

Workshop Handouts

- 1. Story of Children Affected by Armed Conflict (Nepal)**
- 2. Impact of Armed Conflict on Children in Nepal:
Situational Analysis of their health status**

Story of Children Affected by Armed Conflict (Nepal):

Shova (a 14 years girl child) from a very poor family and is member of child club too. Her father had already been abducted by armed group 3 years ago and his whereabouts is not known till date. Nobody has news about him, whether he is alive or has been killed. Shova is living with her mother in the rural area, continued with her study as well as her engagement in the child club.

One day a group of armed people enter into Shova's house. At first, they say that they would like to talk with here, she refuges talking with them. She goes besides her mother and the armed group tries to communicate with her that they just want to have a discussion with Shova for about 10 minutes. But, later they take Shova with them forcefully to join their group despite of her and her mother's strong opposition. Her mother asks support from all concerned authorities but fails to get back her daughter.

Bikash is Shova's classmate and member of child club too. He is very worried as he noticed that Shova was not coming to school as well as to the child club. He first goes to Shova's house and enquire information about her with the mother. Shova's mother shares about all the incidents in detail with him. He found that the mother was extremely worried about her. Bikash discusses this matter in child club. On behalf of child club, they try to find Shova but their efforts were not successful.

After 2 years (of the incidents), Shova returns back to her home. She was very frightened. She shares her story to the mother explaining how she was abducted to join to the armed force. Shova also told the mother that what she had to do during these two years when she was with the armed force.

As soon as member of child club, got the news that Shova was back to the child club. A team of child club members including Bikash went to Shova's house. They dicussed with Shova and her mother that how the members (of child club) could help her. All the members suggested Shova to rejoin school and continue her education. Shova was bit reluctant at the beginning as she had lost two years of school. She shared with her friends that she would feel awkward to join the school and study with juniors. Also, she was worried that the teachers as well as students would blame her for working with armed group. Finally, all the children assured Shova that they would try their best to create conducive environment in the school for her to feel more comfort. And, finally Shova says yes to re-admit to the school following all the encouragement and the supports offered by her friends. The members of Child Club agree to organize a separate meeting with the Headteacher of the school pripor to admiting Shova in the school.

The members of child club go to the school with Shova and talks with the Headteacher. The Headteacher was bit reluctant at the beginning saying that the he would be blamed for admitting ex-combatant in the school and Shova would destroy the environment. But, representative of Child Club opposed that concept saying that Shova was forced to join the group and now she is eager to continue her study. Finally, principal agrees to admit her in class and assured the members that he would do his best to support Shova in her study. The Child club members help Shova in her study as well as to reintegrate her in the community.

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Impact of Armed Conflict on Children in Nepal: Situational Analysis of their health status

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The twelve years of armed conflict in Nepal has affected all aspects of livelihood and governance. No individual Nepalese is free from the effect. From very young children to the old age, rural people to the urban, government officials to the laymen all have suffered in one or the other way. Destruction of infrastructures, people being kidnapped from their home, killing of innocent people, people being homeless, people being internally displaced, children being orphan and homeless were the regular phenomena in that period. The economy of the country was in crisis. The economic growth of that period was very low, almost the minimum in the history of Nepal. There has been adverse effect upon all sectors including development, security and even survival. The high numbers of children are victimized. Their sufferings of present will affect their future and even the future of the state. The effect on the sectors like, health, education, livelihood of children can not be easily compensated. The impacts remain for a long period of time. So the government, political parties, civil societies and NGOs working in the children's sector should collaborate to overcome the negative impacts of armed conflict in children. They should bear the responsibility to provide every child with secured and progressive means of sustainable living.

Conflict is universal in nature. Divergent opinions of one to the other result in conflict. The conflict is positive when it is peaceful, non violent and oriented towards solution. The conflict can bring progress. Conflict has become an integral part of our lives. Conflict arise because of beliefs (ideologies, values, norms, etc.), identity (colour, race, sex, age, caste, nationality, religion, culture, social origin, political, social or other status), and resources- competition for scarce natural, human and other resources.¹ But, when a conflict holds the arm, intended for destruction, then, obviously beside the real parties to the conflict, the innocents have to suffer a lot. And this type of conflict is termed as Armed Conflict. The people's war initiated in Nepal in 1996 is considered as the creation of interwoven and complex web of socio-economic, legal and politico- ideological problems,² soon took the shape of armed conflict. The escalation of armed violence due to the people's war resulted in disruption of lives, livelihoods and security; serious damage or destruction of the public and private properties, possible disintegration of unity in diversity and disturbance in harmonious relationship among communities; massive exodus and

¹ Bishnu Pathak, *Politics of People's War And human Rights in Nepal*, 2005, BIMIPA Publications, Kathmandu. p.16

² Ibid, p.1

displacement of people; and increased hardship for the poor, marginalized, disadvantaged and vulnerable people in getting access to basic needs, resources and services as basic rights.³ The lives of Nepalese were in danger.

The Maoist insurgency, which started in 1996, has caused widespread violence throughout the country and killed over 11,000 people including many innocent children.⁴ Many others have suffered physical as well as psychological injuries; they have become handicapped or mentally retarded. Many have become dependent on others even for the sake of simple doings because of lack or uselessness of their organs. Hundreds of children are in trauma brought about by the loss of their parents, and relatives⁵. Both the conflicting parties have been violating the rights of the children.⁶ Children have been the most affected by the violent internal armed conflict.

A child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.⁷ The Nepalese provision every human being under the age of sixteen is considered as a child.⁸ Though the minimum age vary to some extent as per definition, the person below the certain level of maturity can be termed as child. The children do not possess a capacity to understand and react in the same way as the adults do, to their surroundings. They are in a development phase physically as well as psychologically. At this period of their life they need security, guardianship, education, proper health service, and other basic requirements for sustainable living. Then only, they can be the future of the nation bearing all the responsibilities of making a nation, prosperous and sound. So in every nation children are considered as peace zone, any type of rebel can not hamper on the rights of the children. However it is noticed that the children are the most vulnerable group in any type of armed conflict. Likewise the Armed Conflict in Nepal has created a huge impact in the lives of Nepalese children.

(I) Impact on Children

The children have affected a lot from the armed conflict of 12 years. They have been deprived of their basic rights like right to food, right to shelter, right to education, right to health etc.

³ Id, p.2

⁴ Shobha Shrestha, *Impact of Armed Conflict on Children in Nepal*, web article dated 21/07/2004, last updated 30/09/2004, visited on 20th Feb. 2008

⁵ Ibid

⁶ Id

⁷ Convention on the Rights of the Child, 1989, 1

⁸ Child Right Act, 2048 B.S.

With massive destruction of its infrastructure, education has been badly affected.⁹ Both the conflicting parties have been using the educational institutions as training centers.¹⁰ Schools have been closed in many villages, students fared coming to schools. While the rebels force the children & students to join them, the security forces accuse them of being Maoists & assert them from their schools.¹¹ As a result thousands of children have been deprived of their right to education.

The condition of children's health has been degrading. The children have been deprived of health facilities, a balanced diet and nutrition and the care of their parents / relatives.¹² They have not obtained the essential opportunities of physical, mental, moral and overall development.

Similarly child labor has increased and the conflicting parties have been using children as messengers; the Maoists have been using child soldiers.¹³ In February 1996 to October 2003, a total of 155 children (below 17 years) were killed by the state while 79 were killed by the Maoists. 53 of the children killed by the state were females while of those 22 killed by the Maoists were females.¹⁴

Thousands of orphans (victims from both sides) have seen their parents, siblings, or friends being beaten up or tortured or killed.¹⁵ Over 4,000 children have been internally displaced;¹⁶ some of them even live on the street, exposed to various types of danger. Many displaced children have witnessed violence and destruction and thousands have been traumatized. Children who have been directly affected or who have witnessed atrocities from either side are deeply traumatized or have developed a sense of revenge.¹⁷

Lacking protection and guidance, orphaned children have fallen into bad habits, often misbehaving & developing a deep sense of revenge.¹⁸ Their youth has been stained by cruelty, inhumanity and helplessness. Their growing up in such an environment is certain to have severe effect on their psychology which may destruct their present and future life.

⁹ Shobha Shrestha, *Impact of Armed Conflict on Children in Nepal*, web article dated 21/07/2004, last updated 30/09/2004, visited on 20th Feb. 2008

¹⁰ Ibid

¹¹ Id

¹² Id

¹³ Id

¹⁴ Id

¹⁵ Id

¹⁶ CWIN Report as cited by Shobha Shrestha, *Impact of Armed Conflict on Children in Nepal*, web article dated 21/07/2004, last updated 30/09/2004, visited on 20th Feb. 2008

¹⁷ Ibid

¹⁸ Id

In the year 2003, there were 700 disappearances among which 152 were students and over 4,000 children internally displaced.¹⁹ This reveals how the Nepalese children are suffering without causing loss to anyone. Are they paying the charge of being innocent?

Maoists kidnap children from the age of 8 and are recruited through torturing their parents or relatives - They are used as laborers (carry firewood, stones and soil, build roads, clean drains and grounds and cook food and utensils - They work as Messengers and help to transfer arms.²⁰

Thousands of Children made orphans (victimized from both the contending parities) - 74% percent of students in Maoist affected areas are suffering from the fear that they might be abducted either by the Maoist rebels.²¹ The impact of armed conflict upon children is countless. From abduction, disappearance to deprive from basic requirements of living, to child labor and recruitment, children have been victimized.

(II) Impact on Children's health status

In 1996, before the insurgency began, Nepal ranked 124 out of the 137 countries on the United Nations Development Programme's Human Development Index (HDI).²² Nepal's HDI was 0.471 in 1996.²³ HDI gives a measure of longevity, health, education level, and standard of living.

From the early period due to lack of hospitals, health posts, skilled human resources and proper medication, and due to geographic constraint, the situation of health services is pathetic in most of the villages. Again after commencement of armed conflict, rebellions destruct the available infrastructures like health posts. 40 health posts were destroyed between January 2002 and December 2004.²⁴

The Royal Nepalese Army controls the capital, Kathmandu, and the 75 district centers in the country, while many areas surrounding the district centers and rural areas are under Maoist control.²⁵ Families may be subjected to harassment if they attempt to leave or enter the Maoists' heartlands. A transport shutdown by the Maoist rebels in March 2005 held up the supply of vaccines, vitamin A, and de-worming drugs to

¹⁹ Id

²⁰ Id

²¹ Recent survey in Gulmi district, Nepali times as cited by Shobha Shrestha, *Impact of Armed Conflict on Children in Nepal*, web article dated 21/07/2004, last updated 30/09/2004, visited on 20th Feb. 2008

²² www.pubmedcentral.nih.gov as cited by Sonal Singh ,Erik Bøhler, Khagendra Dahal et.al *The State of Child Health and Human Rights in Nepal*’, an article published online 2006 July 4. doi: 10.1371/journal.pmed.0030203., visited on 20th Feb. 2008

²³ Ibid

²⁴ According to INSEC (Informal Sector Service Center), an independent human rights organization, as cited by Sonal Singh ,Erik Bøhler, Khagendra Dahal et.al *The State of Child Health and Human Rights in Nepal*’, an article published online 2006 July 4. doi: 10.1371/journal.pmed.0030203., visited on 20th Feb. 2008

²⁵ www.pubmedcentral.nih.gov as cited by Sonal Singh ,Erik Bøhler, Khagendra Dahal et.al *The State of Child Health and Human Rights in Nepal*’, an article published online 2006 July 4. doi: 10.1371/journal.pmed.0030203., visited on 20th Feb. 2008

nearly 3.6 million Nepalese children. Annually, some 12,000 children in Nepal would succumb to diseases without these essential medicines.²⁶ As effect to the conflict many children are under danger for a long run. The delivery of health services has been disrupted in the far western regions and severely restricted in other parts of the country.²⁷ Maoist said that conflict is for the better future of Nepal, but hampering the basic necessities like health services, how can they imagine the better Nepal in future?

Health education programs conducted by the district public health offices and other private organizations are on the decline due to Maoist and government threats.²⁸ Health-care workers fear a rise in communicable diseases and several organizations, including Médecins Sans Frontières, have had to scale back their activities in rural Nepal as a result of the insurgency.²⁹ Many foreigners from the past period had contributed in development of health services in remote sectors of Nepal. Many donor countries had provided fund for medication and even for establishment of the health posts and hospitals. Due to armed conflict they have had to stop their activities which connotes to further degradation of the situation.

A study by General Welfare Pratishtan, an NGO working on the prevention of HIV and STDs, postulated that the current conflict may have pushed a large number of young girls from rural villages to urban areas in search of food, shelter, and security who later end up involved in prostitution for subsistence which may fuel the spread of HIV among young girls.³⁰ Another impact on children especially to female children is the possibility of infliction of life threatening disease AIDS.

Within this situation of uncertainty and conflict, hundreds of children raise themselves, due to the loss of their parents and relatives. Among students, 74% percent in Maoist-affected areas fear that the rebels or government forces might abduct them.

(III) Analysis

Children are the foundation of the state. The future of any state depends on how the children are being nurtured in present. Twelve years long armed conflict has imposed many direct and indirect impacts to almost all child of Nepal. The most vulnerable problem lies in their health status. Without proper condition of health, no child can do any work properly. He/ she can not be fit physically and mentally. Then, from such children what can be expected for the nation.

²⁶ Ibid

²⁷ S. Singh. *Impact of long-term political conflict on population health in Nepal*. CMAJ. 2004;171:1499–1501, as cited by Sonal Singh ,Erik Böhler, Khagendra Dahal et.al *The State of Child Health and Human Rights in Nepal*’, an article published online 2006 July 4. doi: 10.1371/journal.pmed.0030203., visited on 20th Feb. 2008

²⁸ Sonal Singh ,Erik Böhler, Khagendra Dahal et.al *The State of Child Health and Human Rights in Nepal*’, an article published online 2006 July 4. doi: 10.1371/journal.pmed.0030203., visited on 20th Feb. 2008

²⁹ Ibid

³⁰ The Kathmandu Post, *Flesh trade on the rise due to increase in violence* ,2004, 18 May

This notion has been ignored by both the parties to the conflict at the period of insurgency. Few examples reflect the whole scenario of the Nepalese children.

- Maoist killed one boy and kidnapped three girls aged 15- 18 years from Nuwakot.³¹
- Three children aged 6-10 years were injured by the bomb blast in Dang.³²
- In the blast near by a school in the capital, a student died and many injured.³³

We can find many instances where children were directly victimized by the parties to the conflict. Beside the seem effects on children health like being injured, physically challenged, slow mental development, some immediately noticed fear, other psychological problems, there are many unseen problems. They may cause damage in a long run. They can be fear, exclusion, isolation, no rational thinking as per growth etc. With these sorts of problems how can children hold the responsibility of governing the nation tomorrow?

With destruction of medical stations, blockade of roads, destruction of other infrastructures, it is evident that in many villages' children have been malnourished, underweight at birth, failing to get vaccinations, vitamins provided by government. Lack of food has created another obstacle in health of the children. As a saying 'The creativity emerges out of a fit body' has been something out of reach to the many children directly or indirectly affected by the conflict.

Many children victimized by torture from the side of government and Maoist can not recover immediately. One can imagine how the victims of abduction and rape recover their trauma. To settle all these problems, immediate action is necessary.

In present context, the conflict has ended. The conflicting parties have come up with common agenda of Constituent Assembly. The country is in a transition phase. In this situation definitely the priority is for the system of governance. But on this ground fulfilment of basic requirements can not be neglected. With this view, some work has been initiated. The interim constitution has guaranteed right to health³⁴ and rights of children³⁵ as fundamental rights. The destroyed health posts have been under reconstruction. The budget has been allocated for the development of health services. However the efforts are not enough.

(IV) Conclusion

The impact of armed conflict on children is at risk. The condition of their rights has been neglected by both the state and the rebellions. At that time, they have violated the national and international laws toward which Nepal a party is regarding the rights of children. Now the time has come up to provide proper remedies to the victim, and correct the mistakes of the past to secure the future of the children and the state. For this, considerations should be given to protection, promotion and sustainable development of children assuring all of their rights to them. The guarantee given by

³¹ Rajdhani Daily, *Maoist killed 1 boy and kidnapped 3 girls*, 2003, 6 Nov. (translated)

³² Kantipur Daily, *3 Children injured by bomb blast*, 2059 B.S., 25 Jestha (translated)

³³ Rajdhani daily, *Series of bomb blast in the capital-a student died and many injured*, 2004, 5 Sept. (translated)

³⁴ Interim Constitution of Nepal, 2063 B.S., 16

³⁵ Ibid, 22

the Interim Constitution as fundamental rights should be implemented. Right of children toward right to health should be given utmost importance. The victims severely affected should be taken to the rehabilitation centre. The government and NGOs should bear the responsibility to recover them and reintegrate them in the society. Protection, proper treatment and psycho- social counselling should be given to them.

There is no effective government in the districts outside the headquarters. The state seems to be indifferent to the lives of terror suffered by the children. Therefore, there is a need for civil society interventions to address these issues. As a member of the civil society it is our responsibility to minimize the negative impacts of the violent conflict on the lives of the children.

The government of Nepal should conduct independent, impartial, public investigations into atrocities against children and allocate the necessary funds to ensure³⁶ proper development of child.

They face an uncertain future if their health and human rights concerns are not addressed by local governments, nongovernmental organizations (NGOs), and the international community in a timely manner.

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³⁶ Sonal Singh ,Erik Bøhler, Khagendra Dahal et.al *The State of Child Health and Human Rights in Nepal'*, an article published online 2006 July 4. doi: 10.1371/journal.pmed.0030203., visited on 20th Feb. 2008