

Political actors must protect children's rights

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The right of children in Nepal to grow up in an environment free from violence has been severely affected during the last 11 years of armed conflict. Children have been manipulated, indoctrinated, used, injured, and killed by both parties to the conflict. In addition, the political culture that has developed during the past few decades has not fully respected the right of children to mature independently from political interference.

Examples include the politicization of educational institutions and the selection of teachers along political party lines; political actors, including political parties and student unions, entering schools to take children to rallies in contradiction of basic rules and without the knowledge or consent of their parents; the CPN-M recruiting children from schools into their militia, cultural groups and other organizations against the will of their guardians, and the luring of large numbers of children living on the streets to play an active part in political rallies and protests. This was clearly illustrated by the high number of children injured during demonstrations throughout 2006 and more recently in the *terai*.

Children might face further violence and manipulation, if necessary precautionary measures are not adopted.

Principles on children and political activities

Children are free to express their views or, if they prefer, to not do so. They should not be pressured, constrained or influenced in ways that might prevent them from freely expressing their opinions or leave them feeling manipulated. Children should be guided throughout childhood to develop informed opinions and be given the appropriate space to express themselves in a constructive manner.

The Convention on the Rights of the Child (CRC) which Nepal has signed, defines a 'child' as a person below the age of 18 years. It guarantees children a number of rights, including the right to express their views on any matter affecting them. The CRC stresses children's entitlement to influence decisions, but does not state that children's opinions should be automatically endorsed. Dialogue and exchange needs to be encouraged, in which parents must provide direction and guidance to their children.

The CRC also guarantees the right of children to receive and share information. It is essential that children be provided with appropriate information about the options that exist and the consequences of such options, so that they can make informed and free decisions. The rights to freedom of thought, conscience, religion, freedom of association and to peaceful assembly are also guaranteed in the CRC.

Both the Government of Nepal and the CPN-M in February 2007 endorsed provisions in the Paris Principles, which commit them to 'ensuring that children who are released from or have left armed forces or groups are not used for political purposes by any party, including for political propaganda'.

Preventing the use and abuse of children by political actors

UNICEF and OHCHR believe the following:

- It is the responsibility of the Government of Nepal to put in place safeguards to guarantee the protection of children from political manipulation.
- Organizers of political gatherings, rallies or demonstrations must be responsible for ensuring the safety and protection of children present.
- Political parties must adopt a Code of Conduct that includes provisions for preventing the misuse and manipulation of children in political activities.
- Parents should be encouraged to hold discussions with teenagers to allow for their informed participation in political activities.
- Young children should not participate in demonstrations or rallies unless under their parents' supervision.
- Older adolescents should have their parents' informed consent prior to participating in political demonstrations or rallies.
- State authorities, political parties and child protection agencies must take special measures to ensure that homeless and vulnerable children are properly taken care of while at or near public demonstrations or rallies.
- Children's understanding of democratic processes must be developed through the educational system, and its curriculum must be reviewed to permit this.
- Administrative regulations must be developed by relevant ministries to:
 - prevent political activities from being conducted in educational facilities;
 - guarantee that only pupils, staff, parents, legal guardians and others whose presence is necessary are allowed into schools, and that schools can operate during *bandhs*;
 - promote the creation of youth associations, without political affiliation, suitable to educational facilities;
 - prevent the creation of politically aligned groups and unions in schools;
 - use schools as polling stations only outside school hours.
- Children's participation in the ongoing national dialogue should be encouraged, but through a process appropriate to the child's age.

Electoral Code of Conduct and legislation

A Code of Conduct is now being developed to be endorsed by the political parties, and other legislation is being drafted concerning the electoral process. OHCHR and UNICEF are proposing that the drafters of these documents include several provisions to respond to child protection concerns. The aim is to prevent children from being exploited and manipulated, and to protect them from violence and arrest.

The **Code of Conduct** must commit political parties and other political actors to keep schools free of political meetings or other activities and to not ask, encourage or force children in schools to participate in any political gathering or demonstration. Other **laws and regulations** should ban: the use of schools by political actors; the use of children at schools in political activities; the enrolment/involvement of other children in such activities without their parents' prior consent, and the use of school buses for transporting political activists.

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