

Legislators to Advocates and Change Agents
A story of ECD Caucus of Parliamentarians to promote Early Childhood Development in Nepal¹

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Introduction

It is widely accepted that improving children's educational outcomes and health, along with fighting poverty and inequality is best addressed through holistic Early Childhood Development (ECD) programmes. The Sustainable Development Goal (SDGs) make explicit mention of children's access to quality early childhood development programmes as important in achieving targets related to poverty, hunger, health, education and gender equality. Achieving such multisectoral impact demands engagement of multiple stakeholders to expand well-planned and well-resourced centres and strengthen the quality of the services they deliver.

All children are not fortunate enough to access quality ECD. This is especially true in Nepal where economic and social variables such as class, caste, gender and remoteness impact children's ability to access and participate in ECD programmes. Nepal is one of the youngest federal republics with a new constitution promulgated by the Constituent Assembly (CA) in 2015. After a continuous and consistent effort of multiple stakeholders led by the ECD Caucus of the Parliamentarians, the Constitution of Nepal has recognised ECD as one of the fundamental rights of children. The inclusion of ECD as a fundamental right in the constitution was a long process advocated and facilitated by a group of Parliamentarians organised in ECD Caucus. This legal provision in the constitution has far-reaching and important implications as it makes the state responsible and accountable to ensure universal access of children to quality ECD. This story is about the journey of ECD Caucus of the Parliamentarian in Nepal.

Early Childhood Development in the context of SDG

Nepal has witnessed remarkable progress in school enrolment of young children and achieving gender parity in school enrolments in the past few decades (NPC, 2017a). However, those who attended Early Childhood Development Centers (ECDC) continue to demonstrate much better school achievement levels than those who did not. With the increasing realisation that access to ECD has a positive impact on children's holistic development and performance in education, the Government of Nepal (GoN), especially through the Basic and Primary Education Programme (BPEP phase II 1999-2002) and School Sector Reform Programme (SSRP 2009-2015) emphasised expansion of early childhood development through schools and community-based canters and pre-primary classes (PPCs) and mobilisation of community resources for ECD respectively (Khanal, Rai Paudyal, & Dangal, 2017; World Bank, 2013; Seto Gurans National Child Development Services, 2017). The most recent School Sector Development Programme (SSDP 2016-2023) aims to expand one-year school based ECD in all schools and support

¹ Paper presented in 2018 Asia-Pacific Regional Early Childhood Development (ECD) Conference and 3rd High-Level Policy Forum on ECEC being held from 5th-7th June at Hotel Yak and Yeti Kathmandu.

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community based ECD centres with technical assistance (MoE, 2016).

Early Childhood Development Centers (ECDCs) in Nepal are known by various names such as day care centers, early childhood development centers, childcare centers, nursery, kindergarten, preschool, and preprimary classes (PPCs). There are more than thirty-five thousand ECDCs in the country that serve more than one million children every year (MoE, 2016). The country aims for universal coverage by integrating early childhood in school education and for 99% attendance of children to the centres by 2030 (NPC, 2017b). Multiple actors are involved in strengthening ECD, although types of involvement, expertise, and levels of investment vary. While non-government actors, mostly NGOs and INGOs are active in innovation and experimentation on ECD, private sectors promote ECD through institutional schools and kindergarten. The government has a major stake in policy formulation, integrating ECD in school education, monitoring the outcomes and creating an enabling environment for different actors to operate to expand the provision of quality ECD.

Despite the government's strategy to expand the coverage of ECD throughout the country, universal access is still a distant goal (Khanal, Rai Paudyal, & Dangal, 2017). Children in remote villages and those from poor and disadvantaged groups have limited access to ECDs. ECD facilities are mostly concentrated in urban areas. Quality of the services and facilities varies greatly and quality is positively linked with the prices. The poorest and most disadvantaged children cannot afford to access good quality ECD as these services are expensive (ibid). In a differentiated society where economic conditions and social identities such as caste, ethnicity, and gender determine access to ECD, the objective of universal and equitable access is challenging. Therefore, the access to childhood development needed to be established as a fundamental right of children

The emergence of ECD Caucus of Parliamentarians and Achievements

The year 2006 marked a departure in the political and social history of Nepal. The country ended 12 years of armed conflict and a Comprehensive Peace Agreement (CPA) was signed between seven party alliances. This was followed by reinstatement of the Parliament, which paved the way towards developing a new constitution for the federal republic. General elections in 2006 resulted into an inclusive Constituent Assembly (CA) where women and people from different social groups were represented equitably. The CA therefore became a forum for raising the voice of those that were traditionally less represented and less discussed about, including the rights of women and children.

The assembly also became an opportune and important forum for advocates and practitioners of ECD to sensitise the lawmakers to include children's right to ECD in the constitution (Seto Gurans National Child Development Services, 2017). Capitalising on the political changes, in 2008, Seto Gurans, a national level resource organisation for ECD, facilitated a sensitisation workshop for the CA members. The outcome was a common understanding of ECD among the CA members and the formation of a loose network of parliamentarians to promote ECD in the constitution drafting process. This further paved a way to integrate ECD in the constitution as a fundamental right for children (ibid).

Despite this, ECD was still a new concept to integrate into the constitution particularly as

children's issues were less visible in the constitution drafting process compared to many other contested issues and claims from different identity groups. People representing different social groups such as caste, ethnicity, gender, sexual minorities; professional and occupational groups such as business communities, farmers, artists, academia, journalists and medical professionals; and other disadvantaged groups such as persons with disability were all able to raise their voice collectively in the constitution drafting process. However, there was no representation from young children in the CA. This meant that ECD as an issue was neither visible nor accepted easily in the drafting process. It was soon apparent that the loose forum of MPs was not enough to create pressure to integrate ECD in the constitution. There was a need to create a critical mass of MPs in favor of ECD and children's rights.

To address this, the 2nd ECD workshop was organised in collaboration with Seto Gurans and supporting organisations. Eighty CA members representing different political parties participated in the workshop. The outcomes of this workshop included:

- Solidarity developed among CA members representing different political parties on the need to integrate ECD as a right for children in the constitution resulting in a political commitment for universal access to ECD
- An Advocacy plan was developed to increase investment and improve access and quality of existing ECDs in the country
- A task team formed consisting of 21 CA members representing different political parties to take the plan forward. The team was called as 'Constituent Assembly Members Coordination Committee for ECD' i.e. 'ECD Caucus' in short.

The Caucus continued raising awareness among different political parties. A subcommittee within the Caucus worked on the draft provision for the constitution with the specific focus on access of children from poor, minorities and disadvantaged backgrounds to ECD. It worked closely with the government and parliamentary committee of fundamental rights.

The Caucus, with technical support from UNICEF, Seto Gurans and Save the Children, continued discussions with different other stakeholders and expanded the advocacy circle. Apart from the engagement at the policy level, the Caucus also visited some ECD centers in different parts of the country and provided feedback for improvement. These activities also made the Caucus visible and recognised by different community groups.

With consistent efforts from the ECD Caucus, the constitution drafting committee was ready to recognise children's right to ECD in the constitution. The draft constitution shared with the public received positive feedback and the provision was confirmed in the Constitution of Nepal promulgated in 2015. As a result, part 3, Article 39 (3) of the Constitution established ECD as a fundamental children's right.

"Every child shall have right to Early Child Development (prarambhik baal bikas) and Child participation (baal sahabhagita)".

Part 3, Article 39 (3)
Constitution of Nepal
(Nepal Law Commission, 2015)

As the constitution now has provisioned ECD as a basic and fundamental right of children with the aim of leaving no one behind, it is expected that ECD will be expanded further for universal access and investment will be increased for better quality.

Challenges and Opportunities

The major challenge is to implement this constitutional provision in practice. This requires ownership of the issue of 'universal access to quality ECD' at every level from policymakers to bureaucrats and service providers. Such ownership is possible only when legislators take the lead role and make the necessary legal frameworks as well as continue advocacy, lobbying, and monitoring to make the government and other stakeholders accountable for implementation.

In addition to the constitutional provision for ECD, some other important processes have been started in Nepal with the involvement of the ECD Caucus that support effective implementation. For example,

- Following the constitutional provision, all major political parties have mentioned scaling up of ECD in their respective party's election manifestos indicating ownership of the issue and commitment to implementation.
- A high-level steering committee consisting of twelve sectoral ministries including health and education has been formed under the leadership of the National Planning Commission to integrate ECD in national and sectoral level planning and resource allocation. This committee provides guidance on planning and budgeting for ECD throughout the country. In addition, the steering committee is also responsible for policy review and monitoring.
- ECD has been integrated into the revised Education Act (8th Edition). This has recognised and mainstreamed ECD in the school education framework.
- Expansion of ECD facilities and improvement of quality has been planned and budgeted for in the Annual Plan and Budget of Government of Nepal in 2017 as well as in 2018.

These developments can be considered as opportunities to move forward to help achieve universal access to quality ECD in Nepal.

Way forward

Within the policy and institutional framework mentioned above, the Caucus has identified following areas of actions as the way forward:

- Continue lobbying and monitoring to scale-up ECD centres, to improve quality, access, and equity.
- Facilitate the process of sensitisation to the importance of integrating early childhood development into plans and policies at the province and local levels so that actual implementation is effective
- Collaborate to address the issues of affordability, accountability, sustainability, and social justice through innovations, experimentation and through equitable resource allocation.
- Document and exchange learning of ECD Caucus as a good practice and continue to make the ECD agenda political and global.

Conclusion

Over recent decades, early childhood development has been an integral component of the education system in Nepal mainly associated with institutional and public schools, pre-primary classes and community-based centres. This is also reflected in the country's plan and target to achieve the SDGs. Despite such rapid growth in ECD centres operated by multiple actors, however, a large majority of children, especially from remote villages, and from poor and marginalised households lack access to quality ECD.

Access to quality ECD requires well-planned and well-resourced services to be accessible along with the legal framework necessary to ensure access, affordability and equity. Nepal provides a good example of the process of sensitising and working with legislators to address this in an effective and sustainable way. While a multi-stakeholder approach is necessary to ensure universal access to quality ECD, working with parliamentarian and political actors increased ownership and political commitment, both of which are important for the sustainability of the processes and outcome. The story described above demonstrates that legislators, once convinced and sensitised, can not only lead the process of legal reform and the associated accountability framework for the expansion of ECD but also can act as advocates and champions to increase investment and ensure equity as fundamental children's rights. Though legal provisions are not enough to ensure universal access of children to quality ECD, it is certainly the most important, sustainable and effective entry step to move in that direction.

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