



THE ASIA PACIFIC FORUM
OF NATIONAL HUMAN RIGHTS INSTITUTIONS

... a partnership for human rights in our region

ABN 98 099 972 997

Advisory Council of Jurists

Terms of Reference on the legal obligations of States for the implementation of economic, social and cultural rights, with respect to the right to education

Questionnaire for the Background Paper on the Right to Education

Please complete the questionnaire and send all responses by e-mail to Stephen Clark: stephenclark@asiapacificforum.net

Responses to this questionnaire will be used in the Background Paper on the Right to Education which will be distributed to the Advisory Council of Jurists.

The APF Secretariat requests APF members to submit all responses to the questionnaire by **Friday 12 May 2006**. Thank you in advance for your time and contribution.

Information about the Advisory Council of Jurists and the terms of reference on the right to education is available at <http://www.asiapacificforum.net/jurists/>

Documentation

Please provide the APF Secretariat with the following documentation:

Constitutional provisions relating to:

Right to education :

Constitution of the Kingdom of Nepal, 1990,

Part 3- Fundamental Rights, Article 18. Cultural and Educational Rights

- (1) Each community residing within the Kingdom of Nepal shall have the right to preserve and promote its language, script and culture.
- (2) Each community shall have the right to operate schools up to the primary level in its own mother tongue for imparting education to its children.

Part 4- Directive Principles and Policies of the State

Article 26 (7): The State shall pursue a policy of making the female population participate, to a greater extent, in the task of national development by making special provisions for their education, health and employment.

Article 26 (8) The State shall make necessary arrangements to safeguard the rights and interests of children and shall ensure that they are not exploited, and shall make gradual arrangements for free education.

Article 26(9) The State shall pursue such policies in matters of education, health and social security of orphans, helpless women, the aged, the disabled and incapacitated persons, as well as ensure their protection and welfare.

Article 26 (10) The State shall pursue a policy which will help promote the interests of the economically and socially backward groups and communities by making special provisions with regard to their education, health, and employment.

- **Non-discrimination and the access for all:**

The Constitution of the Kingdom of Nepal, 1990

PART 3 FUNDAMENTAL RIGHTS

Article 11. Right to Equality:

(1) All citizens shall be equal before the law. No person shall be denied the equal protection of the laws.

(2) No discrimination shall be made against any citizen in the application of general laws on grounds of religion, race, sex, caste, tribe or ideological conviction or any of these.

(3) The State shall not discriminate among citizens on grounds of religion, race, sex, caste, tribe, or ideological conviction or any of these.

Provided that special provisions may be made by law for the protection and advancement of the interests of women, children, the aged or those who are physically or mentally incapacitated or those who belong to a class which is economically, socially or educationally backward.

- **Relevance of international law in the national jurisdiction:**

Article 26. (15) The foreign policy of Nepal shall be guided by the principles of the United Nations Charter, nonalignment, Panchasheel, international law and the value of world peace.

Article 126. Ratification of, Accession to, Acceptance of or Approval of Treaty or Agreements:

(1) The ratification of, accession to, acceptance of or approval of treaties or agreements to which the Kingdom of Nepal or His Majesty's Government is to become a party shall be as determined by law.

(2) The laws to be made pursuant to clause (1) shall, *inter alia*, require that the ratification of, accession to, acceptance of or approval of treaties or agreements on the following subjects be done by a majority of two-thirds of the members present at a joint sitting of both Houses of Parliament: -

- (a) peace and friendship;
- (b) defence and strategic alliance;
- (c) boundaries of the Kingdom of Nepal; and
- (d) natural resources, and the distribution of their uses.

Provided that out of the treaties and agreements referred to in sub-clauses (a) and (d), if any treaty or agreement is of an ordinary nature, which does not affect the nation extensively, seriously, or in the long term, the ratification of, accession to, acceptance of or approval of such treaty or agreement may be done at a meeting of the House of Representatives by a simple majority of the members present.

(3) After the commencement of this Constitution, unless a treaty or agreement is ratified, acceded to, accepted or approved in accordance with this Article, it shall not be binding on His Majesty's Government or the Kingdom of Nepal.

(4) Notwithstanding anything contained in clauses (1) and (2), no treaty or agreement shall be concluded in [sic] detrimental to the territorial integrity of the Kingdom of Nepal.

Nepal Treaty Act, 1990 Section 9: "in case provision of a treaty to which the Kingdom of Nepal has become a party following its ratification, accession, acceptance or approval by the Parliament, contradicts with the provisions of current laws, the latter shall be held invalid to the extent of such contradiction for the purpose of that treaty, and the provisions of the treaty shall be applicable in that connection as law of Nepal".

Relevant legislation referring to:

- Right to compulsory and free primary (or basic) education on a non-discriminatory basis: Children's Act, 1991
- Right to secondary and higher education: Children's Act, 1991
- Financing of education: University Grant Commission Act, 1993
- Minimum age of employment: Labour Act, 1992, Child Labour (Prohibition and Regularisation) Act, 1999, Children's Act, 1991
- Minimum age of marriage: Marriage Registration Act, 1970
- Minimum age of criminal responsibility: Children's Act, 1991

NGO reports

- Reports on education by local, national and / or international non-governmental organisations within your country, especially the shadow reports produced for the country sessions of the UN Treaty Bodies.

ICESCR Nepal NGO Report

Mon, May 1, 2006

Article 13: Right to Education

Nepal started modern education development since 1950 with the dawn of a democratic government. The progress in primary education is very disappointing in spite of heavy foreign Loan and Aid.

Up to now the net enrolment of the primary school aged population are only 67 percent of whom boys constitute 76.5% and girls 53.5%. It is estimated that only one third of the lower secondary and secondary school aged children is enrolled in respective grades. In primary schools out of 100 children enrolled in the first grade only 28 children pass the fifth grade. Thus every year millions of children and youths are growing as illiterates.

- Poor infrastructure and inaccessibility are some major factors that deprive Nepali children from quality education. Social awareness on the importance of education is yet to gain the required height. Girl children are hardest-hit victims since the son-preference persists in an intolerable scale. Currently there is a wide gender gap in education. Regardless of geographical region, social group, and area of residence, there is a large disparity between boys' and girls' primary school enrollment. Only 38.33% of schooling age girls have access to education compared to 61.66% of boys. In terms of secondary school enrollment, Nepal is one of only five nations in the world where the proportion of boys enrolling in secondary school is higher than girls by over 20%. As such, it is not surprising that female literacy rate is only 28% while that of males is 63%.

Children, regardless of gender, living in the remotest part of the country and from underprivileged community are still struggling to attain universal primary education.

Work is one factor that can constitute a major impediment to children's attendance and successful completion of primary school. Working children have low enrollment and high absenteeism and dropout rates. This may be attributable to fatigue from long hours of labor, injuries and illnesses, and work schedules that conflict with school hours.

Another major obstacle is inadequate educational infrastructure and services. Often schools are not available and they are inadequate. When schools do exist, long distances, poor roads, and lack of transportation render them inaccessible. Teachers are underpaid, lack the necessary training or qualifications, and in some cases do not even show up for classes. In addition, poor families often perceive that what their children learn at school does not provide them with useful skills. Direct and indirect costs of education also represent significant barriers.

School fees are high, leading poor and marginalized families not to send their children to school. Even if free education is provided, in many cases the costs of school supplies, books, uniforms, meals, and transportation are prohibitive to poor families. The opportunity costs of education—in the form of a child's foregone earnings and on-the-job work experience—is a further factor in a family's decision not to send children to school.

- Access to education is often not equitable. Children in rural areas and those belonging to marginalized groups are frequently more affected by a lack of adequate educational infrastructure. The premature entry of children into the work force, the lack of educational infrastructure and services, and the impediments faced by children in rural areas and those in certain gender and ethnic groups are prevalent.

Concerns

1. The government has grossly failed to ensure right to education of all the children. Furthermore, the children of Dalits and ethnic minorities are further marginalized. Therefore, the government must develop time bound policies to provide education for all and devise effective monitoring mechanism.
2. One of the reasons of not attending schools or high rate of drop out is lack of income and employment opportunities at the family level, so it is mandatory to implement programmes that ensure food, clothing and shelter needs of the family members.
3. Specific package programmes need to be undertaken for the girls to increase their enrollment in the schools.
4. The public schools must be of good standard for providing quality education. The schools must have sufficient quality teachers, infrastructure and sanitation measures

(e.g. toilets, no leaky roof, etc.). The school curriculum must be prepared based on the needs of the society rather than anything else.

5. To ensure right to education of the children, privatized profit oriented education system must be abandoned.

Article 14: Provision of Compulsory Education

Although the government has made education up to grade 10 free of tuition fees, these free public schools are very poorly managed and mostly provide low quality education. Private schools with better education programs are too expensive for the majority of Nepalese families. As such, many parents cannot afford to send their children to schools to gain a proper compulsory education.

- Furthermore, low-income families suffer from the stigma that society places on those who send children to government school. People consider government schools a place only suitable for children of lower class. Children of upper class families only attend high-priced private schools. Considering the limited resources that government schools have, sending students to private schools rather than government schools if possible is understandable. Public schools are so ill equipped that often times the pupils have no furniture to sit. In the remote areas of Nepal, students generally pass the day sitting outside because their school buildings are often crumbling. Some schools do not even have a school building at all. Furthermore, the teachers are either unqualified or untrained and the number of teaching staff is very low in comparison to the student load. **Compulsory education for all Nepali children is indeed a distant reality!**

In rural areas, universal education is often undermined by impediments to access and the low quality of available schooling. Rural areas tend to lack the educational infrastructure (including schools and teachers) generally available in urban areas. Children are less likely to enroll in school and more likely to drop out prior to completing their education. Parents from rural areas, particularly farming communities where children work in subsistence agriculture, are more apt to view formal education as irrelevant to their children's future. **The percentage of the school age children that are out of school is around 30.**

Gender and ethnicity are other factors that can limit access to primary education and affect completion rates. Girls face many obstacles in pursuing an education, including the traditional attitudes about female roles and a lack of female teachers. They are often expected to make a critical contribution to household work and childcare. Unable to attend school because of low social status or domestic responsibilities, girls are frequently denied the advantages of an education. Indeed, girls constitute two-thirds of all children not attending school. Girls receive less education than boys.

There are a number of reasons why children work instead of attending school leading to the denial of the appeal for compulsory education. **In fact, primary education is neither compulsory nor free, and schools are not available to all children.** When schools are available, the equality of education offered is frequently poor, and many children and their families view the content as irrelevant to their lives. In cases where working children contribute to family income, parents may believe that the opportunity cost of sending their children to school is simply too high.

Literacy rates vary dramatically among ethnic groups, and in some places minorities and "untouchable" caste children are not permitted to attend the same schools as upper-caste children. For example, in Siraha District, literacy rates range from 64 percent among the *Tamangs*, to about four percent among the *Musahars*, to zero among the *Dom*. Discrimination is a major reason why lower-caste groups do not attend school.

Concerns:

1. In the Ninth five -year plan (1997 -2002), the government has stated that the primary education will be made free and compulsory but nothing has been materialised so far when only one year is left for the completion of the plan period. In this context, by what date it will be implemented and expanded to lower secondary as well as secondary levels?
2. What alternative opportunities will be forwarded to compensate the family earnings so far being substituted by the work of the children once they start attending schools under the compulsory education programme, if implemented effectively?

Part 1: Issues raised in the Terms of Reference

Preliminary Questions

Education Policy and Programs

1. Please provide an overview of the framework of government education policies and programs in your country, including the division of responsibilities and financing between national, state and local governments.

Justiciability of economic, social and cultural rights with respect to the right to education

2. Please provide details of cases from the national courts of your country with respect to the justiciability of economic, social and cultural rights, with a particular focus on the right to education.
3. Please provide information about remedies available and the enforceability of the decisions of national courts with respect to the right to education.
4. Please provide information relevant to your government's position regarding the proposed Optional Protocol for the International Covenant on Economic, Social and Cultural Rights.

The right to receive an education: available, accessible, acceptable, and adaptable

Availability

Functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. (CESCR General Comment No. 13)

Expenditure

5. Please provide an overview of government expenditure on all levels of education in your country. Where there is a divide in education expenditure between national, state and local governments please provide this information. Where possible, figures should be disaggregated (primary, secondary, higher education, formal and non-formal) and expressed in both real terms and as a percentage of gross national product.
6. Please provide information about education funding models used in your country. Issues for consideration could include (but are not restricted to):
 - Funding for state and non-state (private) education institutions;
 - The dependence on school fees in any form, direct or indirect
 - Use of education vouchers;
 - Privatization of the education system.
7. Please provide information about your government's laws, policies and programs regarding acceptance of international assistance and cooperation in relation to education.
8. Please describe the role and impact of non-state actors such as international financial institutions and trans-national corporations on the realisation of the right to education in your country. For example, if your country has adopted a structural adjustment program, has this impacted upon government expenditure on education policies and programs?

Infrastructure

9. Please provide information the availability and adequacy of infrastructure, especially for girls, for schools and other educational institutions in your country, including classrooms, library, sanitation facilities, safe drinking water and any other relevant facilities.

Teachers and support staff

10. Please provide information about the availability of qualified teachers and support staff for all levels of education in your country, on teacher training initiatives to meet 'education for all' goals, and any other relevant issues that impact upon this availability.

Teaching facilities and materials

11. Please provide information about the availability and adequacy of teaching facilities and materials including: classrooms, books and writing materials, information and communications technology equipment, libraries, laboratories, workshops, sporting equipment and facilities and other relevant materials.

In answering questions 5-11, please give consideration to the issue of diversity and the impact of 'availability' on the rights of minorities and indigenous people.

Accessibility

Educational institutions and programmes have to be accessible to everyone, without discrimination, within the jurisdiction of the State party. (CESCR General Comment No. 13)

Non-discrimination

12. Please provide details of legislation and government policies and programs relevant to issues of non-discrimination, equal treatment and equality of opportunity in education. Information provided should include (but is not limited to) consideration of issues of access for people living with disabilities, internally displaced persons, non-nationals, prisoners, refugees and other minorities.

Gender parity and gender equality

13. Please provide details of legislation and government policies and programs directed to improving gender parity and gender equality in education at all levels.

Physical accessibility

14. Please describe the main issues regarding geographical location of and physical access to educational institutions for people from urban, rural and remote communities, as well as for people with physical disabilities.

Economic accessibility

Primary education

15. Is primary education compulsory and free for all? Please provide details of relevant legislation and government policies and programs. For example, does your government have a plan of action for making primary education free?
16. Please provide information about any school fees, charges and other costs imposed on parents or guardians for primary education. Please describe the extent of financial assistance available for the completion of primary education.

Secondary education

17. Is secondary education compulsory and free for all? Please provide details of relevant legislation and government policies and programs.
18. Please provide information about any school fees, charges and other costs imposed on parents or guardians for secondary education. Please describe the extent of financial assistance available for the completion of secondary education.

Higher education

19. Please provide information about fees, charges and other costs for higher education. Please describe the extent of financial assistance (if any) available for the completion of higher education.

Non-formal education

20. Please provide information about access to non-formal education in your country. Issues for consideration include (but are not restricted to):
- The existence of and support for Community Learning Centres
 - The legal and policy framework for the improvement of literacy for women.

Acceptability

The form and substance of education, including curricula and teaching methods, have to be acceptable (eg – relevant, culturally appropriate and of good quality) to students and, in appropriate cases, parents. (CESCR General Comment No. 13)

Quality education and minimum standards

21. Please identify the relevant national and/or local institutions which are responsible for the implementation of the right to education. In particular, are there any specialised agencies, authorities or officials that have a mandate on the right to education?
22. Please provide information about measures adopted by education authorities to provide quality education and to establish minimum education standards and an effective and transparent system for monitoring standards.
23. Please describe the indicators (including human-rights-based indicators) used by education authorities to monitor the realisation of the right to education in your country.
24. Please provide details of legislation and government policies, practices and programs which may impact upon academic freedom and the autonomy of educational institutions.

Discipline

25. Please provide information about the legal status of corporal punishment and other forms of discipline that operate within the education system in your country.

Curriculum

26. Please provide an overview of how education authorities determine curriculum development at all levels of education within your country.
27. To what extent is human rights education incorporated into the curriculum of primary, secondary and higher education?

Parents / Legal Guardians

28. Please describe the extent to which parents and legal guardians are able to exercise freedom of choice with regards to educational institutions and educational programs.

Religious and cultural practices, languages of minority groups

29. Please provide details of relevant legislation and government policies and programs regarding respect for religious and cultural practices and the use of languages of minority groups within schools and other educational institutions.

Adaptability

Education has to be flexible so it can adapt to the needs of changing societies and communities and respond to the needs of students within their diverse social and cultural settings. (CESCR General Comment No. 13)

Education and work

30. Please provide details of legislation which prescribes the age for the completion of compulsory education and the minimum age of employment in your country.

31. Please provide an overview of the strategies, policies and programs of governments and education institutions which enable the education system in your country to adapt to the education needs of those people who would otherwise not be able to undertake education. For example: working children and young people; children and young people in juvenile detention; working women; prisoners and other people in detention.

Education for women

32. Please provide details of legislation which impacts upon the right to education of women. Issues for consideration could include (but are not restricted to):

- The minimum age of marriage
- Pregnancy

33. Please provide an overview of the strategies, policies and programs of governments and education institutions which enable the education system in your country to adapt to the education needs of women.

Special Needs Education

34. Please provide information about any special needs education policies and programs that have been developed and implemented by government and non-governmental organisations in your country.

35. To what extent are schools able to adapt to the special education needs of individual students?

Part 2: Activities of National Human Rights Institutions

1. Please describe the mandate of your Commission for the protection and promotion of economic, social and cultural rights. What methods and approaches does your Commission use for the protection and promotion of human rights?

According to Human Rights Commission Act 1997 of Nepal, Commission has mandate to look over ESCR. As per the preamble of the Act, it is independent and autonomous National Human Rights Commission for the effective enforcement as well as protection and promotion of Human Rights conferred by the Constitution and other prevailing laws. Section 2 (f) of the constitution explains about the definition of human rights as ""Human Rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution and other prevailing laws and such other rights as are embodied in the international treaties relating to human rights to which Nepal is a party. So, Nepal is a party of ICESCR and human rights definition is parallel with ICESCR.

Commission will use following methods and approaches for the protection and promotion of human rights according to section 9 and 11 of Human Rights Commission Act 1997.

- 9. Functions and Duties of the Commission:** (1) It shall be the primary responsibility of the Commission to protect and promote the human rights,
- (2) In order to perform the responsibility mentioned in sub-section (1), the Commission may carry out the following functions:
 - (a) Conduct inquiries and investigations on the following matters, upon a petition or complaint presented to the Commission by the victim himself /herself or any person on his /her behalf or upon information received from any source, or on its own initiative: -

- (1) Violation of human rights and abetment thereof,
 - (2) Carelessness or negligence in the prevention of violations of the human rights by any person, organization or authority concerned.
- (b) Inquiries in or investigations on the matters mentioned in clause (a) conducted by the Commission itself or caused to be conducted through any person or an authority or employee of HMG in accordance with the directions of the Commission and submit the report to the Commission,
 - (c) Order a petition or a complaint to be filed by giving reasons thereof if the Commission finds such a petition, complaint or information has no basis or is of such a nature that it cannot be enforced by the courts of Nepal,
 - (d) Inquire into a matter with the permission of the court in respect of any claim on violations of human rights which is *sub-judice* in the court,
 - (e) Visit, inspect and observe any authority, jail or any organization under His Majesty's Government and to submit necessary recommendations to His Majesty's Government on the reform to be made on the functions, procedures and physical facilities which may be necessary for such an organization for the protection of human rights,
 - (f) Review the provisions on safeguards provided by the Constitution and other prevailing law for the enforcement of human rights and submit necessary recommendations for the effective implementation of such provisions,
 - (g) Study international treaties and instruments on human rights and submit the necessary and appropriate recommendations to His Majesty's Government for effective implementation of the related provisions,

- (h) Undertake or cause to be undertaken research in the field of human rights,
 - (i) Publicize and propagate human rights education among the various sections of society through various seminars, symposia, conferences and also build consciousness and awareness about the guarantees bestowed by law for the protection of human rights,
 - (j) Encourage the functioning and efforts of institutions working in the non-governmental sector,
 - (k) Evaluate the existing human rights situation of the country,
 - (l) Make necessary recommendations to His Majesty's Government regarding reports to be furnished by Nepal pursuant to the provisions of international treaties on human rights and
 - (m) Carry out such activities, as it may deem necessary and appropriate for the enforcement, promotion and protection of human rights.
- (3) On the matter of Nepal's obligation to furnish reports under international treaties on human rights, His Majesty's Government shall furnish reports upon receiving the opinion of the Commission thereon.

11. Powers of the Commission relating to Inquiries:- (1) The Commission shall, while inquiring into the petition or complaints or reports within its jurisdiction, have the same powers as a court may have under the prevailing laws of Nepal in respect of the following matters:-

- (a) Requiring any person to appear before the Commission for recording his/her statement and information within his knowledge,
- (b) Summoning witnesses and examining them,
- (c) Ordering the production of any document,
- (d) Requesting any document or copy thereof from any governmental or public office or the court,

- (e) Examining evidence,
 - (f) Carrying one or causing to be done an on-the-spot inspection, ordering the production of any physical evidence.
- (2) The Commission may prescribe such limitation of time, as it may think fit for attendance of any person, production of any document or evidence pursuant to sub-section (1).
 - (3) In case, the Commission has the reasonable grounds to believe that any thing or document relating to the subject matter of its inquiry or investigation is in possession of any person or is in any place, it may, in pursuant to the existing law of Nepal, search or cause to be searched such person or place and seize or cause to be seized any such material or take or cause to be taken extracts or copies or duplicates of such document.
 - (4) The Commission may, if it thinks necessary, conduct a public hearing during its inquiry about any incident.
 - (5) The Commission may send along with special stricture to His Majesty's Government or authorized body or authority to take action against a person who does not send the documents or necessary evidences required by the Commission in connection with an inquiry or who does not cooperate in carrying out the Commission's functions or a person who does not appear before the Commission on being summoned.
 - (6) The Commission may, as required constitute committees or sub-committees to carry out its functions required to be performed by it under this Act, and the functions, duties and powers of such committees or sub-committees and allowances and facilities to be received by the members of such committees or sub-committees shall be as prescribed by the Commission.
 - (7) The Commission may, as required, avail itself of the services of experts or specialized agencies on a concerned subject.

The service, condition and facilities of the experts rendering such a service shall be as prescribed by the Commission.

2. Has your Commission received complaints from individuals or groups relating to the right to education? If so, please provide a breakdown of the different type of complaints and, where possible, describe some of the most important cases and the role of your Commission in resolving these complaints.

Yes, NHRC has received individuals' complaints as well it has groups' requests also to the right to education.

However, NHRC has received few complaints about right to education. In this, most of the complaints are relating to school closer and forcefully invite school student to attend CPN (Maoist) cultural programmes and to look their weapons showing programme. Besides, that creating bunker inside the school premises and using school as a shelter for Maoist and security forces. In those cases, NHRC played its vital role to protect the right to education. In this regards, NHRC carried out some of monitoring to resolve the problem. During monitoring, monitoring team meets with Maoist rebels' as well local government officials and security forces also. Moreover, NHRC issued press note publicly to draw the attention of the concerns. NHRC also recommend HMG to not use school for any uses and follow the principle of school as a zone of peace.

Beside, that it has also received complaints relating to education certificates, some of students were not get their certificate after competing the course. After initiation of NHRC victims were able to get certificates.

Schools of remote village closed by the threat of CPN (Maoist), Maoist were against the current education system, Maoist prohibited student to study king's education system. Many appeals made by the school and teacher's association as well from the civil society to Maoist. Nevertheless, such appeal does not give any attention to Maoist. Finally, NHRC meet some of the Maoist leader during its monitoring in different palaces and then problem resolves.

3. Has your Commission conducted research and/or public inquiries on the issue of the right to education? If so, please provide the results of this research and the outcomes and recommendations of any public inquiries.

NHRC has conducted a research program on the issues of Dalit rights focussing on right to education. The report has been published and disseminated. Although, NHRC don't have any research and its not give recommendations to government yet. But time being NHRC is organizing interactions programme with the concern for particular issues with Teacher's Associations, Schools Associations and with civil societies.

4. To what extent has your Commission identified laws / policies / practices in your country that impact on the realisation of the right to education?

It is yet to be done.

5. Has your Commission conducted awareness and education campaigns relating to the right to education? If so, please provide information about these campaigns, identify the individuals or groups who have been trained and estimate how many people have been trained.

NHRC organised a HR education training (Train the trainer) program to the official of NHRC. NHRC has provided various training to the NGOs and the HMG officials' regarding HR education and the role of NHRC.

HR education awareness program was conducted in more than 22 districts of Nepal and published a booklet on Children's queries and answers that has already been disseminated widely.

6. Please provide information about your Commission's general human rights education activities, including: materials used, information produced and how these activities have been made accessible to the community.

NHRC has tried to include the HR education in the curriculum of secondary level of School. For the same, NHRC are conducted a series of interaction program with the department of education, ministry of education, national centre for educational development, and curriculum Development centre. NHRC collected relevant materials for review and started the process of hiring a consultant. NHRC has interacted with the security agencies with a view to include human rights education in the training curriculum of security personnel in different level.

7. Has your Commission addressed the issue of the right to education in its annual reports? If so, please provide a copy of the relevant sections.

Yes, Commission addressed the issue of the right to education. But we have in Nepali version only.

8. Has your Commission intervened in court proceedings on an issue related to the realisation of the right to education? If so, please provide details of the cases, the role of the Commission and the outcomes of the cases. Please provide copies of any submissions and court decisions.

No, we have not right to intervene in court proceedings.

9. If your government has ratified any of the international human rights conventions listed below, has your Commission been approached by the government to contribute to the periodic reports to the relevant Committees, or alternatively, has your Commission provided a shadow report to the relevant Committees? If so, please provide copies of the sections relevant to the issue of the right to education.

- Universal Declaration of Human Rights;
- International Covenant on Economic, Social and Cultural Rights;
- International Convention on the Elimination of All Forms of Racial Discrimination;

- Convention on the Elimination of All Forms of Discrimination Against Women;
- Convention on the Rights of the Child
- Convention Against Discrimination in Education;
- Minimum Age Convention 1973
- Worst Forms of Child Labour Convention 1999

Except the Convention against Discrimination in Education, HMG/N has ratified the rest of the above mentioned conventions.

10. Does your Commission work in collaboration with civil society including the private sector, government or United Nations agencies or multilateral donors such as the World Bank, the International Monetary Fund and the Asian Development Bank on the issue of the right to education? If so, in what way?

NHRC has played an active role to ensure the right to education individually and in some cases with the cooperation of civil societies and UN agencies. It has repeatedly urged the conflicting parties to recognise the children as a zone of peace.