



April - June 2010

CWISH NEWS

Children-Women In Social Service and Human Rights

Issue 9

RECENT ACTIVITIES

Annual Status Report
Sharing Program 2010 on
Child Domestic Workers in
Kathmandu Valley

Education based Outreach
Centers

District Level Child Club
Conference

Formal School Support for
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Awareness Raising in
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and Domestic Child Labor

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FUTURE ACTIVITIES

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for Women

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DEO

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PTAs/ SMCs on CR
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News on Child Labour

The constitution drafting is in the final steps and various other national level plans to alleviate Child Labour are being reviewed. In this context, representatives from many different governmental and non-governmental organizations decided to unite

and dedicate themselves to raising awareness on Child Rights issues and take influence on the Constitution Assembly in order to cause a prohibition of Child Labour in the new constitution. Therefore, a National Child Labour Conference was organized from the 6th to 8th April.

Fight against Impunity

The Chief District Officer of Kathmandu (Laxmi Dhakal) ordered CWISH to handover a rescued child to his so called sister as per the claiming made. Despite of the objection from Human Rights defenders, child rights organization and request to review his decision consulting with the victim child, he forcefully handed over child. He did not care the crying child's appeal asking for his security and not to handover him to the sister who is in favor of the employer who has severely beaten and tortured him. The Chief District Officer of Kathmandu (Laxmi Dhakal) claimed that he was successful to make payment of a big amount of compensation (Rs.300 thousand), so he needs not to consider the legal prosecution, he needs not to consider the protection and security of the child, need to listen and respect child's view and not the best interest of child. This is just a representative incident; however it is one of the most serious. When the global fight against violence and abuse against children is initiated, children in Nepal are suffering of various types of violence, abuse and exploitation. The offenders are out of the legal action, exercising power; threatening human (child) rights organizations and Human Rights defenders. The best interest of child and the social justice is often interpreted as compensation for the child, which is just a false dream. From January to June 2010, CWISH fought 90 cases of violence against children and 41 are of sexual offences. In spite of efforts made by child rights organizations, most often impunity continues due to the misinterpretation of best interest, social justice and in absence of custodial rights with NGOs. In many cases so called family members are presented and manipulated by the offenders, they are asked to withdraw the case, claim the child's custody and compel children to change their confession at court. Finally human rights defenders and organization fall on risk. The fight against impunity has become more challenging, when it comes to a state official case like the presented case was of a current police inspector of Nepal police. Nepal has reaffirmed it's commitment on child protection, child rights and fight against violence against children recently through initiating South Asian Ministerial meeting in Kathmandu. It's a shame for us and the government that his officers are just ignoring the commitments and promoting impunity.

We the Human Rights organization appeal with the government to consider as criminal action, abuse of authority and severe human rights violation if officers carried out similar action as the chief district officer of Kathmandu. We demand for a clear interpretation of social justice, best interest of child and educate to the officials. We demand for custodial rights with the child rights organization or state agency responsible for child protection, until and unless the legal prosecution completed.

We, the human (child) rights organizations in Nepal, would like to call for solidarity and support with international communities on this fights against impunity and the commercialization of justice.

Milan Dharel, Executive Director CWISH

Thought of the month:

“Child labor and poverty are inevitably bound together and if you continue to use the labor of children as the treatment for the social disease of poverty, you will have both poverty and child labor to the end of time.”

Grace Abbott

National Child Labour Conference 2010

52 GO/INGOs/NGOs decided to organize a National Child Labor Conference to take a step forward by uniting and joining all interventions to end child labor.



Two conferences were held consecutively, one with actors and stakeholders working on the issue of CL and another one with child laborers. In the first conference, children from the 8 worst fields of child labor such as domestic work, brick clin, stone breaking, entertainment, carpet factory, porter and bonded labor participated. Additionally there were adult representatives from many organizations working on the issue of child labor. The objectives of the program were to influence the constitution formation procedures towards the prohibition of child labor and the full comprehension of child rights in the proposed draft constitution. Furthermore, to influence the national policies and programs concerning child labor and to integrate and strengthen the unity among child laborers and organizations who are facilitating campaigns against child labor. Apart from that, the participants wanted to give activists and child laborers a chance to raise their voice and express their feelings. In the first program, Shanti Shyantang, a child participant expressed her wish that in the new constitution the government may address the voice and rights of child laborers.

Additionally, the speakers expressed a common wish for more child participation in problem analysis and decision making. Furthermore, the human and child rights defenders announced that they would unite in order to improve efficiency in the implementations of policies and conventions concerning Child Labor. During presentations and group works, the participants dealt with the different origins of CL and with the kind of problems they create. Additionally, they discussed the provisions and lacking of the new constitution and the state of the policy implementations.

In the second program there were 101 child laborer participants. Guided by facilitators, the children discussed education and child labor issues and dealt with the draft of the new constitution. In the course of their work, the children took part in child friendly activities such as playing, painting, drawing, group discussion, group works and role plays which were led by the facilitators. During the program, they worked out the lacking of government plans concerning child right issues. Additionally, they prepared suggestions for the government and the Constituent Assembly which were later put together to a “Kathmandu Declaration” and presented to the National Human Rights Commission, to the Chairperson of the Constituent Assembly and the Prime Minister Madhav Kumar Nepal.



Awareness Program on Child Sexual Abuse + Child Labour

Because a huge amount of Nepalese children are suffering from Child Labour and Sexual Abuse, there is an urgent need to educate the young generations on these topics in order to decrease the number of Child Abuse cases in the future. In cooperation with different private and public schools from Kathmandu, Lalitpur and Bhaktapur, CWISH has therefore organized a youth mobilization program to raise young peoples awareness on Child Abuse issues. With the help of trained youths and CWISHs financial and technical support, two orientation programs for students were held on the topics of Child Sexual Abuse and Child Labor. 206 boys and 187 girls were educated on CSA as well as 178 boy and 217 girls on Child Labor issues - all together from eight different schools, The objectives of the programs were to raise youth awareness on the urgent problems of CSA and CL and to encourage the youth to raise their voice against CA and to pass on the received knowledge about it. During the program, the youths were educated on the definitions of CSA, CL and Child Rights. Furthermore, they discussed how and where Child Abuse can appear and how to protect children against it.

ToT on Child Rights Protection and Promotion

A 4-days Training of Teachers on Child Rights Protection and Promotion was conducted for NGO officers, supervisors and Government officers. In the program, 31 people (f-13, m-18) were trained on issues of child rights protection and promotion in community and educational settings. The participants were officers and supervisors from different NGOs working in education and child

protection themes and officials from municipalities, DEOs and VDCs. The programs aim was to build up capacities and develop a common understanding on the theme joint interventions and advocacy initiatives resulting in synergistic effects. Furthermore, the initiation of child rights, protection and promotion mechanisms and wider dissemination of information were discussed.



Active Domestic Workers Consultancy

Daily tasks in house-keeping in Nepali homes are often carried out by so-called domestic workers. Their work consists among others of washing, cleaning, cooking, shopping, and caring for children and elderly people. It is hard work, yet not often a respected job. Moreover, the work is mostly unregulated, and many domestic workers are overworked, underpaid, unprotected, and especially live-in domestic workers suffer from maltreatment and abuse. Due to many reasons, domestic work is hardly protected by law, which renders domestic workers vulnerable to unequal, unfair, and often abusive treatment.

Active Domestic Workers Consultancy (ADWC) is a new organization, founded on 16 May 2010, and is directly involved in job placement and capacity building of domestic workers. Their main objectives are to create an environment for promoting professional domestic workers, and to provide skill-based training for domestic workers with their job placement. ADWC's working method allows domestic work to professionalize and to support workers in finding a decent work environment. In this way, the labor rights of domestic workers are to be ensured. Sharing this common goal of regulating the employment of domestic workers, CWISH supports

Active Domestic Workers Consultancy financially and with assistance in capacity building of domestic workers, while ADWC is accountable to CWISH and will regularly write progress reports and provide information to CWISH.

Government Policy Analysis on the Health Status of Domestic Workers

Everyone has the right to "the enjoyment of the highest attainable standard of physical and mental health"¹. When it comes to occupational health and safety the problems faced by the most invisible workers are often ignored. In Nepal, domestic workers belong to the most vulnerable workers because there are no laws, nor policies that protect them. Besides the lack of policies, gender roles and traditional expectations of women performing household chores further keep the concerns of domestic workers invisible and outside political interests.

CWISH has two target groups, children and women and is focused on working for the rights of domestic workers by empowering them, advocating for their rights, rescuing those ones living under violence and by offering psychosocial care and legal aid for victims of violence. Through its own practical experience and also research, CWISH has realized the importance of occupational health and safety issues of domestic workers. Domestic workers have right to health but their occupational health and safety issues are completely ignored which leaves them without protection.

Because there is no policy on occupational health and safety of domestic workers, CWISH decided to analyse the government accountability for the momentary health status of domestic workers with the help of a analysing tool called HeRWAI. HeRWAI is an analysing method created by a Dutch organization named Aim for Human

Rights. The method offers an instrument for analyzing a policy that affects health rights of women. In the case of the HeRWAI analysis of CWISH, also children are affected because many of domestic workers in Nepal are children. The focus of the analysis is to compare the current situation where human rights violations take place with what should be happening according to the human rights obligations a country has bound itself to. HeRWAI analysis links a policy with a human rights issue. Because there is no policy on occupational health and safety of domestic workers this HeRWAI analysis focuses on analyzing the problems of domestic workers that derive from the absence of a policy. The completed analysis focuses on the consequences of the absence of a policy. CWISH hopes that this analysis will strengthen the lobbying activities for the health rights of domestic workers and finally will improve their occupational health and safety.

Municipality Activity – Annual Workshop

A program on Local Cooperation on Campaign against Child Labour was conducted in the Hetauda Municipality from the 28th of May until the 30th of May. Representatives of CWISH and PLAN International and eleven municipalities participated in the program. The structure of the program was divided into three sections. The first section was an evaluation on the progress that had been made. This was followed by a visit to the project areas of HOPE (a program part of PLAN international that is working towards abolishing child labor) and the final section of the program introduced the importance of 12th June 2010, the World Day Against Child Labour.

The first part of the program was a progress review session. All the participants presented what they were doing to better the condition of working children. The representative of CWISH gave an overview of their activities, programs, target groups and about the planning of the 12th of June 2010. PLAN International gave a

¹ ICESCR 1976, Article 12

similar presentation, outlining their activities, objectives and put special emphasis on their program HOPE. Similarly, the 11 municipalities gave an overview of the number of child labourers they have, the state of these children, the different measures that are being taken by the municipality and other organization to improve the condition of child workers.

In the second part of the program a visit to the different project areas of HOPE was organized. The participants were divided into three groups and taken to three different areas. The groups found out that the projects were well organized, the children were eager to learn and the staff was very enthusiastic about the program. Moreover, all places had a properly functioning saving system that was being used by the children. In the end, the groups suggested that the centres should be equipped with television and visual media equipments in order to improve the accessibility to information for the children. They further suggested that opening hours should be made more flexible in order to draw more children to the centres.

Finally, a presentation on the World Day Against Child Labour was done. The presentation informed the participants about the importance of celebrating this day and urged partner NGOs and municipalities to organize programs in order to raise public awareness and mark the day. All the participants agreed that the program was very useful in understanding what the different municipalities were doing. Furthermore, all of them believed that more programs of this nature should be organized.

News on Youth

ToT on Child Protection and Female Leadership

Nepal's society is dominated by a large group of young people who build up an estimated 40% of the whole population. This group of people shows a great will towards a positive development of the country and brings a lot of talent, creativity and activeness into play. Believing in youth as carrying a key role in bringing social change to the future society and the future generations of Nepal, CWISH and Dynamic Youth Forum (DYF) organized a 4 days Training of Trainers program on Child Protection and Female Leadership for adolescents to give the youth an understanding on the different topics of Children's & Child's Rights, Child Sexual Abuse, Child Protection and Female Leadership. There was 4 Youth Clubs from the Kathmandu taking part in the program. The participants objectives were to develop facilitation skills to run orientation and training programs in government and private schools and to learn about how to efficiently lead a youth club or community. In the course of the program, the adolescents (5 male and 24 female) discussed Child Rights, laws and conventions on Child Rights, Child Labor, different forms and effects of Child Abuse as well as Child Protection, Youth Responsibilities and Female Leadership. Under the facilitation of CIWSH workers, the adolescents acquired knowledge and skill due to lively group discussions, group works, question - answer interactions and various other methods. After the program, the students were able to lead group orientations for other students on the topics that had been discussed in the workshop.

Story of the month: The joy of being able to read and write

Sarita Chaudhary a 15 year old girl from Kapilbastu who is currently living in Tyangal, Kirtipur, has been working as a domestic child laborer for the last three years. Before, she had lived in Butwal for 2 years until she recently moved to Kathmandu with her employers. She told us, because her father is an alcoholic they have financial problems at home. Consequently, she had to find work in order to support her family in Kapilbastu.

She has joined the Domestic Worker informal classes in Tyangal Kirtipur and is overjoyed about the possibility of her finally being able to read and write. Grinning, she said: "I can't wait until I am able to write a long letter and send it to my mom!". She is very excited about getting an opportunity where she can continue working as well as learn how to read and write.

She is very grateful to CWISH as an organization for conducting the informal classes targeting domestic workers like her self. When asked what she would do with her knowledge, she simply said, "I hope to be able to teach children like me in the future and make them capable to read and write."

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