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**Focusing on Prevention to Stop
Women Violence**

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Empowering Women

Violence against women is detrimental not only to the one who has been inflicted by it but also to the country as a whole. This has enormously affected human, social and economic cost damaging the development effort of the country along with poor earnings, unstable employment and low productivity.

In our society, violence against women is increasing in an alarming rate with an adverse effect on their mental and physical health.

The violence against women is not a new problem that our society is facing, it is an old issue. Women, girls and even children in our society are facing a series of violence perpetrated by a range of men, other women, family and community from the womb to the tomb since long time. Domestic violence, child marriage, rape, attempted rape, dowry related violence, and killings, polygamy and many other forms of violence are rampant in the society.

Patriarchal society and economic dependency on men are the ground of male domination in the society. Lack of effective laws, poor implementation and unaccountable governmental authorities are also contributing towards the increase of the incident related to the women violence. Of course, the laws, policies drafted to enhance women participation is on different constitutional, administrative and public services are there but the deep rooted religious, cultural and traditional malpractices and taboos created against the women have always obstructed the pathway to equality.

The violence against women is not only in Nepal but it is rampant in all corners of the world and devastates the lives of millions of women. It is rooted in global culture of discrimination which denies women equal rights with men, legitimizing the appropriation of women's bodies for individual gratification or political ends. Violence against women, particularly intimate partner violence and sexual violence are major public health problems and violation of women's human rights. The violence against women can lead to physical health problems. Children who witnesses violence or grow up in families where there are violence may suffer from a range of behavioral and emotional disturbances which might led them to be perpetrators later in their lives or be victim of violence.

The women rights violation in Nepal is significantly increasing especially in rural part of the country and it is high time that the strong step must be taken for minimizing or eradicating the violence against the women. The deep rooted patriarchal values, social construct and economic dependence, women are not being able to exercise their rights. Under many circumstances, women face various forms of violence. There have been many laws and policies formulated to protect them from violence but violence-free and equal society seems a distant dream unless we can bring changes in patriarchal values and eradicate social ills and malpractices such as child marriage, forced marriage, dowry system, allegation of being witch, divorces and also Chaupadi practices and tradition.

To generate the strength of women movement for making just society with the decrement in violence against women and increment in their political participation, women organizations and activities have to unite and build solidarity to fight against all kinds of discrimination and promoting women in politics, and state governance.



Protection of Women in Post-Conflict Societies

Introduction

Women are usually considered as one of the most vulnerable groups during the period of conflict, who are often systematically targeted by the parties to conflict. They are typically left behind to take care of minors and elderly members of the family as violence increases, while adult male either join to the conflict, or become victim to it, or abandon their families in search of security. However, the efforts of women in social transformation and resolving conflicts have mostly been ignored and deliberately excluded in peace building efforts, including dialogue, mediation, negotiation, facilitation and in the implementation and enforcement of peace agreements.

Women, particularly in the conflict affected societies are sidelined in the nation-building process throughout the world because of restrictions imposed on partici-

pating in planning, decision-making, policymaking and implementation processes due to patriarchal systems in society. They are undermined, humiliated and abused (physically, verbally, emotionally and sexually). Both state and non-state actors also disregard the imperative of women participating in the process of policy formulation and peace initiatives. Nevertheless, women have been playing instrumental roles in all fronts, including by leading resistance and liberation movements, as frontline fighters in the battleground, as the economic and social backbone of nations in conflict, and as activists in peacebuilding and nation-building process. Unfortunately, women are not consulted, while signing of peace agreements, and rarely represented throughout peace process, including negotiation. As a result, the peace agreements are generally failed to address concerns specific to the

needs and issues related to women, and also found either incomplete, or face numerous hurdles for effective implementation. As a consequence, the insecurity of women continues to increase.

Armed conflicts pose numerous forms of security threats for women from home to workplace and public spheres. While they fall victim to the wider implications of conflict, women are also subject to sexual and gender-based violence. As long as the institutions and systems that promote patriarchy and militarism are dominant in our societies, the agendas of peace and justice can easily be jeopardized.¹ The maintenance of national security and establishing peace play an important role in economic growth and in the development of the country, and the empowerment of women is vital to both and therefore it cannot be withheld in the name of insecurity or instability. In this

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1. Sarup, Kamala, "Armed Conflict Takes Several Forms on Women," accessed on March 28, 2017, Scoop Independent News. <http://www.scoop.co.nz>

regard, peace education is essential in order to foster a culture of peace and justice and create stability, and women fill the role of peace educator to their families and communities thereby being a key actor in reducing the affects of armed conflict.² Peace education includes the rudimentary concepts and philosophies of conflict resolution and mediation, and encourages the abolition of prejudice and utmost respect for diversity, which is dependent upon mainstreaming a gender perspective into all policies, as well as situational analysis of the affects on women from the armed conflict.

It is noted that the members of conflicting parties frequently abuse them verbally and sexually for “fun” or to embarrass women and hold power over the community and threaten the power of men, by degrading and dominating the women of that community. They are often raped during interrogation or as part of revenge, and systematic rape has been used to demoralize rebel fighters in detention centers. Therefore, all strategies for conflict prevention and resolution are founded on principles of forward-moving strategies with the objectives of addressing conflict related traumas and wounds. Therefore, confidence-building measures are required for political and legal changes in order to increase the participation of marginalized groups, particularly women. According to the organization, Peace for Women, “Conflicts have psychological, physical and material impacts on the lives of women.”³ Despite international humanitar-

ian law prohibiting all forms of attacks on civilian populations, they are often targeted and face casualties during the conflict that further contribute to increase the vulnerability of women, children, the elderly and the disabled.

Similarly, the Fourth World Conference on Women (FWCW) Platform for Action says, “Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law.”⁴ It further states,

The FWCW Platform of Action also stressed that “Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law.

“Parties to conflict often rape women with impunity, sometimes using systematic rape as a tactic of war and terrorism. The impact of violence against women and violation of the human rights of women in such situations is experienced by women of all ages, who suffer displacement, loss of home and property, loss of involuntary disappearances of close relatives, poverty and family separation and disintegration, and who are victims of acts of murder, terrorism, torture, involuntary disappearance, sexual slavery, rape, sexual abuse and forced pregnancy in situations of armed conflict, especially as a result of policies of ethnic cleansing and other new and

emerging forms of violence.”⁵

The FWCW Platform of Action also stressed that “Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law. Massive violations of human rights, especially in the form of genocide, ethnic cleansing as a strategy of war and its consequences, and rape, including systematic rape of women in war situations, creating a mass exodus of refugees and displaced persons, are abhorrent prac-

tices that are strongly condemned and must be stopped immediately, while perpetrators of such crimes must be punished.”⁶ In addition, women suffer from helplessness, humiliation and psychological trauma of killings, brutality, and physical abuse, as well as repeated reminders of inhumane treatment committed by parties to the conflict. In Nepal, women were highly affected during the period of conflict as a result of their direct involvement of armed conflict or as repercussion of their male family members (father, husband or son) being part of the conflict. Similarly, women have faced as victims of killings, disappearances,

2. Ibid

3. Sarup, Kamala, “Armed Conflict Takes Several Forms on Women,” accessed on March 28, 2017, Scoop Independent News. <http://www.scoop.co.nz>

4. “Platform for Action: and the Beijing Declaration. (United Nations Department of Public Information: New York, 1996) pg. 83

5. Ibid pg. 84

6. Ibid

illegal detention, forced migration and displacement, harassment and intimidation, as well as economic hardships.

Role of women is highly important for sustainable peace, promotion of human rights and institutionalization of democracy. Similarly, meaningful participation of women in decision-making processes contributes to reduce violence, initiate peace process

even at the worst time of conflict and the principles of human rights must be respected in all situations. Non-combatants and persons put out of action by injury, sickness, capture, or other cause must be respected and protected. Persons suffering from the effects of war must be aided and cared for without discrimination. Therefore, the human rights of women must be protected to remove the obstacles

directly related to root causes of the conflict and to the effects of conflict, therefore it is only logical that addressing violations of women's rights directly addresses issues surrounding the conflict and its resolution.

International Provisions for the Protection of Women

Women should be respected without any form of discrimination, and must be assured of their inclusive role in the processes of advancement of society and deciding on issues of national concern, as well as conflict resolution, peacebuilding and nation-building process. According to international human rights instruments, all forms of discriminatory practices are abolished, and women should be equally respected in every aspect of life. Article (2) (1) of the Universal Declaration of Human Rights 1948 and the International Covenant on Civil and Political Rights promulgates the equal status of the women and ensures that people will be treated without distinction of any kind such as race, color, sex, language, religion, political or other opinions, national or social origins, property, birth or other status.⁸

Peace and democracy are fundamental values of a free and prosperous society that can only be assured by protecting and promoting human rights. The peaceful settlement of disputes, in accordance with the international principles regarding the use of force and political independence and respect for sovereignty as set forth in the Charter of the United Nations, is an important factor for the advancement of women, and their meaningful participation

Violence against women may be physical, sexual or psychological, and includes battering, sexual abuse, dowry violence, marital rape, non-spousal rape and violence, sexual harassment, forced prostitution, trafficking of women, exploitation-related violence, as well as harmful traditional practices.

and enforce peace agreements. But the gross and systematic violations of rights, particularly of women's rights, are serious obstacles to the peace process and the establishment of a human rights and justice friendly regime. "Such violations and obstacles include torture and cruel, inhuman and degrading treatment or punishment, summary and arbitrary executions, disappearances, arbitrary detentions, all forms of racism and racial discrimination, foreign occupation and alien domination, xenophobia, poverty, hunger and other denials of economic, social and cultural rights, religious intolerance, terrorism, discrimination against women and lack of the rule of law."⁷

According to international humanitarian laws, non-combatant civilians should be protected

of establishing sustainable peace and ensure justice to the victim of conflict. Their rights, protected by international laws include the rights to life, equality, liberty and security of the person, as well as equal protection under the law, freedom from discrimination, and receiving the highest attainable standard of mental and physical health. They must be also guaranteed freedom from torture or other cruel, inhuman or degrading treatment or punishment.

Violence against women may be physical, sexual or psychological, and includes battering, sexual abuse, dowry violence, marital rape, non-spousal rape and violence, sexual harassment, forced prostitution, trafficking of women, exploitation-related violence, as well as harmful traditional practices. Many of the violations are

7. Ibid pg. 82

8. Sarnoff, Irving. International Instruments of the United Nations: 50 Years of service to Humanity. (United Nations Publications: New York, 1997) pg. 85

in decision-making process. The UN Charter reads that the United Nations was established to “reaffirm faith in fundamental human rights, in the dignity and worth of the human persons, in the equal rights of men and women and of nations large and small.” It further states that nations should “establish the conditions under which justice and respect for the obligations arising from treaties and other sources of international laws can be maintained.”⁹

The Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in 1993 states that “the human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights.”¹⁰ It further states, “Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law.” All violations of this kind, including murder, disappearance, systematic rape, sexual slavery and forced pregnancy require a particularly effective response.

Similarly, the UN Security Council Resolution 1325 holds a landmark position in terms of securing the role of women in peace and security, as well as ensures the security of women during the worst forms of armed conflict. The resolution reads, “Civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, including as refugees

and internally displaced persons, and increasingly are targeted by combatants and armed elements, and recognizing the consequent impact this has on durable peace and reconciliation.” It further states that “the important role of women in the prevention and resolution of conflicts and in peace-building, and stressing the importance of their equal participation and full involvement in all efforts for the

as well as respect for national sovereignty and territorial integrity, will promote social progress and development and as consequence will contribute to the attainment of full equality between men and women.”¹²

The Organization for Security and Co-operation in Europe (OSCE) includes gender issues as part of their policy under the Office for Democratic Institutions

The Organization for Security and Co-operation in Europe (OSCE) includes gender issues as part of their policy under the Office for Democratic Institutions and Human Rights.

maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution.”¹¹

Similarly, the Convention on the Elimination of All Forms of Discrimination against Women affirms that “the strengthening of international peace and security, the relaxation of international tension, mutual cooperation among all States irrespective of their social and economic systems, general and complete disarmament, in particular nuclear disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries and the realization of the right of peoples under alien and colonial domination and foreign occupation to self determination and independence,

and Human Rights. It is most used in monitoring elections and human rights throughout Europe and the former Soviet Union.”¹³ In November 2004, the European Parliament passed a resolution calling on European Union members (and the European Commission and Council) to promote the equal participation of women in diplomatic conflict resolution and ensure that women fill at least 40 percent of all reconciliation, peacekeeping, peace-enforcement, peace-building, and conflict-prevention posts. The resolution also called on members to support the creation and strengthening of NGOs (including women’s organizations) that focuses on conflict prevention, peace building, and post-conflict reconstruction.

The creation of the Commission on the Status of Women under the UN Economic and So-

9. Sarnoff, pg. 405

10. “World Conference on Human Rights: The Vienna Declaration and Programme of Action,” (United Nations: New York, 1995) pg. 33

11. “United Nations Security Council Resolution 1325,” (United Nations: New York, 2000)

12. “Human Rights: Discrimination Against Women: The Convention and The Committee Fact Sheet No. 22,” (United Nations: New York) pg. 48

13. “Gender Equality,” OSCE accessed on July 3, 2005, <http://www.osce.org/activities/13041.html>

cial Council has also played an important role to enhance women's participation in peace and security, as well as provide opportunities to share experiences of women from societies that have experienced armed conflict. Although this platform is designed as a set for formal discussion on women's issues, organizations' working for women have also been using this platform to demonstrate their solidarity on various issues and to campaign for the protection of women under all circumstances, including during times of violent conflict. In May 1999, The Hague Appeal for

(76) of the protocol specifically stating that women "shall be object of special respect and shall be protected in particular against rape, forced prostitution and any other forms of indecent assault."¹⁴ It requires "women to be treated with all consideration due to their sex, and seek to reduce their vulnerability to sexual violence, or provide protections for pregnant women and mothers of young children."¹⁵ Unfortunately, women are even victimized by peacekeepers in conflict areas, and enjoy immunity in most of time due to amnesty from the host country le-

ing refugees and internally displaced persons, and recognizing the consequent impact this will have on durable peace, reconciliation and development."¹⁶ Likewise, the 1995 Beijing Platform of Action states that "international humanitarian law, prohibiting attacks on civilian populations, as such, is at times systematically ignored and human rights are often violated in connection with situations of armed conflict, affecting the civilian population, especially women, children, the elderly and the disabled"¹⁷

Rights violations and insecurity have been creating a mass flow of refugees and internally displaced persons, and casualties, the majority of whom are women, adolescent girls and children.

Peace, the largest civil society conference for peace in 20th century, called for the recognition of peace as a fundamental human right, the abolition of war and the right of women to take part in resolving and preventing conflict. It has also launched its campaign for Global Peace Education, which promotes women's rights and needs as an integral part of any peace process.

In addition, the Common Article (3) of the Geneva Conventions, related to the Protection of Civilian Persons in Time of War and the Additional Protocols of 1977, provide that women are protected under the category of 'civilian' on the basis of being equal to men. The convention protects women against any attack on their honor, with Article

gal jurisdiction.

Rights violations and insecurity have been creating a mass flow of refugees and internally displaced persons, and casualties, the majority of whom are women, adolescent girls and children. Security Council Resolution 1265 of 17 September 1999 has outlined the vulnerability of women in situations of conflict. It noted that "Civilians account for the vast majority of casualties in armed conflicts and are increasingly targeted by combatants and armed elements, gravely concerned by the hardships borne by civilians during armed conflict, in particular as a result of acts of violence directed against them, especially women, children and other vulnerable groups, includ-

National Protection Mechanisms

Although women's rights are respected in writing via state laws, they are forced to live under difficult circumstances, and continue to be isolated from the decision-making process. The CPN-Maoists' violent armed struggle has created further challenges to women. As with other conflicts in developing countries, male members of families are directly involved in the conflict by joining the security forces or rebels, or are forced to leave their family home due to increasing fear of being targeted or forcibly conscripted. As a result, women suddenly become in-charge of home affairs and the family without actually having decision making authority in terms of mobilizing resources or being able to trade-off the fixed assets of the family in order to survive. In the mean time, they have to take care of children and elderly family members, as well as arrange for daily survival. So women find themselves trapped between the parties to conflict and responsible

14. Women, Peace and Security. (United Nations: New York, 2002) pg. 34

15. Ibid

16. "United Nations Security Council Resolution 1265," (United Nations: New York, 1999)

17. Platform for Action and the Beijing Declaration. (UN Department of Public Information: New York, 1996) pg. 82

for protecting their family's security and well-being, without being a complete power-holders.

Even though Nepal's armed conflict has peacefully settled, the number of vulnerable women and girls rapidly increases, and they face the physical and psychological affects. The impact of all forms of violence against women and violation of the human rights of women in conflict situations is an all-too common experience of many women in conflict-affected areas. They are traumatized due to the killing of family members, displacement, loss of home and property, involuntary disappearance of close relatives, poverty, and family separation and disintegration, as well as threats to their own being such as killings, involuntary disappearance, sexual slavery, rape, and sexual abuse. Women have also faced threats by dispossession of property, goods and services and deprivation of their right to return to their homes of origin as well as by violence and insecurity.

Nepal has made number of legal arrangements that protects of women's dignity and their participation in state affairs and decision-making process. It means that women should be equally respected and protected in accordance with the Constitution of Nepal, which ensures the "right to equality" as fundamental human rights of the citizen. Ensuring women equal rights the Article 18 (1) of the constitution states that "All citizens shall be equal before law. No person shall be denied the equal protection of law." It further clarifies in Article 38 (3) and (4) that "No woman shall be subjected to physical, mental, sexual, psychological or

other form of violence or exploitation on grounds of religion, social, cultural tradition, practice or on any other grounds. Such act shall be punishable by law, and the victim shall have the right to obtain compensation in accordance with law."¹⁸ However, women continue face discrimination and not equally treated like men in their private and public lives.

Similarly, the 11th amendment of the Civil Code has also promulgated rights for women, particularly on the issues of property, however it is still quite limited. It ruled that a woman who

equal opportunities and economic rights.

Although a law was passed in 2009 called the Domestic Violence and Punishment Act, it is rarely enforced or acknowledged. This law against sexual assault is so rarely executed that hardly any Nepalese women even know that it exists. Depending on the act committed, this law could send offenders to prison for up to six months. The outcome of these women's lives could be drastically positively influenced if they had a safe place to go and report the crimes committed against them.

In 2002, a bill was passed in 2002 that granted women the right to inherit property from birth, specifying however that at the time of marriage any property must be returned to the parent's family, with the wife obtaining equal right to her husband's property instead.

remained unmarried up to 35 years of age had a right to inherit property. In 2002, a bill was passed in 2002 that granted women the right to inherit property from birth, specifying however that at the time of marriage any property must be returned to the parent's family, with the wife obtaining equal right to her husband's property instead. The 2002 bill has included other provisions on women's rights, in particular granting a woman the right to divorce under certain conditions, a legalization of abortion, and increased punishments for rapists. In practice, women continue to be deprived of

However, care needs to be shown not only after the act, but as a way to prevent the assault in the future. Equal attention needs to be given in encouraging inter-spousal communication from the start of the marriage, rather than condemning wrongful behavior later on.

In addition, Nepal has ratified number of international human rights including International Civil and Political Rights, Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Discrimination against Women, and other number of instruments, which protects women's equal rights at home and state affairs. According to Nepal

18. "The Constitution of Nepal, 2015." <http://www.lawcommission.gov.np/en/documents/2016/01/constitution-of-nepal-2.pdf> accessed on August 13, 2016

Treat Act – 1990, if any domestic laws remain “inconsistent with the provisions of prevailing laws, the inconsistent provision of the law shall be void for the purpose of that treaty, and the provisions of the treaty shall be enforceable as good as Nepalese laws.”¹⁹ It means that all international commitments are equally applicable in Nepal’s context as good as domestic laws.

Women should be respected without any form of discrimination, and must be assured of their inclusive role in the processes of advancement of society and deciding on issues of national concern. According to international human rights instruments, all forms of discriminatory practices are abolished, and women should be equally respected in every aspect of life. Similarly, women’s rights must be protected as guaranteed by international laws, which includes the rights to life, equality, liberty and security of the person, as well as equal protection under the law, freedom from discrimination, and receiving the highest attainable standard of mental and physical health.

Moreover, Nepal has created institutional mechanisms that are bound to ensure women’s rights and protection of women from all forms discriminations at home, society or workplace. These mechanisms include National Human Rights Commission and National Women’s Commission. However, the Nepalese government still needs to work further to address the impact of the conflict on women and children, which requires specific plan to provide immediate or long-term supports. The limited programs that do exist, have been developed based on biased information and with-

out proper analysis of the impact and consequences of conflict, only minimally assisting victims from the CPN-Maoists and not victims from actions taken by the security forces. The government has also not assessed and catalogued the actual threats to women from the increasing violence and armed conflict. Similarly, the government has formed Truth and Reconciliation Commission, and Commission for Investigations of Enforced Disappearances for the purpose of finding truth and address trauma of victims through recommending appropriate remedies against perpetrators, and reparation for victims of conflict. However, the commissions are observed dysfunctional and incompetent to understand seriousness of conflict affected people’s pain and loss, and handle those cases fairly and professionally.

Conclusion

In a world of continuing instability and violence, the implementation of cooperative approaches to peace and security, particularly focusing on women’s advancement and welfare, is urgently needed. Equal access and full participation of women in power structures and their full involvement in all efforts for the prevention and resolution of conflicts are essential for the implementation of peace agreements, as well as promotion of peace and security. Although women have started demanding a greater role in democratic processes, conflict resolution, peace building and foreign affairs mechanisms, they are still underrepresented and generally ignored in policymaking, planning and decision-making positions. Since we have clearly outlined the need for women

to be involved at all levels in order to ensure peace, security, and sustainability, their roles must be respected and they should be empowered in social, political and economic stratas through equal representation at all levels of state mechanisms of policymaking and decision-making, and peace efforts. In this regard, the state has a legal and moral obligation to address these issues, particularly the sexual violence against women and girls that has been carried out as a method of persecution in systematic campaigns of fear and intimidation, forcing members of a particular ethnic, cultural or religious group to flee their homes.

During times of armed conflict and post-conflict period, the role of women is crucial for maintenance of national security and promotion of peace. It is important to note that women make an important contribution in peace efforts, nation-building, in their families and in their societies, but it often goes unrecognized. Because of the multiple roles women play at every level, they are central to achieving a culture of peace, through education in the families, local communities, and the nation, that upholds justice and tolerance for lasting peace. They must be represented in efforts of a peace process and should be included in conflict resolution, mediation, reduction of prejudice and respect for diversity.

To protect the rights of women and empower women, there are steps that must be taken by state actors, by civil society, and by parties to the conflict, which includes increase the role of women in conflict resolution processes and decision-making levels of peace building, which will also lead to the protection

19. “Nepal Treaty Act- 1990.” <http://www.lawcommission.gov.np/en/documents/2015/08/treaty-act-2047-1990.pdf>

of women living in situations of armed conflicts; promote the equal participation of women and ensure opportunities for women in peace activities following the provisions of Article (101) of the Charter of the United Nations; and integrate a gender perspective in the processes of resolving armed conflict aiming to include a gender-balanced approach at all levels, and undertake appropriate measures to address all acts of violence against women, violations of international humanitarian law and violations of the human rights of women.

In this regard, it is important to enforce the United Nations Secretary-General's Report on the Protection of Civilians, which calls for a special mechanism to be prepared for the protection of

civilians, particularly women and children, in a situation of conflict, and for groups to refrain from the killing, torture, displacement, and sexual violence, and ensure civilians' access to humanitarian assistance.²⁰ Therefore, the unacceptable employment of sexual exploitation and abuse of women and girls in armed conflicts should be recognized as a crime against humanity by national mechanisms and should be brought under judicial review.

"The participation of women and girls and the inclusion of gender perspectives in both formal and informal peace processes are crucial in the establishment of sustainable peace."²¹ While women are heavily targeted in situations of armed conflict, they often face additional criminal forms of

violence such as domestic abuse, and are restricted from holding power due to longstanding systems of a patriarchal society. Therefore, the role of women in peace efforts is imperative to resolve the conflict and for successful peace building process. They can bring sensitive issues and root causes of the conflict to the table during a peace process that might otherwise go unheard and unaddressed. As a step toward society taking their involvement seriously, they must be economically and politically empowered. In sum, functionality of post-conflict societies without women's participation and involvement will face problems during the implementation of peace agreements and difficulties will most certainly arise

20. "Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict," 28 May 2004

21. Women, Peace and Security. (United Nations: New York, 2002) pg. 53



Ensuring the Rights of Women Migrant Workers of Nepal

Abstract

The participation of women in foreign employment has increased considerably in recent years. The trend analysis of labour migration for foreign employment clearly indicates the sharp rise in the number of Women Migrant Workers (WMW) in last decade. Despite the significant rise of WMW in recent years, data of WMW on a yearly basis is fluctuating. The flux in the number of WMW is mainly attributable to the government policies as it highly regulates the labour migration of women.

The government of Nepal has imposed various forms of Ban on WMW citing the need to protect the women from exploitation and abuse in the destination country. The ban imposed by the government has been in various form and nature from partial ban to complete ban. The effectiveness and legitimacy of such ban are yet to be tested, and there is no reliable data to back up the claim that the ban has in fact protected the women. On the flipside, it is argued that these bans make things worse for WMW as they choose an irregular channel for migration as it leaves them more vulnerable. The inter-

national practice has also shown that similar type of ban based on protectionist approach has not yielded the desired result.

The domestic legal regime and the international law also provides equal rights for WMW and does not foresee ban as effective or even legitimate ways to protect WMW. The ban of various nature instead a proper regulating mechanism intensifies the problem rather than solving them. Thus, the ban government of Nepal has been imposing time and again regarding WMW is not just ineffective and unthoughtful but also illegitimate. The government must address the issue of WMW keeping the best interest of women in the center without undermining any legal rights entitled to women under the domestic and international law, including but not limited to the right to equality, the right to employment equal protection and treatment under law and mobility rights.

The exploitation and abuse of Nepali WMWs in destination country is a significant problem and government is under obligation to address the concerns and ensure the rights of women. The returnee WMWs also faces signifi-

cant problems upon arrival in Nepal. The concerns of WMWs in the destination country and the home country is an alarming human rights concern, but the way our government is handling the situation might make things worst and leave WMWs more vulnerable. The government must take an integrated approach to deal with the concerns of WMWs and regulate the foreign labour migration rather than imposing ban under the protectionist rhetoric.

Women in Foreign Labour Migration

The quest for foreign labour migration is a social reality of Nepali society. It is estimated that more than 3 million Nepali are working in a foreign land. Every day more than 1500 workers leave Nepal in search of employment. As per the official record, the number of women migrants is still small compared to that of the male counterpart as it – amounts to just over 6 percent of all migrant workers leaving Nepal. The trend analysis in obtaining labour permits from 2008/09-2014/15 shows that the number of females migrating for work has increased

from 8594 to 21421 in the period.¹ However, the actual number can be higher than the official estimates as a large number of WMWs use the irregular channel for migration. The government is aware that the WMWs are leaving the country to irregular channels to seek employment despite the various bans to work as domestic workers in various Gulf countries.²

WMWs participant in foreign employment has increased considerably in the past decade. The number of WMWs opting for foreign labour migration is in the sharp rise and is gradually shifting the overall employment trend of Nepal. The growing number of WMWs has also increased the risk and vulnerability for them in home and destination country as most women wanting to migrate are limited to 'low-skill' and low-wage jobs such as domestic work. Women are particularly vulnerable to serious abuse for reasons of gender discrimination, the isolated nature of their work in private homes, and irregular status. In some cases, abuses amount to labor trafficking, forced labor, and debt bondage. Few low-wage migrant workers can access compensation or other remedies for these violations while working in the Middle East.³

The increase in the WMWs seeking work abroad is infused with both opportunities and challenges. It creates employment opportunity for women in one hand. On the other hand, there are challenges associated with abuse and exploitation of WMWs due to nature of the job they are engaged

It creates employment opportunity for women in one hand. On the other hand, there are challenges associated with abuse and exploitation of WMWs due to nature of the job they are engaged in.

in. Particularly, Nepali WMWs working as domestic workers has the distinct experience of human rights and labour rights abuses. As the jobs are confined in private households makes it more difficult for monitoring of working conditions. They are excluded from labor laws which can provide them full coverage of labor rights protection and facilitate access to justice.⁴ Considering the plight of WMWs concern in home and destination country related legislation and policy require careful consideration by the government to ensure the rights of WMWs. The holistic understanding of the issue, underlying factor and impact of any policy must be evaluated before imposing any decision in the matter. Further, the legality of the decision must also be assessed to ensure that the decision complies with the domestic and international legal norms.

The Protectionist Rhetoric

It is an undeniable fact and alarming concern that WMWs are facing abuse and exploitation in both home and destination country. The National Human Rights Commission (NHRC) in its report have shed light on the nexus of foreign labour migration and trafficking in persons.⁵ It has been revealed that many Nepalese workers end

up in forced labour situation or are trafficked for labour exploitation. Despite the fact that the number of WMWs is less compared to men the plight of exploitation and abuse reflects perilous situation for Nepalese WMWs. However, if we look into the plight of migrant workers without gender lens, the problem of exploitation and abuse is a generic problem for Nepal. On average three dead bodies of migration workers arriving each day back home reflect the plight of migrant workers is generic and not specific gender orientation.⁶

The government of Nepal has been actively regulating the participation of WMWs. The government initially prohibited women to leave the country without the consent of their guardian through the legislative arrangement.⁷ The government has frequently been using various restrictive arrangements and bans under the argument of 'protecting women from abuse and exploitation.' In the period 1985-1998 women required the consent of a guardian (i.e. parent, husband or other relative) to go on foreign employment. The government decided to allow foreign employment of females in the organized sector on 16th May 1997. Immediately followed by the death of WMW the ban was imposed

1. Government of Nepal, 'Labour Migration for Employment A status Report for Nepal: 2014/15', 2016, Pg. 7.
2. RSS, 'Ban Sending Nepal's to Gulf as domestic workers: House panel, 2nd April, 2017, available at: <https://thehimalayantimes.com/nepal/ban-sending-nepalis-gulf-domestic-workers-house-panel-govt/> accessed on: 5th April, 2017.
3. Sarah Paoletti et al, 'Migrant Workers' Access to Justice at Home: Nepal', Migrant Workers' Access to Justice Series, Open Society Foundation: 2014, Pg. 18.
4. Migrant Forum Asia, Universal Periodic Review on Nepal, 'Written submission of the Migrant Forum in Asia network for the 23rd session of the Universal Periodic Review', 2015, pg. 5.
5. National Human Rights Commission, "Trafficking in Persons", National Report, 2013-15, Pg. 48-50.
6. Anil Bhattarai, 'Lost in Numbers', TheKathmanduPost, available at: <http://kathmandupost.ekantipur.com/news/2017-01-13/lost-in-numbers.html>, accessed on 10th April, 2017.
7. Foreign Employment Act (1985).

on female workers for foreign employment in 1998. The ban was then lifted by security guarantee from Nepalese Mission on destination countries except for foreign employment to Gulf Countries on November 16, 2000. Later in 2003, the ban was lifted by full security guarantee duly certified by Nepalese Embassy or Consulate in Gulf countries. The period of 1998-2003 can be seen as a period of complete ban on the migration of female workers to a Gulf country. The period of 2003-2010 has seen a partial ban on female workers to Gulf Country. Further, in 2005 government banned female migration for foreign employment to Malaysia imposing various conditions which were later lifted in 2007.

Further, a complete ban was imposed on female domestic workers going to Lebanon during January 2009-May 2009. This was followed by age-based restriction as from 2012-May 2014 government prohibited women younger than 30 to work as a domestic worker in a Gulf country. The government again imposed a complete ban on female migrant of all ages to be recruited for domestic work in a Gulf country from May 2014-April 2015. On the same line, from 2015 April onwards women younger than 25 has been restricted to work as domestic workers in a Gulf Country. In 2016, the government decided to allow the women to work abroad as housemaid after signing separate labour agreements with the host country.⁸ Recently, in March 2017, the Parliament's International Relations and Labour Committee

directed the Council of Ministers to completely ban sending Nepali workers to the Gulf countries.⁹ This decision was taken after a government officials visit to find the status of Nepali migrant workers in various Gulf countries.

The government has often relied on the protectionist rhetoric for imposing such bans and claimed that it aims at the better protection of the women. This 'Protectionist Approach' places central importance on differences between men and women. Recognising gender differences, and the disadvantaged position of women, this approach seeks to treat women differently to protect their rights. The problem with this approach is that its methods of coping with gender difference fail to address the structural or systemic causes of gender inequalities. The protectionist approach is inherently limiting as it focuses on the ways in which women need to be subjected to 'special' treatment compared to men. In doing so, it reinforces existing cycles of gender difference and disadvantage.¹⁰ The protectionist approach followed by the government of Nepal raised two basic questions.

First, does the restrictive practice in the form of ban work? Moreover, Secondly, Is the restrictive practice and different form of bans consistent with Nepal's domestic and international legal obligation?

On Question of Effectiveness

Considering the plight of WMWs, there is need to establish clear regulations and moni-

toring systems to protect women migrants, including to ensure that recruitment agencies protect women migrant workers' rights, as well as legal sanctions for breaches of the law by recruitment agencies.¹¹ The NHRC also recognizes that is challenging to ensure the rights to the mobility of women by granting the rights to the mobility of women as par with the men. However, protection of women from violence, abuse, and exploitation in the destination countries can be possible through proper intervention programs at home and in the destination countries. Further, the government shall conclude Memorandum of Understanding (MoU) and bilateral labor agreement with the major destination countries and extend bilateral and multilateral relations to the countries of destination using the international forum of migration such as Colombo Process and Abu Dabi Dialogue and mobilization of Non- Residence Nepali (NRN) Association across the countries, especially in Gulf and South East Asia.¹²

Particularly regarding the bans and restrictive practices, these regulation although may seem as well-intentioned does not actually protect the rights of WMWs but discriminates and makes them vulnerable to exploitation, irregular migration and labor trafficking. Rogue recruitment agencies facilitate irregular movement and have on recorded account forged documentation of women migrant workers to evade the travel ban. In the case of Nepal, this facilitates irregular migration through the

8. The Kathmandu Post, 'Ban on women going for domestic jobs lifted', 13th May, 2016, available at: <http://kathmandupost.com/ekantipur.com/news/2016-05-13/ban-on-women-going-for-domestic-jobs-lifted.html> accessed on: 5th April, 2017.
9. RSS, 'Ban Sending Nepalis to Gulf as domestic workers: House panel, 2nd April, 2017, available at: <https://thehimalayantimes.com/nepal/ban-sending-nepalis-gulf-domestic-workers-house-panel-govt/> accessed on: 5th April, 2017.
10. Participant's Handbook, Introduction to the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, Pg. 14, available at: http://crc-and-cedaw-reporting.weebly.com/uploads/9/6/6/8/96685952/module_1.pdf accessed on: 13th April, 2017.
11. Sarah Paoletti et al, 'Migrant Workers' Access to Justice at Home: Nepal', Migrant Workers' Access to Justice Series, Open Society Foundation: 2014, Pg. 31.
12. National Human Rights Commission, "Trafficking in Persons", National Report, 2013-15, Pg. 68.

open border with India.¹³ The study carried out by ILO on the migration ban in Nepal has concluded that the bans reviewed did not prevent people from migrating and discriminated somewhat arbitrarily based on gender, class and age. The ban placed women at greater risk of abuse during the migration journey. Further, the study suggests that to be effective, protective policies must be introduced transparently, be well-publicized, and take a comprehensive and empowering approach.¹⁴

The restrictive rules and bans, in reality, create more problem than it solves. The study shows that the age ban or total ban on labour migration would lead to the use of the irregular channel for migration using neighboring countries, India and Bangladesh. Further, the irregular migration is found to be associated with more dangerous and circuitous routes, lack of information, lack of choice regarding the destination country, and in some cases trafficking.¹⁵ This increases the vulnerability of WMWs for abuse and exploitation waiving the available legal protection at home and abroad.

The use of restrictive rules and ban has been used by other migrant-sending countries too. Indonesia since 2015 has banned women from going to 21 Middle East countries following a series of abuse cases, but a high-demand of maids has encouraged traffickers to find ways around the curbs.

The government imposed the ban claiming it was adopted to defend the ban on the ground of protecting the women. However, in March 2017 the revoked such ban as the pan pushed more poor Indonesians desperate for jobs into illegal migration. The decision to revoke the ban has been welcomed the decision by the migrant activists as a positive decision.¹⁶ Similarly, the Ugandan government has banned Ugandan women from going to work as maids in Saudi Arabia, following reports of employer abuse and poor working conditions. The decision came after several young Ugandan women were known to be tortured while employed as domestic workers in Saudi Arabia.¹⁷

The government of Myanmar after a number of high profile cases of worker abuse prompted the government in September 2014 to put a temporary ban on women going abroad to find work as maids. However, with few economic opportunities at home, the number of women leaving to get jobs abroad as domestic workers have not abated, and more do so illegally, the government had to revoke its decision.¹⁸ Further, the different ban and restriction have also been used by the government of Bangladesh, Cambodia, Ethiopia, Madagascar and Philippines.

The domestic experience and international practice of restrictive policy and bans clearly indicate that the bans are not as effective as the government con-

siders it to be. The reliance of a government on various forms of bans can lead to the more complex problem of abuse and exploitation rather than merely 'protecting women's.' Thus, government's reliance on bans and restrictive practice regarding WMWs as the protective measure does not yield desired results rather have a damaging impact for WMWs.

On Question of Legality

The restrictive practice or various forms of the ban on WMWs to seek a job abroad also invokes a legal question. The domestic and international legal instruments make it unlawful to adopt gender discriminatory laws and policy. The Constitution of Nepal (2015) under the right to freedom: Article 17 (2) (f) states that "freedom to practice any profession, carry on any occupation, and establish and operate any industry, trade, and business in any part of Nepal."¹⁹ Similarly, recognizing the right to equality: Article 18 (2) it has been stated that "No discrimination shall be made in the application of general laws on the grounds of origin, religion, race, caste, tribe, sex, physical condition, condition of health, marital status, pregnancy, economic condition, language or region, ideology or on similar other grounds".²⁰ Further, recognizing the right to employment as fundamental right Article 33 (2) provides that, "Every citizen shall have the right to choose employment."²¹

13. Migrant Forum Asia, Universal Periodic Review on Nepal, 'Written submission of the Migrant Forum in Asia network for the 23rd session of the Universal Periodic Review', 2015, pg. 3.
14. International Labour Organization, 'No easy exit – Migration bans affecting women from Nepal', Fundamental Principles and Rights at Work (FUNDAMENTALS); Labour Migration Branch (MIGRANT) - Geneva: ILO, 2015, Pg. ix.
15. International Labour Organization, 'No easy exit – Migration bans affecting women from Nepal', Fundamental Principles and Rights at Work (FUNDAMENTALS); Labour Migration Branch (MIGRANT) - Geneva: ILO, 2015, Pg. x-xi.
16. Beh Lih Yi, 'In U-turn, Indonesia says will continue to send maids abroad', Reuters, 20th March, 2017, available at: <http://www.reuters.com/article/us-indonesia-labour-trafficking-idUSKBN16R18C> accessed on: 7th April, 2017.
17. Brenna Daldorph, 'Uganda bans maids from working in Saudi Arabia', RFI English, 27th January, 2016, available at: <http://en.rfi.fr/africa/20160127-uganda-bans-maids-working-saudi-arabia> accessed on 7th April, 2017.
18. <https://www.theguardian.com/global-development/2016/jun/06/myanmar-women-put-in-danger-by-ban-on-maids-working-overseas> accessed on 7th April, 2017.
19. Constitution of Nepal (2015), Article 17.
20. Constitution of Nepal (2015), Article 18.
21. Constitution of Nepal (2015), Article 33.

Beyond the fundamental rights chapter in its directive principles: Article 50 constitution has stated that “(1) The political objective of the State shall be to establish a public welfare system of governance, by establishing a just system in all aspects of the national life through the rule of law, values and norms of fundamental rights and human rights, gender equality ...”²² Further, Article 51 (i) (5) of the Constitution in Policies relating to labour and employment it has been stated that government has an obligation “to regulate and manage the sector in order to make foreign employment free from exploitation, safe and systematic and to guarantee employment and rights of the labours”.²³ The plain reading of the above-mentioned provisions of the Constitution establishes that the Constitution generally call for the gender neutral policy and practice by the State.

The primary legislation governing the foreign labour employment has dedicated two sections to ensure non-discrimination in foreign employment on the basis of gender. Foreign Employment Act, 2064 (2007) Section 8 has made provision relating to the prohibition on gender discrimination. The provision reads, “No gender discrimination shall be made while sending workers for foreign employment pursuant to this Act. Provided that where an employer institution makes a demand for either male or female workers, nothing shall prevent the sending of workers for foreign employment according to that demand.”²⁴ Further, Section 9 of the same act requires “to provide special facility and reservation: (1) The Govern-

ment of Nepal may provide special facility to the women, Dalit, indigenous nationalities, oppressed, victims of natural calamities and people of remote areas who go for foreign employment.”²⁵

In the context of international instrument relevant to Nepal, the Convention on the Elimination of All Forms of Discrimination against Women (1976) and its General Recommendation (GR) No. 26 is relevant to Nepal as a State party. The GR 26 also specifically calls on origin countries to ensure the ‘lifting of discriminatory bans or restrictions on migration: States parties should repeal sex-specific bans and discriminatory restrictions on women’s migration on the basis of age, marital status, pregnancy or maternity status. They should lift restrictions that require women to get permission from their spouse or male guardian to obtain a passport or to travel (Article 2 (f)).’²⁶ Similarly, Nepal is also party to the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), which requires the government to ensure “equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination” and “repeal any statutory provisions and modify any administrative instructions or practices which are inconsistent with the policy”.²⁷

In light of the domestic and international legal provisions relating to the restrictive practice and bans on WMWs to work abroad seem out of place and against the basic value of the legal provisions. This claim is further aided by the governments’ participation and commitment in the consultative

forums while discussing issues and agendas related to WMWs, which includes Colombo Process, Abu Dhabi Dialogue, Asia-EU Dialogue, UN High-Level Dialogue on Migration and Development and Global Forum for Migration and Development.

Thus, it can be argued that the ban imposed by the government of Nepal on time to time basis not be in line with the domestic and international obligations. The restrictive practice and bans particular violate the constitutional provisions, foreign employment act. Further, the practice is in conflict with the provision of CEDAW and ILO Convention No. 111. This claim is further strengthened by findings that the bans and restrictions are in fact damaging and increases the vulnerability of WMWs.

Thinking Beyond the Restrictive Practice

The plight of WMWs both home and abroad is alarming and the government needs to come up with effective ways to address it. The WMWs are not only facing abuse and exploitation in large number but also lack access to justice both at home and abroad. The aspirant WMWs and returness WMWs face challenges in access to justice. The Research Report prepared by Nepal Judicial Academy has shown that there are various concerns that hinder women’s access to justice. The study has identified the associated financial costs, general perception towards court proceedings, lack of proper information, the behavior of service provider, geographic limitations, lack of trust in the institution, procedural aspect

22. Constitution of Nepal (2015), Article 50

23. Constitution of Nepal (2015), Article 51.

24. Foreign Employment Act, 2064 (2007), Section 8.

25. Foreign Employment Act, 2064 (2007) Section 9.

26. CEDAW, General Recommendation 26.

27. ILO Convention 111, Article 2 and 3 (c).

and timeframe for formal proceedings as major factors hindering the women's access to justice. As there is a generic concern of women's access to justice in Nepal the access to justice for WMWs against the fraud, exploitation and abuse faced at home is an uphill task. The access to justice for Nepalese WMWs in destination country is out of the question as they do have various constraints such as language constraints, financial constraints, information constraints, etc. Further, both at home and destination country WMWs get very little or no assistance to seek justice against any form of abuse or exploitation.

The issue of WMWs is significant for Nepal as it is migrant sending country. The government must come up with a proper plan of action and policy to ensure the rights of women to seek employment and at the mean time protect them from abuse and exploitation. From its experience and the international practice, the government must learn its lesson that restriction on WMWs to seek a job abroad and generic ban are not the solutions to the problem as they are neither effective in protecting the rights of women nor are in line with the legal obligation of Nepal. The government must come up with strategic plans to protect the rights of WMWs at home and abroad. In doing so, the government can consider following measures:

- i) Legislative arrangement in line with international legal obligation, particularly under CEDAW.
- ii) Bilateral and Multilateral MoU with destination country to better protect WMWs.
- iii) Increase WMWs access to necessary information relat-

ing to migration cycle and related issues.

- iv) Enhance access to justice at home for aspirant and returnee WMWs.
- v) Give weight to international best practice and evidence-based research while implementing policy or decision relating to WMWs.
- vi) Rethink the impact of restrictive practice and policy ban based on empirical findings before implementing such decisions.
- vii) Address the cause of abuse and exploitation of WMWs and address the root causes rather can restrict women to seek jobs abroad.
- viii) Recognize and address the concerns relating to irregular migration. Also, evaluate if the government's policy is the factor which pushes WMWs to use irregular migration channel.
- ix) Move beyond the protective rhetoric and ensure the equal treatment of women in the context of the labour migration.

In closing, The number of WMWs is in rising trend and will tend to increase considering the growth of migration phenomenon in Nepal. In this context, the government of Nepal should play a constructive role to facilitate the migration process and seek to ensure the rights of WMWs both at home and abroad. The government must come up with comprehensive plan to protect WMWs at home and abroad. The restrictive approach and bans are citing the protection of women rhetoric are neither efficient nor lawful for a State to pursue. Thus, the government

should not rely on bans and restriction in the name of protecting WMWs. These restrictive practice and bans negatively impacts the WMWs and create woes for them in the home country and destination country.

Migration restrictions have been controversial in Nepal, and while they reduce female migration, they do not prevent it. This also increases vulnerability of WMWs as they seek irregular migration as an option. As expressed in CEDAW, GR No. 26, Nepal needs to Facilitate women's access to safe, low cost, legal migration channels including by: removing bans and restrictions on women's out-migration on the basis of sex, gender, and intersecting forms of discrimination; providing comprehensive gender- and rights-based pre-departure information and services for prospective women migrant workers; regulating recruitment agencies, employers, and private sector agents involved in labour migration; training, monitoring and supervising government agents involved in the migration process, especially in transit, and holding those who abandon or abuse women in transit accountable; removing indirect discrimination against women via visa schemes that tie women to feminized jobs; and enforcing family reunification schemes. It is re-emphasized that, the concerns of WMWs and related legislation and policy require a careful consideration by the government. The holistic understanding of the issue, underlying factor, impact of any policy and its lawfulness must be evaluated before imposing any decision or policy.

View Points on Local level election

It is very positive part that the local level election is happening after almost 20 years. At the same time it is sad that political parties are in a dispute. Similarly, it is sad that the reconstruction of local level remains unfinished. The election is essential in the country for the implementation of constitution and development. However, there is doubt whether the government will be able to conduct election on time or not as Madhesi political parties are in agitation immediately after the announcement of election date.

Advocate Bishwojit Tiwari
Chairperson, Information and
Human Rights research centre,
Nepalgunj



After almost two decades, we are having a local level election and this is very important issue. This election is equally important to secure the sovereignty rights of the people. For the national development and democracy, local level election is very essential. The environment and technical issues are equally an important part of the election. Without election, the democracy cannot sustain in local level. Voter's education is another important aspect. Increasing election awareness and including more vot-

ers in an election is important. The election act and laws should be made based on an important verdict by Supreme Court and Nepal constitution. Important information regarding the election must be updated and environment of election should be created so that everyone is included. General people should know that the election will make democracy, development and good governance more strong. In this election, there must be a provision of Right to reject, Right to choice. The candidates must provide their property information before giving candidacy. For the implementation of constitution, election is essential.

Baija Nath Chaudhary
Civil Society leader
Chairperson RYC Mahottari
Central Committee Member of
NGO Federation

The announcement of local election date after a long wait from the people is a welcoming step of the government however, the implementation part is more important. The government must engage itself to provide security so as to create peace-



ful environment for the election and other political parties must support this. People are in support of election however they are concerned about the government of not making such environment. But, the announcement of an election date has added excitement on people. Along with this, voter's education and programs to motivate voters must be operated.

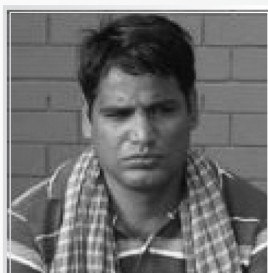
It is very positive part that the local level election is happening after almost 20 years. At the same time it is sad that political parties are in a dispute. Similarly, it is sad that the reconstruction of local level remains unfinished. The election is essential in the country for the implementation of constitution and development.

However, there is doubt whether the government will be able to conduct election on time or not as Madhesi political parties are in agitation immediately after the announcement of election date.

So, it is important for the agitating political party to come into consensus along with the amendment of constitution in an agreement to make the local level election successful. For this, the government needs support from everyone.

Mishri Lal Mahatman

Civil Society Representative
Mahottari



For the prosperity of people, election is essential. The official work has been in mess for a long time due to the vacuum created in local guilds and people could not get an effective service from these bodies.

The representative selected by the people will lead the local level after the election and there will be effectiveness on rights, services and development provided by the provisions of new constitution. But there is a doubt whether the election will be held on time or not due to the agitation initiated by some Madhesi political parties.

At present context, it is important to create election environment by amending the constitution and addressing the issues of Terai- Madhesi through dialogue so that they can participate the election because federalism has been accepted in the country and constitution has been issued.

If the election is conducted without the participation of Terai-Madhesi political parties and if such election environment is not created in Madhes, it is hard to conduct election.

Bhawani Koirala

Padma Bhuwaneshwori Namuna
Elder Services, Sarlahi



The government has announced the date of local level election but there is doubt whether it will be conducted or not. There are many doubts however there is a situation to for election. The nation could not speed up in its development process because of not having election for a long time. This has motivated impunity in the country. Corruption is rampant.

The young generation could not understand about the local bodies as election could not be conducted for such a long time. Election is also important for the new leadership. The demand for the present election is to bring new faces to make new Nepal. The political leaders must come up for the interest of the country rather than the party.

Leaders must be active to protect country from the crisis. There are many challenges however it is possible if the leaders and political parties' come up with honesty.

Binod Pariyar

Member
FNJ, Parsa Branch



The government's announcement of local level election in May 14, 2017 is appreciable. The leaders and

parties who have faith on democratic process should not run away from the election. From the last 19 years, the election could not be conducted and this has motivated bureaucracy in democratic country. The people are compelled to face unusual situation. The pathways of development has been obstructed, corruption and impunity is rampant. The reason behind the weakening of democracy is due to the failing of conducting local level election. I am quite certain that the announced election date will strengthen the democracy. There must be differentiation and variation in political ideology or principal but everyone must come together for the successful election. Participating in an election is a democratic process and everyone must participate in it. So, no one should miss this golden opportunity. Election is must and let's make it successful.

Mohan Singh Thebe

Chairperson, Human Rights
Forum Nepal, Ilam



I have felt that constitution is being implemented. This is a good and positive step for Nepalese people. The debate operated regarding the need of Local Level Election has come to be true and I am very happy.

General people are confused about the issue of restructuring. They are confused about, village council and municipality. They do not know in which ward they belong to and I think the election commission must operate campaign on voters' education and restructuring process.

Local level has right to formulate 22 laws and it must fully utilize this opportunity. And it is a voter's responsibility to sensibly select capable leader.



Proposed Torture Bill in Justice Criterion

The trend of using torture as a means whether it is in the name of correcting opposition or to confess them or getting information by fear or terror is still prevailing. The incident of torture is continuing as it is being used as a strong weapon for making convict confess rather than adopting scientific investigation method.

The government of Nepal has failed to stop torture prevailing in police custody. The United Nations Expert committee formed in Geneva, against the torture to monitor the implementation situation of covenant against the torture said that, torture has been institutionalized in Nepal. The committee that has published its report after six years of study revealed that Nepal has failed to establish law against torture or have failed to stop prevailing impunity rather it has adopted the policy to motivate immunity or protecting the perpetrators by continuing torture. This has proved that torture practice in Nepal has become a huge problem.

Statement oriented investigation system and weak legal system in civil nature is motivating incident of torture. The

international law, constitution of Nepal and Supreme Court has accepted torture as a serious crime, however; only now, the process has been initiated to make law to criminalize the torture. The detainees complained of getting higher amount of torture while in custody, however, due to the various reasons, the victims are not getting any judicial treatment.

When a person is in police control, he deprives of freedom and becomes helpless. There are very few of them who actually lodges complaint against the police for inflicting torture.

During the Universal Periodic Review held in Geneva of Switzerland in 2015, Nepal had committed to criminalize torture, fair investigation of torture incidents and reparation to the victims. However torture has not been criminalized yet. The Supreme Court while ordering on the ordinance of TRC and CIEDP on January 2, 2014 had stressed that criminalizing torture is a state's liability. The court said that it is a fundamental rights of people to get freedom from torture and no amnesty can be given on serious nature of incidents on human rights violation

and atrocities. The bill on torture and inhumane or degrading behavior is registered in the parliament however it has not been issued yet despite of demand of law to criminalize torture.

The Supreme Court in 2007 had ordered the government to show their commitment regarding the covenant against torture and initiate to make law on criminalizing of torture. Supreme Court while ordering on ordinance regarding TRC and CIEDP in 2014, January 2 had stressed that criminalizing the torture is under the state's liability. The Court had ensured and made it clear that it is fundamental rights of people to get rid of torture and clearly stated that people involved in grave human rights violation cannot get amnesty.

The demand of law on criminalizing the torture has been increasing and, in parliament, the bill on torture, inhumane or degrading behavior has been registered but has not been issued yet. Most of the provision in this bill is not in favor of the covenant against torture. If some of the provisions in this bill are not amended, the victim will lose their right to get justice and reparation.

The government's initiation to criminalize torture and other misbehavior can represent important step to make national law in line with an international standard and criterion. At the same time, this step can play a vital role in providing constitutional guarantee. But, at present, the provisions in proposed bills do not meet international standard or criterions.

The present National law has stated torture and other degrading behavior as a criminal act. In order to be favorable with international legal liabilities, it is necessary to have proper legal provision to stop torture or degrading behavior, or to criminalize and provide legal treatment. Apart from that, it is essential to have an effective implementation of national or international legal liabilities to make perpetrators of torture and other degrading behavior, more accountable.

It would have been better if the recommendations from stakeholders and comprehensive discussion from the public was discussed regarding the bill. It is positive aspect that the proposed bill includes a provision of criminalizing torture, investigation on those who inflicted torture and prosecution mechanism. This bill is somehow more progressive as compared to the present law. The bill at the same time has attempted to address impunity and delivery of justice to the victim however, if some issues within the bill are improved, it will definitely help to minimize torture and deliver justice to the victim.

But the proposed provisions are not enough to meet covenant based liabilities, to achieve its objective and to promote the constitutional rights. It is important to include some important

provisions in this bill to make it more effective and to achieve its objective.

Things to be covered in proposed bill:

The definition of torture, types of torture and degrading behavior and torture situation in draft bill has been made very narrow than its area. This definition does not meet with the international; law and criterion, especially on covenant against torture and Civil and Political rights.

In the definition of the proposed draft bill, similar to the act 22 of the constitution of Nepal, a context of "person in custody" is stated. The latest provision of the proposed bill seems like it is only attempting to protect a

tor of torture outside the custody. Similarly, as per clause 22, in order to receive compensation, the victim must establish an evidence of getting torture and the provision of the bill might not cover the torture outside the custody.

The limitation of complaint lodging (clause 11) and allegation registration process on torture must be extended. This bill has also provisioned that the torture inflicted victim can lodge complaint within 90 days from the time of incident or from the time he/she is released from custody. Practically, there can be a various reason that the victim may not be able to lodge complaint within 90 days. In fact, the victim is normally in a condition of fear with the one who inflicted

The limitation of complaint lodging (clause 11) and allegation registration process on torture must be extended. This bill has also provisioned that the torture inflicted victim can lodge complaint within 90 days from the time of incident or from the time he/she is released from custody.

person who is inflicted to torture while he or she was in custody. For example, clause 11 has given right to the victim to lodge complaint at court but, while lodging complaint, it is mandatory to present description of "time and reason for being in custody". Similarly, provisions in clause 12, 13, 14, 15 and 16 depends upon the provision in clause 11. Thus, there is no clarity in bill regarding the mechanism of lodging complaint against those inflicting torture. The bill has no judicial reconciliation clarity, no clarity on investigation process, and prosecution against the perpetra-

torture on him/her. The victim might be in various physical or mental pressures stopping him or her to lodge complaint. Due to these reasons, clause 11 and 17 must be amended along with the dismissal of the time limitation of crime prosecution and reparation provision. There must be an adequate time provided to lodge complaint.

The proposed bill on torture is silent on universal jurisdiction of crime. According to the covenant against torture, every state party are bound to investigate on a person inflicting torture and if there are adequate

evidences, the person must be extradite or prosecuted. It is important that particular provision must be included in the bill to provide jurisdiction on torture outside Nepal.

The punishment provision in proposed bill of torture must be made sustainable (clause 20). There is a provision of penalizing Rs 50,000 and up to five years sentence to the perpetrator inflicting torture or giving command for torture. If the victim is disabled due to the torture or became the victim of rape or sexual violence, the punishment will be extended up to 10 percentages according to the provision (clause 3). The given provision has a possibility of only to penal-

amendment in this proposed torture act is the issue of compensation and reparation. The bill has provisioned for Rs 5, 00,000 as compensation to the victim. Under the covenant against torture, Nepal government must legally ensure for adequate reparation to the victim based on the intensity of crime. The compensation amount of Rs 5,00,000 might not be adequate for the victim who has bear a huge loss. That is why such reparation must be in accordance with victim's will, necessity and satisfaction. The policy makers must give attention while making laws regarding reparation so that it can address reinstatement, satisfaction and must guarantee that such inci-

The proposed torture bill must cover all legal provisions which might come as an obstruction while addressing and achieving justice. There must be a proper complaint lodging mechanism as well. The draft bill has a provision of lodging complaint relating to torture in court (clause 11). But, due to the poverty, ignorance or geographical proximities, the victims might have difficulties on accessing the court. This will benefit the mechanisms or bodies that actually ensure right to complaint for those who are in custody or those not having access to the court. These mechanisms can be custody chief, bodies that can freely conduct monitoring, police or NHRC. So, the liability to present the complaint at court must be established in these bodies.

According to the proposed bill, the investigation process is operated or inspected by the court and it is operated as per criminal justice system (clause 12). But the experience says that police and attorney general show no interest on investigating or prosecuting the crime relating to misbehavior and torture. So, to make the proposed bill more sustainable, it is necessary to establish fair investigative mechanism to probe incidents of serious human rights violation in coordination with expert, police and office of the attorney general so that delivering justice to the victim becomes easier.

The bill has provisioned that victim of torture can chose his personal legal representative to raise issues during the prosecution process (clause 19) but, due to the lack of adequate resources, the victim might not be able to appoint lawyer. If a provision of free legal entrepreneurs could

The proposed torture bill must cover all legal provisions which might come as an obstruction while addressing and achieving justice. There must be a proper complaint lodging mechanism as well. The draft bill has a provision of lodging complaint relating to torture in court (clause 11).

ize the person inflicting torture. This provision does not comply as per the liability of international covenant. The committee against the torture has clearly stated that sentencing is appropriate for those inflicting torture. In Maldives, the jail term for the one inflicting torture is 25 years. Similarly, 15 years in Indonesia, 10 years in Srilanka, 15 years in Uganda, 20 years in Australia and life sentence in United Kingdom. So, torture being a serious crime, the provision in clause 20 must be amended and the period of sentence must be adequately extended.

Similarly, another need of

dent will not repeat in future.

Similarly, another amendment needed in the proposed bill is regarding lodging false complaint (clause 31). In the bill, there is a provision of determining penalty to those lodging false complaint on torture. It is extremely hard on proving torture as it is complex. The torture is normally inflicted secretly and by a powerful person. By including such provision in act, it will demotivate the real torture victim while lodging complaint. This is why, it is necessary to remove the penalty provision for person lodging faulty complaint under section 31.

be included in the bill for those victims who are financially poor, it would have been easier on delivering justice. The proposed bill regarding torture must ensure the right to information of investigation, right to participate in investigation and right to appellate over the decision of prosecuting bodies. The bill has provision for health checkup after taking person into custody or after releasing his or her from the custody, as long as possible (Clause 24). The act must be made compulsion.

Nepal has approved the covenant on Civil and Political Rights and covenant on torture and inhumane or degrading behavior in 1992. Similarly, international covenant on Child Rights was approved in 1991. The covenant has clearly stated that the state must adopt special measures to stop torture and other degrading behavior along with legal remedies however, only after a long wait; the government has presented the bill on criminalizing torture in the parliament. As per the international covenant against torture act 2(1), each and every state party will adopt effective legal, administrative, judicial and other measures with in their jurisdiction to prevent torture. (2) It is important to include, in a law, that no perpetrator can get immunity from torture at any instances, whether it is in situation of conflict or fear of war, internal instability or other public crisis because it is the liability of the state party of CAT members. Then only, it can be said that the nation is performing its duty to prevent torture.

There must be a provision of prosecution for those officials

involved in torture in any context. The sentence of “to control, investigating guilt, probing or prosecuting responsibility” in the act 2 of the proposed draft must be removed and must be defined according to the section 1 of international covenant against torture. The area of clause 6 must be made more comprehensive by covering to prevent torture in any situation. Those officials violating clause 6 must be made liable to the punishment based on the intensity of crime. The maximum punishment provisioned in clause 20 of the bill must be reviewed and the time period of punishment must be increased based on the intensity of crime. The provision for time limitation of prosecution or lodging complaint of torture or degrading behavior must be removed.

The law must be made by covering all issues so that it establishes satisfaction, re-instatement, ensuring no repetition of crime, and all types of reparation structures. The bill must be provisioned by giving responsibilities to the specific government body to establish torture preventive program and monitoring of its implementation. The bill must be provisioned by making Nepalese officials more capable to prosecute the perpetrator of torture despite of his nationality or designation. The section 28 (1) of the bill must be amended so that it clearly covers the provision of not including the statement in evidence provided by the perpetrator of torture and other misbehavior incidents. Apart from this, it is necessary to amend section 33 of the bill which must

be compatible with international principle.

So, the drastic change is essential in torture related laws and investigating system in Nepal to prevent increasing trend of misbehavior and torture on detainees in the present scenario. For this, it is essential to establish and manage implementation of effective law which can criminalize torture along with the view of Supreme Court verdict on criminalizing torture and international covenant. Perpetrator must be made responsible on criminal liability by developing scientific and evidence oriented investigating system. The system of verifying innocent and guilt must be developed based on scientific investigation and evidence rather than of threatening and torturing. At the same time it is equally necessary to disseminate that torture is a criminal act and it is a serious human rights violation incident.

The investigation and probing of torture incident must go through a separate independent mechanism. The health checkup of the victim must be made mandatory, secret and should be conducted through personnel doctors as per Istanbul Protocol along with free treatment services. The environment must be created where victims can lead a dignified life in the society and for this, psycho-social counseling must be provided. For ensuring these provisions, the present proposed bill on torture must be transformed along with amendment and immediate implementation so that torture can be prevented and victim can get justice.



Violence against Women Continues from Domestic to Political Hemisphere

Introduction

According to the view expressed by French sociologist Emile Durkheim, crime is an inevitable phenomenon of the society. Various types of crime have been occurring in every society with changing patterns. Violence against women is one of them. It is a manifestation of unequal power relation between male and female leading to discrimination against women by men and to the prevention of the full-advancement of women.¹ The intentional use of physical force, threatened or actual, against oneself, another person, or a group or community, either results in or has a high likelihood of resulting in injury, death, psychological harm, mal-development or deprivation.² The work of the Committee on the Elimination of Discrimination against Women, the treaty body established in 1982 to monitor implementation of the Convention on

the Elimination of All Forms of Discrimination against Women,³ contributed significantly to the recognition of violence against women as a human rights issue. The Convention does not explicitly refer to violence against women, but the Committee has made clear that all forms of violence against women fall within the definition of discrimination against women as set out in the Convention.

Violence against women is uninvited and non-consenting. The victim is left to survive the experience and to cope with the various consequences of being violated. It creates an intimidating and hostile environment for women and children. It frustrates and diminishes women's satisfaction with their chosen work, study and creativity.

Demographically women constitute almost half of the total population in almost all developing countries and have been fac-

ing subordination and domination from the very beginning of human civilization. It has evolved in part from a system of gender relations which posits that men are superior to women. This idea of male supremacy and the dominance of woman are often reflected in the laws and customs of societies. A system of dominance that continues to operate in its crudest form in South Asia is patriarchy. Within the patriarchal paradigm, the child bearing and rearing responsibility are considered the main goals of women's life and one that does not require any investment or capacity building. Education is not therefore considered necessary for girls nor are they equipped with life building vocational skills or training, thereby ensuring and perpetuating women's financial dependence on men.⁴ The situation of Nepal is no different than that of other South Asian countries.

1. General Assembly (1993) United Nations Declaration on the Elimination of Violence Against Women.
2. World Health Organization (1996) Violence against Women. WHO Consultation, Geneva: WHO.
3. General Assembly resolution 34/180.
4. Vahida Nainar, Patriarchy in South Asia—Structures and Relations, May 2013

Nepalese context analysis

Violence against women started being openly discussed and addressed in Nepal only in the last decade. The general taboo of not accepting this form of violence was related to strong patriarchal society and limited freedom of expression of such social evils. It has therefore been openly discussed as the most common form of gender based violence as domestic violence, or gender based violence in families.

Nepal has been doing various attempts at ministerial level; the affirmative action based policy has been adopted to increase the access of women. To have access of women at policy and decision levels, reservation policy has been adopted. For awareness at all levels and classes, sensitization and awareness programs are formulated and implemented. For creating gender sensitive environment, Gender Focal Point has been established in all ministries in Nepal. But the functioning of such focal points and adopted politics seem inappropriate and ineffective, which further needs to be strengthened.

Likewise, it is in leading position at ratifying the international documents i.e. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Beijing Platform for Action (BPFA), and Millennium Development Goals (MDGs).⁵ However, the implementation and monitoring part of such documents seem very weak. There is meaningful relationship between gender equality and economic prosperity. Thus, the subjects of resource mobilization, program implementation and maintaining

transparency and accountability in all process of budget are the major concerns as per international commitments.

Office of the Prime Minister and Council of Ministers has also committed to implement 4th Human Rights Action Plan (2014/2015– 2018/2019)⁶ with the objectives to respect, promote and protect women's right, establishment of women cell in priority, Gender Based Violation Elimination, women's entrepreneurs' encouragement program and establishment of women's enterprises development fund and reestablishment and unification of victims and affected people of human trafficking.

violence is high with the record of 2201.

Even though the above data has provided the glimpse of situation of violence against women, it is not easy to guess whether violence against women has decreased or increased over the past decades because of lack of reliable base-line survey, however in absolute term, the number of incidences is on the increase. The majority of women are domestically violated by their husbands, in-laws and other family members.

Thus, the process of social transformation does not follow a particular sequence. But at some point it seems to require action from "within" the minds of those

Nepal has been doing various attempts at ministerial level; the affirmative action based policy has been adopted to increase the access of women. To have access of women at policy and decision levels, reservation policy has been adopted.

Despite, all the efforts made from governmental and non-governmental institutions to reduce violence against women, the incidents of gender based violence occurred in the year 2016 are presented in the table below.

Incidence of Gender-based violence in Nepal⁷

The above mentioned data is evident of Violence Against Women (VAW) with total of 2909 incident including domestic violence, witchcraft, polygamy, rape, sexual abuse, attempt to rape and women trafficking among which the incidents of domestic

whom society has placed "below" – as well as action from "above", from those in a position to change the structure of access.

Further, the political participation of women is another important aspect for the overall empowerment of the women. The equal participation of women and men in public life is one of the cornerstones of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) adopted by the United Nations (UN) General Assembly in 1979, and in force since 1981. Despite efforts over the centuries by prominent wom-

5. Chalise Kiran, Gender and Political Participation of women in Nepal, January 6, 2017

6. See 4th Human Rights Plan of Action(2014/2015-2018/2019), Nepal Government, OPMCM, 2014

7. VAW Analysis report, INSEC, 8 March, 2017 available at file:///C:/Users/HP1000/Downloads/VAW_AnalysisReport_8-March%20(1).pdf

en—and men—the recognition and exercise of women's political, economic and social rights is by no means equal between women and men.⁸ Women's economic empowerment and political participation are effective means for preventing violence.

Meanwhile, the political participation of the women in Nepalese context is a silver line for the empowerment of the women by decreasing the gender based violence.

Women's Participation in upcoming Local level election

Women are underrepresented in local government in the Asian region. Statistics show the

movement, Women leaders associated with different political parties started their politics during the Rana Regime visibly since 1946 including restoration of democracy in 1991, the 2006 people's movement, and the insurgency which was comprised of 40% women. After the restoration of democracy in 1991, participation of women in politics has been growing.

Similarly, Until Nepal's first Constituent Assembly/Parliament election held in 2007, very few women participated in Nepal's national legislature. Women were represented in the parliamentary elections held in 1991, 1994, and 1999 but never gained more than

vision for a proportional election system that reserved 50 percent candidacy with a closed list.¹⁰

However, women have been sidelined with the ebbing of street activism. Since, no women participated in peace agreement in November 2006 made between the CPN (Maoist) and the Seven Parties Alliance, marking the end of the decade long conflict in Nepal. This is why the peace agreement failed to address the different needs and aspirations of women affected by conflict as raised by UNSCR 1325 and 1820.¹¹ In the local election held in 1997, women's representation as members of VDCs and municipalities increased by 20 percent due to the decentralization of law, which set a 20 percent reservation of seats for women. The local government was dissolved in July 2002 that followed a demand for 50 percent affirmative action in the local government election. The voters in 2008 election had total of 49.6% women.¹²

The provision outlines 33 percent reservations regarding candidacy for CA and a legal provision for a proportional election system that reserved 50 percent candidacy with a closed list.

percentage of women in local government seats range from a high of 33 percent to a low of 2 percent. There are even fewer women in management positions in local government. But there is a growing recognition of the impact that women have on political institutions and agendas. Their different approaches to governance have been defined as a version of transformative leadership, a framework within which power is used to create change and develop people and communities.

Nepali women played a vital role to bring about change during each and every democratic

six percent of the seats in parliament. The first time the number of women increased was in 2006 in the Interim Parliament, and women's participation increased to 17 percent due to the Maoist inclusion of 40 percent women in their part. The first time it went up to 33% was in 2008. As a result, Nepal had the highest number of women parliamentarians in Asia. This increased ratio is the result of a commitment to inclusion as well as the constitutional provision that guaranteed affirmative action⁹. The provision outlines 33 percent reservations regarding candidacy for CA and a legal pro-

With this, the year 2015 brought unprecedented achievements in political history of Nepal. The promulgation of new constitution from the constituent assembly the country got its first female head of state and head of legislature. Appointment of Bidya Bhandari as president, Onsari Gharti as speaker of parliament, Sushila Karki as the first female chief justice of the Supreme Court became landmark in women's movement in the country. These women are first to assume the top five posts of the country addressed

8. Inter-Parliamentary Union, 2005. 'Women in National Parliaments: Situation as of 31 July 2005', available at <<http://www.ipu.org/wmn-e/world.htm>>.

9. Sapana Pradhan Malla, Women and Political and Public Participation in Nepal

10. Constituent Assembly Election Act

11. Shadow report on the Fourth and fifth Periodic Report of the government of Nepal on CEDAW

12. Election Commission of Nepal available at www.election.gov.np

with Honorable.¹³

However, having a smattering of women in high places and a numerical increase in their representation in the political sphere, we have yet to see a commensurate increase in their participation in governance. A recent BBC Media Action survey of gender and governance showed that while 72 per cent of men in a nationwide sample actively participated in politics, only 48 per cent of women have the opportunity to do so. The researchers listed some reasons: cultural, social and religious barriers, poor education, and entrenched exclusion of women. It is not just women who are ostracized, even the Ministry of Women, Children and Social Welfare had its allocation slashed from 0.29 per cent of the budget last year to 0.22 per cent — a telling indication of the lack of priority given by the overwhelmingly male powers that be.

Under the new local level set-up, the District Development Committees have been converted into District Assemblies. Altogether there are 6,680 wards in 744 local levels. Among them, there are 123 wards in 4 metropolitan cities, 278 wards in 13 sub-metropolitan cities, 2,849 wards in 241 municipality and 3,430 wards in 466 village bodies. At least one third of the total number of members elected from each political part representing in the Federal Parliament must be women.¹⁴ There must be a woman representative in the post of either chairman or vice-chairman (in villages) and mayor or deputy-mayor (in municipalities) but there's no

certainty that the position would be filled by women. In each of the ward committees, at least two women will be elected along with a woman representative from Dalit and minority communities. There will be a total of 6,553 ward committees across all local governments, with 5 to 21 wards in a local government. 5 women can provide their candidacy from each ward of metropolitan city, sub-metropolitan city and municipality whereas 4 women can provide their candidacy from each ward of village bodies. This is how the law ensures position for 3,239 women in the coming election.

Likewise, the positive steps taken for election like 50 % reduc-

gender gap.¹⁵ It is a notable progress towards gender equality and the empowerment of women over the period.

But various scholars, researchers and professionals have their own prospects on the progress that Nepal has made on gender issues. According to Bidhan Acharya, Associate professor at the Central Department of Population Studies at Tribhuvan University, "It's groundbreaking to have women in those powerful roles simultaneously, but they didn't reach the top in the same way their male peers did. A proportional representation system and a quota — a specific number of women required in government —

The effort deployed in ensuring equitable representation for women in decision-making bodies assumes that this would be an adequate mechanism to guarantee their participation in these institutions.

tion on the security deposit regarding the candidacy is provided to women. Also, people convicted of witchcraft, polygamy, domestic violence are not qualified to provide their candidacy which is praiseworthy. This indicates the ambition to develop women political leaders in Nepal. It cannot be denied that Nepalese were going through painful situation for not having local election since 20 years. The absence of elected local bodies has resulted in slow development, rising cases of violence against women and growing corruption. Despite the fact Nepal has been ranked at 110th position out of 145 countries in the global

are behind their rise to power."¹⁶

Gender equality and social inclusive policy has been implemented since 2010 by the Nepalese Government. Additionally, the 33 percent seat policy has ensured for women's representation in community-based government organizations, like the consumer committee and other committees. The effort deployed in ensuring equitable representation for women in decision-making bodies assumes that this would be an adequate mechanism to guarantee their participation in these institutions.

However, the evidence clearly shows that even legally-

13. Republica, Social change through Political empowerment available at <http://admin>.

14. Part-8, Article 84(8) Constitution of Nepal (2072)

15. WEF, Global Gender Gap, 2015

16. Citizens React: Nepalese Women Rise as Government Leaders, Challenge Gender Roles, Global Press Journal available at <https://globalpressjournal.com/asia/nepal/citizens-react-nepalese-women-rise-government-leaders-challenge-gender-roles/>

mandated quotas and mechanisms ostensibly designed to enhance the representation of women can be easily undermined by elements of the institutional design itself; and that the higher numerical presence of women in representative bodies alone cannot ensure their more effective participation in these bodies.

Quotas for women's political participation and VAW in elections

In many countries, the quota provision for women e.g. gender quotas or reserved seats for women are being discussed in the light of inclusion. Other traditionally excluded groups are similarly prioritized by affirmative actions allocating seats for them or their numbers in parliaments.

However, it is important to remember that women are not minorities in the same sense as other groups are but it is at least half of the population of each of the traditionally excluded groups. Attention should also be given to the issue that reservation for women should not close the door for women to contest in general seats. It is therefore important to treat gender as a specific category when introducing quotas and generating gender specific/gender neutral legislation or rules to address women's particular representation. Experience from Nepal shows that women were one of the winning groups in the Constituent Assembly (CA) election. This was mainly due to the quota provision applied in the CA election.¹⁷

Nepal's new constitution, despite some glaring lapses on citizenship and inclusion, is

far more progressive than previous ones when it comes to reservation and quotas for women at all levels of political decision-making. The constitution mandates that women represent 33 percent of the candidates, although it does not guarantee them 33 percent of seats. The Election Commission of Nepal requires that political parties allocate 50 percent of their proportional representation seats to women.¹⁸

It is not sufficient to pass rules that ensure women 33% of the seats. The next step of implementing quotas is critical. Whether a quota system meets its objective depends largely on the process and method of implementation and enforcement. While reserved seats are by their nature enforceable, candidate quotas are often not enforced. If the method of implementation is not clearly defined and enforceable, a candidate quota requirement of 30, 40 or 50 percent is not likely to be met.¹⁹

The more vague the regulations, higher the risk that the quota regulations will not be properly implemented. Quotas for candidates do not automatically lead to the election of more women. Stigmatization of women politicians may even increase in quota systems. Difficulties combining family life, work life and politics still remains a severe obstacle to women's full citizenship.

Further, political representation cannot stand alone, but must be complemented with necessary socio-economic changes in society at large. It is not sufficient to merely guarantee equal

treatment in the law since women experience different types of violence in different spaces than men where political sphere is one of them. In fact, there often exists a relationship between perpetrator and survivor when women experience violence in elections.

VAW in election is also considered as 'Any harm or threat of harm committed against women with the intent and/or impact of interfering with their free and equal participation in the electoral process during the electoral period. It includes harassment, intimidation, physical harm or coercion, threats, and financial pressures, and it may be committed in the home or other private spaces, or in public spaces. These acts may be directed at women in any of their roles as electoral stakeholders (e.g. voters, media, political actors, state actors, community leaders, electoral officials).'

²⁰

The women electoral candidates also have to face harassment in nomination and are pressurized to withdraw the candidacy. Election stakeholders in electoral process must use evidence and technical leadership to integrate gender equality and women's empowerment activities into democracy and governance work. They must provide gender-sensitive technical assistance and analysis throughout the electoral cycle and in every aspect of programming to ensure barriers to women's participation and leadership are reduced. Meanwhile, Specific programming is needed for women who have a disability, are a part of an ethnic or religious minority, are poor, are from the

17. Electoral system and Quotas in Nepal, IDEA

18. In Nepal, Women fight to maintain Seats in the constituent assembly available at <https://www.ndi.org/nepal-women-fight-to-maintain-seats-in-parliament>

19. Handbook Series, International Institute for Democracy and Electoral Assistance (IDEA) on Women in Parliament: Beyond Numbers

20. Violence Against Women in Elections, An Excerpt from IFES' Framework, P.2

LGBTI community or have other barriers that generally challenge their participation in political and electoral activities, and, more specifically, may create greater risks for exposure to election violence.²¹

Despite all the quotas that government has provided to women for their effective and large political participation, many women report that culture, religion, and security are reasons they are expected or forced to remain outside public life and often times homebound behind closed doors. Increasingly, cyber-bullying and cyber-threats are eclipsing acts of physical violence, but are no less fearsome to those in the direct line of attack. Women in public service face violent encounters, including death threats and threats to their families, psychological pressure, character assassination and many more.

Thus, Violence against women starting from domestic violence to larger and wider spectrum can be seen clearly with the upcoming election. VAW can occur in different other hemisphere of the societal affairs. While men also need to be supportive for an equal start as well as to promote and ensure the safe, full participation of women in democratic processes.

Conclusion

The existence of Gender Based Offence in Nepalese society is due to deeply rooted patriarchal system, followed by the unequal power relation between male and female and discriminatory practices towards women. Violations of women's rights to personal security and bodily integrity and the need for protection from danger

and risk of violence have become central issues of the countries like ours. It is generally assumed that the situation of the women will turn better with more of a female participation in the politics and decision making position by designing and implementing the gender-responsive policies. But they face several kinds of violence even while entering into politics. The circumstances of women's entry into positions of power will determine whether they will be politically marginalized or become key players in their political organization and in the decision-making positions.

But there is a strong connection between gender-based violence against women and lack of equity in the economic, socio-cultural and political spheres; as a consequence, initiatives in this field must be of an integrated nature, should include complementary income-generation, housing and vocational training programs for women, and should be accompanied by the adoption of policy measures concerning health, recreation and social and political participation

The members of the Parliament, in the name of being progressive, have taken the easiest way to provide perception of bringing in the 'equality' in the society by reserving 33% of the government jobs. However, it fails to address the needs of rural-based women. Rampant Violence against women limits interest and active involvement in political activities. The inefficiency to implement the laws and to make stronger mechanism in order to combat VAW consequently giving birth to victims of Gender Based Violence

has always been pointed out as a major problem in Nepalese context.

It is necessary that the ones who have been given role to interpret the laws, who are there to defend the laws, the organization who are there to raise voice for the voiceless should include more of female members so that they can relate to the problems and bring parliamentarians together to address the issues of Violence against women. Parliaments with more women take up a wider range of gender issues, including health, education anti-discrimination, and child support.

The cost that women pay is always very high in comparison to men in any situation. But, the contribution of women has always been neglected. The issue of women was not addressed in the conflict transformation process. It shows a need of women's struggle to break the patriarchal thought, and increase the women's share in governance and political leadership. The concept on women as weaker-sex and subordinate to the man can be changed through the involvement of women in decision making level at politics, and working in the area where there is more involvement of man.

Hence, to generate the strength of women movement for making just society with the decrement in violence against women and increment in their political participation, women organizations and activities have to unite and build solidarity to fight against all kinds of discrimination and promoting women in politics, and state governance changing the lens of "Women as a second being and Politics as a man's game".

21. Available at <http://www.abstract.dislib.info/a2-technical/2017831-4-jessica-huber-lisa-kammerud-disclaimer-the-authors-views-expr.php> accessed on April 10, 2017



Helpless Victims of Women Violence

A completely different nature of incident on human trafficking was made public on March 6. An investigative news was published in “voice of youth”, an Indian online portal, relating to the smuggling of Nepali women skin for the purpose of plastic surgery of women breast and male genital. This news had revealed the fact about the smuggling of Nepalese women skin in an international market. According to the news, the women skin of those sold in an Indian brothel were being smuggled in an international market.

Former Women, children and social welfare minister Kumar Khadka said that Nepal government was unaware about this nature of smuggling and it will initiate for its control. The news had revealed that the skin of Nepalese women was being smuggled from a long time by taking the advantage of their poverty. Police spokesperson Sarbendra Khanal said even police department was unaware about this kind of smuggling.

A girl from Doti was brought to Kathmandu as a domestic worker and became a victim of multiple rapes by the house owner. The 19 year girl was dev-

astated by sexual exploitation and shared her pain with her school-mates. Her friends informed about the incident to school teacher which finally reached to the police.

On 2015, October 31, 10-year-old girl was raped by 50-year-old man on the day of Laxmi Puja in Sitapaila, Kathmandu. The man that took a girl to Janaudhar secondary school located at Sitapaila before raping her. The victim's mother is a tempo driver and her father is in foreign land employment. Locals said that she was lured with Rs 3,00,000 to settle down the case. The perpetrator is in prison now.

Rupkala Sharma (name changed) of Rupandehi was tortured for day and a night by her family members for not bringing enough dowry. The torture that started immediately after a month of marriage is still continuing. She is compelled to tolerate the torture as she does not have any hand to provide justice. Even her parental side is apathetic on providing justice in fear of their social status.

A research conducted by a non-governmental organization called “DidiBahini” in 2015 had revealed that 78 percent teenage girls do not feel safe at any

place. The study was conducted to find out ‘to what extent the public places are safe for the women’ where it concluded that 58% of women don't feel safe even at their homes.

The women involved in the study said that such incidents are normal for them as they are facing it in a daily basis. They also revealed that they do not know how to or where to lodge complaint on such violence. Whereas few respondents also stated that even if they file such complaint, their complaints are not taken seriously or they will again have to face harassment and misbehavior.

Due to the economic and social vulnerability most of the victims are compelled to tolerate the violence because of fear and insecurity. Some of the victims are even unaware that they are actually being inflicted with violence. Even if they know about it, they are ignorant about where to go to seek justice. According to the statistics of UN women, one in every three women experiences violence in their lifetime and among this, most of them are victimized by their acquaintances. Women are found to be unsafe in their own home as per the statistics.

Nepal police had documented 11, 472 incidents of violence against women in fiscal year 2015/2016 among which 9,298 incidents were related to domestic violence and 1, 090 complaints were lodged against the incidents of rape.

Similarly, last year, Informal Sector Service Center (IN-SEC) had documented 2,909 Incidents of violence against women among which in 2,201 incidents the family members were involved. The incident of allegation of being witch, women trafficking are increasing at an alarming rate.

All incidents in the society do not come out. People with high status or from high authority forces to settle down the incident in a fear of losing their reputation which has turned out to be the biggest challenge for police administration according to Deputy Police Inspector Ram Khanal of Nepal Police Women and Children Service Directorate. The most serious Violence against women is rape and sexual abuse which causes great mental and physical injuries to women. The victim does not get full justice even after the perpetrator is nabbed. Moreover, someone can easily imagine what would happen to the victim when such criminal walks with pride in a society?

Nowadays, the awareness is increasing among the women in rural area and this may be the reason that the incidents of violence are coming out in surface as compared to the past. The incidents of violence are equal in number then and now but the awareness regarding the intolerance and sense of justice against these incidents has comparatively increased. Consequently, women have started to speak up about the issues and have started reporting

it to the concerned authorities. Even though there is no substantial change in relation to society's view towards women, however the courage to speak up and file complaint seeking the remedy and compensation can be considered as a positive aspect from the perspective of human right.

Sexual violence against women in the context of Nepalese society is linked with social prestige no matter the violence is whether inside or outside the family. Therefore, women are forced to endure the violence against them. Even though women are powerful, they are subject to violence because of their economic dependence. They do not complain and

are being watched or looked by the society. Due to the orthodox thinking among the people in society towards women, there is a huge challenge of implementing law. Chief Secretary Dr. Som Lal Subedi of the government of Nepal while speaking at a program on 'sixteen-day campaign against gender violence' organized by Prime Minister and council of ministers on November stated about the efficacy of the law regarding the violence against women and challenges on changing behavior. He mentioned about the 'gap' between law and practice.

Despite of statement from such high-level government official, it can be said that there

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are silent in a fear of getting expelled from house. Lack of state mechanism or mechanisms not being victim friendly has contributed a lot to such violence.

In one hand, perpetrators are being politically sheltered and in other hand victims are being lured, pretexted or even threatened in some cases for the settlement of the case. So the prevalence of impunity is extreme which has become a large obstacle in the enforcement of law.

Along with this, the ratio of awareness increment among women has changed however not as compared to the way they

has been no significant behavioral change or approach towards the women and violence against women. It is a failure of the state to implement the law and failure to bring those guilty in a legal frame.

It is not that we do not have laws to address discrimination and violence against women. At least 33 laws that were considered discriminatory to women in order to maintain gender equality and control gender violence has been amended or repealed.

The limitation to lodge complaint against rape has been extended to six month from 35

days. Also, if the accused is not in condition to compensate the victim the state has to take the responsibility to do so. The laws that are being formulated as in a line with new constitution. Separate laws are made regarding the domestic violence, sexual exploitation at workplace and for accusation of witchcraft. The punishment for the marital rape has also been increased. The need of integrated law to fight against the malpractices is on debate. Likewise, various laws are being formulated to make them responsible towards maintaining gender justice. If the above mentioned laws are implemented effectively, it would provide a great support in minimizing the violence against women.

For example, the property rights for son and daughter has made equal by the interim constitution itself. However, there are no instances where a girl has filed a case demanding about her property rights in last 10 years.

Similarly, there are some mechanisms developed to address

the problem of violence. One stop crisis Centre has been established in 21 several districts to provide health and judicial rights to the victims which is on the way to expand. The concept of the Centre is to provide health care and psychological counseling to women who are the victims of violence.

There are security shelters in 17 districts for the protection of women victims of violence. But there is no provision to keep them for more than 45 days. Nepal police also have established 270 women and children service centers. But the service center lacks female police officials to comfort the victims while sharing their incidents. There remains no meaning of the laws if its implementation part and its effectiveness are weak. It would be better to focus on effectiveness of the existing laws rather than to expand the ineffective laws.

Nepal has signed various international conventions and is state party to many treaties. It is mandatory for the state to formulate the plan of action. Nepal

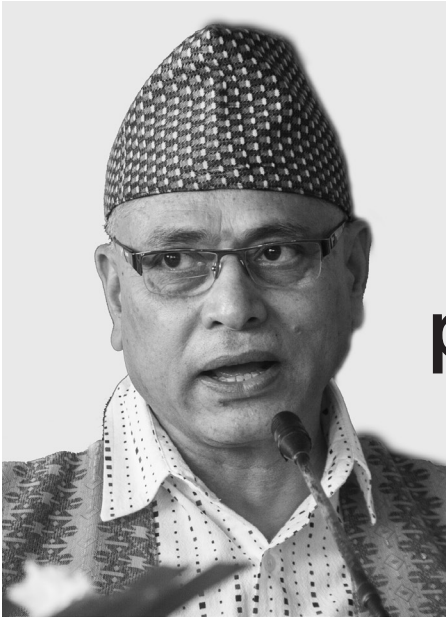
is ahead in South Asia to formulate laws to address the issues of women.

Chairperson of Women, Children and Social Welfare committee of Legislative Parliament, Ranju Kumari Jha in a program stated that 'legislative parliament has passed enough laws which has to be implemented and should fight for it with the executive'.

With this statement, it is to be understood that it is necessary to pressurize the government for the implementation of existing laws rather than to formulate new laws.

Likewise, if the government finds challenges in changing deep rooted patriarchal behavior for implementation of laws then it needs amendment. For this, it is essential to bring an effective programs and capacity building mechanism for its implementation.

(The writer is affiliated to Nepal Forum of Environmental Journalist (NEFEJ))



The Act do not provide us a provision for amnesty

People are getting local government after a long wait. How do we understand local government?

A simple thing to understand is that after getting local level bodies, general civilians do not have to come to the district headquarters to get their work done. Prior to this, they had to travel long way to the district headquarter to receive government service. Now they do not have to do all these hassles. All these issues will be fulfilled by the local government. Previously, they had to go to the CDO office to receive citizenship certificate. All facilities were centralized in district headquarter, but after the formation of local government, all these services will be operated through local government. Now, civilians' passport will be provided by the local government and the local government will be given power. This is the government

which will support us in our rainy days. Now, people can easily get services through the representative that they have elected.

Does it mean that people will have an easy access to the government?

Previously, there were about 3600 village development committees and municipalities. There were rumors that instead of 3600, now there will be 744, but in reality there is no reduction in ward committee. The reality is, now the ward office will have sufficient rights and power so that people do not have to go to village council or municipality to get their work done. All services will be provided from ward office. So whatever services used to be provided from the VDCs in past, will be provided from Rural Municipality which means government is easily accessible to the people.

Apart from this, there are many dispute regarding the issues on local level. How can we create environment so that people do not protest on this issue?

The constitution has not discriminated anyone. Law and constitution never discriminates people. It is the people who create discrimination. Especially, those who have a high social status conducts discrimination. They have enough time to involve in discrimination. The one who works hard, do not have time for discrimination. So what I mean to say is, people having high status must change the way they think. They must stop their suppressive culture. If they do not change, awareness must be raised against it. Possibly, they might have to file case or may have to lodge complaint to the police. It is necessary to inform society about those who attempts to obstruct the process on achieving

rights. There must be social vetting. This means that such people and parties must be removed from the process of voting.

So this election can be an important medium to wipe out the delusion?

Of course yes. Now, the local level will elect 6,680 women and 6,680 Dalits. The discrimination against women is inhuman contemplation which is rampant in our society and we are going to establish a new leadership against this inhumane contemplation. We are making leaders from these communities who are actually discriminated in the past. Making Dalit as a leader will symbolize against ill-practice and discrimination prevailing in our society. Now you imagine, one woman is going to be either chief or vice chief. Let us suppose that one woman is vice-chief. Her leadership will be in judicial committee. The case cannot go further to the court before going through judicial committee. She needs to know lot while providing justice affairs. She must be aware of Nepal's constitution, law, acts and even international laws. She will even have authority to appoint legal experts. Similarly, the one who previously discriminated women is compelled to cast at least one vote to them and this is called transformation. That is why; local level must be welcomed and accepted. Now, there will be the beginning of leadership development.

What kind of support and who can support to make this local level successful?

Whoever expert or intellectual people that have understood the society well has a vital responsibility to support the local level leadership. Also, the leadership must bear their responsibility to get advice, support and developing their capacity. If these two parts are well operated, this local level election will bring a real revolution in social transformation and politics of Nepal and will give message to the world that we can move ahead peacefully for the revolutionary change without any violence, demonstrations or protest.

Is that, after this election, all democratic bodies will be active?

Actually, there are no alternatives than being active. At present, if one has to register the case in court, he/ she needs to meet scrivener first, then has to go to the lawyer and then pay the fees and has to wait for another two to three weeks before registering the case in court. But, after the formation of local government, a person will have direct access to vice chairman of village council of vice-chief of municipality. Now people can demand justice with the representative that they have elected. The delivery of justice will be far easier. The judicial process will start from the bottom level and this will have effect on court. What-

ever culture we develop the same culture we will get in return. So there is no question that democratic bodies will not be active. The bodies will be very active after this election.

What needs to be taken into consideration by voters while casting their votes?

The person (candidate) who holds the capacity to formulate judicial planning with vision, a person who can provide service to its people with honesty and a person who can always be near to its people and committed to move ahead along with them, such person needs to be identified. After the identification, sufficient interaction needs to be held with the person. After being satisfied, he needs to be promoted because election is a "Mahayagya", it is a big worship. It is a donation of vote (Mat-Vote; Dan-Donation) and donation is always done with a clean heart. In other hand, the size of ballot paper is very big. So voters must identify the preferred election symbol and should put the stamp in only one box in straight column. Similarly, they need to stamp in seven boxes only. There must be only one stamp in one box even though there are two election symbols. The stamp must start from left to right. The voters must ask for assistance if they are confused.

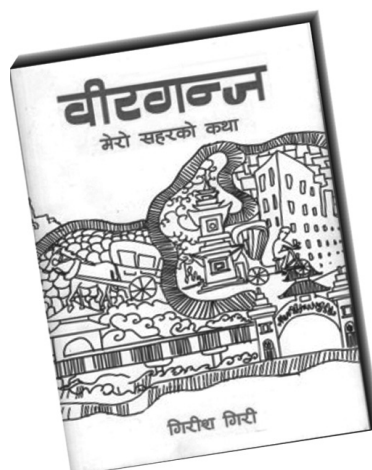
Birgunj: Mero Saharko Katha

The author Girish Giri has highlighted different incidents that occurred in Birgunj in different point of time in his book *Birgunj: Mero Saharko Katha*. The famous city Birgunj became infamous and violent due to the Madhes agitation. Almost 70 percent of imports that enters into Nepal through Birgunj customs was severely affected the country and daily walk of life of people due to this agitation. The unofficial blockade imposed by Indian Government for more than five months was centered in this city affecting the entire nation terribly.

Giri also explains how the city got its name "Birgunj", the efforts made by people of Birgunj in the field of education and business, Madhesi agitation, Political parties centre on Madhes, the selfish act by the parties, blockade that lasted for more than five months and force used by the armed police in the name of stabilizing the protest. The author has also depicted the clear and real situation inflicted in nation due to the crisis of petroleum and other consumer's product that enters through Birgunj check-post via India. The writer also gives glimpses of difficulties faced by the labor workers who have to do hard labor work in a daily basis to feed their families.

The book has 29 chapters and the story begins with the critical analysis of Madhesi dem-

onstrations and protest till the end of it which gives a clear picture to its readers regarding the contribution of Birgunj in the political, economic and educational devel-



Author: Girish Giri

Publisher: Nepalaya

Pages: 308

Price: NRs. 425

opment along with its role in the Madhes agitation. It elaborates the negative influence and fraudulent activities that was rampant during the agitation and the participation of influential people in such activities.

The book contains the story of Girish's family of which they have witnessed the important incident. Giri's father was a mayor, famous politician and a journalist. The book has sensibly raised and depicted the issue of his killing by the then Maoist cadres. The study of the incident of his killing can be an effective example on how innocent people were killed during Maoist insurgency.

The development of any city begins only after a migration of large number of people to that particular city. The migration will result the opening of hospitals, industries, schools, colleges

up to cinema halls. People's life and their stories get interwoven with that city. Such incidents and stories have been given priority in this book.

This book has briefly and critically described about the activities of Indian Embassy in Birgunj and the destruction of 74 CCTV cameras by the agitators. The issue of citizenship in Terai districts of Nepal has also been raised in this book where the Sikh community in Nepal was denied of citizenship as they rejected to wear Nepali Topi. Similarly, story of rich Madwari community getting easy citizenship has been well depicted. The story of this book starts with Madhesi protest and ends up along with the end of blockade. The book states that the agitation which lasted for six months in an initiation of Birgunj ended dramatically on February 5. The agitation had claimed lives of many people and the blockade that had devastated the country's economy. The final end of sit-in-protest in Nepal-India border along with the end of blockade was like as if there was a drama staged for such a long time. People knew, after seeing the pathetic situation of Birgunj that this sit-in-protest cannot resist for long time. But nobody had even predicted that it will end in such way. The agitation ended in such dramatic way that it was completely beyond the people's prediction. The politicians had predicted that this agitation will end in a same way it started, and in fact it was true. There is no way rather than waiting because maybe the history will reveal who were the actors behind this drama and what had happened during that time.

Reviewed By: Hisila Maharjan

The screenshot shows the INSECOnline website interface. At the top, there's a navigation bar with links like 'About', 'Feedback', and 'Contact Us'. Below this is a header with the INSECOnline logo and the tagline 'HUMAN RIGHTS... A WINDOW TO NEPAL'. A date stamp indicates 'Tuesday, 20th March 2018'. A horizontal menu contains categories: 'Insec Activities', 'News', 'Feature', 'Opinion Forum', 'Interviews', 'View Point', 'HR Reports', 'Trend Analysis', 'Mine Reports', and 'Press Release'. The main content area is titled 'Recent Activities' and lists several news items with dates and locations. On the right side, there are four vertical banners: 'www.insec.org.np HUMAN RIGHTS', 'Nepal HUMAN RIGHTS YEAR BOOK 2018', 'Citizens Campaign for Clean Election (CCCE)', and 'दण्डपीडित पार्श्वचित्र Conflict Victims' Profile'. At the bottom of the page, there's an 'Interactive Map' link.

Recent Activities

Three days Capacity Building Training for CRAG members commences in Surkhet

Three days capacity building training for the members of Child Awareness Group has been commenced in Surkhet . The training was organized by INSEC Nepalgunj. Speaking at the training, program focal person Saraswati Malla said that country will be transformed into development only when children are able to enjoy their rights. While informing about the role played by INSEC in protection and p....

Post Update :November 8, 2017, Surkhet

Training on capacity development of youth for Human Rights

A training program on capacity development of youth for human rights was organized by INEC affiliated youth group of Kaski and District Youth Committee of Kaski on November 7. While facilitating the training NHRC regional acting director Neetu Gartaula stressed that the human rights culture will develop in the nation only if youth....

Post Update :November 7, 2017, Kaski

Earthquake victims demanded to send technicians to inspect house

The earthquake victims in Sunkoshi rural municipality have demanded to send technicians for re: inspection of their damaged houses. The victims demanded for the re inspection during the public hearing program held in Sunkoshi rural municipality-5 in coordination with INSEC. The victims complained that their names were not listed....

Post Update :October 16, 2017, Okhaldhunga

Child Rights Training commences

Child rights training and capacity building for child rights awareness group (CRAG) has been held on October 15 in Itahari of Sunsari. The training will be held for three days. The officials and members from 12 schools of Morang, Sunsari and Siraha were present in the program. The training was inaugurated by Som Raj Thapa, regional coordinator of INSEC eastern regional office , Biratnagar. T....

Post Update :October 15, 2017, Sunsari

www.insec.org.np/victim

Banners:

- www.insec.org.np HUMAN RIGHTS
- Nepal HUMAN RIGHTS YEAR BOOK 2018
- Citizens Campaign for Clean Election (CCCE)
- दण्डपीडित पार्श्वचित्र Conflict Victims' Profile
- Interactive Map

For:

- immediate reports on human rights violation
 - information collected from all 75 districts
 - updated information on various issues of human rights
- (in English & Nepali)



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