

Child Friendly Local Governance in Nepal: Practices, Learning and Opportunities

(A Qualitative Assessment of CFLG Practices in Nepal)

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List of Abbreviations

CBO	Community Based Organization
CFLG	Child Friendly Local Governance
CSO	Civil Society Organization
DACAW	Decentralized Action for Children and Women
INGO	International Non-Government Organization
INLOGOS	Institute of Local Governance Studies
KII	Key Informant Interview
LGCDP	Local Government Community Development Program
MDG	Millennium Development Goal
MLD	Ministry of Local Development
MoFALD	Ministry of Federal Affairs and Local Development
NGO	Non-government Organization
SDG	Sustainable Development Goal
UNDP	United Nations Development Program
UNCRC	United Nations Convention on the Rights of the Child
UNICEF	United Nations International Children Emergency Fund
VDC	Village Development Committee
WVI	World Vision International

Acknowledgement

Nepal has been practicing child friendly local governance since 2007 in collaboration with development partners and non-government organizations. CFLG has been acknowledged as a key contributor on progressing child rights situation at local level. In new state structure with more independent authority of local governments, the activists and policymakers have further highlighted relevancy of CFLG.

In this regard it is important to understand the past practices, their contribution and learning from the field to build future interventions. World Vision International Nepal country office, National CFLG Forum and JCYCN together conducted an independent study on this matter. The findings from this study are solely based on the observation, interview and remarks from the literatures. It is struggling process for anyone to garner specific data and statistics at local level due to lack of data management skills, however their experiences and recalled incidences build strong evidences.

I would like to thank all the participants of the study including municipal leaders, officials, state officials, federal government officials, civil society leaders and development partners representative for their insights and ideas. I must thank children who provided their valuable time and first hand insights to us. I would like to thank Jun Singh, Shradda Verma, Tilottam Paudel and entire team of JCYCN and NCFLG forum. I would like to express my sincere thanks to Rabindra Gautam and World vision International Nepal team for their support and coordination to conduct this study.

The findings are limited and shall not be generalized at every position. There must be another views and ideas that can further strengthen findings of this study. We are very much open to receive constructive feedback on this study report.

Thank you

Tilottam Poudel

Chairperson

JCYCN

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Table of Contents

Executive Summary.....	i
1. Introduction	1
I. Child Rights Status of Nepal	1
II. Nepal’s Political Structure	1
III. Child Friendly Local Governance	2
2. About the study	4
I. Research Objectives	4
II. Methodologies	5
III. Scope and Limitation.....	6
3. Findings.....	7
I. Historical Evolution of CFLG	7
II. Past Practices (Upto 2015)	9
III. Contribution of CFLG on Improving Child Rights, Governance and Children’s Citizenry Status.....	14
IV. Learning from CFLG 2007-2015.....	17
4. CFLG in New State Structure	21
I. The New State Structure and Child Rights Arrangements	21
II. Opportunities and Requirements in New State Structure	23
III. Recommended Actions for Promoting CFLG in New State Structure	25

Executive Summary

The role of CFLG has been significant in providing a recognition to the child rights issues as the governance issues. It has helped integrate child participation and child friendly approach in the governance process. The Child Friendly Local Governance (CFLG), as expressed in the National Framework, is to provide overall guidance to the government in realizing and mainstreaming the rights of children (Survival, Development, Protection and Participation) into the local government system, structure, policies and process.

As a result of its positive experiences with various past interventions such as Child Friendly Villages (CF VDC), Area Development Approach, Local Governance and Community Development Program, Promoting Municipal against Child Labor, the Ministry of Local Development (Later Ministry of Federal Affairs and Local Development) started to formalize its initiatives for CFLG in 2007. National CFLG Strategy was formulated in 2011.

The National Strategy on CFLG states the mandatory allocation of 15 percent of the total capital budget from block grant to be invested on children. CFLG process of CFLG declaration starts from the local level decision to adopt CFLG, to meet 39 indicators and verification by the concerned authorities. CFLG is declared only after the rigorous process at 16th steps going through 1-15 steps of implementation and preparation of the report and finally receiving consent from Ministry for Federal Affairs and Local Development (MoFALD) for the CFLG declaration.

With the implementation of CFLG strategy almost all local governments of that time invested 10% of their capital budget on child rights strengthening, and CFLG adopted local government invested 15 percent. It played significant role in achieving MDGs for children that are related with survival indicators of CFLG. With CFLG adoption local schools and health service center adopted child friendly policies, initiatives were taken to counter child marriages, child labor and other violence against children. Children's participation in local level bodies, such as the Ward Citizen's Forum, the Integrated Planning Committee, (the key committees that make decision for the allocation of block grants), the District Social Mobilization Committee and the village and district level

CFLG committees has been well practiced with an example in South Asia. CFLG also contributed for integrated and coordinated interventions on child rights considering the four major rights of children.

Yet, CFLG have come up with some limitations such as inadequate political commitment, lack of local government accountability to the people and children, lack of local human resources and sustainability concern.

With changes on political structure of Nepal, CFLG has new opportunities and requirements. The study identifies the opportunities of political stability, elected representative, more authority at local government; the study also identifies the requirements of advocacy, political consensus and capacity building and technical facilitation efforts for promoting and strengthening CFLGs in new state structure. The study also found need of support for adequate structure development to deliver the public services by local governments.

Based on achievements, learning, new opportunities and requirements; the study recommends to have interventions on national policy and political advocacy, support capacity building programs, update existing CFLG reference materials, develop local champions and resource persons and host norm changing events and campaigns. The study also recommends providing technical facilitation and support services and mobilization of child rights network on joint promotion of CFLG agenda and issues.

1. Introduction

I. Child Rights Status of Nepal

Since the ratification of UNCRC in 1990, Nepal has adopted various legal, policy, programmatic measures and institutional arrangements for the protection and promotion of child rights. The decade of 1990s was an important phase for child rights in Nepal (Norwegian Embassy, 2015). Some of the important plans and strategies it has developed in the sector of child rights are: National Plans of Action for Children (2004/5-2015), Children Act (1992), Bylaw on Children Act (1995), The Child Labor (Prohibition and Regularization) Act (1999) and other plans of action related to child labour and trafficking in children. Adoption of School as Zone of Peace Directives, Child Friendly Local Governance (CFLG) and Engagement in South Asian Initiatives to End Violence Against Children (SAIEVAC) are change-making initiatives in Nepal.

Nepal made some significant progress on the field of children's right to health and survival with sharp reduction on infant mortality and maternal mortality, progress on child nutrition, children's participation and association, reduction on child labor and improved protection system and structure for the children.

Development partners, civil society organizations and children and youth led organizations at local level has been playing important role to bring such positive changes through raising awareness, wider community mobilization, partnering with government institutions and empowering children and families.

The adoption of new constitution in 2015 September has provided additional opportunities for promoting rights of children with inclusion of specific article on children's rights as fundamental rights and recognition of best interest of child as state policies.

II. Nepal's Political Structure

The Constitution of Nepal provisioned 3 tiers of Governments in Nepal; Federal, State and Local Governments. With the new political structure Nepal as one Federal Government, Seven State Government, 77 District Coordination Committees and 753 local governments (460 Rural Municipals, 276 Urban Municipals, 11 Sub Metro City, 6 Metro Cities). These local governments have 6743 local Ward area.

Ministry of Women, Children and Senior Citizens is the focal Ministry for children's issues at federal government level. There are Ministry of Education, Ministry of Health and Population, Ministry of Labor, Employment and Social Security and Ministry of Home Affairs also have units and section that has direct responsibilities for children.

At State Government, Ministry of Social Development and Ministry of Internal Affairs and Law have the direct responsibilities in regards to children.

Local Governments have been defined as the nearest government for the people with mandate and authorities of independent decision making and programming for the development of people, addressing social issues and human rights concern in compliance with federal and state standards. The Local Governments are mandated and responsible for developing and implementing local child rights policies, programs and arranging proper institutional arrangements including promoting children's right to participation.

The Government of Nepal has endorsed all required acts and laws for the implementation of fundamental rights in the constitution. This includes Children Act (2075), Local Governments Operation Act (2074) and Acts to revise existing gender legislation (2074).

III. Child Friendly Local Governance

Child Rights Communities in Nepal and Nepal government with the support from development partners have been practicing several interventions to promote child rights at local level. The engagement of local government for developing rights responsive environment, enabling opportunities for children and families have been practiced since the beginning of 2000. Yet, the comprehensive approach for implementing Decentralized Integrated Child Rights Interventions was formally recognized and proceeded with the adoption of Child Friendly Local Governance Program in 2007. The Child Friendly Local Governance (CFLG), as expressed in the National Framework, is to provide overall guidance to the government in realizing and mainstreaming the rights of children (Survival, Development, Protection and Participation) into the local government system, structure, policies and process"(MOLD, 2007).

The CFLG can be considered as an enhanced programming based on the past learning from the interventions during 2000-2007, Decentralized Action for Children and Women (DACAW), Local Governance and Community Development Program (LGCDP), Child Friendly VDCs program (CFVDC) and Mobilizing Municipalities to End Child Labor by development agencies, non government organizations and the government of Nepal.

The CFLG Strategy has defined specific indicators and targets for a local government (VDC/Municipal) to be recognized as child friendly. The strategy also defined the process of initiating and adopting CFLG strategy, implementing activities, investment plan and monitoring and measuring the progress. The indicators mentioned in CFLG strategy include the indicators that respond all four areas of child rights: survival, development, protection and participation. The National CFLG strategy has defined children's participation and child led planning are an important steps for achieving child friendly local governance.

Government of Nepal has recognized CFLG as an important means for mainstreaming child rights in local governance and ensuring that the country can achieve its development goals and also realization of Sustainable Development Goals (SDGs) at local level, mainly those related to children, especially school going age children (boys and girls) adolescent girls and women from disadvantages groups, who benefit from improved local governance that is responsible, accountable, decentralized, inclusive and child friendly (Nepal, 2015).

By End of Jestha, 2073 (June, 2016) a total of 298 village development committees (VDCs) and 77 Municipals have adopted CFLG. These were in old political structure. With the promulgation of new constitution, the local governments were restructured and these VDCs were merged or extended into municipals.

With the election of local government in new state structure, the past experience of CFLG has to be reviewed so that the CFLG initiatives can be further implemented with better approaches and interventions.

2. About the study

The New political structure of Nepal has provided both opportunities and requirements on ongoing approach and design of program interventions on development area. The CFLG program was based on the former political structure where the local governments were considered as local bodies with limited mandate and under the unitary government system.

The federal structure of Nepal with recognition of Local Governments as independent and nearest government of people, having both exclusive and concurrent rights according to the constitution, the local governments have emerged a more responsible, authorized governments. The expansion of territorial coverage of local government has demanded more extensive and large-scale interventions than before.

In this context, World Vision International Nepal Country Office as pioneer partner on promoting CFLG has conducted a study to identify the past good practices and possibilities of new frame and methods on continuing CFLG.

World Vision International has been working in Nepal since 2001 At past WVIN has worked in 14 districts and as of 2017, it has been working in 12 districts of Nepal reaching most poor, disadvantaged and excluded communities. WVIN has agreed with Ministry of Federal Affairs and General Administration (Former Federal Affairs and Local Development) to work together for promoting CFLG and strengthening child rights at local level.

Child Friendly Local Governance in Nepal: Practices, Learning and Opportunities (A qualitative assessment of CFLG Practices in Nepal) is an exploratory research applying qualitative research methods with inclusion of quantitative data and statistics from secondary resources.

I. Research Objectives

The overall goal of the study is to contribute conceptual frame and suggest potential modalities based on the past practices of CFLG and new state structure of Nepal. Specifically the study intends to:

- Develop profile of past CFLG interventions including its development
- Document and analyze practices of CFLG with governance, children as citizen and as development process in line to SDGs
- Draw recommendation or conceptual frame for future promotion of CFLG in Nepal.

II. Methodologies

a. Data Collection Methods

The research adopts three major qualitative methods: Desk Review, Key Informant Interviews and Focused Group Discussion.

Desk Review: For the desk review, Matrix Analysis is applied as a tool. Several published studies on child rights, National guidelines and Strategies on CFLG, National Plan of Action for Children along with other policy documents and researches related with CFLG have been reviewed for this purpose. A total of 9 documents have been reviewed in this process.

Key Informant Interview: For the Key informant Interview, open ended questions with the list of issues has been applied. The key informant interviews are conducted with the Local Government Leaders (Mayor/ Vice Mayor; Children Section Chief; Chair of former or existing CFLG Committee; NGO representative; Federal Ministry- MoFAGA, CCWB, WVIN, UNICEF, Save the Children, Plan International, National Planning Commission). A total 13 persons (M10 F 3) have been interviewed in this process.

Focused Group Discussion: Focused Group Discussion is conducted with the former child club members (2 groups), current child club members (2 groups), and Local Elected Leaders (2 groups). The FGD guideline has been developed and referred for this purpose. A total 47 children (M25 F22) and youths were consulted during this study.

b. Data Analysis Methods

The study applied interpretative analysis methods considering the nature and data of the study. For the interpretative analysis, the major issues were identified through interview and desk review such as : evolution of CFLG, Good Practices of CFLG, CFLG Contribution on Child Rights, Gaps and Learning from CFLG, Opportunities in New Structure of Local Governments, Difficulties in New Structure of Local Governments and Recommendations in New Structure of Local Governments.

The data gathered during desk review and key informant interviews were categorized according to the topics of the study and then entered into the matrix. Secondly, the findings of the desk review were compared and contrasted with the findings of the KII and FGD.

The result drawn from the analysis is presented along with interpretations in line with the aim of the assessment in the main chapter.

III. Scope and Limitation

The assessment has been carried out to find strengths and gaps from the past practices by reviewing the historical evolution of CFLG in Nepal and recommend course of actions for framework in new federal structure. Therefore, the scope of this assessment is limited to:

- a. Review of National CFLG Strategy, policy papers, Local Governance Operation Act 2074, periodic plans for children and other publications of MoFALD and development partners.
- b. Views expressed by the participants in the process of data collection (key informant interviews, focused group discussion)
- c. The study areas are Federal Level Government Authorities; Triyuga Municipal (Udayapur) and Pragatinagar Municipal (Nawalparasi).

The document is not an evaluation of the whole CFLG initiatives in Nepal, neither it has attempted to document all good practices. It is solely based on the information from above mentioned methods and attempted to provide suggestion for WVIN for future efforts on CFLG.

3. Findings

I. Historical Evolution of CFLG

CFLG in Nepal is not a completely new model. There were programs on child friendly concept and approaches previously too. CCWB initiated the movement of CF VDC with piloting at 8 districts (Illam, Morang, Rautahat, Bara, Makawanpur , Kanchanpur and Sunsari) including 7 VDCs and 1 Municipality since 2005 which later extended upto 16 districts with additional 8 districts (Dhankuta, Sindhuli, Parsa, Chitwan, Kaski, Rupandehi, Arghakhanchi and Humla). This program has 100 indicators and was in operation till 2009. A non-government organization CWISH and ILO office in Nepal within the Time Bound Project in 2004-2005 operated Municipal Mobilization for Ending Child Labor in 11 municipalities of Nepal. The Government of Nepal with support from UNICEF was running Decentralization Action for Children and Women (DACAW) Program. Then Ministry of Local Development was running a program named Local Governance and Community Development Program (LGCDP) with support from UNDP Office in Nepal.

The Child Friendly Local Governance emerged to address the demand and relevancy of integrated decentralized child rights intervention at local level led by local government. The collective realization of need of local government led integrated child rights interventions ultimately moved towards adoption of Child Friendly Local Governance. As a result of its positive experiences with DACAW, the MLD started to formalize its initiatives for CFLG in 2007 (South-South Cooperation on Child Friendly Local Governance, 2010). Local Government Community Development Program (LGCDP) included CFLG as the decentralization indicator (MoFALD, 2013). National CFLG Strategy was formulated in 2011, which was endorsed by the council of ministers. It provides overall guideline for the implementation of CFLG. With the adoption of CFLG, the local government increased an increased investment on children upto 15 percent of their capital budget.

The major milestones on the evolution of CFLG program in Nepal can be categorically traced in four sections of past periods. The table 1 below presents the evolution of CFLG in this different four years period:

Table 1: CFLG Milestones in Historical Evolution

Timeline	Major Attainments
<p>Before 2007 (Pre CFLG)</p>	<ul style="list-style-type: none"> • Nepal ratified UN Convention on the rights of the Child in 1991 • Government of Nepal and Development Partners have been implementing programs on children’s rights with thematic approach: health, education, protection, participation and some with Area Development Approach • Adoption of Millennium Development Goals (MDGs) into National Periodic Plan. • The inclusion of Children as specific issue on Periodic Development Plan • Adoption of National Plan of Action for Children (2005-2015) • Adoption of National Master Plan to Eliminate Child Labor (2005-2015) • Government in partnership with Development Partners and UN Agencies has implemented programs of CF VDC and DACAW.
<p>2007-2011 (Inception Phase)</p>	<ul style="list-style-type: none"> • Inclusion of CFLG implementation in the children and local governance chapters of 3 year Interim Plan (2007/8-2009/10) • Inclusion of CFLG as one of the decentralization indicators in LGCDP • MLD guidelines stipulate that every DDC, municipality and VDC must allocate at least 10% of the capital portion of the block grant for children. • Development of CFLG indicators on the basis of MDGs on children (39 indicators-27 service and 12 institutional). • Formulation of National CFLG Strategy. • Along with the introduction of Minimum Conditions and Performance Measure (MCPM) as a guideline to check and balance the performance of local government, MLD issued directive to allocate 15 percent of the block grant to the VDCs that adopted CFLG. • Introduction of the concept of <i>Baal Bhela</i> (Children Assembly) as

	the important process of child participation in local level.
2012-2015 (Implementation Phase)	<ul style="list-style-type: none"> • Mobilization of Development Partners, Civil Society (NGOs) on localizing the concept and implementing CFLGs • Promotion of CFLG through various organizations at local level • Development of various implementation materials including training materials, campaign materials and reference modules for local activists • Development and mobilization of local resource persons • Partnership with child club graduates/former members for campaigning CFLGs • Promoting Child Friendly initiatives on Disaster Responses during Earthquake emergency response in 2015. • International Conference on Child Friendly Cities in Nepal (2013)
Post 2015 (Contextualization of CFLG in Federal Structure)	<ul style="list-style-type: none"> • Adoption of Constitution of Nepal that shifted Nepal's political structure from unitary to federal structure having 7 states and 753 local governments • Constitution recognized the Child rights in fundamental rights section, state policies along with recognition of children's right to participate as fundamental rights and best interest as state policy. • Local Government Elections according to the new provision • Recognition of Child Friendly Local Governance as role and mandate of ward councils in local government • Two Municipalities and few wards of some municipals declared child friendly • Study on contextualization of CFLG in new state structure.

II. Past Practices (Upto 2015)

The CFLG concept and process has to be reviewed in context of new federal structure of Nepal since the adoption of constitution in 2015 September. This requirement has become more relevant after the election of local government in 2017 as many former local bodies have planned to adopt CFLG and numbers of them were in process of declaring CFLG.

The pre 2015 practice of CFLG was guided from the unitary government perspective and the guidelines and tools were based on Local Level Self Governance Act (1998). In the former governance structure and practices the focal ministry was Ministry for Local Development (later Ministry for Federal Affairs and Local Development) that has mandate to develop guidelines and strategies on implementing CFLG. In this practice there were 15 specific steps of actions under three major phases for completing the process of implementing CFLG. The Local Governments were required to follow each and every steps with proper documentation of every steps of actions. The phase wise details of steps are explained in following table 2:

Table 2: Former Practice of CFLG Implementation	
Phase/Steps	Actions
Phase 1 Selection and Endorsement	<p>The Local Government Decision to adopt CFLG</p> <p>The MOFALD Endorse the proposal from local governments (District Development Committee and Municipals)</p> <p>The District Development Committee endorse proposal from Village Development Committees (VDCs)</p> <p>Orientation for the local government leaders</p> <p>Formation of Local Government Level CFLG Coordination Committee</p> <p>The Local Governments periodic development plan includes the provision on implementing CFLG and target to be Child Friendly Local Government</p> <p>Children’s Status Profile is Developed through household survey on prescribed format and structure</p> <p>Targets and Indicators were set according to the guideline provided by National CFLG strategy</p> <p>Commitment of Local Government Bodies to allocate 15% of capital budget from block grant on child rights sector</p> <p>Coordination and Commitment from development partners and NGOs on implementing and achieving CFLGs</p>

<p>Phase 2 Implementation of CFLG Interventions</p>	<p>All development partners on the leadership of local government and in partnership with children, families and communities implement interventions that targets various sectors and indicators</p> <p>A total 39 indicators were set (27 service indicators and 12 institutional indicators)</p> <p>The indicators are mainly related to four rights of child rights (survival, protection, development and participation)</p> <p>Documentation and Reporting on the achievements and process of interventions by respective local governments in prescribed format.</p>
<p>Phase 3 Monitoring and Validation and Declaration</p>	<p>Based on the documentation and self assessment of local government on implementation and achievements of CFLG targets (at least 80% and in some cases 100%), local bodies requests to District Development Committees for monitoring and validation.</p> <p>The Districts Development Committee conducts monitoring and validation of interventions, achievements of target indicators</p> <p>If recommendations were made to improve further, Local bodies work to improve, if the validation satisfied the DDC recommends to Ministry (MoFALD) for Declaration of CFLG</p> <p>Ministry (MoFALD) conduct monitoring and validation and provide recommendation for improvement if requires. If satisfied the validation and monitoring consent to be declare CFLG</p> <p>CFLG declaration program with public events by respective local government.</p>

(Source: CFLG Declaration Handbook, 2072)

The past practice of CFLG has it's own strength and challenges. In new context many of those strengths could be capitalized and some of the process need to be modified to respect a new federal structure and independency of local government in principle of Co Existence, Cooperation and Coordination among three tiers of government.

Through this study, based on the key informants interview and desk review as well as Focused Group Discussion some of ***the strengths of past practices*** were as follows:

- Defined and uniform process of CFLG interventions from planning, to adoption and till declaration.
- Well defined mechanism for validation and monitoring
- National and local structure on coordination of CFLG i.e. National CFLG Coordination Committee, District CFLG Coordination Committee and Local CFLG Coordination Committee
- Well defined indicators and process of documentation and record keeping
- Mandatory investment on Children
- Integrated planning process, mobilization of development partners and partnership and participation of children
- Promotion of Child Friendly Institutions (School, health service centers)
- Local capacity development and mobilization of local communities including mothers groups, community organizations.
- Collective actions of different state authorities (education, health, child focused authority,

Similarly the past experience on CFLG faced ***some challenges and gaps***. Specially the challenges and gaps are on substantive outcome and change on the society along with sustainability and cost effectiveness of the program. The study identified following gaps and challenges on CFLG at past:

- Lack of political commitments and engagement of political forces on implementing CFLG. For instance during the interview with civil society organizations and leaders it is explicitly mentioned that CFLG has been basically led by bureaucrats of the local government as a “ periodic project” and based on the instruction from higher authority. This led to speed up interventions and collective engagement, however ignored the need of political leadership, did not invested more on developing conceptual positioning among social and political leaders, heavily focused on meeting indicators, investing funds and rush to

declare CFLGs. This notion challenged the sustainability and political spirit of the campaign.

- The cost of investment is significantly high on social mobilization and visibility promotion. In some interview participants highlighted that the CFLG declaration event has been celebrated as a festival that demanded a huge cost of logistics which can be better invested on gaps area. They also recognized that it is important to celebrate achievements, but it become more as fashion than reaffirming commitments and reviewing achievements. Concerns were raised by civil society organizations on use of children in rally and events as audience during the declaration program, which is contrary to the spirit of child protection.
- Inadequate local resource persons, expertise and capacity to develop profile and status paper, train people and mobilize community and facilitate local government
- Some of the indicators are vague (mainly protection) and largely indicators are based on the local “citizenry status”; the neglect of migrants population (both incoming and outgoing) have not been considered
- Despite of community mobilization as an approach, the specific role of community organizations have not been well defined and not capitalized
- Due to unitary governance, the CFLG became top down directed interventions leading more upward accountability and reducing sustainability
- The cost of investment on children’s profile and status paper are significantly higher and public event on declaration cost high considering the budget volume of then local government.
- The challenges of sustaining CFLG approach and initiatives in former CFLG declared VDCs and municipals have been observed with changed structure of local government and new mandate and rights of local government. Further the elected local representatives have not been adequately sensitized on continuing

the CFLG declared area to remain CFLG and thus in some cases new problems and difficulties have been observed on meeting indicators.

III. Contribution of CFLG on Improving Child Rights, Governance and Children's Citizenry Status

Almost all literatures and participants in this study unanimously recognized the contribution made by CFLG on strengthening child rights in Nepal. The efforts of CFLG may not be an additional, however the coordination, integration of efforts contributed towards visible changes at local level.

"We had child clubs, health centers, schools, police departments and many other organizations at that time as well who were working with children on various different levels. But there was no communication between them, they all worked in their own ways and their objectives were not focused. CFLG provided a set of indicators and brought all of these different departments closer. This has resulted in there being a much more effective method to combat issues regarding children".

Yubraj Rai (JALPA, Udayapur), Local Child Rights Campaigner

The local governments and local actors recognized with the implementation of CFLG, institutional focus of local government on improving child rights have been achieved. The achievements of outcome indicators that includes children's right to nutrition, survival, health, immunization, hygiene and access to safe drinking water and sanitation facilities, education, promotion of child friendly schools, prohibition of corporal punishment in schools, promotion of code of conduct for teachers, parents and students in schools, reduction on local practices of child marriages and child labor, increased child led organization and opportunities for children to led local actions and influence local policies have been observed in former CFLG communities.

The contributions of CFLG have been also observed on improving governance at local level. Children engaged in governance enhances the capacity of local governing bodies and service providers to improve service delivery, and it fosters responsiveness by enabling a better understanding and coordination of actions between central government, local governments and rural and urban communities (Save the Children, 2010). The primary aim of CFLG is contributing towards child development process in

Nepal through improved and inclusive local governance and services delivery (MOLD, 2007). The CFLG has 12 institutional indicators that contribute for strengthening transparency, accountability and democratic functioning of local government. The indicators of active and updated School Management Committees, Local Health Center Management Committees, Regular periodic local council meeting, formation of coordination committee, local policy and program development provisions, mandatory 15 percent of budget investment, children's participation in process of planning are some of the key indicators that has contributed for the improvement on democratic governance at local level.

These days the ward chairperson calls us if any thing need to be decided on children sector, even we are invited to provide training for new members of child club.

- Former Child Club Members, Udayapur

The biggest contribution of CFLG is the integration of child rights intervention in the governance. Previously, there were efforts made in the sector of child rights but the programs were fragmented. There was the prevalence of sectorial programs, which were working for the benefit of children, but all the efforts were from the respective sectors (health, education, protection, etc.) in fragmented form. Also, the government had limited investment in children. However, after an adoption of CFLG, child rights were viewed not as an isolated intervention, but the issue that should be integrated into the governance itself. This very concept has synergized governance, development intervention and child rights. It highlighted the fact that issues of child rights are not only development problems; rather overarching child rights governance .

“CFLG empowers children, provides them the sense of ownership as responsible citizens”.

- Rabindra Gautam, WVIN

Recognition of children as citizen is a significant contribution by CFLG at past. In 2014 alone more than 80 thousand children directly participated in local government planning

The significant contribution of CFLG is recognizing children's right to participation at local level and importance of investing on children by local government. This has not been recognized so well before CFLG.

-Aniali Sherchan. UNICEF

process and largely they were influential to make government endorse their concern and demands. The engagement of children in decision-making process through *Bal Bhela*

(Children Assembly), promotion of child led organizations (Child Clubs and Their Network), support to local child led actions in community and schools with support from local governments and space for children to seek information and accountability of local government is the whole process that recognizes children as active and contributing citizens.

Despite of all the positive and constructive contribution of CFLG into the child rights, governance and recognition of children as active citizens, it has faced **some major gaps**. The study observed following gaps of CFLG on realization of child rights into practice, improving governance and strengthening children's citizenry status:

- The CFLG embraces child rights promotion as process efforts, thus it focused more on process of program development and implementation. As a result the substantive outcomes on challenging area such as protection has been less achieved.
- The CFLG initiatives have been considered as development governance process rather than as a rights responsiveness system, as a result it does not have envisioned any grievance handling system on non-realization of principles.
- CFLG traced the remarkable improvement on health and education status, but it was hard to trace whether this is due to CFLG or due to sectorial ministry program on health and education.
- CFLG lately recognized the potentials of former child club members and largely based itself of local or national expert led interventions at local levels; this has limited local ownership, sustainability and local capital development process.
- Though the partnership with children through child led initiatives/organizations (child clubs) are a positive efforts, but child club members have been engaged in project operation through contracting activities, engaging on financial operation. In some cases child club members are also reported with financial misconduct later leading to conflict and confrontational relation with existing NGOs. The CSO identified that there must be a specific guideline on engaging with child clubs in CFLG process, which lately produced as model by then MoFALD.

- The fixed indicator with less flexibility on recognizing local problems and prioritizing local issues has limited CFLG to perform as local driven interventions.
- CFLG operated more as ministerial initiative and directives led interventions often driven by international organizations and expert group. The civil society organizations (NGOs) find less space for them on engaging as local champions of CFLG, though they have been engaged again on sectorial actions.
- Some of the indicators are vague and measuring them might not have valid positioning, whereas lack of political commitment and engagement of political forces due to absence of elected political representative remained as major difficulties.
- Existing institutional capacity have been questioned for performing required governance process and indicators of CFLG.

IV. Learning from CFLG 2007-2015

The CFLG interventions of past a decade have provided number of learning for child rights campaigning communities in Nepal. The learning are basically on the area of CFLG process, design and its implementation. The learning could be useful for designing future implementation of CFLG:

Democratic and Accountable Governance is Essential for Child Rights

This study recorded that the participants complaint on the governance issues for

The Mayor uncle and other leaders in municipal are very supportive and encouraging to us; so we feel more comfortable to come and share our concern and demands.

-Child Club Members, Devchuli Municipality

problems on implementing CFLG more efficiently and effectively. Lack of locally accountable officials, lack of democratic and inclusive planning process, lack of transparency on government functioning

and absence of elected political representative have been mentioned by almost all interview participants on difficulties of CFLG. Whereas the participants also suggested that the political support garnered at local level has oiled the implementation of CFLG to be more efficient and effective.

CFLG is a Child Rights Governance Intervention

The elected leaders from both of the municipal, the study team visited, and the some interview participants highlight that the CFLG is a child rights governance interventions. As child rights governance interventions, CFLG must be

Planning and implementing CFLG activities without municipal policies may led to non recognition of the actions by local government.

- Ward Chair, Triyuga Municipal

focused on policy and legislative advocacy at local level, partnering with local government, empowering children and obtaining social mobilization. CFLG must not be communicated and expected as service delivery interventions by facilitating organizations.

CFLG must be designed both as Process and Change Making Efforts

CFLG at past have been heavily focused as process interventions with major target on influencing 14 steps of planning, coordinating local service deliveries and defining and achieving targets. But more than that, participants identified the change at communities are

It is very difficult to change peoples' behavior and perceptions. We find once we achieve 100 percent enrollment in school has reduced, child marriage is still going on and child labor is continuously practiced even after CFLG declaration. So we need more actions to change peoples' perception and behaviors.

- Vice Mayor, Triyuga Municipal

important for sustainability. The CFLG in this case is not able to adequately promote social transformation. The major barriers are social, cultural norms and behaviors. Therefore, CFLG must embrace both process interventions and norm-changing actions at local level, this requires balanced investment on social mobilization and policy adoption.

Promotion of Local Human Capital is Essential for CFLG

The CFLG implementation at local level faced significant gap on human resources. In such situation the local organizations and governments are found dependent on Kathmandu based or regional level experts. With the external experts, often local issues were overlooked and lack of flexibility according to local context have been observed.

This also raised question on sustainability. The CFLG strategy has provisioned for promotion of local human capital, however that has been found less realized in practice.

CFLG Better function with Defined Framework and Flexibility

The experience of past CFLG evidenced that availability of defined framework enables local government to take proper actions in defined directions. This also generates uniformity on understanding, implementing and monitoring. The indicators, defined 16 steps of actions are concrete and guiding efficiently local government on implementing CFLG at past. However, rigidity on indicators and process have obstacle on local government to priorities local contextual issues and adopt a flexible methods. Therefore, having a common framework defining minimum standards and flexibility of modification of process according to context is enabling for implementing child rights.

CFLG Need a higher Level Government Authority Engagement

The leadership taken by then Ministry of Local Development (later Ministry of Federal Affairs and Local Development) has remained instrumental on adopting and promoting CFLG. The ministry leadership supported to devise process and guideline, monitoring initiatives and integrating the agenda into government system. Therefore leadership of a higher authority is essential on implementing and promoting CFLG.

Appropriate and Respectful Partnership with Children and Youths is Essential

As discussed in former chapters, one of the major strength of CFLG is recognition of children as active citizen and change making agents in communities along with a challenge on partnering with children and youths (child club graduates). The study identify this as a major learning that child led organizations and children themselves must be partnered in better way through building capacities facilitated engagement in safe way without disturbing their education and ensuring that they would not be in conflict with existing CSOs and legal policy structures. The children's clubs better engaged on peer education and awareness, positive and constructive dialogue and interaction with adult members of society, educating existing legal and policy process and structures, less engagement on complex financial operation, no project granting to child clubs. The youths (child club graduates) shall be engaged as a motivator for child

clubs, as a primary informant on issues and agenda of children in society, as a facilitator for youths and community members. Complex work such as holding political dialogue, designing project and planning and complex evaluation activities better not to engaged with youths.

4. CFLG in New State Structure

I. The New State Structure and Child Rights Arrangements

Nepal has moved into federal structure with the adoption of new constitution in 2015. The new federal structure has three tiers of government: Federal Government, State Government and Local Government. All three government has defined list of rights in constitution that has been further unbundled by the cabinet meeting and more specifically defined through new acts and legislation. Generally the federal government have been defined as standard setting government and having rights over certain higher level issues; the state governments are the rule setting authorities and responsible for development coordination and local governments are more authorized on delivering services, implementing national policies and setting local procedures.

The constitution and unbundling document along with Local Governance Act (2074) and Children Act 2075 has defined mandate and authorities of different layers of government that is relevant to children. Following table 3 presents list of mandates and authorities on child rights area of different layers of government:

Table 3: Mandate on Child Rights of Different Layers of Government
List of Mandates
Federal Government
Cross boarder crime control and management
Banning use of children in state armed force
Formulation of rules on criminal offence
National policy standard on social security and protection schemes
Formulation of laws and policies on child labor, human trafficking and forced and child marriages
Devising special national program and endowment fund
Appointing and designating
Formation and functioning of National Child Rights Council

State Government

Developing state level policies and programs on child rights, child labor.

Developing and implementing rules and procedures on service delivery for children

Developing state level acts/rules and procedures on rights and protection of children

Formation and Functioning of State Level Child Rights Council

Establishing State Funds and Special Program to support children in need

Establishing and registration of rehabilitation center, children home

Local Government

Formation of Local Child Rights Committee on the leadership of elected mayor or designated executive member

Enforcement of rights of children including complaint handling on violation and abuse of child rights

Management and regulation of local market, statistics and settlements

Management of Secondary Education and health services at local level

Distribution of social security and protection schemes

Programmatic interventions on preventing child trafficking, child marriage and child labor

Promoting child friendly local governance and children park

Delivering essential services for children

Appointment of Child Welfare Officer

Listing of psychosocial counselor and social worker and local child rights organization

Listing of local children's clubs and their networks

Establishing local fund for children to support in emergency need

Verification and recommendation of children in need

Establishment of local child protection service center (rehabilitation center)

Source: Unbundling Document by Cabinet, Children Act 2075, Local Governance Management Act 2074

II. Opportunities and Requirements in New State Structure

The new state structure has provided significant opportunities for the promotion and continuation of CFLG initiatives in coming days. At the same time with new structure and expanded mandates of different layers of government new requirements have been emerged.

Some of the opportunities identified from this study are as follows:

- Independent authority of local government with elected local government leaders for developing and adopting local policies and programs.
- Reduced steps of planning process due to local self governance, which has been now 7 steps only starting from forecasting budget ceiling, having community consultation, Developing ward level plan, presenting and compiling by local government executive board, endorsement by local assembly and implementation through ward council and respective sections of local governments.
- New legal provisions from Local Government Management Act (2074) and Children Act (2075) making local government responsible for protecting rights of children and promoting CFLG
- The Sustainable Development Goals (SDGs) National Roadmap with high priority on children issues having more than 24 targets directly related to children and very much close to the CFLG indicators
- Legal requirements of mandatory formation of Local Child Rights Committees at local government level with designated child welfare officer and defined roles of local committees by Children Act 2075

With the new state structure following requirements to promote CFLG at local level have been observed and identified by this study:

- A national framework in line with SDGs, national development plan and federal mandates of local and state government having mandatory indicators and local priority indicators

- A national designated authority for developing framework, guidelines, developing capacity and monitoring and certification of CFLG at local government.
- A model local child rights policies (child rights rules, child rights promotion policy, child rights plan of action and list of example programs) that can be used as reference by local government
- An intensive training program for the officials of state government Ministry of Social Development, State Assembly Members, Federal Parliament Members and Local Council Members on CFLG
- A nationwide campaign for bringing political consensus and commitment to make endorsement for CFLG as political program of parties.
- An intensive efforts for developing local human resources, local champions of CFLG. Former Child club members and child club graduate youths can be mobilized for this action.
- Co-financing and partnership with local government on delivering services, building structures and ensuring access to facilities for promoting CFLG and rights of children.

III. The 2030 Agenda and CFLGs

The adoption of Global Goals (The Sustainable Development Goals- SDGs) has provided a better opportunity for moving on to capitalize over practice of CFLGs. Nepal has adopted its' National Roadmap with specific indicators and target in different period of time to achieve the SDGs. Among the indicators proposed in National roadmap, 25 indicators are directly related with children and other many have children's issues within the indicators. The SDGs Goals 1,2,3, 4,5, 8, 13 and 16 are directly related with children addressing their poverty, health, nutrition, education, girls issues, child labor and trafficking and violence against children. Nepal has also taken lead as path finding country for implementing target 8.7 of SDGs. The SDGs goals, targets and indicators matches to the current indicators of CFLG to large extent, however there needs some modification and addition. Thus, achieving CFLG indicators (with modification) is also achieving SDGs from child rights and child protection perspective or vice versa.

Therefore, in coming days, the CFLG framework must consider the SDGs and National Roadmap on SDGs, while planning, educating, implementing, documenting and reporting progress from local government to higher level of authority.

IV. Recommended Actions for Promoting CFLG in New State Structure

Based on the past learning, good practices and contribution of CFLG along with current opportunities and identified requirements, following recommendations have been suggested to further promote CFLG in Nepal:

A. National Policy and Political Advocacy Actions

The study recommends to have national policy and advocacy actions. This includes advocacy for required policy development at federal and state level as well as garnering political support and consensus for promoting CFLG as political agenda. For this following actions are suggested:

- Series of policy dialogue and political discussion with ministry of women, children and senior citizens, national child rights board, parliamentary committees and political parties.
- Provide technical support for developing policy framework and guidelines to be endorsed by the designated government authority
- Organize National Media communication initiatives on promoting child rights and CFLGs

B. Updating Reference Materials for CFLG

CFLG past initiatives have developed number of materials on practicing CFLG at local level. With changes on structure and their mandate and adoption of new laws, their requires updating. Therefore, the efforts to promote CFLG must update existing reference materials on CFLG and produce new as per the requirements. The update of reference materials must reflect new process of planning in local government, mandate and authorities of local government, define specifically how children , CSOs and former child club members can engage meaningfully in each step of planning, during

implementation of local governments program and monitoring as well as seeking accountability from the local government. This includes training manuals, hand book for local practitioners, an online forum for discussing and sharing experiences.

C. Sustaining former CFLGs

The study observed that majority of former CFLG areas are in complications due to extended geographical area and or changed on geographical territory. This leads to have new profile, statistics and also changes on the status of indicators. In such cases the absence of CFLG efforts of new local government bodies have put the former CFLG declared location into risk of reverse. Therefore, it is important to give high priority for sustaining former CFLGs. For these following actions are required:

- An intensive assessment of all former CFLG declared locations trying to find out the needs and possible time frame for reaching CFLG in new structure.
- Immediate actions and campaign for engaging with local governments having former CFLG VDCs/municipals for taking up agenda and continuation of actions.
- Have a national policy advocacy and dialogue to lobby with federal and provincial government to finance additional for those local governments which have CFLG declared position at past.

D. Sensitization and Capacity Building of Local Leaders

The CFLG is a local initiatives based on national framework. Therefore, capacity of local leaders and their positive engagement is significant on realization of CFLG. The future interventions must run massive campaign on capacity building of local leaders and local mechanisms on CFLG. This includes following actions:

- Sensitization and education program for local government elected leaders on local governments roles and responsibilities for promoting child rights and relevancy of CFLG
- Training program for designated officials of local government on practicing and promoting CFLG, children's facilitation and engaging communities and civil society.

- Training program for local judicial committee on protecting rights of children and adjudicating rights violation cases.

E. Developing Local Human Resources

As learnt from past, the lack of local human resources have limited the efficiency and effectiveness of CFLG interventions, it is recommended that the future interventions must invest on developing local human resources. For this following actions could be held:

- Run training of educators and champions on CFLG in coordination with NCFLG forum and NGO federation
- Run training program for local legal resource person in coordination with Nepal Bar Association for producing trainer to the judicial committee
- Organize education seminars for lectures and professors on social work, development studies and rural development to educate CFLG in their academic program

F. Strengthening Child Participation

Children's participation is an integral element of CFLG program. At past the child participation has been recognized as good practice of CFLG. It is important to continue strengthening child participation initiatives. For this purpose, in future following interventions can be promoted:

- Collaborate with Civil Society Networks and Coalitions working on the area of child participation to develop training packages for local leaders and institutions on practicing child participation
- Develop manuals and reference materials on hosting facilitating children assembly

- Educate child club members on CFLG, their role and opportunities to engage with local government through modular training, IEC materials and media program.

G. Norms Changing Campaign

Despite of policy efforts and increased investment by local government on child rights through CFLG, many outcomes have been achieved less and in an unsustainable way. One of the reasons for this as identified by this study is existing traditional norms and values. Therefore, it is important to have a strong norm changing campaign and interventions. For this following actions are required:

- Conduct a study on enabling and hindering norms in Nepalese society to promote and recognize child rights, children as citizen and protection of children.
- Organize coordination meetings for collective campaign among child rights network
- Define a specific targeted campaign for targeted period and mobilize various stakeholders and interest group including media
- Engage former child club members as youth champions and campaigners through training and micro local action support schemes to take actions for changing norms.

End

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Annexes

Annex 1: List of Interviewees

Name	Sex	Designation	Institution
National Level			
Aatmaram Thapa	Male	Program Manager	Central Child Welfare Board (CCWB)
Anjali Pradhan	Female	Program Specialist	UNICEF Nepal
Binod Dhakal	Male	Director	INLOGOS
Dili Guragain	Male	Senior Child Rights Governance and Child Protection Specialist	Save the Children Nepal
Dilla Ram Panthi	Male	Under Secretary	Ministry of Federal Affairs and General Administration
Madhuwanti Tuladhar	Female	Coordinator, Child Rights	Plan International Nepal
Nirijana Bhatta	Female	General Secretary	Yuwalaya
Rabindra Gautam	Male	Manager, Advocacy	World Vision International Nepal

Udayapur

S. No	Name	Sex	Designation	Institution
1	Yuvraj Rai	M	CFLG Focal Person	JALPA
2	Devi Kumari Chaudhari	F	Deputy-Mayor	Triyuga Municipality
3	Aabdha Narayan Chaudhari	M	Health Department Chief	Triyuga Municipality
4	Man Bahadur Rai	M	Ward President	Triyuga Municipality

5	Ambika Chaudhari	F	Women and Children Focal Person	Triyuga Municipality
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Nawalparasi

S. No	Name	Sex	Designation	Institution
1	Purna Kumar Shrestha	M	Mayor	Devchuli Municipality
2	Khimananda Bhusal	M	CFLG Consultant	Devchuli Municipality
3	Hoomnath Jaise	M	CFLG Committee Member	Devchuli Municipality
4	Bimala Adhikari	F	Former CFLG Committee Member	Devchuli Municipality
5	Radha Paudel	F	Paralegal Committee	Devchuli Municipality
6	Bhawani Tiwari	F	CFLG Committee member	Devchuli Municipality
7	Govinda Prasad Khanal	M	Former Secretary	Pragatinagar VDC
8	Krishna Prasad Sapkota	M	Head of School	Sakala Devi Secondary School
9	Devendra Sharma	M	Member	School Management Committee
10	Sanju Sigdel	M	Member	School Management Committee
11	Muktinath Sapkota	M	Member	School Management Committee
12	Govinda Bhandari	M	Member	School Management Committee
13	Sagar Pathak	M	Student	Sakala Devi Secondary School
14	Denukala Tiwari	F	Member	School Management Committee

15	Chanchala Dumre	F	Member	School Management Committee
16	Naval Deuja	M	Member	School Management Committee
17	Til Prasad Pathak	M	President	School Management Committee
18	Shiva Sapkota	M	Ward President	Ward 5, Devchuli Municipality
19	Laxmi Shivakoti	F	Principal	Sakala Devi Secondary School
20	Krishna Wagle	M	Accountant	Sakala Devi Secondary School
21	Lekh Bahadur Singrauli	M	Teacher	Sakala Devi Secondary School
22	Bimala J.C.	F	Teacher	Sakala Devi Secondary School
23	Thakur Pokhrel	M	Teacher	Sakala Devi Secondary School
24	Ram Prasad Adhikari	M	Teacher	Sakala Devi Secondary School

Annex 2: Field Study Performance

Research Methods	Key Research Area	Tools	Sample	Tentative Timeline
Desk Review	<p>Chronology of Historical Development of CFLG</p> <p>Context, factors and rationale for CFLG at past</p> <p>Major progress on rights of child due to CFLG</p> <p>Resource Invested in promotion of CFLG</p> <p>List and number of local government declared CF</p> <p>Key success factors and challenge issues identified on practising CFLG</p> <p>Key actors engaged on promoting CFLG in Nepal</p>	Matrix Analysis	<p>CFLG Reports</p> <p>Study Reports on CFLG</p> <p>Manuals, Guidelines and Strategy of CFLG</p> <p>State and non state conducted research</p>	25 August 2018
Key Informants Interview	<p>The rationale, intention and expectation from CFLG</p> <p>Experience of CFLG (Key process, Key achievements, major challenges)</p> <p>Relevancy, opportunities and limitation on CFLG in new structure</p> <p>Recommended process, cautions and ideas on CFLG</p>	List of Issues with Open Questions	<p>Local Government Leaders (Mayor/ Vice Mayor; Children Section Chief; Chair of former or existing CFLG Committee; NGO representative; Federal Ministry- MoFAGA, MoWCSS, CCWB, WVI, UNICEF, SAVE, PLAN, NPC)</p>	August 20-September 5

<p>Focused Group Discussion</p>	<p>Understanding of CFLG Expectation from CFLG Achievements from CFLG Challenges of CFLG Relevancy of CFLG Recommendations for CFLG in new state structure</p>	<p>List of Issues Guide Questions</p>	<p>Former Child Club Members- 2 groups Current Child Club members – 2 Groups Local Elected Leaders – 2 groups</p>	<p>August 20-September 5</p>
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