



Child Rights Monitoring Report by CWIN-Nepal

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1. Introduction

The people's demonstration rally (on 1st May) and the general strike (from the 2nd May) called by UCPN (Maoist) was called off on the evening of 7th May. Many incidences of child rights violations were observed during the strike. Children both participated in and were adversely affected by the protests. Several cases of injured children were reported. Human Rights and child rights organisations conducted awareness raising campaigns amongst the protestors, security forces, guardians and children throughout the protests. The incidences of child rights violation were reported in press releases by CWIN and other child-focused organisations.

2. Preparation of child rights organisations

2.1 Request for child rights oriented monitoring

It has become a practice to monitor demonstrations/strikes by prominent human rights organisations collaboratively. This time, CWIN requested that all human rights organisations also work together to prevent the violation of child rights during the strike. CWIN received a very positive feedback from many human rights organizations and carried out a collaborative approach to protecting the rights of children during the strike.

2.2 Service Delivery

Throughout the period of the strike, CWIN-run Child Helpline (1098) was an effective mechanism to monitor and respond to the needs of children. Additionally, CWIN provided an ambulance service in a number of places including Biratnagar, Hetauda, Pokhara and Nepalgunj for helping children in need.

2.3 Protection and monitoring of street children

In response to the declaration of the strike by the UCPN (Maoist) CWIN coordinated a forum amongst relevant child rights agencies to discuss the risk for street children. Subsequently, CWIN,

***Names of children have been changed**

APC and Voices of Children agreed to monitor and meet the protection, shelter and food needs of street children.

3. CWIN's appeal for child protection

Prior to the commencement of the strike, CWIN requested the organisers, security forces, and general public to uphold the rights of children. Further, CWIN appealed to all parties to respect the rights of children by resolving differences through dialogue and discussion. CWIN conveyed such messages through a number of means including press releases in Kathmandu, Biratnagar and Nepalgunj. These press releases were reported on television, newspapers and radio across the country.

4. Monitoring of the strike

CWIN and other leading child rights groups monitored the involvement and risk for children at the May Day rally on 1st May 2010.

CWIN monitored the needs of children across Nepal for the entire duration of the general strike. CWIN Child Rights Observers were present in the Kathmandu Valley, Pokhara, Biratnagar, Hetauda, Salyan, Rukum, Rolpa and Nepalgunj.

5. Observation findings:

- i) Children were visible to be active in demonstrations in areas such as Kathmandu, Pokhara, Salyan and Nepalgunj. Information gathered indicated that a number of rural children travelled to attend demonstrations in regional hubs. These children came with their villagers, neighbours, family members and on their own.
- ii) Children were present at demonstrations from morning to night. They were exposed to conditions detrimental to their health including scorching heat and rainfall. Such conditions resulted in a number of children getting ill.
- iii) The strike violated students' access to education. Prior to the commencement of the general strike students' education had already been disrupted due to a strike called in the educational sector. Some private schools had only recently opened to be closed once again for about a week.
- iv) The police of Balaju arrested 14-year-old N. T. and 15-year-old D. P. for carrying pipes and sticks late at night. They were released the next day.
- v) Local children were gathered in the squares/streets in order to observe clashes between the armed police and Maoist supporters. During these clashes R. M. of Budhanilkantha (aged 9), B. B. K. of Budhanilkantha (aged 11), A. S. of Sorhakutte (aged 7) and S. P. of Pokhara (aged 3) got injured. After treatment the children were sent home.
- vi) Children played football, cricket and other outdoor games on roads and streets placing them at greater risk of vehicle accidents.
- vii) During one of the clashes in Ratnapark and Pradarshani Marg, D. M. M., K. T. And T. B. (all 16-year-olds) were injured.

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- viii) In Kathmandu's Gongabu area a clash occurred between protesters and police near a children's shelter home. The protestors carried sling shots. While the children were protected from physical harm they were frightened of the violence and a strong police presence around.
- ix) Grade XII examinations were obstructed and postponed due to the general strike. Likewise, the 'Welcome to School' national programme was also obstructed due to the strike.
- x) Across Kathmandu schools were used as camps for protesters from outside the capital. The use of the school grounds for political purposes violates the principle of 'schools as zones of peace'.
- xi) Children attending hospitals far from their residences were unable to return to their homes during the strike.
- xii) Children were unable to access medical treatment in required timeframes due to the strike. P. B. of Neulapur (aged 3) was unable to reach hospital in time to receive treatment for an insect bite, and subsequently died.
- xiii) During the strike the students of Phulbari (Pokhara) held their own protest demanding that their school be reopened. Imitating adults by putting themselves in a potential risk cannot be taken as a good example of child participation.
- xiv) In conclusion the protesters were observed to be disciplined and the strike to be comparatively peaceful. At least tyres were not burnt, public places/properties were spared and security forces and protesters kept restraint.

6. Increased use of Child Helpline (1098)

The toll free Child Helpline in Kathmandu run by CWIN-Nepal was greatly utilized. Many children contacted the service requesting information on the strike and the implications for their studies. Children from outside of the capital also contacted the helpline expressing their frustration with the strike and requesting that it be called off.

7. Humanitarian services provided by the Child Helpline ambulance

During the strike in Kathmandu the Child Helpline ambulance provided a vital service to a broad number of children and agencies. Some of the services provided included:

- a) transporting a 12-year-old boy from Ramechhap district to the hospital to receive treatment for two broken legs;
- b) transporting 20 students to a shelter operating in Balaju by the Association for Protection of Children (APC);
- c) transporting and supporting an 11-year-old domestic child worker who had been expelled by his employer and was subsequently homeless;
- d) reuniting three children with their respective guardians who were lost in the rally;

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- e) helping a 15 year- old-girl who was found in a dazed state;
- f) transporting two child patients to hospital;
- g) transporting a woman with her new born from the maternity hospital to her home.

8. Conclusion and suggestions

The strike carried out by UCPN (Maoist) could set an example amongst the people as a 'peaceful' protest. The general strike was successful and 'peaceful' as claimed by the organisers. But, when interpreted from a child rights perspective, even this 'peaceful' protest infringed on the rights of children. During the demonstrations from morning to evening, against the scorching sun and dark clouds roaring at times, many young people and children had to stay there participating actively in all of the protest events. Use of children for any sort of political interest violates the rights of children.

Most of the political parties in Nepal have accepted the principles of the "Children are Zones of Peace" campaign. However, use of children for political interest is still occurring. Participation of children in protests is not only a result of encouragement by organising parties but can also be a personal interest of children at times. Nonetheless, the organisers are responsible for the children regardless of the reason they attend the demonstrations. Likewise, children enjoying different games on empty streets during the strike were at equal risk of meeting with accidents and being caught in the potential clashes between the protestors and the police.

Similarly, the protest organized by children at Phulbari (Pokhara) regarding the closure of their school raises a new question. This can be seen as evidence of children imitating adults by engaging in protests as a problem solving strategy. Children need to have alternative problem solving techniques modelled to them.

In conclusion, comparatively this general strike was peaceful. Demonstrators were somewhat disciplined, which is evidenced by limited violence and no destruction to public property. However, there were many children taking part in the demonstrations putting them at high risk, as the tension was grave and situation was fragile. CWIN-Nepal reiterates that there should be a strong commitment and its implementation by all political parties to leave the children alone from any political activities including the demonstrations.

In the future we appeal to demonstrators, security personnel, guardians and people to be more aware and the children themselves to be conscious of the potential risks for children's wellbeing and their rights during such demonstrations.

CWIN-Nepal / 9th May 2010 / Kathmandu