

COMMITTEE ON THE RIGHTS OF THE CHILD
Thirty-ninth session
Pre-sessional Working Group
31 January- 4 February 2005

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with the consideration of
the second periodic report of Nepal (CRC/C/65/Add.30)

Part I

Under this section the State party is requested to submit in written form additional and updated information, if possible, before 1 April 2005:

A. Data and statistics, if available

1. Please provide disaggregated data (by gender, age groups, ethnic groups, urban and rural areas) for the years 2002, 2003 and 2004, on the number and proportion of children under 18 living in Nepal.

2. In light of article 4 of the Convention, please provide additional disaggregated data for the years 2003, 2004 and 2005 on budget allocations and trends (in absolute figures and percentages of the national and regional budgets or GDP) allocated to the implementation of the Convention for the following areas:

- a) Education (different types of education, i.e. pre-primary, primary and secondary education);
- b) Health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care and other health care services for children);
- c) Programmes and services for children with disabilities;
- d) Support programmes for families;
- e) Support for children living below the poverty line;
- f) Protection of children who are in need of alternative care including the support of care institutions;
- g) Programmes and activities for the prevention of and protection from child abuse and child sexual exploitation and child labour;
- h) Programmes and services for street children and abandoned children; and
- i) Juvenile justice and the rehabilitation of juvenile offenders.

Please also indicate the expenses of the private sector, in particular for health and education.

3. With reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by gender, age groups, ethnic groups, urban and rural areas) for the years 2002, 2003 and 2004 on the number of children:

- a) Separated from their parents;
- b) Placed in institutions;
- c) Placed with foster families; and
- d) Adopted domestically or through inter-country adoptions.

4. Please specify the number of children with disabilities, disaggregated by gender, age groups, ethnic groups, for the years 2002, 2003 and 2004:

- a) Living with their families;
- b) In institutions;
- c) Attending regular schools;
- d) Attending special schools; and
- e) Not attending schools.

5. With reference to child abuse, please provide disaggregated data (by age, gender, ethnic groups and types of violations reported) for the years 2002, 2003 and 2004 on the:

- a) Number of reports received per year;
- b) Number and percentage of reports per year which have resulted in either a court decision or other types of follow-up; and
- c) Number and percentage of child victims that have received counselling and assistance in recovery.

6. Please provide disaggregated data (by gender, age groups, ethnic groups, urban and rural areas) for the years for the years 2002, 2003 and 2004 on:

- a) Enrolment, attendance and completion rates in percentages of the relevant group in pre-primary schools, in primary schools and in secondary schools;
- b) Number and percentage of drop-outs and repetitions; and
- c) Ratio of teachers to students.

7. Please provide disaggregated statistical data (by gender, age groups, ethnic groups, urban and rural areas) on infant and child mortality, malnutrition, early pregnancy, sexually transmitted diseases (STDs), suicide, drug, alcohol, tobacco and other substance abuse for the years 2002, 2003 and 2004. Also, please provide numbers of health professionals working in the health care services for children.

8. Please provide disaggregated statistical data (by gender, age groups, ethnic groups, urban and rural areas) on the number of children:

- a) Infected by HIV/AIDS;
- b) Affected by HIV/AIDS;
- c) Leading households due to HIV/AIDS;
- d) Orphans of HIV/AIDS living in extended families or institutions.

9. Please provide appropriate disaggregated data (including by gender, age, ethnic groups, and type of crime) for the years 2002, 2003 and 2004, in particular on the number of:

- a) Persons under 18 who have allegedly committed a crime, reported to the police;
- b) Persons under 18 who have been sentenced and type of punishment or sanctions related to offences including length of deprivation of liberty;
- c) Detention for juvenile offenders (under 18) and their capacity;
- d) Persons under 18 detained in these facilities and minors detained in adult facilities;
- e) Persons under 18 kept in pre-trial detention and the average length of their detention;
- f) Reported cases of abuse and maltreatment of persons under 18 during their arrest and detention; and
- g) Persons under 18 tried and sentenced as adults.

10. With reference to special protection measures, please provide statistical data (including by gender, age, urban/rural areas) per year for 2002, 2003 and 2004 on the number of:

- a) Children with disabilities (disaggregated by type of disability);

- b) Unaccompanied minors and asylum-seeking and refugee children, as well as children awaiting expulsion;
- c) Internally displaced children;
- d) Children affected by sexual exploitation, including prostitution, pornography and trafficking;
- e) Street children;
- f) Children who received assistance in recovery and counselling;
- g) Children aged 14-16 who are employed, or working; and
- h) Children who were found engaging in forced and/or other forms of illegal child labour (disaggregated by type);
- i) Children who were involved in armed conflicts; and
- j) Children abusing alcohol and using narcotics and drugs.

B. General Measures of Implementation

1. The Committee would appreciate to receive information on activities meant to implement recommendations contained in the Committee's previous concluding observations on the initial report of Nepal (CRC/C/15/Add.57) which have not yet been fully implemented, in particular regarding paragraphs: 10 (legislation); 12 (non-discrimination); 14 (data collection); 15 (resource allocation for children); 16 (birth registration); 17 (children in rural areas); 18 (education); 19 (corporal punishment); 20 (street children); 21 (child labour); 22 (sale and trafficking); 23 (sexual exploitation; substance abuse); 24 (administration of juvenile justice).
2. Please indicate whether the Convention on the Rights of the Child has been invoked directly in domestic courts, and if so, please provide examples of such cases.
3. Please provide information on measures taken for a comprehensive review of all legislation, including any customary, religious, regional or local law in the State, to ensure compatibility with the Convention.
4. Please provide information on the system of data collection and whether it covers all persons below 18 and all areas referred to in the Convention.
5. Please provide a copy in English, if possible, of the 1992 Children's Act and provide information on the current status of the amendment process to the Act, to harmonise it with the provisions and principles of the Convention, as envisaged in the State party report (para. 17).
6. Please provide a copy in English, if possible, of the national policy and the master plan for disabled persons (para. 194 of the report) and of the National Plan of Action on Education for All (para. 248 of the report).
7. Please provide information on the implementation of the various national programs for children, including the implementation of the child development policies included in the Ninth Plan (1997-2002).
8. Please provide information on the institution in charge of the coordination of the implementation of the Convention, and update the Committee of any new initiatives or mechanisms that have been established to coordinate policies for children and to implement of the Convention at national and local levels.
9. Please provide detailed information on the National Commission on Women, including its mandate, composition and the allocated human and financial resources, and indicate how the

work of the National Commission on Women impacts on children's daily life and the enjoyment of their rights.

10. Please provide detailed information on the Dalit Commission, including its mandate, composition and the allocated human and financial resources, and indicate how the work of the Dalit Commission impacts on children's daily life and the enjoyment of their rights.
11. Please provide information on the National Human Rights Commission, including its mandate, functions, human and financial resources made available to the Commission, number of cases investigated and their outcomes, and provide specific information on cases involving children (e.g. number and nature of complaints filed by, or on behalf of children). Furthermore, please indicate how the independence of this Commission is ensured, in light of the Paris Principles (General Assembly resolution 48/134, annex).
12. Please provide updated information on activities to increase awareness and knowledge of the Convention among the public at large and children and parents in particular and on training programmes for teachers, social workers and other professionals working with/for children.
13. Please provide updated information on the cooperation between the State Party and the international community including non-governmental organisations, in the efforts to implement the Convention.
14. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention.

Part II

Please provide copies of the text of the Convention on the Rights of the Child in all official languages of the State party as well as in other languages or dialects, when available. If possible, please submit these texts in electronic form.

Part III

Under this section, the State party is to briefly (3 pages maximum) update the information provided in its report with regard to:

- new bills or enacted legislation
- new institutions
- newly implemented policies
- newly implemented programmes and projects and their scope.

Part IV

The following is a preliminary list of major issues (that does not contain issues already covered in Part I) that the Committee intends to take up during the dialogue with the State party. They do not require written responses. This list is not exhaustive as other issues might be raised in the course of the dialogue.

1. Non-discrimination in general, in particular discrimination against girls, *Dalit* children, children belonging to indigenous or ethnic minority groups, refugee and asylum-seeking children, street children, children with disabilities and children living in rural areas;
2. Birth registration and legislation on citizenship;

3. Corporal punishment in the family, schools and other institutions;
4. Child abuse, neglect, and domestic violence;
5. Adoption and family reunification;
6. Children deprived of family environment and alternative care;
7. Healthcare system, high infant, under-5 and maternal mortality rates, prevalence of preventable illnesses, and the quality of water and sanitation systems;
8. Lack of provisions for adolescent health and laws on abortion;
9. Prevalence of harmful traditional practices, including forced early marriages;
10. Children with disabilities;
11. Social security and standard of living, in particular high levels of poverty;
12. Quality of education, in particular high levels of illiteracy and lack of trained teachers;
13. Refugee and internally displaced children;
14. Children affected by armed conflicts related to the Maoist insurgency;
15. Alcohol and other substance abuse by children and parents;
16. Economic exploitation;
17. Street children;
18. Sexual exploitation and trafficking; and
19. Administration of juvenile justice.
