



Convention on the Rights of the Child

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Committee on the Rights of the Child

Sixty-ninth session

25 May–12 June 2015

Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the report submitted by Nepal under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

The State party is requested to submit in writing additional, updated information (15 pages maximum), if possible before 15 March 2015.

The Committee may take up any aspects of the children's rights set out in the Optional Protocol during the dialogue with the State party.

1. Please provide precise data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location on:

(a) The number of children demobilised since the signature of the Comprehensive Peace Accord (CPA) in November 2006, the proportion of those reintegrated in their families and the number of children who remain in child care homes or displaced with their families;

(b) The number of children left orphans, injured, sexually abused, forcibly separated from their families, displaced, during or as a result of the armed conflict, as well as the services provided to them by the State party;

(c) The number of children who faced trial on conflict-related charges and the outcome of the legal proceedings engaged against them;

(d) The number of children recruited and used in armed conflict who were provided with reparation as well as rehabilitation and reintegration services and the number of those who had no access to any service; and

(e) The number of perpetrators of child recruitment and use in armed conflict and of conflict-related violations of children's rights, including sexual abuse, who were prosecuted, the legal basis of their prosecution and the sanctions they received.

2. Please provide updated information on training activities on the Optional Protocol conducted for professionals working for and with children who are likely to have been involved in armed conflict, especially members of the armed forces, the police, immigration

officials, lawyers, judges, as well as medical and social workers. Please also describe the specific measures adopted to raise awareness of children about the Optional Protocol.

3. With reference to paragraph 34 of the State party's report, please elaborate on the activities undertaken by the National Human Rights Commission to ensure that children under the age of 18 are not involved in armed conflict and the results of any investigation conducted in this respect.

4. Please elaborate on the measures taken to prevent children, especially those from the most vulnerable groups of society, from falling victims to offences under the Optional Protocol. Please inform the Committee of the measures taken to prevent and put an end to the use of schools by security forces, armed groups and political parties. In particular, please indicate the steps taken to ensure an effective implementation of the 2011 Schools as Zones of Peace (SZOP) National Framework and Implementation Guidelines.

5. Please provide information on the measures taken to develop education aims to help students acquire skills for active and responsible action in the society for the promotion of the values of peace.

6. Taking into account that half of the children are not registered at birth, please indicate how the State party proceeds with the age verification of voluntary recruits and how it ensures that recruitments are genuinely voluntary.

7. Please indicate the reasons why the State party has still not adopted a legislation prohibiting and criminalising the recruitment and use of children in armed conflict by State and Non-State armed groups. Please indicate whether the State party defines in its domestic legislation the recruitment of children below the age of 15 as a war crime and whether it intends to ratify the Rome Statute of the International Criminal Court.

8. Please provide detailed information on the measures taken to ensure effective accountability for violations and abuse committed against children by both parties during and after the conflict. With reference to paragraphs 10 and 32 of the 2010 report of the United Nations Secretary General (S/2010/181), please provide updated information on the outcome of the legal proceedings engaged and the sanctions pronounced against the members of the former Royal Nepal Army who tortured and killed Maina Sunuwar.

9. Please clarify whether the Truth and Reconciliation Commission Act of 25 April 2014 contains provisions that enable perpetrators of crimes against children, including the recruitment and use of children in armed conflict, to benefit from impunity. Please also indicate whether the TRC Act specifically deals with the impact of the conflict on children and whether the participation of children in the TRC has been foreseen and under which modalities.

10. Please provide information on the results achieved through the implementation of the 2010 National Plan of Action for Reintegration of Conflict Affected Children. In particular, please indicate the measures taken to :

(a) Identify children affected by armed conflict and provide them with programmes and services for their physical and mental recovery as well as their psycho-social reintegration;

(b) Address the situation of all the children whose parents were killed or who forcibly disappeared and who were reportedly unable to get compensation or reparation due to the reported lack of information on the availability of relief packages.