



The Political Gap in Nepal's Child Protection

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Abstract

Background: The Children's Act 2075 and constitutional protections are examples of Nepal's progressive legal development; however, the implementation of these directives is still uneven. Political parties are the main policy makers in Nepal's federal system, but little is known about how they specifically prioritize child protection. The gap between political rhetoric and actual legislative and budgetary results is examined in this study.

Objective: The "political gap" the discrepancy between the actual legislative and budgetary results at the federal and local levels and the child rights promises found in political party rhetoric is the subject of this study. It especially looks at how the effectiveness of child protection systems is impacted by important political actors' preference for physical infrastructure over social protection.

Methods: Systematic Document Analysis is the focal point of the study's qualitative research design. The data corpus is divided into three categories: (1) National legislative frameworks and the Children's Act (2075); (2) Federal Election Manifestos of the CPN-UML and Nepali Congress (2017 and 2022); and (3) institutional performance reports and budget briefs from international organizations and the National Child Rights Council (2021–2026). Thematic content analysis was used to examine data to compare political rhetoric with practical results.

Results: The results show that local political concerns centered on physical infrastructure often overshadow major parties' high symbolic commitment to child rights in their manifestos. Less than 30% of municipalities have sufficiently funded child protection committees, according to analysis. Additionally, party-affiliated groups are still politicizing classrooms, which is against the rules of "Schools as Zones of Peace" (SZOP).

Conclusion: The "political gap" is the main barrier to child welfare in Nepal, according to the study's findings. The legislative frameworks will remain mainly ineffectual at the grassroots



level until there is a bipartisan agreement to approach child safety as a primary political priority rather than a secondary social issue.

Novelty: This study goes beyond conventional legal analysis to analyze the "political will" that propels or impedes the implementation of human rights in Nepal, offering a distinctive critique of child rights via the perspective of political party accountability and federal budget prioritizing.

Keywords: Relating to Children 2075; Document Analysis; Federalism; Political Accountability; Public Policy.

1. Introduction

Since the adoption of the Nepalese Constitution in 2015, the country's child rights environment has significantly changed. The rights of children, including identity, education, health, and protection from all types of exploitation, are expressly recognized as fundamental rights in Article 39 of the Constitution (Constitution of Nepal, 2015). The Children's Act 2075 (2018), which forbids child labor, corporal punishment, and the use of children for political objectives, further operationalizes this constitutional requirement (Government of Nepal, 2018). Despite these strong legislative frameworks, there is still a sizable "implementation vacuum" that is mostly caused by the uneven political prioritizing of child welfare at the local level.

Political parties play a crucial role as a bridge between administrative action and constitutional aspirations under Nepal's federal framework (Bhattarai, 2021).

In our federal system, political parties are the gatekeepers. They are the bridge between a constitutional dream and an administrative reality. Major players like the CPN-UML and Nepali Congress never fail to include vibrant, child-centric promises in their election manifestos. However, as researchers Vaidya and Baniya (2025) have noted, these pledges often evaporate when it comes time to sign the budget. Although 753 local levels now have more authority thanks to the shift to federalism, the operation of Ward Child Protection Committees (WCPCs) is still delayed by a lack of political will and a preference for "hard" infrastructure projects like buildings and roads over "soft" social protection initiatives (Save the Children, 2022).

The numbers from the ground confirm this neglect. According to CID Magazine data from the Nepal Police, the fiscal year 2081/082 alone saw 477 registered cases of child rights violations, including 355 instances of sexual abuse and 61 cases of child marriage, 21 unnatural sex, and 40 miscellaneous offenses related to child were registered across the country. These aren't just statistics; they are evidence of a system failing its most vulnerable. Furthermore, the National Human Rights Commission (NHRC, 2023) recently highlighted a disturbing trend: during the 2022 elections, children were mobilized in rallies and mass gatherings by the very parties promising to protect them—with the CPN-UML at 32.28%, the Nepali Congress at 18.11%, and the CPN-Maoist Centre at 11.81%.



Different child rights councils and committees have been established from national to local level to monitor the violations of child rights but, its efficacy is often restricted by the overarching influence of party-affiliated sister organizations.

Furthermore, the politicization of educational institutions and the continued involvement of children in political socialization—despite legal bans—pose a persistent threat to the "Schools as Zones of Peace" (SZOP) initiative.

This study aims to confront this "political gap." By looking past the legal jargon, we examine how the internal ideologies and governing methods of these parties impact the defense of children's rights. We move beyond a standard legalistic view to offer a multidisciplinary critique of the political accountability—or lack thereof—required to truly protect the youngest citizens of federal Nepal.

2. Research Objective

The primary objective of this research is to assess the role of Nepali Congress and CPN-UML the implementation of child protection policies since the federal transition. Specifically, the study aims:

- To analyze the alignment between two major Nepali political parties' manifestos and their contribution in legislative outputs regarding child rights.
- To identify the political obstacles preventing the full operationalization of the Children's Act 2075 at the local level.
- To provide evidence-based suggestions for incorporating child right protection into the center political agendas of Nepal's governing bodies.

3. Methods

This study is built on a qualitative foundation, specifically employing Systematic Document Analysis. Rather than observing participants, I have treated "text as data," allowing for a long-term look at how political promises in Nepal either align with or drift away from legal requirements. By using this method, I was able to unearth the underlying political priorities that often dictate child protection outcomes within our federal structure.

3.1 The Data Archive: Sources and Selection

To ensure the research was grounded in reality, I curated a data corpus from three distinct tiers of secondary sources, mostly pulled from official government portals and the digital records of various national and international organizations.

- **Tier 1: Political Manifestos:** I manually retrieved and analyzed the Federal Election Manifestos of the CPN-UML and the Nepali Congress from the 2017 and 2022 election cycles. These were sourced directly from party websites and the digital archives of the Election Commission of Nepal (ECN).
- **Tier 2: Legal and Legislative Frameworks:** To understand the standard Nepal has set for itself, I analyzed the Constitution of Nepal (2015) and the Act Relating to Children (2075), both sourced from the Nepal Law Commission (NLC).



- **Tier 3: Institutional Performance Reports:** I gathered web-based status reports and budget briefs from 2021 to 2026. These came from the National Child Rights Council (NCRC), UNICEF Nepal, and Save the Children International. These reports provided the hard numbers needed to identify what I call the "implementation vacuum".

3.2 Analysis Procedure: Qualitative Content Analysis

The analysis followed a **Thematic Content Analysis** approach. The documents were first digitized and subjected to a keyword-in-context search (e.g., "बाल अधिकार," "Child Protection," "Budget Allocation"). Afterwards those data were classified using a coding frame consisting of: (a) **Rhetorical Commitments** (promises made in manifestos); (b) **Structural Provisions** (laws passed by the parties in power); and (c) **Functional Outcomes** (actual budget spent and protection cases resolved). Following the logic suggested by Bowen (2021), I used Data Triangulation to cross-verify political claims against independent human rights reports, ensuring the final results weren't skewed by a single-party narrative.

3.3 Reliability and Ethical Standards

To keep the research credible, I prioritized "Grey Literature" from trusted international bodies and peer-reviewed articles from NepJOL-indexed journals. While this study didn't require human participants or direct ethical clearance, I maintained strict academic integrity by sticking closely to the source materials and ensuring total transparency in how the data was interpreted. As this study does not involve human participants, no direct ethical clearance was required.

4. Review of Literature

The way Nepal thinks about child rights has shifted dramatically from a simple welfare model to a sophisticated rights-based framework. However, there is an ongoing academic debate about whether our political leaders are leading this change or just following the paperwork. Recent studies suggest that while we have the Constitution of Nepal (2015) and the Children's Act (2075) as a foundation, the actual enforcement of these rights depends entirely on the "political will" of the ruling class.

4.1 Political Ideology and Child Welfare

Social justice has long been an element of the manifestos of the top two political parties of Nepal, particularly the CPN-UML and the Nepali Congress. The later has a "democratic socialist" prospect, promising free education from "pregnancy to death" and universal health insurance (Thapa, 2025). On the other hand, communist-aligned parties often prioritize state-led involvement and mutual social protection. As Adhikari (2025) argues, these grand ideologies often crumble at the local level, where child-centric policies are traded away for short-term political wins or the visibility of new road construction.

4.2 Federalism and Child-Friendly Local Governance (CFLG)

The goal of the shift to a federal structure was to make child rights governance more accessible to the public. A key component of this change has been the Child-Friendly Local Governance (CFLG) Strategy. However, research indicates that public knowledge of these regulations is still low in major hubs like the Kathmandu Metropolitan City, and the local officials frequently



view child rights protection measures as purely "symbolic" (Vaidya & Baniya, 2025). Political leaders have repeatedly underfunded social protection systems like Ward Child Protection Committees because they prioritize revenue-generating construction areas (Save the Children, 2022).

4.3 Politicization of Schools and Protection Risks

One of the most heated debates in Nepalese studies today is how politics has "engulfed" our academic zones. Even with the Schools as Zones of Peace (SZOP) declaration, school administrators are often caught in the middle of socio-political chaos, with party-affiliated unions interfering in the daily running of classrooms. We saw the danger of this during the 2024-2025 youth protests, where children were exposed to arbitrary arrests and state cruelty. This isn't just a safety failure; it is a direct violation of the non-interference vows that our political parties continue to make and then break (Save the Children, 2026).

5. Results

Both the CPN-UML and the Nepali Congress demonstrate a clear "symbolic commitment" towards child rights protection, as observed during thorough examination of their election manifestos from 2017 and 2022 as well as national budgeting reports. The scope and intensity of these political commitments vary significantly, even though both parties have addressed child protection in their high-level rhetoric speeches.

5.1 Comparative Analysis of Party Manifestos

It is evident from comparing the election manifestos of the Nepali Congress and the CPN-UML that although they both use the term "child rights," their ideological foundations differ significantly. The promises made by the CPN-UML are typically framed in terms of state-led social protection. Their 2017 and 2022 documents, which effectively see child welfare as a component of the larger state welfare machine, place a strong emphasis on extending the "Social Security Allowance" to children in disadvantaged or "deprived" areas. Table 1 provides a comparative summary of these thematic and rhetorical political promises.

Table 1 *Comparative Summary of Child Rights Promises in Party Manifestos (2017–2022)*

Theme	CPN-UML Commitments	Nepali Congress Commitments
Education	Focus on technical/vocational training and digital literacy in public schools.	Emphasis on "Right to Education" with free compulsory schooling and higher enrollment for girls.
Social Protection	Expansion of child grants and nutrition programs for "deprived" regions.	Targeted nutrition and health vouchers for mothers and newborns (Cradle to Grave).
Protection	Strict legal action against child labor and trafficking in the informal sector.	Strengthening of judicial and police mechanisms for juvenile justice.
Political Use	Pledges to keep schools free from "administrative" interference.	Explicit commitment to the "Schools as Zones of Peace" (SZOP) directive.



The table shows the policy incorporated into the 2017 and 2022 Federal Election Manifestos of CPN-UML and Nepali Congress in a thematic categorization.

5.2 The "Implementation Vacuum" in Federal Budgeting

An examination of the national budget briefs (2021–2025) reveals a persisting "political gap" despite the commitments outlined in Table 1. Less than 30% of these towns have set aside a specific budget for child protection, despite the Act Relating to Children (2075) requiring the creation of Child Rights Committees at all 753 local levels (UNICEF, 2025). Rather, local political leadership routinely places a higher priority on physical infrastructure, including building roads, which takes up more than 60% of municipal investment, while social protection for children receives less than 2% (Vaidya & Baniya, 2025).

5.3 Political Socialization and Rights Violations

The results also highlight a contradiction regarding the "Schools as Zones of Peace" initiative. While both parties' manifestos disregard the use of children in politics, secondary reports from the National Child Rights Council (NCRC) indicate that during the 2024–2025 political shifts, student wings affiliated with major parties actively mobilized minors for demonstrations and election campaigns. Political party-affiliated "sister organizations" often work outside the official human rights commitments stated in the central party manifestos, creating a protection risk for school-aged children (Save the Children, 2026).

6. Discussion

The study's findings highlight a very unsettling "political gap" at the core of Nepal's federal experiment. What we are witnessing is a system in which the Children's Act 2075 and the Constitution's high-level promises serve as a complex "front," while the actual local government operates on a completely different set of objectives. Children in Nepal continue to be what I refer to as a "silent constituency"—they are helpful for the colorful imagery of a political manifesto, but they lack the political clout to compete with "hard" infrastructure projects like roads and view towers, which account for more than 60% of municipal spending, as confirmed by the 2021–2025 budget briefs. This isn't just a failure of funding; it is a failure of bipartisan accountability. When parties like the CPN-UML and Nepali Congress treat child protection as a "soft" NGO issue rather than a core metric of governance, they effectively leave the Children's Act 2075 as a toothless tiger at the grassroots level.

This implies that political parties use minors through their sister organizations, especially in political protests and election campaigns that prevents safeguarding children's rights in Nepal. This political intervention, which jeopardizes children's safety itself despite ambitious commitments in the political manifestos as well as the strong requirements of the Children's Act 2075.

Additionally, this study shows that the "political gap" results from a lack of bipartisan accountability rather than a lack of policy. Instead of being a fundamental "hard" political metric in the contemporary federal era, child safety is frequently viewed as a "soft" or "NGO-driven" social issue. The discrepancy between manifesto rhetoric and local reality is likely to



continue until political parties incorporate child protection indicators into their internal performance reviews for local leaders.

7. Conclusion

This study suggests that although Nepal has one of the most progressive legal frameworks for children's rights in South Asia, there is a substantial gap between political promise and reality, which hinders the framework's effectiveness. Political parties have successfully included the rhetoric of child rights into their manifestos, but they have not succeeded in institutionalizing these rights through mandatory budgetary allocations and the defense of educational spaces against political meddling, according to the thorough document analysis. The main obstacle to accomplishing the child-related objectives of the Nepalese Constitution is the "political gap" found in this study.

The study makes the following suggestions in light of these findings:

Bipartisan Consensus: To ensure that sister groups are held responsible for involving minors in political activity, political parties should agree to a single minimum program to strictly follow the Schools as Zones of Peace guideline.

Mandatory Budgetary Ring-fencing: All 753 local levels should be required by federal law to "ring-fence" a minimum portion of their internal resources for the purpose of running Local Child Rights Committees.

Child-Friendly Manifestos: Political parties should go beyond ambiguous promises for the upcoming 2026 elections and include specific, measurable targets for reducing child labor and increasing ward-level child protection personnel.

Academic Vigilance: Independent research organizations and the National Child Rights Council (NCRC) must observe whether political acts are in line with the law to uphold political accountability.

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