

Nepal CSOs' Submission on Right to Education to the United Nations Universal Periodic Review (UPR Third Cycle Reporting)

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Asia South Pacific Association
for Basic and Adult Education
Learning Beyond Boundaries



GLOBAL CAMPAIGN FOR
EDUCATION
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I. INTRODUCTION:

This is a joint submission of the National Campaign for Education Nepal (NCE Nepal), 11 NGO coalitions (Annex 1), Global Campaign for Education (GCE), Asia South Pacific Association for Basic and Adult Education (ASPBAE), Voluntary Service Overseas (VSO) Nepal, and 364 Civil Society Organizations (CSOs – details in Annex 2) working in education and child rights. The submission is coordinated by NCE Nepal with the UN Economic and Social Council (ECOSOC) special consultative status, a large education movement in Nepal with 364 member organizations (includes CSOs, CBOs, teachers, parents, journalists and I/NGOs), established in 2003 as a national coalition of the Global Campaign for Education, which works on education policy influencing through evidence-based advocacy for ensuring high-quality, inclusive and equitable education and lifelong learning opportunities for all at local, national, regional and global levels.

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II. METHODOLOGY:

This report has been developed using primary and secondary data. The primary data source includes seven provincial dialogues, 41 consultation meetings at local level, and inputs from 364 members of NCE Nepal to identify the issues to materialize the right to education at practice level; and five national coordination meetings, seven national thematic meetings, two national expert meetings, and a joint validation meeting to identify and validate the policy recommendations. The secondary data source includes review of policy documents developed by government, research done by NCE Nepal and other organizations in education and child rights, and learnings from NCE Nepal and coalition partners in education policy advocacy.

III. IMPLEMENTATION STATUS OF UPR 2015 RECOMMENDATIONS ON RIGHT TO EDUCATION:

In Universal Periodic Review 2015, the HRC made several recommendations. The recommendations to ensure right to education and their implementation status have been given below:

- Drafting law and its implementation to ensure quality, free and compulsory basic Education. **Implementation status:** *Free and Compulsory Act, 2018¹, and National Education Policy, 2019² have been formulated. However, the Act has not been translated into action as students are compelled to pay the fees in different headings.*
- Ensure Access of All Children to Education including by providing adequate resources. **Implementation status:** *More than 3.7% children are outside of the education system³. Besides, there are a lot of issues around dropouts and repetition⁴, and education access of children with disability, and marginalized groups and communities is very low. Education budget is in decreasing trend. Since the last UPR, it has gone down to 10.60% from 19%. Government commitment of allocating 20% of national budget to education sector and ensuring the effective mobilization of local resources has not been achieved, and government has not considered equity-based financing.*

- Implement national policies and implementation of the national plan of action on the provision of education for all. **Implementation status:** *National Education Policy, 2019 has been developed to implement this recommendation. However, due to absence of national, provincial and local acts, and effective monitoring mechanisms, the policy implementation is very weak.*
- Amend current education policies to ensure inclusive education system and implement concrete measures to increase the participation of children with disability. **Implementation status:** *National Education Policy, 2019 includes some provisions of inclusive education. However, the policy does not consider all forms of disabilities and the issues of marginalized groups and communities.*

IV. INTERNATIONAL OBLIGATIONS

Nepal is a signatory to the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Rights of the Child (CRC), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Indigenous and Tribal Peoples Convention, 1989 (No. 169), the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP), and the Sustainable Development Goals (SDGs)/agenda 2030. All of the human rights instruments consider the right to education in terms of cross-cutting rights. Education 2030: Incheon Declaration and Framework for Action for the implementation of Sustainable Development Goal 4 recognizes education both as a standalone goal, and right and enabler to achieve other SDGs/rights⁵.

Recommendations:

- Embed education as a fundamental right in all the implementation frameworks and policy measures of the international human rights instruments which the Government of Nepal has ratified.
- Adopt SDGs including SDG4 with the full participation of the whole of society to ensure education as a fundamental right in policies and plans.

V. CONSTITUTIONAL AND LEGISLATIVE FRAMEWORK

The Constitution of Nepal (2015)⁶ is the main legislative framework in Nepal which attempts to own the rights enshrined in international human rights standards. It ensures free, universal and compulsory education up to a basic level and free education up to secondary level including for the most marginalized communities such as Dalits, Janajatis, and other minorities through affirmative provisions. However, an Education Act is absent and other available Acts and Policies developed at the national and local levels do not truly carry the essence of the constitution. The Local Government Operation Act, 2017⁷ has restricted the responsibilities of local government for secondary education, contrary to the national constitution. The National Education Policy, 2019 promotes private sector involvement in education, contrary to the spirit of the national constitution, and which threatens access to quality education for socioeconomically disadvantaged children.

The Free and Compulsory Education Act, 2018 does not in reality ensure full provision of free and compulsory education, because it only provides resources including free textbooks, free admission and enrolment, scholarships to targeted groups, special provisions for education materials and health services for children from targeted groups, economically deprived families and children with disabilities, and mid-day meal for children from targeted groups, all of which are not sufficient to make free and compulsory education for the most deprived children. In addition, Nepal's educational facilities, including formal schools,

alternative schooling, non-formal education, traditional modes of education lack the proper mechanisms to implement free and compulsory education provision as outlined in the constitution.

Recommendations:

- Develop a fully-fledged Education Act as per the spirit of the constitution, including a new governance structure and provision for all educational needs.
- Revise the Local Government Operation Act 2017, so that local government is charged with taking responsibility for the implementation of the constitutional provision of secondary education.
- Revise the National Education Policy, 2019 to bring private education providers into regulatory guidelines.
- Ensure sufficient provisions for free and compulsory education in the revised Free and Compulsory Education Act, 2018.
- Ensure the proper mechanisms for Nepal’s educational facilities to implement free and compulsory education.

VI. IMPLEMENTATION OF NEPAL’S OBLIGATIONS TO EDUCATION AS FUNDAMENTAL RIGHTS

A. Right to Free Education

Despite Nepal being a signatory to international human right instruments, constitutional provisions, and the Free and Compulsory Act, 2018 for education as a fundamental right, and the state’s responsibility to provide education to all, schools are still charging fees under different headings⁸, and 75% of people pay for education directly or indirectly, due to the government’s compromised policy implementation of free education⁹. As respondents said during a consultation meeting of Dalit students and child workers¹⁰: *“we will not be able to continue our studies, if we don’t get scholarship. The current scholarship provision is very minimal and is not sufficient to pay regular examination fees, dress and other charges.”*

The education budget of the Nepal government has declined steadily from 19.5 % in 2010/11 to only 10.228% in 2018/19¹¹, which is against the international and national commitment of allocating 20 % of the total budget and at least 6 % of GDP to the education sector.¹² The estimated need of NPR 60 billion for Nepal, a country mired in poverty and inequality, to materialize the plan of free education is a huge financial obligation¹³. This is further affected by the current COVID-19 situation as the government has projected a funding gap of USD 14,469, 598 if the schools remain closed till Mid-July¹⁴. The projection will be much higher if schools remain closed for the entire session. If Nepal does not plan well, low funding to the education sector will continue and right to education will be violated in Nepal. This poses a risk in school education systems and services including the achievement made on gender and social-inclusion related parity in ten years will be reversed in a year time.

Recommendations:

- Ensure the state education budget adequately covers all the costs needed to make free and compulsory primary and secondary education a reality.
- Increase education budget to 24% of the national budget including 4% additional to recover education systems and services which was affected by COVID-19, or 6% of GDP through progressive and effective taxation, increasing the sensitivity of the budget by allocating more resources to promote equity, and increasing scrutiny to ensure that the budget is allocated and utilized efficiently.

- Establish a Special Education Fund whereby certain percentage of tax revenue collected by the government at all levels goes directly to the education sector.

B. Socio-economic Segregation and Privatization:

Private education has grown considerably over recent decades, with enrolments more than doubling between 2005 and 2010¹⁵, with this trend increasing from 2010 onwards. However, the reason for better exam scores is not related to what the private schools offer, but to the fact that parents who send their children to public schools are usually from a higher socio-economic status and better able to support their children¹⁶. Evidence shows that private schools do not help to increase availability of schools in underserved areas, since 41.4% of all private schools are concentrated in and around the capital, compared to 26.8% of total schools¹⁷.

Private school enrollment varies by both gender and socio-economic background. There is a difference of more than 14% between the enrolment share of boys and girls in private schools¹⁸, and 60.1% of individuals children from the richest income quintile currently enrolled in school/college attend private institutions, compared to only 6.4% from the poorest quintile (CBS, 2011)¹⁹. A major consequence of private sector growth has been middle class flight, which has left many public schools with a concentration of socioeconomically disadvantaged students²⁰. Private schools have become valuable as a social differentiator, which makes public school stigmatization a long-term concern for education systems²¹. This trend has resulted to inequality between girls and boys as parents who cannot afford for schooling for all their children, choose boys to be sent to school. The fundamental right of every citizen to receive quality education has been seriously neglected by the growing privatization in education.

The Free and compulsory education act, 2018 induces private schools to provide free education to 10 to 15 % of their total students. However, this has not been translated into practice. Most private schools operate like profit-oriented businesses, with firms collecting fees under different categories, without the consent of parents and violating the processes²² of the government's fee determining policy²³. Providing free and compulsory education is contradictory to the policy of promoting profit-oriented private schools. Thus, the non-application of the policy provision regarding the free and compulsory education has restricted the rights of children to access quality education and has also highly promoted the privatization in education in Nepal. Privatization is further imposed by the current COVID-19 pandemic in the name of online and virtual classes as only those with digital access are benefitted. However, 13% of schools have facilities to access the internet, 55% of households have access to the internet in their households and 51% of students can access media such as radio and TV²⁴. This digital divide in the country has further supported to flourish privatization in education. In addition, the Alternative Learning Guidelines (2020)²⁵ developed by the Ministry of Education (MoE) is inadequate to address the learning needs of children from marginalized communities and remote locations.

Recommendations:

- Develop regulatory guidelines and strengthen the control mechanisms for private schools and hold them to account.
- Impose sanctions, if private schools do not comply with standards set by policies and guidelines around teacher salaries and conditions, fees, reporting accurate and detailed data around school owners, school category, detail transaction, etc.
- Governments should develop alternative learning solutions which are context appropriate and accessible to all learners especially considering the needs of marginalized children and learning resources should be available in children's

languages. The flexible learning approaches developed by UNESCO²⁶ and governments should be implemented and monitor effectively.

C. Right to Quality Education

Quality education with equal opportunities for children to get education from qualified teachers, in a good learning environment, is contained in the National Education Policy, 2019 and also the School Sector Development Plan 2017-23. However, this is not evident in practice as classroom processes remain traditional, and highly exam centric, children are not taught by qualified teachers in child friendly environment, and the English medium education provided by private schools is perceived as the only high-quality education which can fulfil the economic aspirations of families²⁷.

Dropout has been a major problem, as of while 74.3% of children enrolled in Grade 1 reach the fifth grade²⁸, 45% of them dropout before completing basic education²⁹, and only 11.5% of pupils starting in Grade 1 continue in school until Grade 12³⁰. 32.12% of children in Grade 5 are below level 1. These children of lowest ability cannot properly read, write, or do basic operations of mathematics. 39.57% of children are at the basic level, meaning that they cannot calculate mathematical problems independently), and the majority (72%) of primary level children do not have the mathematical knowledge and skills per the curriculum standards.

20% of Grade 5 students are below the basic level of competency in Nepali language and struggle with basic comprehension of Nepali. 35% of Grade 5 students are below average in language comprehension³¹, and the introduction of the letter grading system has resulted in poor learning outcomes, as students have decreased willingness and motivation to study hard³². Additionally, only 12 % of children from the poorest income quintile are developmentally on track in literacy and numeracy compared with 65% from the richest quintile³³, a clear example of knowledge segregation which results from socio-economic disparity.

According to one academic who responded to our consultation in November 2018, the system of rote-learning and textbook oriented education in public and private schools of Nepal is part of the reason why over 1,750 young Nepali leave the country for foreign employment every day³⁴. However, this is reversed due to COVID-19 context as Nepalese migrants have returned back to Nepal and are highly jobless. This has resulted to the economic recession in the nation leaving thousands of jobless people (majority of them are youth). It is our view that the education system neglects to take into account different developmental goals and does not support children to compete in the global market and also to live a dignified quality life in their own society. The evidence shows that children's right to quality education has been compromised in Nepal.

Recommendations:

- Allocate resources for public schools as per global standards to improve the overall quality of education.
- Develop mechanisms with clear accountability to implement and monitor quality education provisions, such as teacher trainings, learning materials, quality school infrastructure including classrooms, toilets and playgrounds, etc.
- Develop education strategy and plan to ensure youth and adults have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship.

D. Linguistic Right to Education

Despite the constitutional policy measures' provisions of child right to receive basic education in their mother tongue including curriculum and medium of instruction³⁵, there is a huge gap in implementation. Over 2 million children are estimated to speak so little Nepali that they are unable to learn effectively³⁶. According to one Madhesi community representative during a consultation meeting³⁷: *“due to the difficulty in understanding Mathematics in the English language, many of the students from our community often failed in mathematics and science subjects”*.

Children in Palpa district left school as they could not pass the examinations since they could not understand teaching in Nepali language³⁸. The government is not adequately managing teachers including trainings, learning materials and awareness of stakeholders on the significance of multilingual education. Enforcement of English as a medium of instruction in private and public schools in recent years and weak monitoring from government have disrupted the linguistic rights of children who speak community, minority and indigenous languages.

Recommendations:

- Develop policy implementation and monitoring measures and mechanisms on linguistic rights to education
- Develop programmes and allocate resources to empower local governments and stakeholders on the significance of multilingual education including teacher management working with Language Commission of Nepal, education and learning for adults and out-of-school youths and functional literacy programmes.

E. Right to Equality and Non-discrimination in Education

The Constitution and other education policy measures make provisions to ensure children's rights on equal terms, and free from discrimination. However, the government is failing to bring children from marginalized communities, whether due to geography, gender, socio-cultural stereotypes, child labor, different forms of disabilities, and poverty into formal education³⁹. Nepal has a strong legal and policy framework to support inclusive education and has made significant steps to institute these policy commitments, but full and effective implementation of policies and laws to date has been challenging due to inadequate data and evidence to support impactful inclusive education programming; limited institutional and technical capacity; and entrenched discriminatory practices such as gender, disability, and caste/ethnicity.⁴⁰

A sixteen-year adolescent girl from the marginalized community said⁴¹: *“My parents did not allow me to go to school because of [an] acid attack three months ago to my friend”*. Children in Nepal are prone to multiple forms of discrimination in terms of gender, caste, ethnicity, socio-economic status, family background, physical abilities and even religion in some cases⁴². This evidently violates the right to equality in education. Teachers, peers, and even parents as perpetrators were violating the rights of children to live with dignity, self-esteem, and respect⁴³.

Despite the constitutional and policy provisions for resilient and accessible schools for children with all types of disabilities, children with disabilities are held back from education by inaccessible physical environments of school, unfriendly teaching and learning processes and the discriminatory behaviors of parents, teachers and the wider community⁴⁴. Blind students face problems in Maths lessons when it comes to understanding pictures and visual presentation in the classroom and it was observed that disabled students up to the age of 30 were stuck studying in the same class even as they should progress in their education⁴⁵. The only widely understood accessibility standard is for school to have a ramp in their main

entrance, which while necessary is insufficient to ensure inclusive access to all students with disabilities⁴⁶. These cases are examples of a lack of awareness and will to provide the right to education for the children with disabilities. Concern of inequality is more prominent in the current COVID-19 pandemic situation as virtual learning doesn't necessarily address the learning needs of children and youth with disabilities.

The decades-long campaign to wipe out adult illiteracy from the country has not yet succeeded⁴⁷. In reality, many children and adults remain deprived of literacy. Lifelong learning as envisioned in SDG4 has been limited to the literacy classes only, which are in many cases irregular⁴⁸.

The government's policy and plans also recognize sexual and gender minorities including lesbian, gay, bisexual, transgender/transsexual (LGBT) communities. However, citizenship identity is not provided retrospectively. According to one LGBT youth⁴⁹: *“teachers are not well trained to handle LGBT students at the schools and even the home as well as school environment are not supportive for LGBTI children like me who cannot complete our education”*. Even the minority of those who complete education still face challenges in the job market, and the above evidences show that the true spirit of inclusive education is still heavily compromised when it comes to LGBT youth.

Recommendations:

- Ensure children with disabilities and those from poor, remote, so-called lower caste, those who are LGBT or who come from disadvantaged caste and ethnic groups, who are mostly affected by the access gap have access to inclusive quality education with dignity and respect.
- Formulate local education acts and policies to translate inclusive quality education, equal access to education, equity in education, participation and community ownership as appropriate to local context, into reality.
- Equity should be at the heart of responses and emergency education strategies, plans, mechanisms and budgets should support for strengthening the education systems and services that are accountable, equitable, inclusive and resilient for marginalized children and youth especially for girls, children with disabilities, ethnic groups.

F. Right to Safe and Secure Environment for Children

The Constitution safeguards children from physical, social, sexual, and mental abuse and these provisions are translated into other national policies⁵⁰. However, there are several cases of violation of the right to a safe and secure learning environment in Nepal. Among a total of 5249 recorded cases of child abuse, 112 cases are of corporal punishment, 12 are cases of domestic violence and 97 involved cases of killing of infants and children including girls⁵¹. 83% of children aged 2-14 have experienced physical punishment in their homes and one-third (36.1%) of mothers and caregivers in Nepal thought physical punishment is necessary to child rearing⁵². Due to the current COVID situation, case of violence has also been increased highly. The schools have been used as quarantine centers for COVID-19 patients which will create further challenge to ensure safe learning environment for children when schools reopen.

According to the Constitution of Nepal, “No child shall be subjected to physical, mental, or any other forms of torture at home, in school, or in any other places or situations”⁵³. However, most of the adolescent girls from marginalized communities face multiple forms of violence including physical punishments, bullying, labelling, touching in sensitive organs, and so on from the teachers, friends in schools, and relatives in the community. Half of girls

face gender-based discrimination in public and private schools and about 30% of girls in public schools face caste based discrimination⁵⁴.

It is clear, therefore, that abuses and violence against girls is rampant in public and private schools. 18% out of the 4,100 students have experienced sexual abuse, of which 17.6% occurred in schools⁵⁵. It is equally important to note that many cases of sexual abuses go unreported or under-reported due to fear of repercussions. Girls from marginalized communities face multiple forms of violence and abuses in educational institutions including private, public and Madarsha schools. Most of these girls experience corporal punishments (such as beating on the palm or fingers with stick or ruler) from teachers, parents and classmates, and are abused emotionally by the same perpetrator. They also face a scarcity of clean drinking water, access to sanitation and menstrual hygiene pads⁵⁶.

Child marriage is a crime and prohibited by the constitution, by international human rights instruments⁵⁷ and by the Act Related to Children. Despite these legal arrangements, it is still a major problem in Nepal, a customary practice in some indigenous communities, Dalits and other economically poor, rural and illiterate people. 57.5% respondents expressed that they got married between 16 to 20 because of deep-rooted culture and traditional practices, because of poor economic conditions or parental illiteracy, and 45.3 % of males and 54.7% of females left school soon after their marriage⁵⁸. Child marriage also exposes young girls to physical and sexual violence, including forced sex and marital rape. There is also a higher incidence of maternal mortality in Nepal among girls under age 20 than for women in their twenties.

Recommendations:

- Implement and monitor the policy provisions with clear accountability mechanisms on child marriage, any form of abuse, and corporal punishments towards children.
- Take immediate actions to promote safe and secure learning environments in schools, homes, and communities, and reduce health risks particularly for girls and female adolescents from marginalized communities.
- The response measures provided by the MoE must address the needs and rights of girls with special attention to violence against girls, which has been increased in Nepal under lockdowns.
- The Government should develop strategies supporting COVID-19 school preparedness for re-opening safely with the participation of parents, teachers, CSOs and relevant stakeholders.

G. Right to Information, Participation and Representation

As per the constitution, education governance is managed by federal, provincial and local government, with school education up to Grade 12 is the responsibility of local government. However, the Local Government Operation Act, 2018 restricts the responsibility of local government to manage Grades 11-12 and is therefore against the provisions of the constitution.

Education policy and act provision aims to increase active participation of communities in schools for formulating, implementing, monitoring, evaluating and regulating policies, laws, standards and plans related to ECD, basic and secondary education, parental education, non-formal education, open and alternative continuous learning, and special education. However, the consultation organized by NCE Nepal on 4th August 2018 indicated that despite this, local governments have not been able to discharge all of these duties and responsibilities due to low staff level and lack of capacity in designing local curriculums and systems for Grade 8 examinations, and roles conflict between district education unit and local government.

The above scenario shows that the public education system of Nepal is weak. There is great concern regarding participation, representation and ownership of different stakeholders in the education sector. The report submitted by the Commission for the Investigation of Abuse of Authority in 2018 shows that out of the total complaints, 18.32% were related to the Ministry of Education, Science and Technology. Information dissemination mechanisms are ineffective, and there is ritual participation of parents and community members in schools.

Schools in Nepal have weak educational and financial management⁵⁹. According to the Education Review Office (2018), school governing mechanisms such as School Management Committees (SMCs) function mostly through taking decisions on infrastructure development rather than educational issues. In many schools of the Terai region, there are few Parents Teacher Association (PTAs), School Management Committee (SMCs) or Child Clubs. According to the Consultation Meeting by NCE Nepal on 9th November 2019, PTAs are almost non-functional except as mechanisms to gather parents in an annual parents' meeting, and there is very low level of participatory decision-making process in the schools⁶⁰. There is an absence of a formal coordination mechanism between municipalities, and Research by NCE Nepal indicated that though schools have developed School Improvement Plan (SIP) and submitted it to district education office, the budget and expenditure of the schools hardly matched⁶¹.

Recommendations:

- Ensure alignment between the constitution and Local Government Operation Act, 2018.
- Develop an inclusive Federal Education Act as per the constitution which clarifies the roles and responsibilities of different actors including communities, volunteers and CSOs.

¹ <http://www.lawcommission.gov.np/en/wp-content/uploads/2019/07/The-Act-Relating-to-Compulsory-and-Free-Education-2075-2018.pdf>

² https://moe.gov.np/assets/uploads/files/Education_Policy.pdf

³ MoEST (2018). Flash Report 2017/18. Kathmandu

⁴ Bhatta & Pherali (2017). Nepal: Patterns of Privatization in Education A case study of low-fee private schools and private chain schools; MoEST, 2017. Flash Report 2016/17; <http://www.therisingnepal.org.np/news/27185>.

⁵ <https://unesdoc.unesco.org/ark:/48223/pf0000245656>

⁶ <http://extwprlegs1.fao.org/docs/pdf/nep155698b.pdf>

⁷ <http://www.chainpurmun.gov.np/sites/chainpurmun.gov.np/files/documents/%E0%A4%B8%E0%A5%8D%E0%A4%A5%E0%A4%BE%E0%A4%A8%E0%A5%80%E0%A4%AF-%E0%A4%B8%E0%A4%B0%E0%A4%95%E0%A4%BE%E0%A4%B0-%E0%A4%B8%E0%A4%9E%E0%A5%8D%E0%A4%9A%E0%A4%BE%E0%A4%B2%E0%A4%A8-%20%E0%A4%90%E0%A4%A8%20.pdf>

⁸ Pokharel, K. (2018). Published on The Rising Nepal. Available at:

<http://www.therisingnepal.org.np/news/27185>

⁹ NCE Nepal (2018). Implementation Status of Sustainable Development Goals and School Sector Development Plan (SSDP) in Nepal. Available at: <http://ncenepal.org.np/wp-content/uploads/2017/11/Civil-Society-Education-Report-final.pdf>

¹⁰ Consultation meeting organized by NCE Nepal on 5th November, 2019

¹¹ Budget Speech of Fiscal Year 2018/19

https://mof.gov.np/uploads/document/file/budget_speech_website_20190619052055.pdf

¹² Brief Analysis of National Education Budget for the FY 2018/19, NCE-Nepal <http://ncenepal.org.np/wp-content/uploads/2018/10/National-Edu-Budget-2018-Analysis.pdf>

¹³ Pokharel, K. (2018). Published on The Rising Nepal. Available at:

<http://www.therisingnepal.org.np/news/27185>

¹⁴ MoEST (2020). Education Cluster Contingency Plan.

¹⁵ Action Aid, 2017. The right to education under threat by Privatization in Education. Policy Paper.

¹⁶ Central Bureau of Statistics. (2011). Nepal Living Standards Survey 2010/11, Statistical Report (Vol. 1). (G.

o. National Planning Commission Secretariat, Ed.)

¹⁷ Bhatta, P., & Budathoki, S. (2013). Understanding Private Education Landscape (s) in Nepal, ESP Working Paper Series. Retrieved from <http://www.periglobal.org/sites/periglobal.org/files/WP-No57-01-24-2014-FINAL.pdf>

¹⁸ Ei Research.

¹⁹ CBS (2011).

²⁰ Action Aid, 2017. The right to education under threat by Privatization in Education. Policy Paper.

²¹ Joshi, P. (2016). Experiencing and responding to private competition: the importance of subjectivity and intermediate outcomes. (U. o. Pennsylvania, Ed.)

²² Adhikari, R. (2019) Published on The Himalayan Times in May 10, 2019. Available at:

<https://thehimalayantimes.com/opinion/private-vs-public-schools/>

²³ Institutional School's Fee Fixation Guidelines 2016

²⁴ MoEST (2020). Education Cluster Contingency Plan.

²⁵ MoEST (2020). Alternative Learning Facilitation Guidelines.

²⁶ <https://en.unesco.org/covid19/educationresponse/solutions>

²⁷ Bhatta & Pherali (2017). Nepal: Patterns of Privatization in Education A case study of low-fee private schools and private chain schools.

²⁸ MoEST, 2017. Flash Report 2016/17.

²⁹ <http://www.therisingnepal.org.np/news/27185>

³⁰ MoEST, 2017. Flash Report 2016/17. Kathmandu.

³¹ Education Review Office, 2018, National Assessment of Students' Achievement (NASA) report

³² Views expressed by academician during the consultation workshop organized by NCE Nepal, 9 November, 2019.

³³ Bhatta & Pherali (2017). Nepal: Patterns of Privatization in Education A case study of low-fee private schools and private chain schools.

³⁴ Labor Force Survey, 2017.

³⁵ Constitution of Nepal 2072 *ibid*.

³⁶ UNICEF, 2018 UNICEF Nepal Education Programs (2018-2022). Available at:

<https://www.unicef.org/nepal/media/3331/file/UNICEF%20Nepal%20education%20programme%20.pdf>

³⁷ Consultation organized by NCE Nepal on 9 November 2019.

³⁸ Survey made by NCE Nepal for the preparation of Civil Society Education Report in June 2018.

³⁹ Interview with education advocate from Tribhuvan University in the consultation program organized by NCE Nepal on 16 June 2019.

⁴⁰ USAID, 2017, Reading for All: Disability Inclusive Education for Nepali Children. Available at:

https://2012-2017.usaid.gov/sites/default/files/documents/1861/RFA_Diablility_Inculsive_Edcuation_for_Nepali_Citizen_Oct.pdf

⁴¹ Interview during the Public Hearing Program on 5 June 2019 by NCE Nepal team.

⁴² Interview with an academic researcher from Martin Chautari during the discourse program organized by NCE Nepal on 9 November 2018

⁴³ NCE Nepal (2018). Implementation Status of Sustainable Development Goals and School Sector

Development Plan (SSDP) in Nepal. Available at: <http://ncenepal.org.np/wp-content/uploads/2017/11/Civil-Society-Education-Report-final.pdf>

⁴⁴ NCE Nepal (2017). Based on the interview with the program manager of National Federation of the Disabled Nepal and President

⁴⁵ NCE Nepal (2017). Research on Status of Resource Classes in Nepal.

⁴⁶ NCE Nepal (2017). Research on Status of Resource Classes in Nepal.

⁴⁷ National Human Right Commission of Nepal, Annual Report 2018/2019 available at:

https://www.nhrcnepal.org/nhrc_new/doc/newsletter/Annual_Report_2076_English_min.pdf

⁴⁸ Voice from civil society organization representative during the consultation program organized by NCE on 30 December 2019.

⁴⁹ Consultation organized by NCE Nepal on 9 November 2019.

⁵⁰ National Framework of Child-friendly School (2010), School Sector Development Plan (2016-2023), Policy on Learning Environment without Fear (2010), School as Zone of Peace Directive (2011), Education Act 1971, Education Regulation 2003, Children Act 1992 and National Education Policy 2019.

⁵¹ Child Workers in Nepal (2015). The state of the rights of child in Nepal: Annual report. Kathmandu.

⁵² Global Initiative to End All Corporal Punishment of Children (2017). *Corporal punishment of children in Nepal*. Retrieved from www.endcorporalpunishment.org

⁵³ The Constitution of Nepal 2015

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- ⁵⁴ A study conducted by NCE-Nepal in 2018 on 185 marginalized girls of Rupandehi and Kapilvastu districts
- ⁵⁵ Mishra, N., Thakur, K. K., Koirala, R., Shrestha, D., Poudel, R., & Jha, R. (2010). Corporal punishment in Nepalese school children: Facts, legalities and implications. *Journal of Nepal Paediatric Society*, 30(2), 98-109.
- ⁵⁶ NCE Nepal (2018). Status of Safe and Secure Education.
- ⁵⁷ The Universal Declaration of Human Rights, The Convention on the Rights of the Child, The Convention on the Elimination of All Forms of Discrimination against Women, and so on
- ⁵⁸ A Youth Led Action Research on child marriage and alcohol use conducted by NCE-Nepal in Danuwar community in Dukuchhap, Lalitpur
- ⁵⁹ ERO (2017). Nepalese Journal of Educational Assessment. Available at: [http://www.ero.gov.np/assets/uploads/files/Journal_NJEA_2\(1\)_2017.pdf](http://www.ero.gov.np/assets/uploads/files/Journal_NJEA_2(1)_2017.pdf)
- ⁶⁰ Consultation meeting by NCE Nepal on 9 November 2019.
- ⁶¹ NCE Nepal (2018). Civil Society Education Report.