Furthermore, the Education Act of Nepal provides a dedicated legal framework to guarantee education for children in the country. Recent issues concerning children's education include early childhood development, access to quality schooling, mandatory and free basic education, and free secondary education. The Constitution of Nepal 2015 also states that compulsory and free basic and secondary education are fundamental rights for children and supports the Compulsory and Free Education Act of 2018. Despite these laws, a large number of children in Nepal still remain out of school. In Kailali district, where the MoRJKI project is being carried out, 10.1% of children are out of school.⁴ It is important for education stakeholders to identify who these children are, where they are located, and how to help them rejoin the school system. Some of these children have disabilities, while others are at high risk of entering the labor force, where child labor is common nationwide. Projects like MoRJKI and others should consider the social realities surrounding child development—especially education—and create support systems to protect their developmental rights, which should not be ignored during project implementation.

The most underreported and hidden violence against child and adolescents is sexual abuse and most extreme form rape. Such exploitation and abuse is happening within a family, at school and in communities. One child rights officer of CSO at Kailali says: ‘sexual abuse (rape) is one of the prominent problems in Kailali district. In most cases, the kin and relatives are

² See CWISH(2017), Essays on Status of Child Rights in Nepal. Article by Kiran Rupakhetee ‘*Programs of Government of Nepal in Relation to Rights of the Child*’

³ Interview with child rights officer of one CSO at Kailali

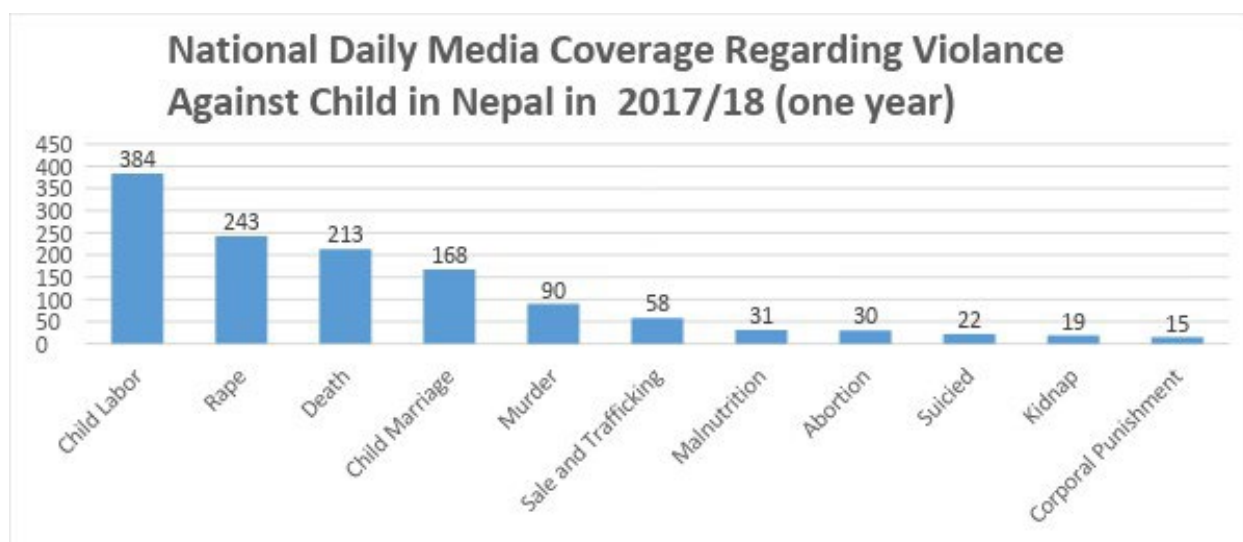
⁴ See GoN, UNESCO, UNICEF (2016), Global Initiative on Out of School Children

abuser.’⁵ In such a situation, all people in society should be aware of and contribute to protecting the child from such a severe form of abuse and violence.

Among the four major domains of child rights, child protection is one of the most important aspects and receives more attention in the public sphere. There are many child protection issues which are contextual, rising and falling over a long period of time as well. Some additional child protection issues prevalent in Nepali society include: corporal punishment, caste and gender discrimination, children without families or abandoned children, sale, trafficking, and abduction of children, online harm or bullying, street children, children in prisons with parents, juvenile justice, birth registration, children's homes, children affected by armed conflict, and others.

Current Issues

Despite many initiatives taken by the government of Nepal to ensure child rights, issues related to child protection, child survival, child development, and child participation remain critical. As a vulnerable segment of society, many child protection concerns are prominent and attract the attention of both state and non-state stakeholders. However, violence against children is widely spread across the country, with incidents occurring daily. The chart below shows a glimpse of media coverage (one-year data) in daily newspapers about violence against children, and there are many other unreported cases not covered by the media. Major issues in child protection include child labor, children with disabilities, child marriage, corporal punishment, caste discrimination, children without families or abandoned children, sale, trafficking, and abduction of children, online harm or bullying, street children, children in detention with parents, juvenile justice, children affected by armed conflict, sexual abuse, and more.



Source: *Report on Status of Children in Nepal 2018 (National Daily Newspapers 2017/18)*⁶

⁵ Interview with Child Rights Officer of CSO at Kailali

⁶ See CCWB (2018b), *Report on State of Children in Nepal 2018*

Likewise, child survival issues include abortion, immunization, infant and child mortality, nutrition, HIV/AIDS-infected children, and the health of children and adolescents. The government of Nepal has improved its performance in addressing child survival issues in recent years. Additionally, child development primarily focuses on education, including early childhood development, access to quality school education, compulsory and free basic education, and free secondary education. Other issues related to child participation involve children's freedom of expression, participation in entertainment (radio, magazines, television, etc.), involvement in child clubs, sports participation, and child-friendly local governance. Another very important issue is monitoring children's rights issues within society.

Policy Context

The policies related to ensuring child rights in the nation have direct and indirect impacts on child survival, protection, development, and participation. The state is obliged to ensure child rights based on the principles of respect, protect, and fulfill; therefore, the government of Nepal should ensure that people realize their human rights, protect people's rights, and build an enabling environment to secure people's rights.

National Policy Context

As a fundamental law of the nation, the Constitution of Nepal 2015 has guaranteed the rights of children, including child development, protection, and participation in society.

To implement the fundamental right of children as mentioned in the constitution, the Children Act 2018 has been introduced to amend and reconcile the existing laws relating to children's rights.⁷ In this act, the fundamental principles and four pillars of child rights (survival, protection, development, and participation) of the UNCRC are incorporated.⁸ This act is more comprehensive and tries to incorporate the latest political and structural changes of the nation. Despite many provisions in acts and policies, the situation of vulnerable children in the country is still not in decent condition in many ways. There is a dire need for all stakeholders to implement the provisions of acts and policies into practice.

Intervention Project (MoRJKIP Phase-2)

The Government of Nepal, Department of Irrigation, has been tasked with modernizing and constructing the Rani Jamara Kulariya Irrigation Scheme with financial support from The World Bank. The project is located in Kailali District in the far western province of Nepal, which covers two

⁷ This new act replaces the children act 1992

⁸ See GoN (2018), Children Act 2018

Municipalities (Tikapur and Lamkichuha) and one rural municipality (Janakinagar) are involved. The existing Rani Jamara and Kulariya schemes consist of three independent traditional irrigation systems (Rani, Jamara, and Kulariya) that are constructed, operated, and managed by the indigenous Tharu community. The first phase of the project was completed in September 2017, and the second phase, which lasts six years, is expected to be finished by 2024. The total project cost is US\$72 million, with US\$66 million financed by IDA. This project is a high priority for the Government of Nepal, as it is considered one of the nation's pride projects.

The proposed development objectives of the project are *‘to improve irrigation services and to promote improved framing practices for farmers in the irrigated areas of the Rani Jamara Kuliriyā Irrigation Scheme.’*⁹

There are three major components of the project. These are:

Component-1: Scheme Modernization (US\$52.9 million, of which US\$51.3 million IDA)

Component-2: Strengthening water users’ associations/committees (WUAs/WUCs) and agricultural production support (US\$13.4 million, of which US\$ 11.3 million IDA)

Component-3: Project Management (\$5.5 million, of which US\$ 3.4 million IDA, including goods, technical assistance, and capacity building)¹⁰

This irrigation project aims to irrigate 14300 hectares of the targeted area in the above-mentioned municipalities. The ethnic composition of the targeted area mostly consists of the Tharu indigenous community (48%), followed by Chhetri (17%), Dalit (15%), Brahmin (10%), and Others (7%). In the project-affected area, agriculture is the main source of livelihood for more than 60% of the inhabitants. The project's significance is very high, since the lack of sufficient irrigation means a large part of the area is not cultivated year-round. Only seasonal cropping is practiced because of an interrupted and infrequent irrigation system.

The project has conducted additional relevant studies of the affected area and developed multiple frameworks, including a vulnerable community development plan. Despite focusing on irrigation and extending to agriculture, the project has both direct and indirect, positive and potentially negative impacts on the vulnerable communities in the project area. Due to the high demand for labor and the consequences of labor influx during construction, protecting children in the project area may become a challenging task for the project implementation stakeholders.

Findings and Discussion

This section presents the study's findings, based on both primary and secondary data, along with a simultaneous discussion and analysis. It is divided into two parts: whether child rights issues, especially child protection, are considered in designing the irrigation project.

⁹ See WB (2018a), Rani Jamara Kulariya Irrigation Scheme Phase-2, Project Appraisal Document

¹⁰ See *ibid.*

and ensuring the rights of children and addressing child protection, especially child labor, during the implementation of the project.

Designing of the Project with Consideration of Child Protection

Designing a good development project requires careful attention to the social processes and institutional development that will enable learning and empower primary stakeholders, leading to sustained benefits. Project (re)design is an ongoing process that helps incorporate the changing context in the project area and involves efforts to ensure a comprehensive participatory process to address evolving issues during implementation. This MoRJKI Project has also developed different plans, including the Vulnerable Community Development Plan (VCDP), which aims to address the issues of indigenous people (IP) and vulnerable communities. The project document mentions that,

‘The overall objective of VCDP is that indigenous people and vulnerable communities affected by the MoRJKIP get special attention and all the adverse impacts on them are minimized and addressed in a sensitive manner.’¹¹

However, vulnerable communities are not explicitly defined, which creates ambiguity in identifying vulnerable groups. Moreover, many development frameworks consider children as a vulnerable community, but this project does not clearly recognize children as a vulnerable group, risking overlooking the children's issues during the design and implementation phases. Since the project mainly involves labor incentives in civil work, child labor is a major concern during stakeholder consultation.

Projects without good stakeholder consultation are setting themselves up for failure. Those who consult widely increase their chances of success. Early local participation can also be cost-effective in the long run.¹² However, it has been found that the lack of sufficient quality consultation with stakeholders, especially with vulnerable communities and children, is a concern. In the project implementation area, there are more than 50 community-based child clubs, but none were called during stakeholder consultation. According to VCDP, most of the participants were found aware of the agriculture program implemented under component C of the project but were unaware of the process required to get involved in the agriculture production support program.’ Which indicates that the requirement of extensive consultation and review of the effectiveness of the project stakeholder consultation strategy. Lack of consultation and stakeholder involvement in the design phase may lead to the emergence of numerous child protection issues during the implementation phase. Local people have raised the issues regarding the representation of vulnerable communities in the planning, implementation, and monitoring phases of the project.

Therefore, during situation analysis, more attention should be given to vulnerable communities, especially children, and their protection, development, and participation must be addressed. There is room for analysis and coordination with the local government, since the local government is

¹¹ See DoI (2017), Vulnerable Community Development Plan (VCDP) of Rani Jamara Kuleriya Irrigation Project Phase II

¹² See IFAD (2000), A Guide for Project M&E

responsible for child protection, development and participation.

Furthermore, the clarity of cross-cutting issues among stakeholders is important. A shared understanding by stakeholders of the concepts of child labor, child protection, vulnerable communities, poverty reduction, gender equity, and participation is critical. It is the only way to secure agreement on how to incorporate these concepts into the project strategy. Differing understandings can lead to diverging objectives. However, such clarity has not been observed in the project area during consultations and field observations. Moreover, the design phase of the project has undermined learning and adaptation in social concerns, especially regarding child protection and child labor issues. Many cases have been reported in the project area related to child labor and child protection, but these have not been addressed or incorporated during the (re)design of the project.

Regarding the technical aspect of the design, local residents have raised safety concerns. Some sections of the canal lack safety measures such as walls or barriers (see Annex-I, photographs), which appear quite risky and increase the chances of falling into the canal, potentially leading to human casualties, especially among children. Therefore, the redesign (both social and technical) of the project still has room for improvement, particularly in addressing issues related to vulnerable communities, child labor, and child protection.

Child Rights Consideration During Implementation of the Project

Implementation of the MoRJKI project should consider multiple aspects on both technical and social levels, as its impact is expected to influence a larger area of municipalities. Although many of the project's tasks involve civil works, it has direct and indirect, positive and negative effects on various social groups, including children, women, and other vulnerable communities during implementation. This effort aims to explore whether child rights issues are being considered and addressed during the implementation of the MoRJKI project. Therefore, this study examines various dimensions related to child protection issues that are generally prevalent in society and specifically in connection with the MoRJKI project. These include child labor, monitoring of child labor issues, and advocacy and campaigns against child labor.

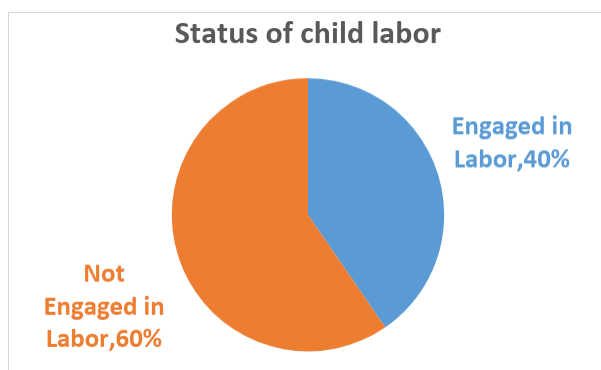
Child Protection

One of the most important aspects of child rights is child protection. The state and other stakeholders are responsible for protecting the child, which is a legally binding obligation. Child protection simply means safeguarding children from actions and behaviors that can have serious negative effects on their physical, mental, emotional, social, intellectual, and moral development. It also involves protecting children from potential risks and harm. While child protection covers a range of issues, this study focuses on some of the crucial, contextually relevant issues related to the study objectives.

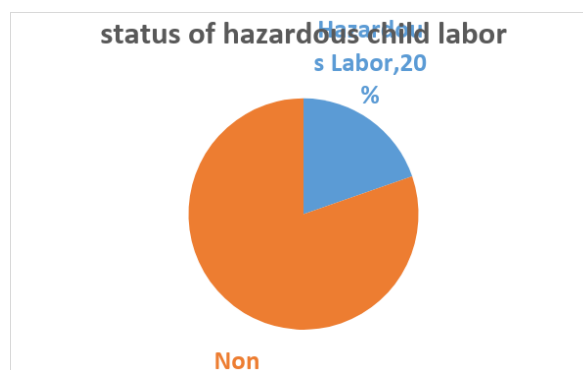
Child Labor:

One of the most significant issues violating children's rights in Nepalese society is child labor. Child labor is widespread, mostly occurring in non-formal sectors, but it is not limited to those areas. Despite many national

and international commitment and legal framework provisions, the issue of child labor is still a significant challenge for state and non-state stakeholders. Since Nepal is in the process of industrial and infrastructure development, there is a chance of child labor exploitation. One of the studies carried out by the ILO showed (the national data shows in the chart below) that in Nepal, 40% children are somehow engaged in child labor, and 20% of them are engaged in hazardous labor.¹³ Though the study was conducted in 2012, the situation has not significantly improved yet. It is reported that the MoRJKI project is one of the projects where child labor is engaged somehow.



Source: ILO Nepal Child Labor Report 2012



Source: ILO Nepal Child Labor Report 2012

Implementing the MoRJKI project in the far western province of Nepal is one of the nation's pride projects and requires a significant amount of physical and human resources. This project creates many opportunities for people in the implementation area, such as employment and other benefits; however, it also poses threats, especially in terms of child rights violations and the protection of child labor. Due to the socio-economic conditions of the residents in the project area, child labor is often accepted as a necessary condition for the working class. Even 7% of inhabitants are landless, relying entirely on daily wage work. During a field visit, one of the chairpersons of the Water User Association (WUA) said:

This area is predominantly inhabited by indigenous and dalit (so called low caste) people who are poor and engaged in different types of labor work, which is their only source of income for livelihood. Because of their lower socio-economic condition, their children are also engaged in the labor force in other projects, including the MoRJKI project.’¹⁴

The Local Government Operation Act (2017) specifies that the rights and responsibilities related to child protection are vested in local government. However, the crucial question remains: how sensitive are local governments to child protection issues, especially concerning child labor? During the field visit, our interaction with a child rights officer from a prominent civil society organization was described:

‘On Saturday, many girls and boys work at the MoRJKI project, even in their school uniforms. Many local people also plan some house construction tasks, like setting concrete slabs, on Saturdays to make use of child labor since it is a day off from school.

¹³ See ILO(2012). Nepal Child Labor Report

¹⁴ Interview with one of the chairpersons of WUAs in Tikapur, Kailali

The local government officials were unaware of this, but when we took them to the project site and showed them the reality, they became aware of the situation. However, local government does not take any initiative to protect from illegal child labor.’¹⁵

Though the legal responsibility for child protection lies with local government, it is not possible to safeguard children without collective effort from multiple societal stakeholders. Even at the local level, political leadership and bureaucratic mechanisms must align on key issues concerning children. Due to differences in priorities, conflicts often arise between political leaders and local government staff. In this context, the government child rights officer of the local municipality states:

‘The local elected body of local government does not listen to the voice of the bureaucratic system regarding child protection issues, since there are many child labor issues in the local area, including the MoRJKI project. Their priorities are not child rights, child protection, and other social development; rather, they are keenly interested in the development of tangible physical infrastructure and securing their political space for the next election.’¹⁶

The MoRJKI project has attracted the attention of the national media and concern from many other national and local stakeholders, as it is a project of national pride. However, the issue of child labor still exists within the project, and some of the project sites are enforcing age restrictions for engaging in labor. In an interaction with the investigator, one of the local women's groups and child rights activists says:

‘In one of the sites of the MoRJKI project, the contractor asked for the citizenship certificate of labor; if it is found underage, then he or she is not given a job. But I am not sure about such a case for all sites of the project.’¹⁷

It is noted during the field visit that some people obtain fake citizen certificates to increase their age and enter the labor market. Many cases have been reported in other parts of Nepal, and it can not be guaranteed that this does not happen in the case of child labor in the MoRJKI project as well. There might be under-age children working in the project, despite having papers showing they are eligible for the age bar.

Some good practices are also happening at the local level (not within the MoRJKI project implementation area) to declare child labor-free zones (ward or municipality). Although these declarations are not properly monitored, they are good initiatives and show serious concern for child labor and the protection of children from vulnerable conditions. Tikapur, Lamkichuha, and Janakinagar municipalities can also learn from these positive initiatives and practices of other local levels.

Monitoring of Child Rights Issues

One of the important aspects to ensure that child rights are not violated is an effective monitoring mechanism at the grassroots level. To implement the legal provisions related to child rights, the government of Nepal has developed a monitoring system through state mechanisms. In MoRJKI

¹⁵ Interview with a child rights officer of a Civil Society Organization

¹⁶ Interview with a local government child rights officer

¹⁷ Focus Group Discussion with Women Group (FGD)

The project area's child rights monitoring mechanism also appears to be ineffective. The project lacks a monitoring system or is less effective in addressing child rights violations and child protection in the implementation area. It is urgent to develop a child rights violation monitoring mechanism through collaboration between the local government, local CSOs, and the project implementation team

Advocacy and Campaign

One of the important and effective tools to protect children and reduce child labor is raising awareness among local people and other local-level stakeholders. The organized effort has been carried out for child protection; however, child rights violation issues are still reported. In Kailali district, many community-based structures such as community and school-based child clubs are formed to advocate for and take action on child protection. Most of these community-based child clubs are not active and lack guidance and supervision. It has been proven that active child clubs can play an important role in protecting child rights. Recognizing this fact, we have supported the revitalization of child clubs in Kailali district, especially in the MoRJKI project implementation area. Three workshops have been conducted in three different locations for child club members to promote awareness about protecting child rights, with a special focus on child labor issues. Students actively participated in the workshops and benefited from the information on child protection at the local level. One of the participants of the workshop says:

'It is the first time that I have participated in such a workshop. It is really informative and helpful to understand the child rights issues. Some of the children that I know are still out of school and engaged in the labor force because they are poor. In our village, such child rights violations are happening rampantly. If we get such guidance and support, then we collectively can work for child protection and reduce child labor.'¹⁸

After revitalizing child clubs at the local level, these clubs are expected to become self-sustaining and undertake work on child protection issues within their territory. One of the public awareness activities tools is street drama, which has been effective at the local level. By promoting the same child clubs, a street drama was organized, in which many people participated. The drama conveys a strong message regarding protecting children's rights. One of the villagers who was in the audience of the drama says:

'I have seen such a street drama for the first time in my life. It is so informative and interesting. We villagers are poor and backward, so we need to do very hard labor for a hand-to-mouth living. Due to our economic situation, we are compelled to send our children to work to cover food and educational expenses. Such a drama is helpful to understand the child protection, but at the same time, we need alternative income generation options as well for food and education of our kids.'¹⁹

Child club members were very dedicated and committed to continuing such activities in the local level. Another child club has showcased a street drama without external support in the nearby village, and a few other child club members are planning to organize a similar advocacy and awareness program at the local level in the coming days. Many local stakeholders also participated in these advocacy activities and attended as an audience for the street drama show. Through these efforts, child clubs are being revitalized and are acting for child protection.

¹⁸ Interview with children attending workshop on child protection

¹⁹ Interview with local people and audience of street drama

Such advocacy and awareness programs should be implemented (which is currently lacking) at the local level in partnership with the local government, the project management unit, the non-government sector, local CSOs, child clubs, and community members.

Lessons and Recommendations

Despite legal and institutional provisions for ensuring child rights, there is still a need to reduce the gap between policy and practice. This gap persists across the nation, but more cases of child rights violations are happening to children from vulnerable communities. All stakeholders at the federal, provincial, and local levels should give serious consideration to ensure that child rights are not violated. To protect child rights at the local level, a collective effort from both government and non-government sectors is required. Construction projects like the MoRJKI project should also prioritize child rights issues from the very beginning of project design and throughout implementation. This study proposes some recommendations for development partners (especially the World Bank) and the government of Nepal to ensure child rights during the design and execution of public construction projects in the country.

- Should clearly mention in Vulnerable Community Development Plan (VCDP), as children are a vulnerable group, and protection of children in the project implementation area
- Need consultation with children, parents, and child rights stakeholders during the (re)design and implementation phase on a periodic basis
- Such a large project should contribute to vulnerable children (especially in education) and ensure protection
- More sensitization of local government and local stakeholders is required regarding child rights issues in the local area
- Conduct awareness programs and sensitization to local people, labor, and other temporary migrants regarding child rights and child protection issues
- Need to establish a joint (government and non-government sector, including the project unit) child rights monitoring group at the local level to ensure non-violation of child rights
- Need to promote and strengthen child clubs (community-based and school-based) in the project area to help reduce the violation of child rights and protect children

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Annex-1: Field Photographs



Risky (no bar) part of Cannel



Victim children's (girls) transit home



Seasonal Migrants hut staying with Children



Young Boys at Work at MoRJKI Project



Homeless People's Shelter Near MoRJKIP



Men at Work at MoRJKI Project



Newly Constructed Cannel of MoRJKIP



Men at Work at MoRJKI Project

Annex-2: Field Photographs (Advocacy & Campaign)



Workshop on Child Protection, Tikapur



Workshop on Child Labor, Lamkichuha



Street Drama on awareness of child labor



Child Club lead street drama on child labor



Workshop on Child Protection, Janakinagar



Child Club lead street drama on child labor