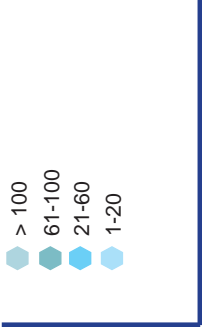


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Violence Monitoring Report 2013



For Human Rights and Social Justice

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Foreword

The existence of violence was not a new issue in Nepal but the decade long insurgency waged by the United Communist Party of Nepal (Maoist) left the society in tatter debilitated. Though, not immune of social ills like domestic violence and violence unleashed by other elements as criminals and political parties, the conflict acted as a catalyst for giving birth to public insensitivity towards the violence. Insecurity and lack of employment opportunities drove the productive youths to foreign land in search of work leading to another kind of social problem generated by sudden cash flow in the form of remittance. The different interest groups, criminal groups working under the veil of political objective and political protection to the criminal gangs and dispute of ownership of local resources have also created tension in society which can flare into violent incidents, if not managed.

In the background of such volatile situation, Informal Sector Service Centre (INSEC) has been collecting information related to casualties, caused by small arms, explosive devices and domestic weapons occurred during violent situation, including domestic violence. As an increasing trend of suicide has been noted in districts because of different reasons, INSEC felt a need to document those self-inflicted violence too. In the year 2013, there were 3836 casualties caused by arms of which, 1537 were suicide cases, as recorded by INSEC Surveillance System. Similarly, there were 14 casualties of victim-activated explosion resulting in four deaths.

We hope that the findings of the annual report will be helpful to national/international government and non-government agencies, researchers and those interested in armed violence situation. I would like to thank UNDP Nepal for the technical, financial and human resource support to continue the Armed Violence Surveillance System along with support in preparing this report. I would also like to thank project staffs Prashannata Wasti and Srijana Nepal for their efforts on surveillance and also for the preparation of the report and Gita Mali for layout and design of this report.

Subodh Raj Pyakurel
Chairperson

Acknowledgement

We express our gratitude and sincere thanks to UNDP Nepal for their support in enhancing the Armed Violence Surveillance System (AVSS) as well as bringing out this report. Special thanks go to all 75 District Representatives of INSEC and INSEC Central Office staffs Prashannata Wasti and Srijana Nepal for their valuable contribution to realize this report. We would also like to thank UNDP consultants Helena Puig Larrauri and Dhruva Adhikari for their support in the area of data analysis.

Acronyms and Abbreviations

APF:	Armed Police Force
ATT:	Armed Trade Treaty
AVRWG:	Armed Violence Reduction Working Group
CDO:	Chief District Officer
CO:	Central Office
CPA:	Comprehensive Peace Accord
CPA:	Comprehensive Peace Agreement
DR:	District Representative
DSP:	Deputy Superintendent of Police
ED:	Explosive Device
ERW:	Explosive Remnants of War
IED:	Improvised Explosive Device
MP:	Municipality
MRE:	Mine Risk Education
PLA:	People's Liberation Army
SAPLW:	Small Arms and other Portable Lethal Weapons
UML:	Unified Marxist Leninist
VA:	Victim Assistance
VAE:	Victim Activated Explosions
VAW/G:	Violence against Women/Girls
VDC:	Village Development Committee

Executive Summary

The presence of illicit small arms in communities has the potential to increase the incidence of armed violence, including crime and gender-based violence, as well as to promote a greater sense of insecurity as people are, or perceive themselves to be, at greater risk of harm.

In the context to Nepal, in addition to armed violence committed by small arms and light weapons, available are also handmade cold weapons like khukuris, knives, iron rods, wooden stick and bladed objects similar which pose even greater threat. Explosive remnants of war, primarily the IEDs, also create panic among the people and sometimes, the explosions result in casualties.

The data presented in this report are based on Armed Violence Surveillance System database which was set up in January 2013 by the support from UNDP. In order to make surveillance system functional, INSEC has district representatives in all 75 Districts of Nepal. They are trained in data collection, reporting on incidents, and identification of explosive devices, interview techniques, safe behavior and referral of survivors. The data are reported by the DRs mostly by using online technological tools- Google form while exceptionally using hard copy form by DRs not having access to internet in their district.

The report is based different sets of database. The first one is database on casualties resulting from the use of weapons. The weapons like guns, sharp weapons, blunt weapons, poison and ropes and the likes have been have to be in use which injures or kills a person. Another is the database on explosions including Victim-Activated Explosion (VAE) and Explosions with and without Casualties. (For case definition of small arms and VAE, please see Annex 3.

The year 2013 saw a total of 3389 incidents and 3846 casualties of which, 1913 were killed, 1187 were moderately injured and 586 were injured and 160 were injured. Surkhet was most affected district with 285 incidents and 314 casualties followed by Morang

with 269 incidents and 308 casualties. Surkhet had 2.37 casualties per 10,000 people while Rasuwa had 1.53 casualties per 10,000. Rasuwa, a mountain district had 25 incidents and as many casualties. Suicide counted for highest number of incidents, i.e. 40% followed by personal disputes at 21%. The surveillance system had higher number of male casualties which is 2228 or 58% while female accounted for 1609 or 42%. Regarding age of the casualties, nearly half of them belonged to youth with 48% falling in 18 to 34 followed by 30% of age group of 35 to 50.

Highest number of casualties is from Chhetri caste (19%) followed by indigenous/nationalities at 18%. Similar is for the number of perpetrators. Chhetris counted to highest number of perpetrators at 16% while indigenous/nationalities at 13%. Blunt objects have claimed highest number of casualties i.e. 1313 including 105 deaths. Similarly, sharp or bladed object caused death of 137, moderate injuries of 308 people and severe injuries of 218 totaling 755. Of the firearms, 29 people were killed, 54 were moderately injured and 26 were severely injured.

As for VAE, from January to December 2013, INSEC's Surveillance System identified 14 new casualties from a total of 7 incidents caused by IEDs. In these 7 incidents, 11 people were injured and 3 were killed. INSEC Surveillance system on intentional explosions record 24 casualties in five incidents of intentional explosions that were exploded by the armed group to terrorize the public. Most of the incidents in 2013 happened in the period of election i.e. in the month of November to halt the Constituent Assembly election process.

CHAPTER ONE

1. Introduction

Nepal has emerged from a decade-long armed conflict (1996-2006) making significant progress in the peace process by successfully concluding integration and rehabilitation of former Maoist combatants and clearing the known minefields. Though there were slow progresses made in terms of achieving commitments of CPA, Nepal has come long way to make breakthrough in terms of moving political dialogue ahead. Still, aftermath of conflict, with increased grievances of people to fulfill their expectations related to ensuring their lives in peaceful environment, now Nepal faces security challenges ranging from petty crime to more serious crimes of armed violence. Though, violence have existed in the society earlier, their presence in a post-conflict society demands greater vigilance with regards to the fact that these could easily escalate local or even national tensions/violence. In Nepal's context, the legacy of violence has been manifested in the easy availability of illegal arms and an increased civilian-police trust gap. In addition to this are the unresolved political tensions and consequent sporadic violence at the local and national level.¹

In Nepal, traditionally, guns had been a part of public life for decades. The guns were used for different purposes including hunting, personal security, celebration for special occasions such as birth and marriage, and to protect the crops from being destroyed by wild animals.²

According to the Arms and Ammunition Act 2019 (1962), Government of Nepal had provisioned to allow civilians possession of weapons with license under certain criteria. When Maoists launched their insurgencies, however, these weapons were collected either by force and persuasion or contribution became first stock of armory.

1 Ekantipur (October 21, 2013): <http://www.ekantipur.com/the-kathmandu-post/2013/10/20/nation/small-weapons-threat-makes-cops-sweat/254803.html>

2 Ekantipur, (July 12, 2011): <http://www.ekantipur.com/the-kathmandu-post/2011/07/16/nation/small-arms-offset-peace-in-central-tarai/224070.html>

During the conflict the Government administration apprehended licensed and illegal weapons with the aim to stop the rebels from accessing it. However, not all weapons was seized therefore certain number prevailed in the society.

After CPA was signed, in 2007 and when first phase of Disarmament- was implemented weapons from the Maoist was collected and recorded. Maoist handed over around 3400 weapons to the Government. However, weapons collected were more handmade weapons.

The total number of small arms in circulation in Nepal is still unclear. Various studies have sought to provide an estimate, but a comprehensive survey and exploration of the scale and distribution of small arms in Nepal has yet to be carried out by the Government. What is known is that the main sources of illicit small arms in circulation in the country include the cross-border trafficking of craft (homemade) and factory-made weapons, weapons left over from the conflict, local manufacturing, criminal gangs and politically-motivated groups; and thefts and losses of weapons from state stockpiles, including law enforcement weapons and civilian weapons that have been collected or confiscated and that have accumulated in large numbers over the years and remain in long-term police storage.

Armed Violence Reduction Working group (AVRWG), a loose network comprising of national and international organizations working on the issue of armed violence defines small arms according to the international standards - being any portable lethal weapon that expels or launches, is designed to expel or launch, or may be readily converted to expel or launch a shot, bullet or projectile by the action of an explosive, excluding antique small arms and light weapons of their replica. It also says that small arms are, broadly speaking, weapons designed for individual use. They are relatively cheap, easily portable and concealable and, most cases, require minimal maintenance and logistical support and they can, therefore, be operated relatively easily. They include revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine guns. Similarly other portable lethal weapon is understood as

weapons, designed for individual use. They include, inter alia, knives, swords, khukuris and small IEDs.^{3[2]}

Nepal's Arms and Ammunition Act, 2019 (1962) defines "Arms" as the rifle gun, pistol, revolver, mining and grenade, their parts and the machinery which manufactures such arms. "Ammunition" is identified as fugsignal fuse (DhumikaSanket), gun powder, cape, the ball of a gun, shells, detonator, cartus,-similar types of explosives and other ammunitions.^{4[1]}

INSEC's active surveillance system also has the collection of reliable and comprehensive data to support the five pillars of mine action- Mine Risk Education, Victim Assistance, demining, Stockpile Destruction and Advocacy. As Nepal has been declared landmine free country, there is little worry about civilian casualties caused by landmines. But the mine action activities are essential to prevent future IED-related incidents and also to alleviate the damage caused by explosive devices. The data and the work generated from it also target the behavior change. As seen in this report, some people are hurt because they were assembling the devices for fishing purposes and had accident. This comprehensive system in place ensures widespread dissemination of detailed and accurate information on victims of IEDs to all organizations, who work directly or indirectly with mine action activities. Such information is imperative for the efficient implementation of Mine Risk Education, Victim Assistance, Advocacy and Mine Clearance Programs to alleviate the dangers posed by EDs. The Active Surveillance System on which this report is based details casualties of victim-activated explosions and does not include the targeted attacks.

Violence against Women/Girls (VAW/G) was clearly defined in Declaration on the Elimination of Violence against Women issued on the United Nations (UN) General Assembly in 1993). The Declaration defines VAW as any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or

3 [2] Armed Violence Reduction Working Group on Small Arms and Other Portable Lethal Weapons, Terms of Reference

4 [1] Section 2, Arms and Ammunition Act, 2019 (1962)

arbitrary deprivation of liberty, whether occurring in public or in private life.⁵ VAW/G takes place in a multitude of contexts, including homes, schools, and the workplace. In unstable situations such as armed conflict and its aftermath, or human trafficking, the incidence rates of VAW/G escalate sharply. Other types of VAW/G are localized in particular areas of the world.

In Nepal, violence against women was openly discussed and addressed only since the last decade. The general taboo of not accepting this form of violence as significant was related to strict patriarchal society and limited freedom of expression against such social evils. It has, therefore, been openly discussed as the most common form of GBV as domestic violence, or GBV families.⁶ VAW/G is one of the most widespread human right abuses and problems existing in Nepali society. This report is an attempt to assess and disseminate the situation of violence against women/girls in Nepal in the context of increasing reporting of threat posed to the women as a whole.

The United Nations General Assembly defines "violence against women" as "any act of gender-based violence that results in, or is likely to result in, physical sexual or mental harm of suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life". The 1993 Declaration on the Elimination of Violence against Women noted that this violence could be perpetrated by assailants of gender, family members and even the "State" itself.⁷

"Domestic Violence" means any form of physical, mental, sexual and economic harm perpetrated by person to a person with whom he/she has a family relationship and this word also includes any act of reprimand or emotional harm.⁸

Domestic Violence (Offence and Punishment) Act, 2066 (2009) and Domestic Violence (Offence and Punishment) Rules, 2067 (2010) have been promulgated to stop any kinds of violence against women

5 <http://www.un-documents.net/a48r104.htm>

6 Sunita Sapkota, Violence Against Women-Focus on Domestic Violence, Health Prospect (Vol 10), p 8

7 United Nations General Assembly Declaration on the Elimination of Violence against Women (1993)

8 Clause 2 (A) of Domestic Violence (Offence and Punishment) Act, 2066

which can be happened within the home and from the family members and to punish the perpetrators. The act has clearly defined the terms domestic violence, physical harm, mental harm, sexual harm, economic harm, the victim and the perpetrator. Also the Muluki Ain (General Code) 2020 has some provisions related to the rights of the women in the chapters Husband and Wife, partition, women property, hurt/battery, Intention of Sex, rape and incest address the violation which can be occurred against women in different forms that shall be correlated with domestic violation cases. Chapter of "Kutpit (Battery)" prohibits causing hurt or committing grievous hurt by using weapon or by any other means, which is followed by compensation. Some Nepali laws scattered in different acts address the crime that can be occurred against women in the name of practicing witchcraft. Section 2, 4, 5 and 6 of Some Public (Crime and Punishment) Act 2027 prohibits performing inappropriate act in the public. *(See Chapter 4 for details of legal provisions).*

CHAPTER TWO

2. Contextual Information

2.1.1 Information on firearms licensing procedure and proliferation

According to the Arms and Ammunition Act 2019, civilians are allowed to keep licensed weapons under certain criteria and with approval from Chief District Officer. The Chief District Officer, who is the sole decision-making authority on whether or not to grant the license, sends a recommendation letter to the Home Ministry, which has to approve the recommendation to issue the license.⁹ In Section 4 (2) under this act, any person willing to obtain a License or to extend the validity period of the License for the production, storage, use, sale, transportation or import of the Explosives shall submit a written application along with details as prescribed in a prescribed format before the Chief District Officer. The format of each License, the amount required there for and its validity period shall be as prescribed.

The estimated total number of guns (both legal and illegal) held by civilians in Nepal is 205,000 whereas the estimated rate of private gun ownership (both legal and illegal) in Nepal is 0.8 firearms per 100 people. The defense forces of Nepal are reported to have 136,800 firearms and Police in Nepal are reported to have 65,800 firearms.¹⁰

A media report in 2010 stated that a license for each revolver and rifle will cost Rs. 10,000. The annual license renewal fee for such arms will increase to Rs. 1,000 from Rs. 175. Keeping air guns will also cost more. As per the proposal on amendment to the Arms and Ammunition Regulation-1962, which is already sent to Cabinet, acquiring an air gun license will cost the owner Rs. 300. The license renewal fee for air guns will be Rs. 200; the current rate is Rs. 60. Ministry of Home Affairs records show that over 34,314 people pos-

9 http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l205401944_text, accessed on March 3, 2014

10 <http://www.gunpolicy.org/firearms/region/nepal>, accessed on March 3, 2014

sess licensed firearms, and most license-holders are from Kathmandu Valley apart from Tarai districts such as Morang, Jhapa, Parsa, Siraha and Sarlahi. Records show that people from rich families and former security officials are likely to have licensed arms.¹¹ The report also says though the regulation allows issuing licenses to owners of small arms like pistols, authorities have stopped issuing such licenses after the restoration of democracy in 1990. Though, the current amendment to the AAA, brought by the parliament foresees that civilians are not allowed to keep weapons, however there are still weapons in the ownership of the citizens despite the call on collection and surrendering of weapons made by Government before the 2013 elections.

2.1.2 Police and justice response and capacity

Nepal Police and Chief District Officer (CDO) are granted the power related to the control of transport or wielding of the arms. Section 5 (2) of AAA prohibits anyone to carry arms without a license. It also allows an Assistant Sub-Inspector or the police officer above the rank of Assistant Sub Inspector or the CDO or the person assigned by them to arrest without warrant any person carrying arms without a license and seize the arms from their possession. The police officer or the person assigned by the CDO arresting such person or seizing the arms shall bring the arrested person and the arms seized before the CDO within 24 hours with the exclusion of the period of journey.

¹¹ Firearms licence fees to go up. The Kathmandu Post, <http://www.ekantipur.com/the-kathmandu-post/2010/04/19/Nation/Firearms-licence-fees-to-go-up/207378/>, accessed on March3, 2014

CHAPTER THREE

3. Methodology

3.1 Quantitative Approach

3.1.1 Data collection methodology

The data on incidents and casualties of armed violence in Nepal from January to December 2013 presented in this report are from January 2013 to December 2013. The data collected cover every region of Nepal ranging from ward level to zonal level. The data are collected through District Representatives (DRs), who are placed in each of the 75 districts of Nepal. DRs receive information on incidents from a variety of sources, such as victims, their family members, eyewitnesses, neighbors, health care professionals, police, journalists etc. Once DRs are notified or learn about any armed violence incident in their respective district, then DRs verify this information from different sources, such as police, journalists, social activists, family members, victims, accused, eye-witnesses, etc. DRs visit the incident site and record all information from their investigation of the incidents (interviews, etc.) in their diary (and electronic devices. DRs store any such diary/devices in a confidential manner. If electronic devices are used, passwords are kept private, changed frequently and are never saved on a device (i.e. no automatic login to emails). In order to ensure that information is accurate, DRs perform the following due diligence:

3.1.2 Interview and discussion

DRs visit the victim and their family members in order to assess the situation and to gather more information. Interviews are conducted using a Do No Harm approach¹².

12 An approach to enhance understanding of a conflict-affected context, and the impact development and humanitarian assistance has on the context while considering conflict-insensitive development that may inadvertently do harm through causing or exacerbating tension, contributing to corruption and reinforcing societal exclusion and inequalities and also may increase the risk faced by development agencies and damage an organization's reputation.

If the victim cannot be reached or interviewed, then DRs find different, reliable source of information, such as the victim's family member(s), eyewitness, neighbors or other sources available. The information also comes from the comments recorded during the field visits conducted by the INSEC project staff where they meet the different stakeholders of the districts.

3.1.3 Police and hospital records

DRs also visit the local police office and hospitals to verify existing information and gather further information about the incident. If it is not possible to physically visit the hospital and/or police office(s), the DRs contact them by phone. DRs are encouraged to build rapport with the authorities to receive continuous support for their work.

3.1.4 District/VDC/Community meetings

DRs collect and record any information related to armed violence as noted during their formal and/or informal interactions, meetings, discussions with community members and stakeholders. They are encouraged to develop and maintain a network of contacts at local/grassroots level to widen their information coverage.

DRs map and prepare lists of local media in their regions categorically for media monitoring and they regularly monitor the local media and are encouraged to prepare individual case profiles including both identified and unidentified cases pertaining to armed violence for information collection and follow up.

3.2 Data centralization

INSEC has been recording national data related to SAplW since November 2009. This database is used to analyze the national trends of violence caused by SAplW. DRs are responsible for monitoring and relaying information related to incidents of small arms, victim-activated explosions (VAE) (with or without casualties) to the INSEC Central Office(CO).As for the incidents of intentional explosion and use of small arms, information are sent as soon the DR is notified of an incident.

Whenever armed violence incident occurs, DRs are notified by their informers or partner organization at the field level. Accordingly, DRs investigate and verify the information. The DRs triangulate the information of such incidents from various sources including journalists, witness, local organizations etc. and sometimes also seek additional information from the police if required. Data is then directly sent to INSEC CO using online Google form. Data is checked for consistency at the central level. Those data received from paper sources are later added to the Google Form. The whole set of data is then cleaned from any errors before it is uploaded into a Google Fusion Table to be ready for analysis. Information is then analyzed in Google Fusion Tables, the relevant questions or issues are explored and then it is checked by comparing the graphs in fusion tables, using pivot tables in Excel and with the use of simple correlations.

3.3 Ethics and security

The security of forms is ensured by DRs and CO. For this, DRs keep all the electronic information of the victims in secure, password protected places. DR's are provided with the manual on the Armed Violence Surveillance System which contains all the information regarding the ethics and data security, data collection and reporting.

Sample

The data sets used for analysis of this report are cleaned set of data, cleaned by filtering for accuracies and consistencies. The data are analyzed through use of Google fusion tables, e.g. data from 2010 to 2013 are compared and analyzed.

3.4 Limitations of report

In 2013, INSEC Armed Surveillance System recorded a total of 3,389 incidents of armed violence causing 3,846 casualties. There are some limitations to how data was collected that should be kept in mind when reading these findings:

1. The surveillance data presented in this Report refer to those involving the use of weapons resulting in death or injuries and needed

medical assistance. Threats or use of threats with the weapons to commit the crime are not included. Casualties resulting from physical or bodily injury (e.g. punching and kicking) are not included.

2. Excessive use of force by the security forces and quasi-government bodies including forest authorities are included.
3. INSEC added the categories of suicide by hanging and consumption of poison in the categories of weapons from 2013, leading to a significant increase in the data in comparison to last years. Analyses with and without the number of incidents and casualties resulting from hanging and poison are provided in the report.
4. As for Incidents of Domestic Violence, only incidents involving weapons are included, which means other incidents of domestic violence and gender based violence are not being collected.
5. Data gathered by the DRs did not always come from the survivors or victims and their families. They appear to have sometimes used secondary or tertiary source of information including police or journalists.
6. There are limitations in the geographic coverage of reports also. The DRs are paid by the number of victims they report. There can be some discrepancies in the coverage due to the geographical terrain of the districts and also sometimes, the extent of access to DRs' information sources.
7. Incidences of seizure of weapons, whether hidden or intercepted during smuggling and transportation, by the Nepal Police or Armed Police Force or any other security agencies are not included.
8. The media coverage of the incidents may over-emphasize prevalence of the armed violence if the person involved is a public figure. Sometimes, media can publish the findings of cache of weapons and the incidents without casualties which gives an impression of wide spread violence.

CHAPTER FOUR

4. Analysis

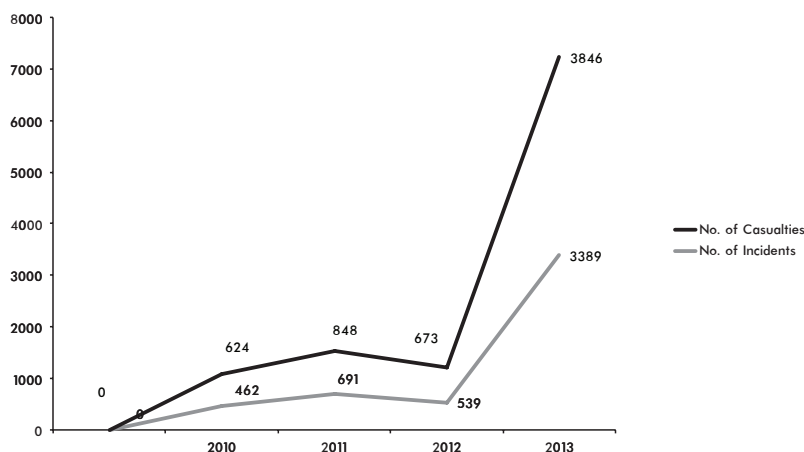
The section provides the analysis and interpretation of the situation of violence related incidents in Nepal on the basis of the data from January - December, 2013. The situation of armed violence, explosions and violence related with women in Nepal are dealt separately in different sections.

4.1 Impact of Insecurity and Armed Violence

The below section will elaborate the findings on the basis of the dataset compiled on armed violence occurring between January 1, 2013 to December 31, 2013.

4.1.1 Descriptive statistics

Chart 1: Change in number of casualties and incidents over time



The above chart shows the trend of armed violence incidents and casualties from 2010 to 2013. The number of armed violence incidents in 2010 was 462 resulting in 624 casualties and this was increased in 2011 to the number of 691 incidents resulting to 848

casualties. In 2012, there was slight decrease in the number of incidents (539) and the casualties resulted were 673. While, in 2013 there was a jump in the number of incidents (3389) and casualties (3846).

This is due to the inclusion of the category suicide and the introduction of the web based data reporting technique (google form). In the years before 2013 only the data of suicide with the use of sharp weapons and firearms were included and suicide by hanging and poison was not included.

Below is the table that shows the districts with respective number of incidents and casualties reported.

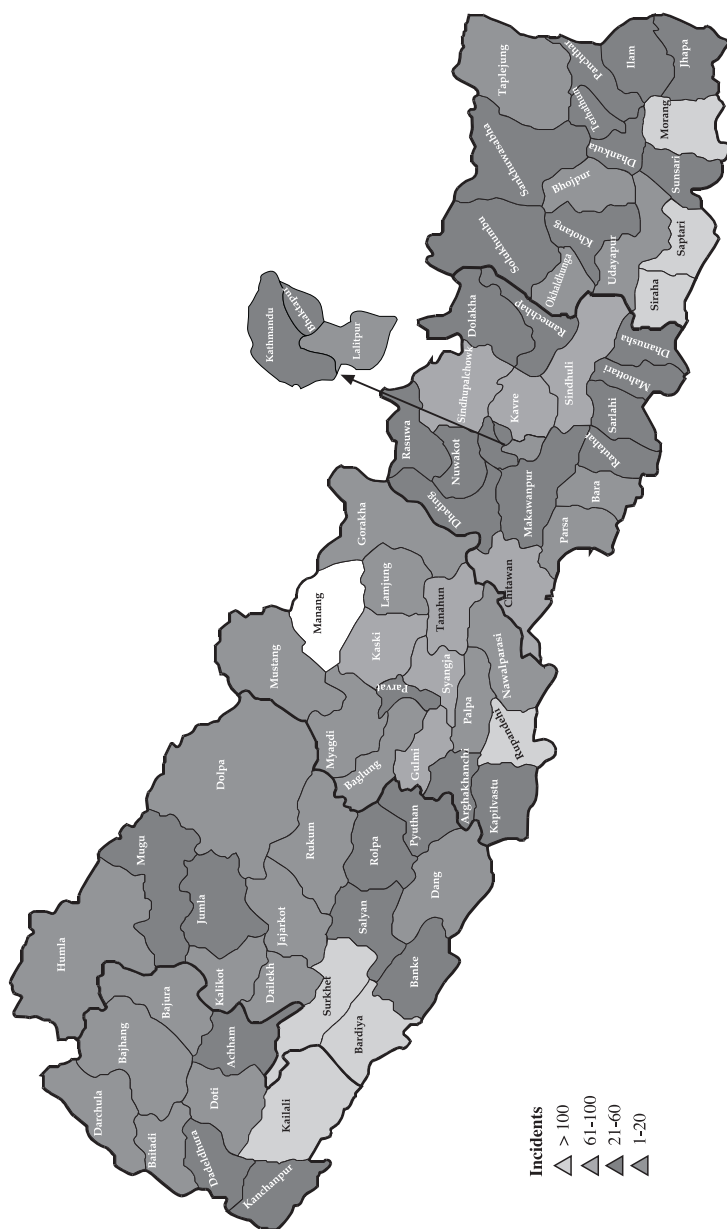
Table 1: Number of incidents and casualties by districts				
SN	Districts	No. of Incidents	No. of Casualties	No. of Casualties per 10,000
1	Surkhet	285	314	2.37
2	Rasuwa	25	25	1.53
3	Mugu	30	30	1.44
4	Sankhuwasabha	59	67	1.12
5	Siraha	158	236	0.98
6	Bardiya	110	155	0.96
7	Parbat	51	53	0.96
8	Syangja	62	97	0.89
9	Terhathum	34	34	0.89
10	Gulmi	81	92	0.87
11	Dolpa	12	12	0.87
12	Morang	269	308	0.85
13	Kailali	231	247	0.84
14	Sindhupalchowk	79	86	0.79
15	Sindhuli	62	81	0.72
16	Saptari	150	168	0.70
17	Jumla	23	28	0.68

18	Ramechhap	50	52	0.68
19	Arghakhanchi	47	48	0.64
20	Khotang	45	48	0.62
21	Dadeldhura	33	33	0.62
22	Solukhumbu	23	23	0.58
23	Kaski	93	105	0.57
24	Kavreplanchok	79	80	0.55
25	Ilam	58	60	0.55
26	Rolpa	40	46	0.54
27	Tanahun	60	66	0.54
28	Dolakha	38	38	0.54
29	Panchthar	28	37	0.51
30	Rupandehi	161	161	0.48
31	Dhankuta	28	28	0.45
32	Nuwakot	47	47	0.45
33	Bajura	18	18	0.35
34	Dhading	21	42	0.33
35	Makawanpur	50	50	0.32
36	Achham	25	29	0.30
37	Banke	50	54	0.29
38	Okhaldunga	15	15	0.27
39	Pyuthan	23	23	0.27
40	Chitwan	57	57	0.26
41	Rautahat	47	66	0.25
42	Kanchanpur	43	43	0.25
43	Salyan	22	23	0.25
44	Dhanusa	58	70	0.25
45	Myagdi	10	10	0.23
46	Bajhang	17	17	0.23
47	Doti	17	18	0.23
48	Baitadi	20	21	0.22
49	Mahottari	47	48	0.20
50	Mustang	1	1	0.20
51	Sarlahi	30	51	0.18

52	Kalikot	9	9	0.17
53	Rukum	13	13	0.17
54	Darchula	8	8	0.16
55	Sunsari	38	43	0.15
56	Kapilvastu	31	31	0.14
57	Jhapa	37	37	0.12
58	Palpa	11	11	0.11
59	Humla	2	2	0.10
60	Lalitpur	15	17	0.10
61	Lamjung	3	6	0.09
62	Udayapur	7	10	0.08
63	Bara	18	21	0.08
64	Jajarkot	5	5	0.08
65	Kathmandu	46	46	0.07
66	Taplejung	3	3	0.06
67	Gorkha	2	4	0.04
68	Baglung	3	3	0.03
69	Nawalparasi	6	6	0.02
70	Dailekh	2	2	0.02
71	Dang	4	4	0.02
72	Bhaktapur	2	2	0.02
73	Bhojpur	1	1	0.01
74	Parsa	1	1	0.00
75	Manang	0	0	0.00
Total		3389	3846	32.51

While seeing in above table, the most affected district by armed violence was Surkhet with 285 incidents resulting in 314 casualties, followed by Morang and Kailai with 269 and 231 incidents respectively. In 2012 the most affected district was Morang with 96 casualties. There was no incident of armed violence reported in Manang district. While, in districts like Parsa, Bhojpur, Bhaktapur, Dang, Dailekh, Baglung, Nawalparasi, Gorkha, taplejung, Udayapur, Jajarkot, lamjung, Humla, Darchula, kalikot and Mustang the total number of incidents were less than 10.

Map 1: Districts by number of incidents in 2013



Map 2: Districts by number of casualties in 2013

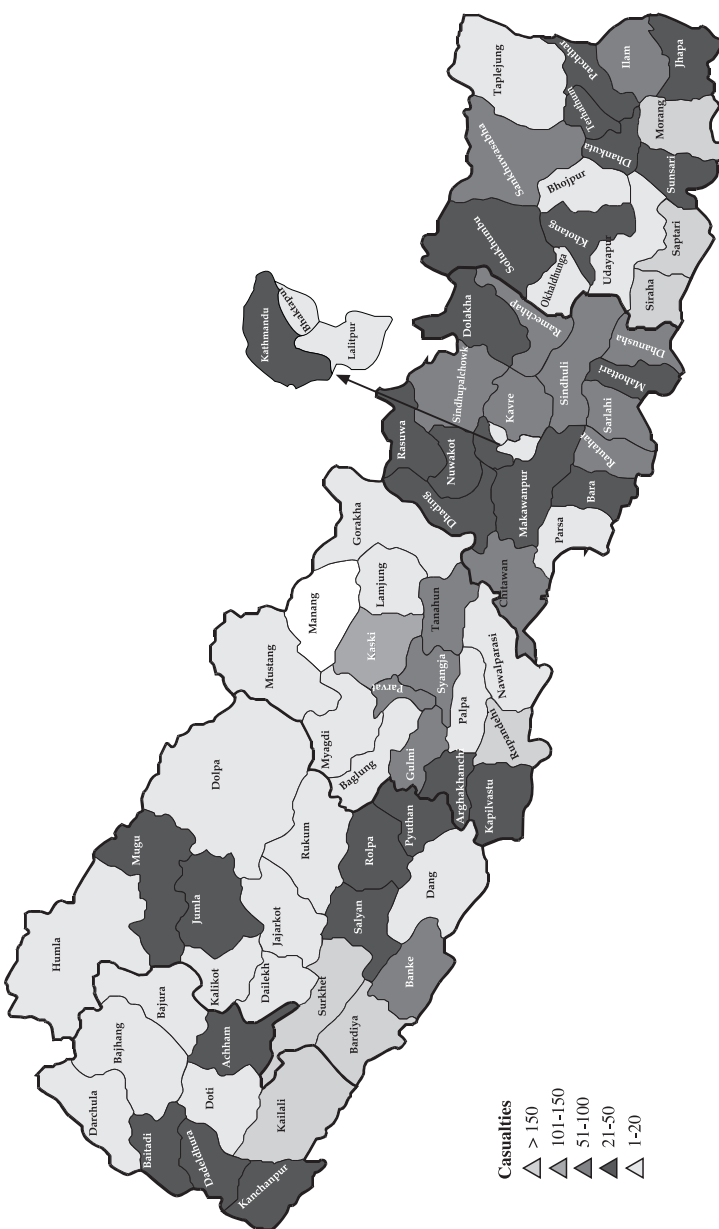
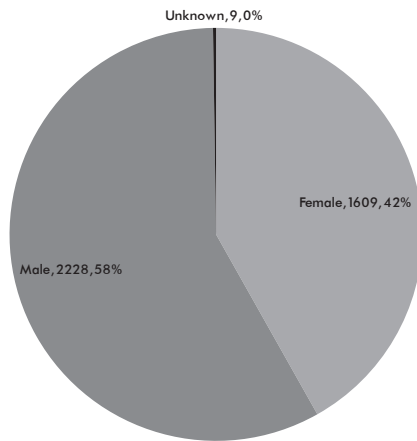
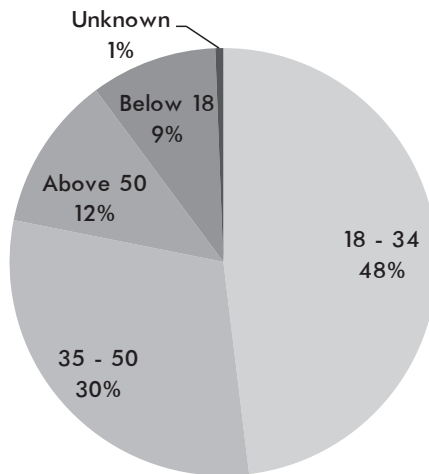


Chart 2: Casualties by sex/gender in 2013



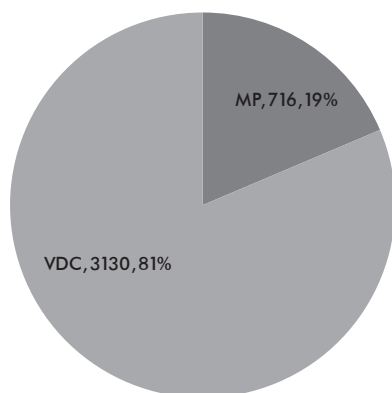
Out of 3846 casualties, 2228 (57.93%) were male and 41.84% were female. The sex of nine (0.23%) casualties was not identified.

Chart 3: Casualties by age-group in 2013



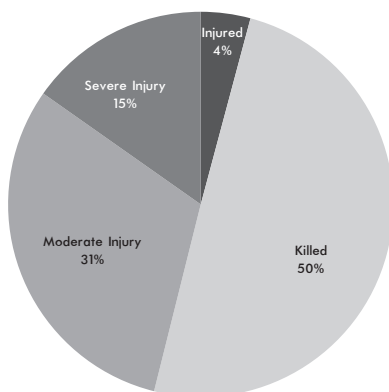
Out of 3846 casualties, the highest number of casualties (48%) falls into the age group of 18-34 followed by the age group 35-50(30%). 9% of the casualties were children (below 18).

Chart 4: Casualties by MP or VDC in 2013



With above pie-chart it can be seen that the highest numbers of casualties (81%) are in Village Development Committee (VDC) and 19% are in Municipalities (MP).

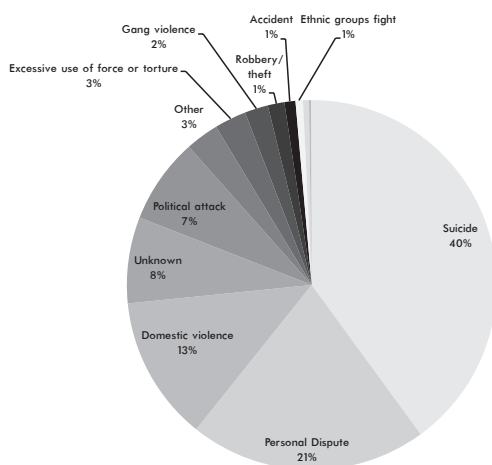
Chart 5: Consequences of incident in 2013



Out of 3846 casualties 1913(50%) were killed, 1187 (31%) were moderately injured, 586(15%) severely injured and 160 (4%) were injured¹³.

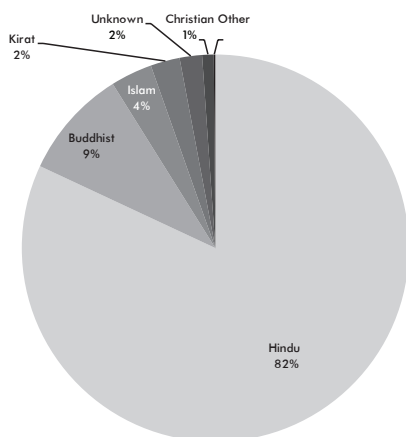
¹³ For the purpose of this report, severely injured mean the people needing long time to recuperate with constant follow ups; moderately injured means such injuries which need a visit to medical facilities but the people recover quickly; injured is the category where the severity of the injuries could not be differentiated.

Chart 6: Motivations behind the attack in 2013



Suicide is the most common motive for the occurrence of incidents, accounting for 40% of the total casualties. The second most common motive is personal disputes, which accounts for 21%, followed by domestic violence (13%). For 8% of casualties, the motive couldn't be established. 7% of casualties resulted from political attacks.

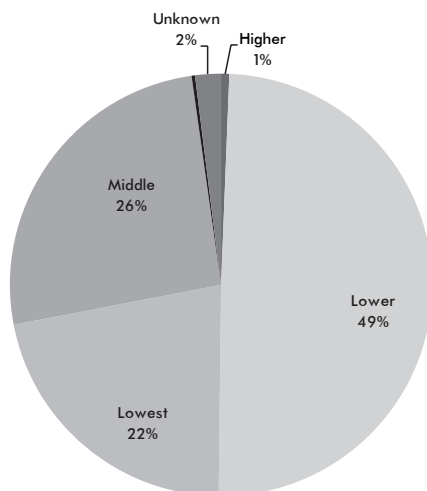
Chart 7: Casualties by religion in 2013



The casualties' data is reflective of the total population of the country. Most of the casualties (82%) belong to the Hindu religion, followed by Buddhist (9%) and Islam (4%). Hindu population in the country is 81.3% and Buddhist 9% followed by Islam 4%, Kirant 3% and Christian 1%.¹⁴

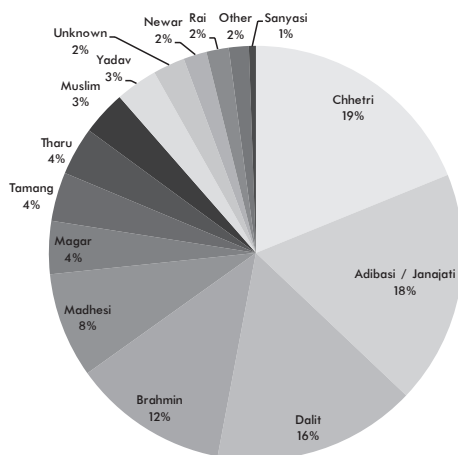
¹⁴ Demographic Profile of Nepal 2013/2014, Megha Publication and Research Centre. Dec 2013. Pp. National Profile 3

Chart 8: Casualties by economic status in 2013



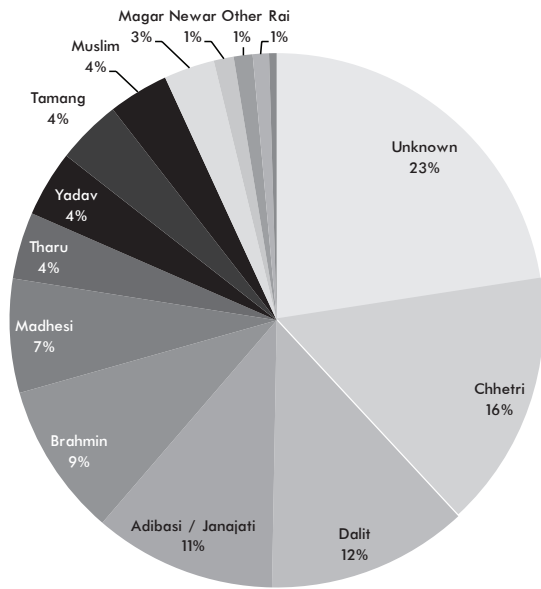
Most of the casualties (49%) belong to the lower economic status, followed by the middle economic status accounting 26%. 22% of the casualties were from lowest economic status and only 1% belongs to the higher economic status. The economic status of 2% of casualties remains unknown.

Chart 9: Casualties by large caste group



Out of 3,846 casualties, 19% victims belong to the Chhetri caste followed by Adibasi/Janajati except Tamang, Magar, Newar, Rai, Tharu (18%) and Dalit (16%). Though Tamang, Magar, Newar, Tharu and Rai caste falls under the Adibasi/janjati group they have been looked as a different category to get clear picture as their population is significant in comparisons to other caste and ethnic groups. The Brahmin accounts for 12% and 8% of casualties belong to the caste group Madhesi (except Yadav).

Chart 10: Perpetrators by large Caste group



Most perpetrators come from the caste groups Chhetri (16%), Adibasi/Janajiti (13%), Dalit (12%), Brahmin (9%) and Madhesi (6%). The proportion of caste of perpetrators is more or less similar to the proportion of the caste group casualties.

Chart 11: Perpetrators by detailed caste group (major ones only)

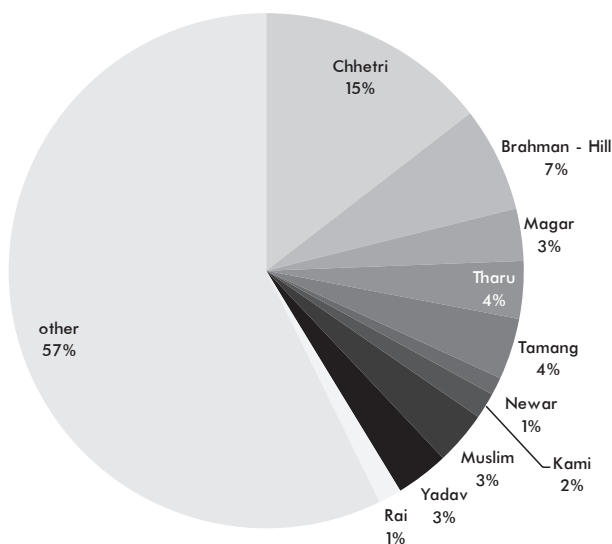


Chart 12: Casualties by detailed caste group (major ones only)

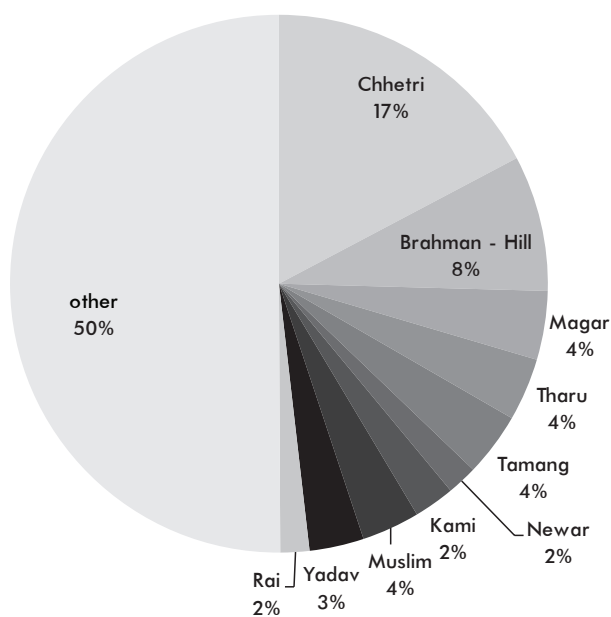
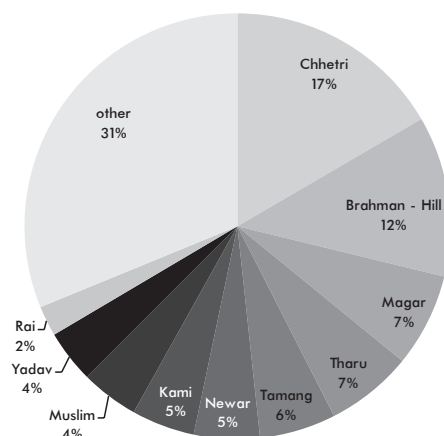
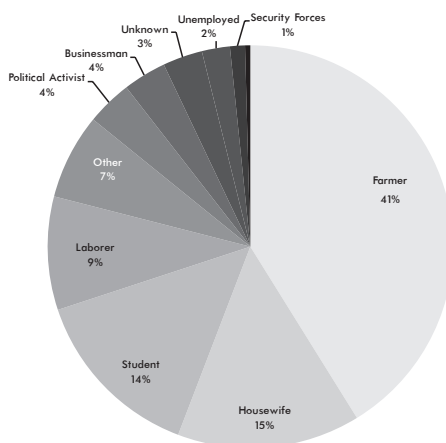


Chart 13: population by detailed caste group (major ones only)



For Chhetri, Muslim, Yadav and Rai, the proportion of victim and perpetrator is the same as the proportion of these castes in the population. Brahman-hill, Magar, Tharu, Newar, Tamang and Kami are under-represented: the proportion of victims and perpetrators are lower than the proportion of these castes in the overall population. If we had better population data of every caste group we could comment on the other groups.

Chart 14: Casualties by occupation in 2013



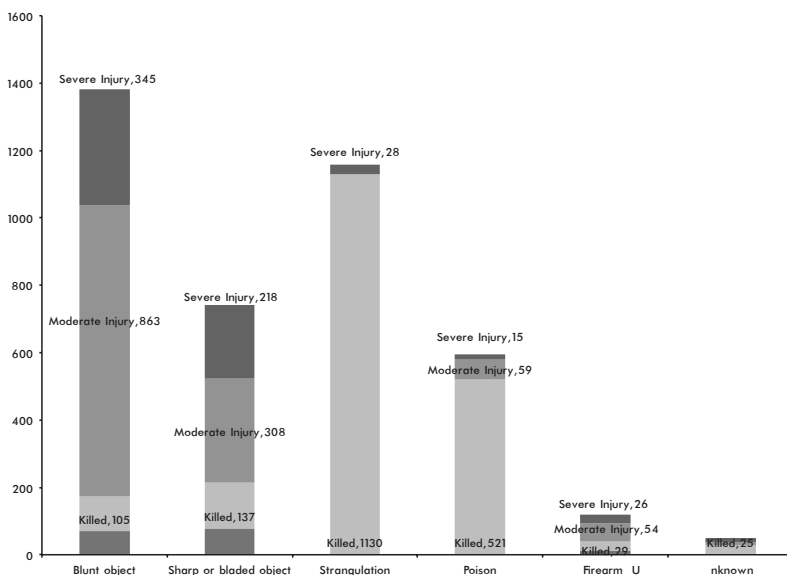
41% of victims are farmers, making them the most affected occupation group. Housewives (15%), students (14%) and laborers (9%) are other common groups. The casualties with other occupation are 7%. The other occupation of victims includes private service, social worker, teacher, civil service, political leader, retired, health worker, journalist, domestic helper.

This is just an overview of the demographics. The analysis of economic status, occupation, sex and caste /ethnicity will be dealt with further in the later sections of the report. We don't analyze religion and age-group because we didn't find any interesting patterns.

4.1.2 Relations of patterns in weapon use

The most deadly weapons are strangulation and poison. These two variables are the only ones with a strong positive correlation to the consequence of incident being death. In other words, if the incidents involved strangulation or poison, the victim is more likely to die. The opposite is true for blunt objects and sharp objects: if the inci-

Chart 15: Casualties by weapons in 2013



dents involve blunt objects or sharp objects the victim is more likely to get injured rather than die. There is neither a positive nor a negative correlation between firearms being used and the consequence being death.

These results are surprising. One possible explanation is that strangulation and poison are mostly used in suicides and the data recorded here are only suicides that resulted in death. From the above explanation the conclusion can be drawn that the weapons makes no difference to the consequences of incidents (excluding suicide).

Relationship between weapons and intent

In about 50% of cases, firearms were used accidentally, which suggests that if firearms were better controlled, then we might reduce incidents that result from people who are unaware of how to use firearms having access to them.

Case Study 1: Mother killed by enraged son

AB (F), 46, of Ramechhap district was killed with axe by her son XY, 21, on September 8, 2013. She had two sons; elder son was staying in Kathmandu with his spouse and the younger son, XY, used to stay with her. She belonged to the family of middle economic status.

It was the day of Teej festival one of the biggest festivals of Hindu religion particularly for women. She had fastened for the wellbeing of her husband. On the day she was wearing all her jewelry to celebrate the festival. In the day time, her son asked her for some money. She refused. Then the son asked to provide the jewelry that she was wearing instead of money. She yelled at her son. Her son got angry and attacked his mother with an axe. His anger was in such a state that he attacked her repeatedly in different parts of her body. She died on the spot. He ran away taking all the jewelry of his mother.

He was arrested by police on September 20. He stated that he had no intention of killing his mother. When his mother refused to provide the money or jewelry he couldn't control his anger and happened to cause the incident.

Blunt objects were used intentionally in 48% of the cases and unintentionally in 11% of the cases. When this is cross-referenced with the motivation, it shows that unintentional use of blunt object mostly happened in personal disputes, domestic violence and political attacks. It might be that the blunt objects were used out of rage.

Sharp or bladed object were used intentionally in 23% of the incidents. The above explanation about blunt objects applies also to sharp objects.

Strangulation and poison were mainly used for suicide with the purpose of self –harm.

Relationship between weapons and motivation

Chart 16: Motivations for the incidents involving strangulation

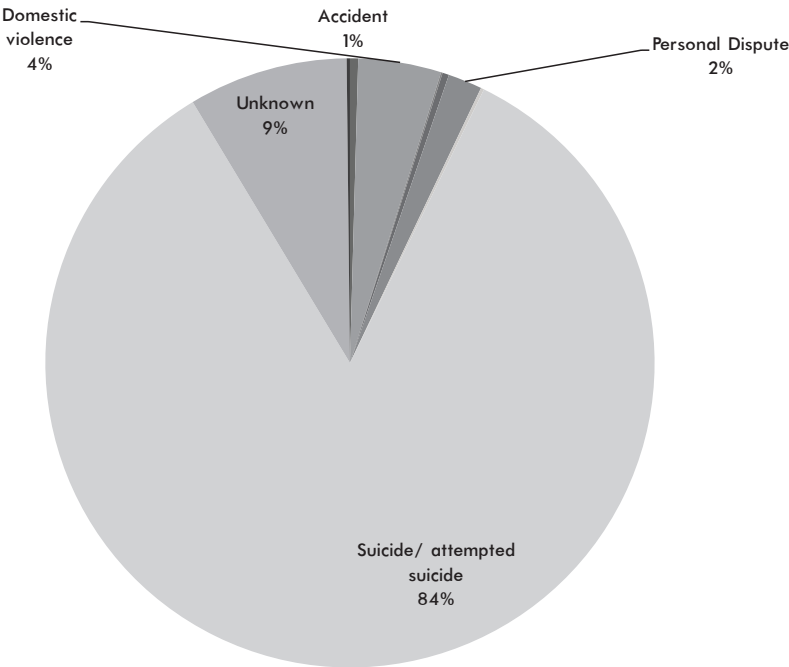
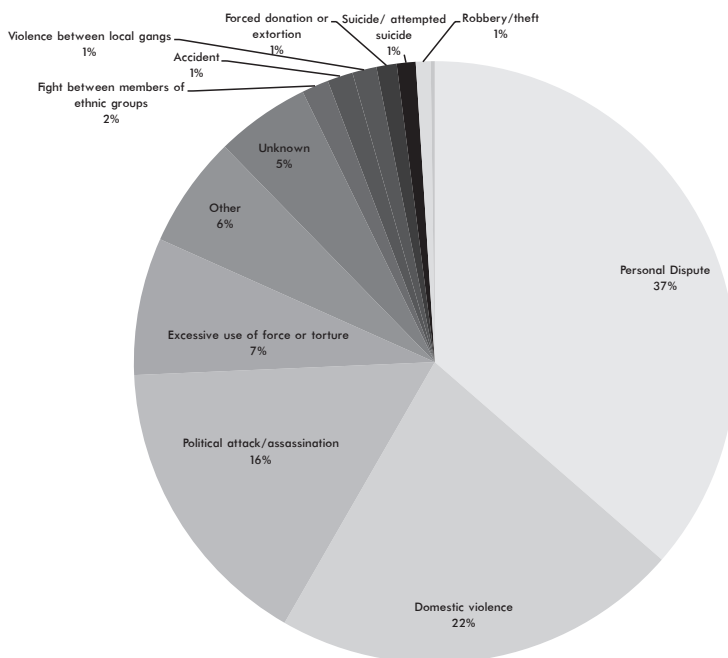


Chart 17: Motivations for the incidents involving blunt objects



Overall, the main motives for all casualties were suicides, personal disputes, domestic violence and political attacks. Strangulation and poison are mostly used for suicide motives. Blunt objects and sharp objects are used equally across the other main motives: personal disputes, domestic violence and political attacks. Firearms are used disproportionately in robbery/theft.

Strangulation and poison are mostly used at home as these weapons were used for suicide motives. Firearms are used less in home than other weapons.

Map 3: Incidents involving use of firearms in 2013



There were two incidents which caused accidental death due to firearms in two districts i.e. Terhathum and Jhapa. Firearms are used mostly in the districts of Tarai belt. This might be due to the easy availability of firearms in those areas as the districts have the porous border.

Case study 2: Use of firearms in Siraha

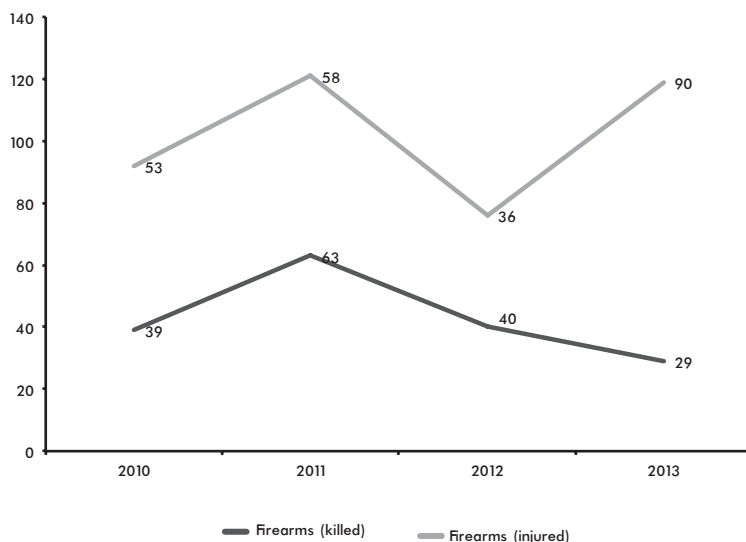
AB (F), 32, of Siraha district was shot dead by her husband at 12 pm on May 18, 2013. She was killed in a simple family dispute. They belonged to lower economic status and used to live with their two sons and one daughter in the village. She had good relation with her husband and with the neighbors before the incident took place. The motive behind the incident is yet unknown but the neighbors who knew him quite well assumed that he used gun just to threaten his wife and happened to kill her accidentally.

This incident is just an overview of the incidents that happen in the district. There is widespread use of firearms in the districts of Tarai region. People fire gun to celebrate the wedding ceremony. Firearms are mostly used in killing, abduction and robbery/theft. Though the government asked to submit the illegal firearms, no a single one was submitted in the district.

The illegal trafficking of firearms is the major challenge due to the open border with India. According to the data provided by District Administration Office in the fiscal year 2011/12, 16 cases of firearms were filed, in 2010/11, 19 cases filed and in 2009/10, 17 cases were filed. In one district the firearms seized from the state parties is 17/18 yearly but when we also count the border district the number goes high.

Use of firearms change over time

Chart 18: Change over time in casualties injured or killed by firearms



The above chart shows that the patterns in injured and killed casualties from use of firearms move together in 2010-2012, but in 2013 the injured cases are lot higher than killed and the reason behind it is unknown. The data of use of firearms is from 39 districts.

4.1.3 Patterns in motivation

Personal disputes and domestic violence are more likely to result in death than other motives. In personal disputes 111 were killed; in domestic violence 93 were killed.

Suicides (75%) and domestic violence (86%) mostly happened at home. The rest of the incidents are distributed with about 40% happening at home and the next most common place being road/path.

Chart 19: Consequences of incidents by motivation

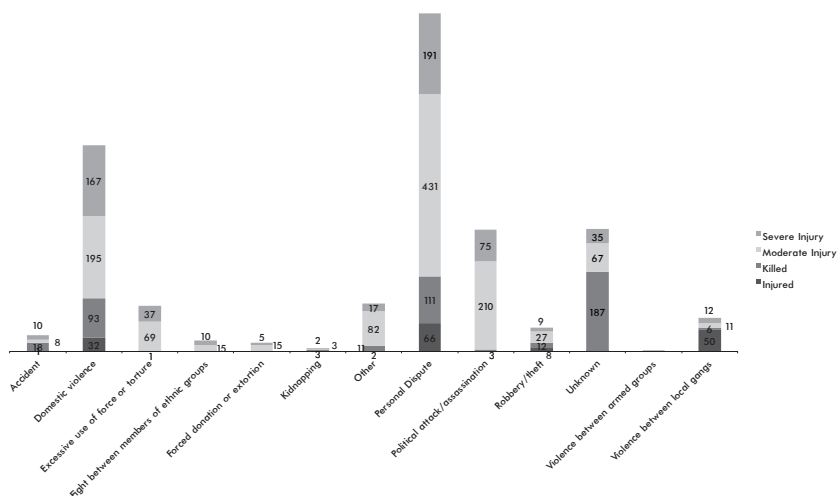
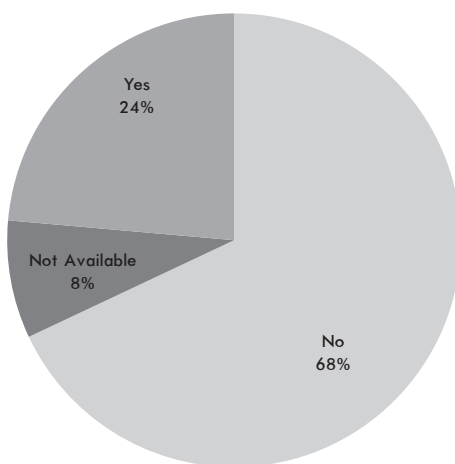


Chart 20: Incidents of alcohol used except suicide

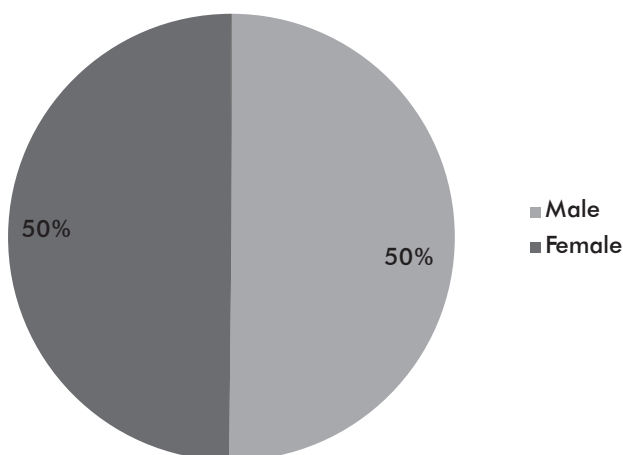


Overall 15% of casualties resulted from incidents that involve alcohol use. Alcohol use is often associated with personal disputes. 24% of casualties from personal disputes resulted when the incident

involved alcohol use. However, this is more or less the same percentage as for every other category (except suicide, where it was only 2%). In fact, the categories with the highest alcohol use were accidents, domestic violence, excessive use of force and torture and forced donation or extortion.

Suicide

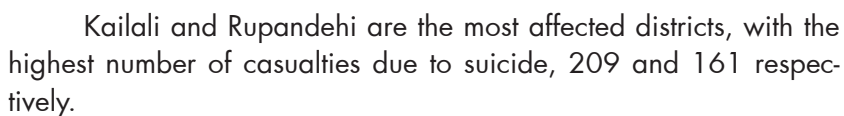
Chart 21: Sex/gender by suicide



Suicide victims are split 50/50 between men and women. This may seem obvious since it is the same as the population distribution. However, overall more men are victims than women. In fact in every category except domestic violence, more men are victims than women. (In domestic violence 90% of the victims are women.)

Women who are never married are more likely to commit suicide than men who are never married as shown by 2013 data. The data show that of 375 casualties due to suicide, 151 were single men and 224 were single women as compared to 559 married men and 507 married women. Most suicides happen in the 18-34 age-group, but this is the same proportion as for all other incident types. 14% of victims of suicide were children (under 18).

Map 4: Suicides in 2013



Case Study 3: Suicide in Rupandehi

AB (F), 18, of Rupandehi district committed suicide by consuming poison at night in her home on June 22, 2013. On a suicide note she said that she committed suicide as her family members didn't approve her love relation with a boy of her choice.

In the Rupandehi district she is not the only one who committed suicide after the failure of their love affair. XY (F), 20, also committed suicide by hanging in her house on August 14 stating the reason of failure of her love affair. Her lovepartner also committed suicide by hanging at his home in Syangja district. Similarly, ABC (M), 19, also committed suicide by consuming poison on September 30 stating of failure of his affair as the reason. In the time span of four years there are more than 600 suicide cases in Rupandehi district. According to the District Police Office of Rupandehi district from the fiscal years 2068/2069 to till date 612 people committed suicide in the district. Majority of people committed suicide out of stress and family problems and some of the cases are due to the lowest economic condition of the family. The proportions of male and female committing suicide are almost equal. Students also attempted suicide stating the reason that they are weak in studies.

Case Study 4: Dejection leads woman tokill self, daughters in Kailali

AB (F), 35, of Kailali district committed suicide by consuming poison and she also gave poison to her two daughters on January 21, 2013. District Police Office's crime investigation officer disclosed her suicide note which stated that she killed her two innocent daughters and herself due to financial crisis in her family. Her husband suffered from mental illness and she couldn't afford his medical treatment. She was tired and depressed with the situation that her husband was not recovering from the illness. She belonged to very poor family and had been suffering from financial crisis since the illness of her husband.

Crime investigation department of Kailali district informed that the reason behind the high number of self-directed violence are due to depression, failure in obtaining the aim of life i.e. failing in exam, being jilted and unrecruited love, financial crisis and domestic torture particularly married women for not giving birth to a son. In Kailali

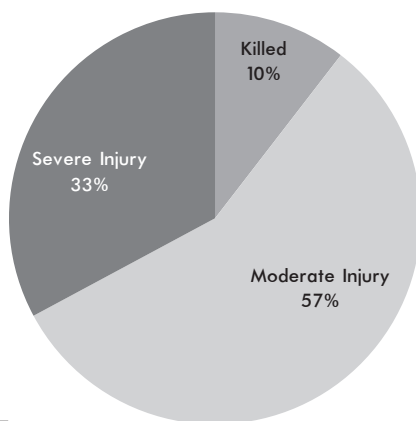
district the high numbers of suicide cases are reported from Tharu community. People say that the people belonging to Tharu community are quick to resort to attempt suicide because they do not want to fight and take action against problems and they do not choose another alternative to solve problems so they lose patience in any matters. However, this is a general perception and no proper studies have been done in this regard. Senior age grouped people also commits suicide because of lack of care, affection and love from their family.

Robbery

Siraha accounts for 34% of robbery casualties, but only 6% of total casualties. The reason behind is unknown. The victims of lower economic status are most likely to get robbed, followed by the middle economic status. 20% of victims come from the lowest economic status but only 7% of robbery victims come from this status¹⁵, suggesting that robbery is less prevalent in very poor communities. Farmers are particularly affected by robbery: 2% of all victims are farmers; 57% of all robbery victims are farmer.

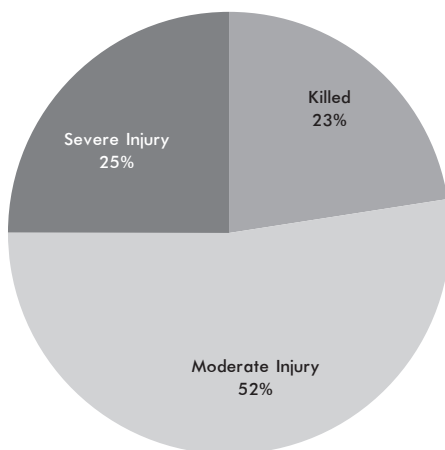
4.1.4 Patterns in incidents that involve accused under the influence of alcohol

Chart 22: Consequences of incidents involving alcohol (except suicides)



¹⁵ The economic status is based on the subjective observation of the INSEC DRs.

Chart 23: Consequences of incidents without the influence of alcohol (except suicide)



The above charts show that the consequence of incidents without the influence of alcohol is more severe excluding suicides. There is no explanation for this pattern.

Chart 24: Consequences of incidents with alcohol influence only for suicides

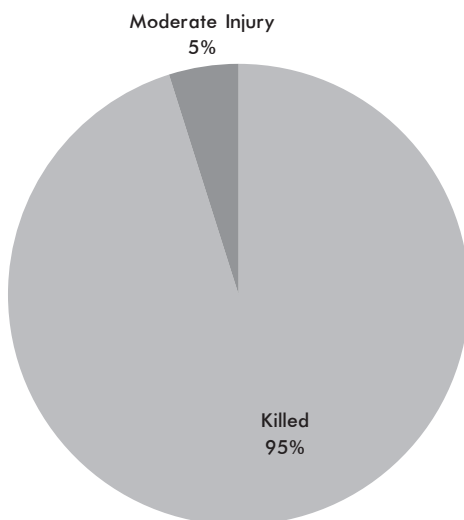
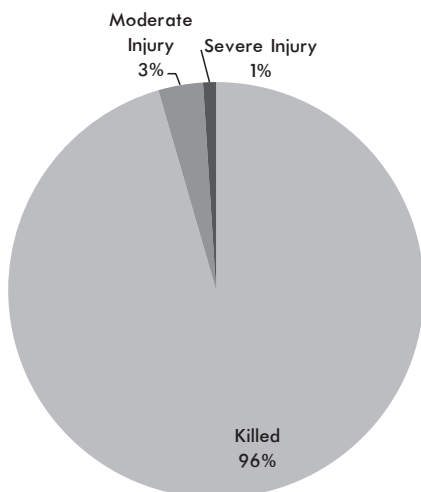


Chart 25: Consequences of incidents without the influence of alcohol only for suicides



From the above chart it can be said that alcohol makes no difference in deaths of suicide cases. Similarly, for domestic violence and personal dispute incidents, alcohol influence hasn't made a difference to the percentage that result in death.

Relationship between alcohol and intent

Chart 26: Intent involving alcohol influence

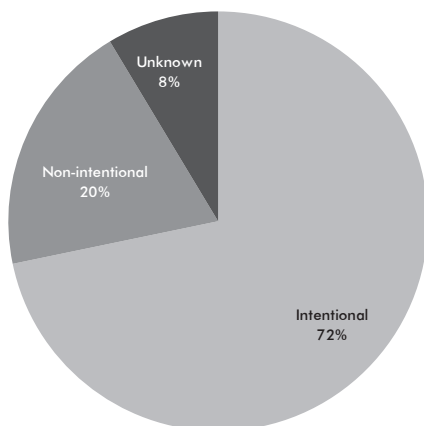
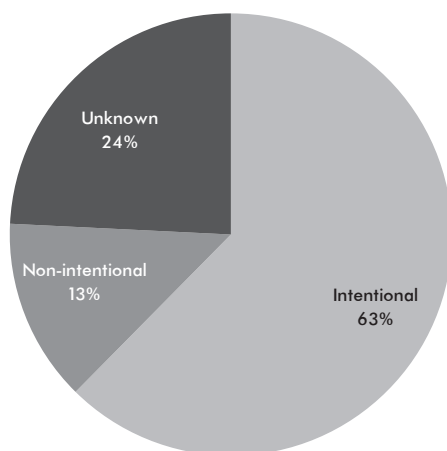


Chart 27: Intent without the influence of alcohol



We cannot conclude anything particular regarding intent and alcohol influence, because the unknown percentage is too large.

Relationship between alcohol and caste

Chart 28: Perpetrator under the influence of alcohol

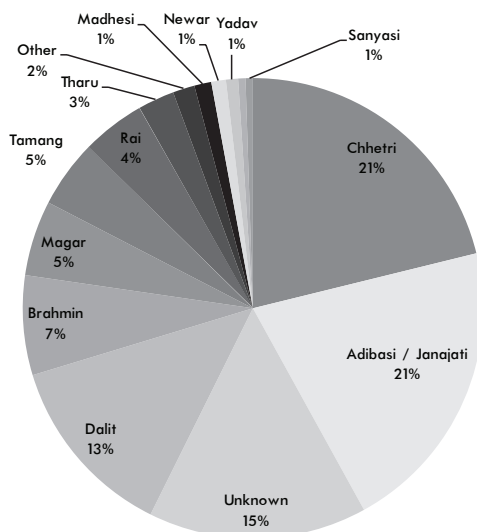


Chart 29: Perpetrator without the alcohol influence

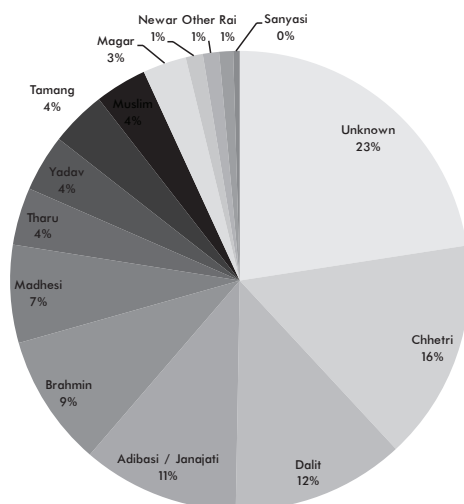
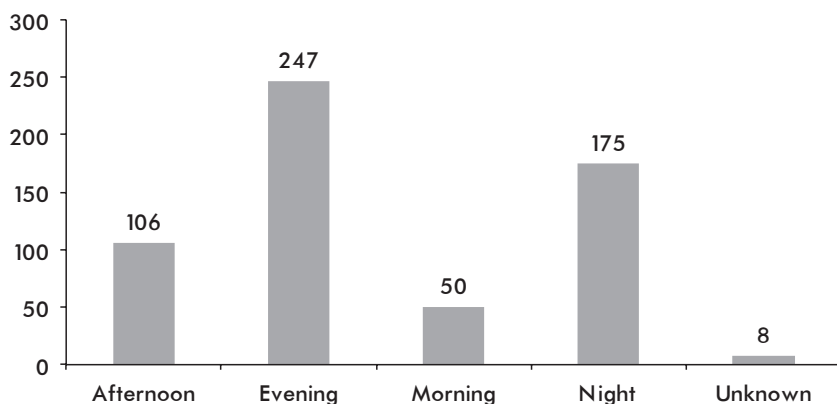


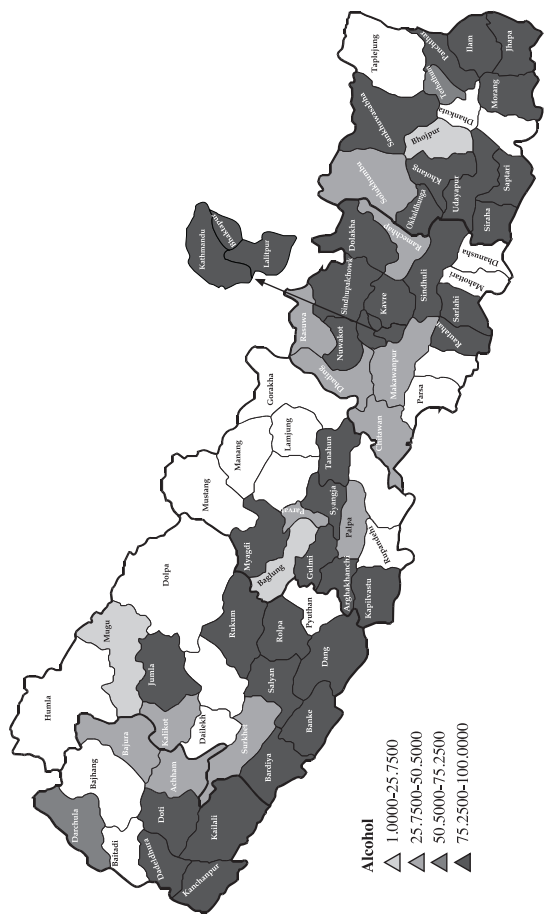
Chart 30: Timing of incidents involving alcohol



Most incidents involving alcohol happened in evening and night unlike other incidents which are spread across the day.

Casualties by districts as a result of incidents involving alcohol

Map 5: Percentage of casualties from incidents involving alcohol use in 2013



The map shows the percentage of casualties in each district that resulted from incidents where alcohol was involved. The five districts where the percentage was highest are: Mugu, Bhojpur, Baglung, Terathum and Darchula. Baglung, Darchula and Bhojpur had very few incidents so we cannot draw any conclusions.

4.1.5 Patterns relating to the gender of victims

Chart 31: Incident places for women

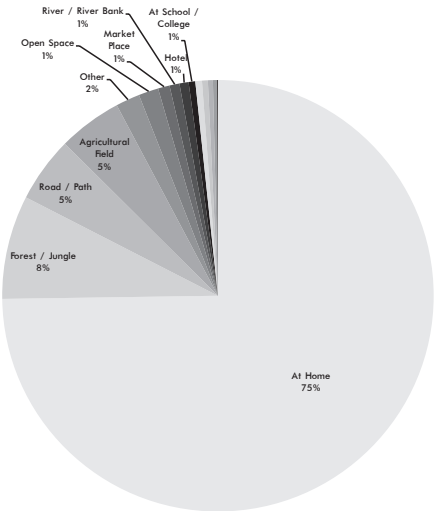
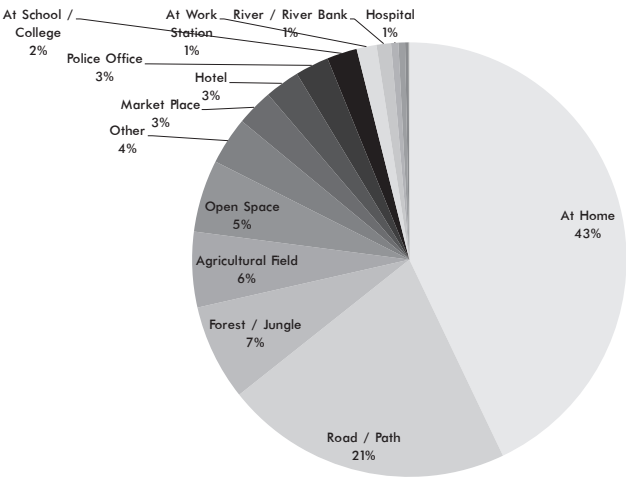


Chart 32: Incident places for men



Women in compared to men are more likely to be the victims at home. This is due to domestic violence that most of the women suffer at their home.

Chart 33: Motivation of incidents where victims were women

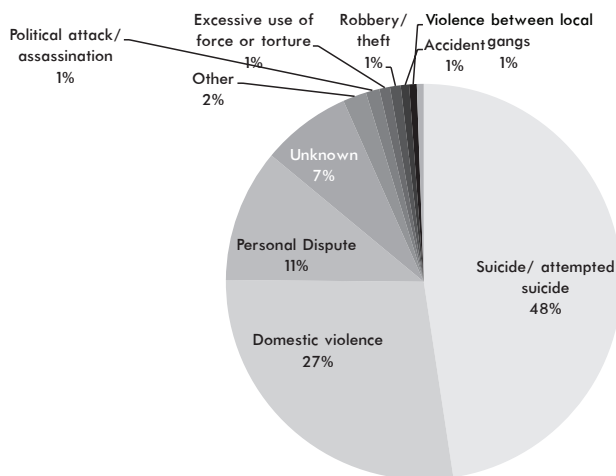
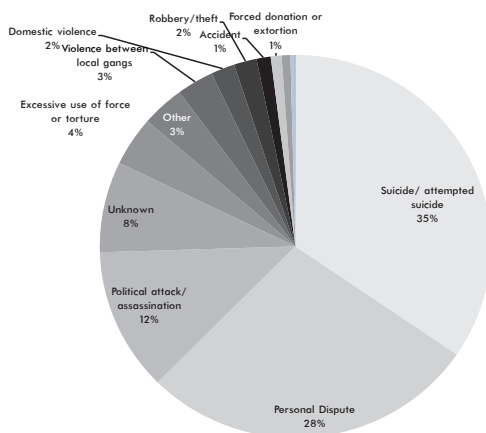


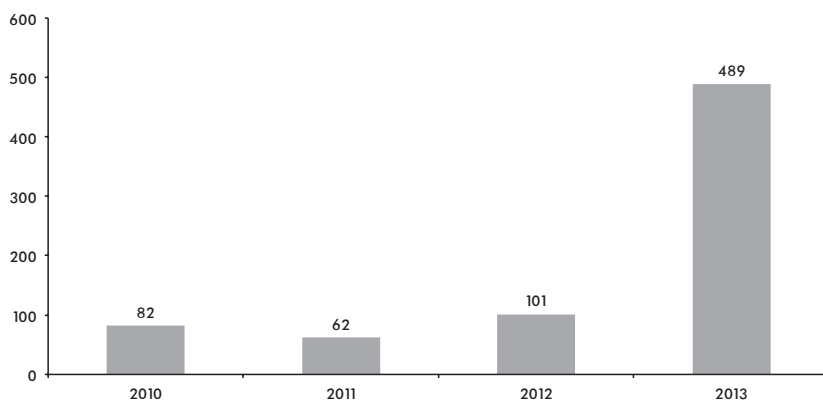
Chart 34: Motivation of incidents where victims were men



Men and women both suffered from suicide. However, in other types of violence they suffer differently. 35% men were casualties of attempted/suicide and 28% of personal disputes and 12% of political attacks. While, in contrast 48% women were casualties of attempted/suicide and 27% were victims of domestic violence. Unlike to that of men, 11% of women became victims of personal disputes.

Domestic violence

Chart 35: Time trend of domestic violence

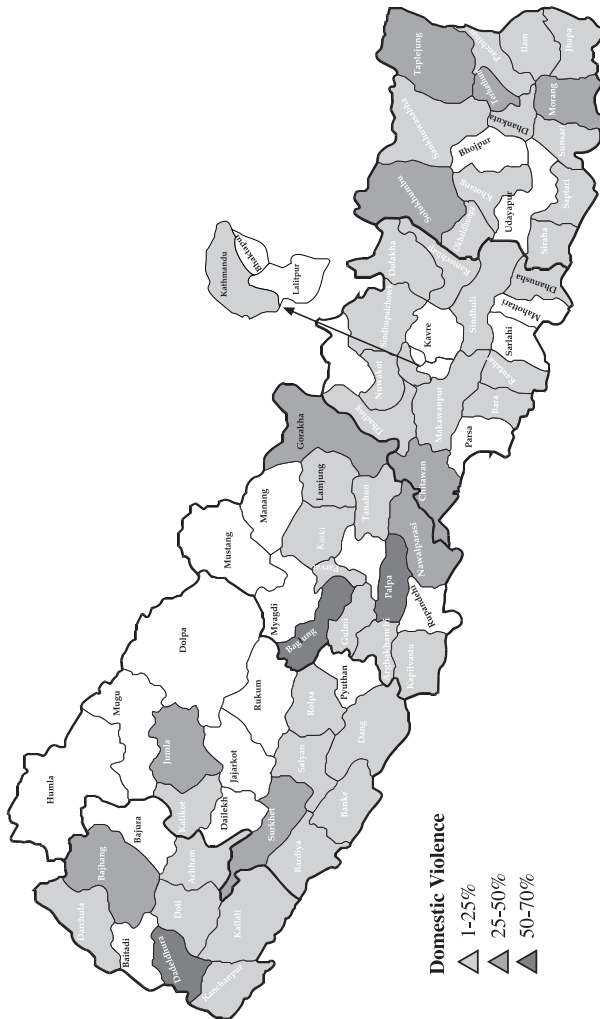


Domestic violence¹⁶ has always been a problem. The rise in number of casualties from incidents of domestic violence in 2013 doesn't signify that there is high domestic violence particularly in 2013 compared to the previous years. This change in the number of incidents is due to increased reporting because of the INSEC decision to add new categories weapons i.e. ropes and the likes and poison.

In fact in 2010, 2011, 2012 and 2013 the percentage casualties from domestic violence incidents were 13%, 7%, 15% and 13% respectively, if the new categories are not taken into account.

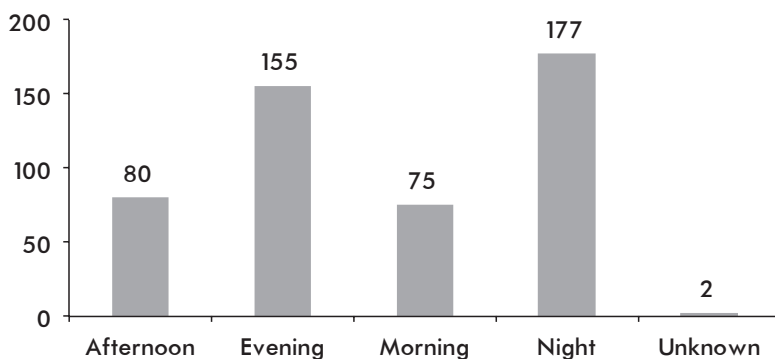
¹⁶ As discussed above, in our data we only include the incidents where weapons are used.

Map 6: Domestic violence as a percentage of all incidents in the district in 2013



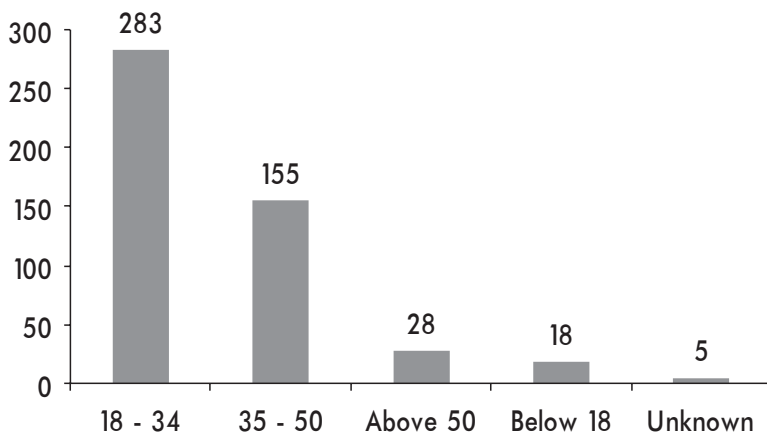
Baglung, and Palpa have the highest percentage of incidents of domestic violence, but there was small number of overall incidents in these two districts, so it's hard to draw any conclusion. The reason behind the high percentage of incidents of domestic violence in Dadeldhura (where there are also many other incidents) is unknown.

Chart 36: Timing of domestic violence incidents



The above chart shows that domestic violence mostly happens in the evening and night. More perpetrators of domestic violence are under the influence of alcohol than other incidents excluding suicides. For all incidents excluding suicides and domestic violence it is 20% and for domestic violence it is 37%. (For suicide, it is 3%).

Chart 37: Domestic violence by age-group- victims



The age-group of 18-34 are the most affected by all types of violence, but they are proportionately affected by domestic violence. For all the incidents excluding domestic violence, 18-34 are victims in 47% of the cases; in domestic violence, it is 58%.

Case study 5: Woman injured in assault by alcoholic husband

AB (F), 35, who run one small tea shop in district headquarter lives with her two sons and husband. Her husband worked in construction site as a mason. He used to consume alcohol from the money he earned. Soon he started to use money that his wife earned from the tea shop to consume alcohol. One day he also threatened her to provide her jewelry and when she refused, he forced out her of the house. After some months they settled their disputes and started to live together. But after a couple of months, he again started to beat her in the state of drunk. He severely injured her with knife in drunken state on March 3. He was arrested by the police and kept in the prison for 25 days.

Among all the cases that are filed in the district police office of Dadeldhura district, 70% of the cases are of domestic violence. According to the police the reason behind the domestic violence is alcohol consumption. Women, whose husbands are out of country for foreign employment are also victimized by their in-laws and other family members. Though, in some of the VDC's of district, the sale of alcohol is banned. Still alcohol is easily available in headquarter due to which the domestic violence cases are not decreasing.

Chart 38: Perpetrators of all types of incident excluding suicide and domestic violence

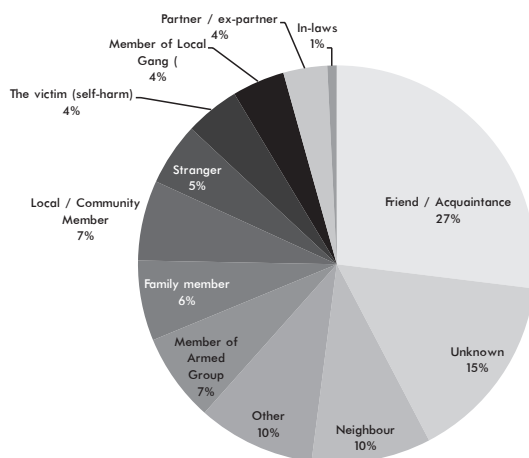
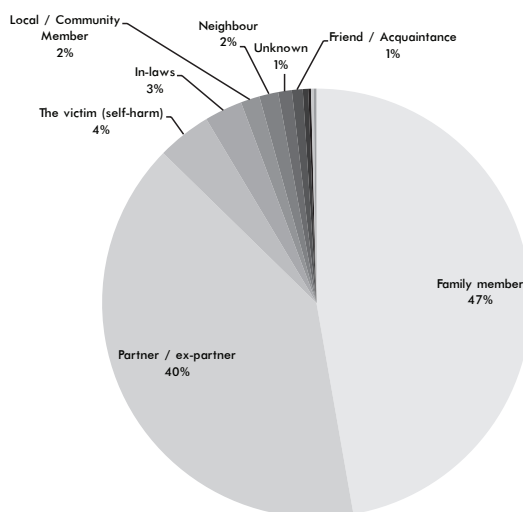
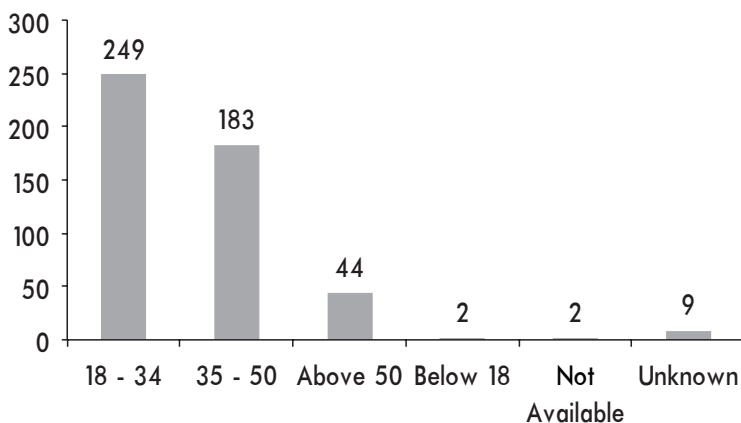


Chart 39: Perpetrator only for domestic violence incidents



There is a big difference in who are the perpetrators of domestic violence compared to other types of violence. The only similarity is that in all cases, most of the perpetrators are people who have a close relation with the victims sometimes that even include neighbors who join the family members in abusing the victims.

Chart 40: Age-group of perpetrators for the incidents of domestic violence



The age-group of 18-34 is most often the perpetrators in every type of violence, but in the case of domestic violence they are disproportionately the perpetrators. For all the incidents excluding domestic violence, persons falling under the age group 18-34 are perpetrators in 44% of the cases. In domestic violence cases only that group present 51%.

Most of the victims are from the lower economic status in every type of violence. However a higher proportion of victims from lowest economic status are victims of domestic violence. However, the economic status did not seem to make any difference in the consequences (death or injury) of an incident for domestic violence.

The present report has been able to disperse some of the hypothesis while some have been vindicated. The hypothesis that female more than male commit suicide has proved not correct while youths seem more affected by the violence including use of small arms, suicide death and perpetrators.

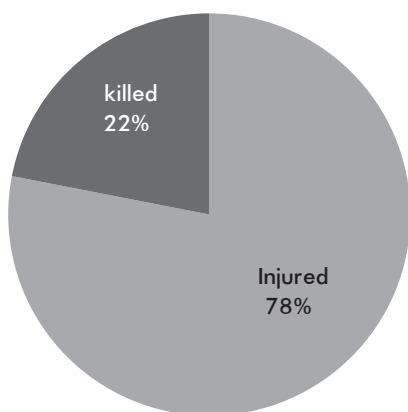
4.1.6 Cross-referencing of relevant reports

The cross-referencing of the data was done with the two datasets of Nepal Monitor and Open data. The analysis drawn from the comparison is highlighted below:

Nepal Monitor

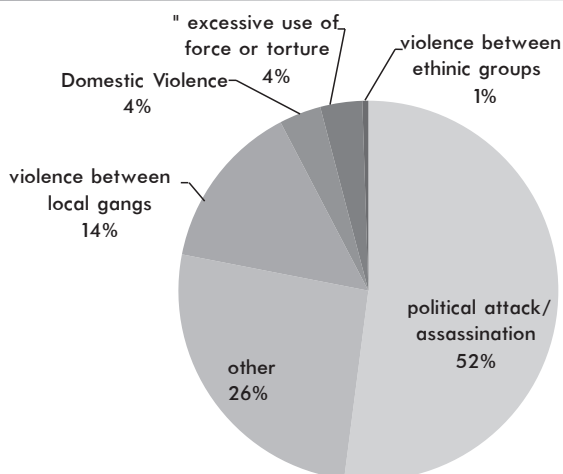
Nepal Monitor had 2356 data reported in their website, and most of the data came from INSEC documentation. We did the comparison analysis of the data excluding the INSEC data and excluding incidents that do not include casualties (injured or killed). This left us with 100 incidents and 196 casualties. A few reports from the years 2012 and 2014 were removed. The cases of rape, trafficking, bomb explosion, election news, bandh, arrest, abduction were removed since INSEC does not collect them as part of armed violence. Category titles were changed to match the data set of INSEC (e.g. killings and death changed to killed; small arms to firearms; seizure to forced donation or extortion).

Chart 41: Casualties from reports not covered by INSEC



There are a high percentage of injured casualties in the reports of Nepal monitor. In the INSEC dataset 50% of casualties fall under category of killed. This suggests that there may be a slight bias in the INSEC data towards killed casualties. This may be because the INSEC dataset does not include the minor injury cases.

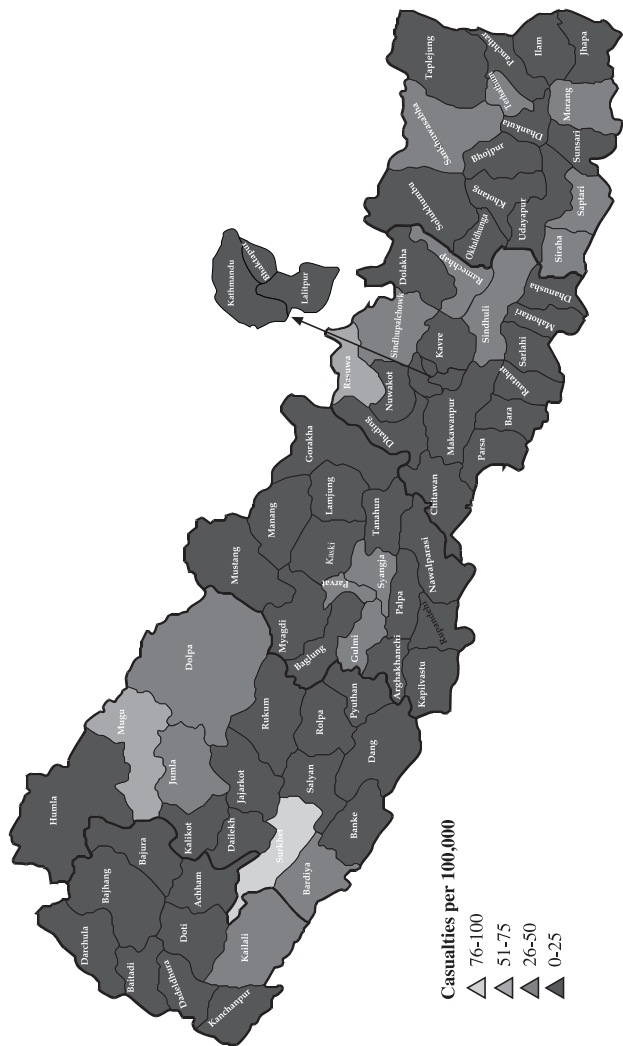
Chart 42: Motivations of incidents from reports not covered by INSEC



The findings of Nepal monitor would change the analysis of consequences of incidents by motivation from INSEC data (shown in the chart below). It seems that INSEC dataset is missing lots of incidents of political attack/assassination and violence between local gangs. This maybe because Nepal monitor did a better job of recording violent incidents during the period of election.

Open Data
General population – prevalence of casualties

Map 7: Casualties per 100,000 population in 2013



Surkhet has the highest number of casualties (314) reported and also had the highest number of casualties reported per population (2.27 per 10,000). Kailali, Bardiya and Rupandehi, Siraha,

Saptari, Morang have very high number of casualties reported but the number of casualties reported per population is not very high. Mugu and Rasuwa have very low number of casualties reported but the number of casualties reported per population is high (1.44 and 1.53 respectively per 10,000).

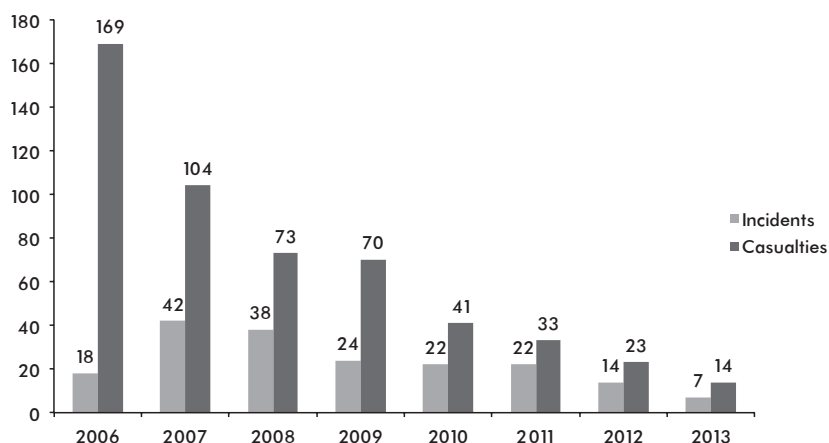
4.2 INSEC Surveillance System on Explosive Devices Incidents

4.2.1 Victim Activated Explosions (VAE):

Number of Incidents and Casualties of VAE

In the period under review, from January to December 2013, INSEC's Surveillance System identified 14 new casualties from a total of 7 incidents caused by IEDs. In these 7 incidents, 11 people were injured and 3 were killed. As demonstrated in chart 43 below, casualty numbers have continued to decrease since 2006.

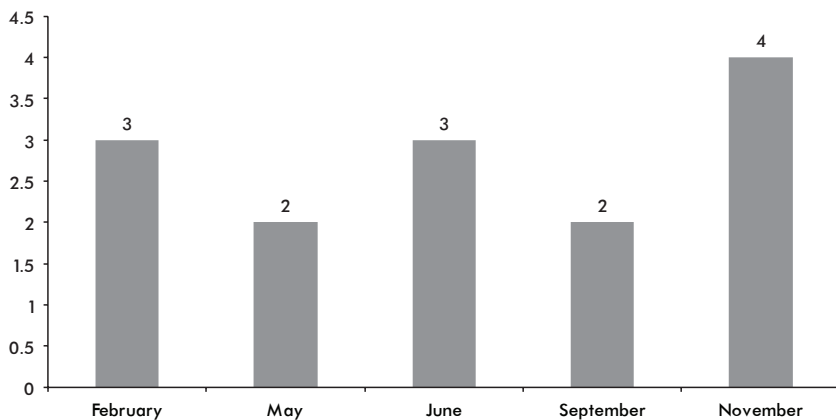
*Chart 43: Incidents and Casualties by Year
(January 2006-December 2013)*



Incidents and Casualties by Months

Until December 2013, the highest number of casualties occurred in the month of November with four casualties in two incidents.

*Chart 44: Incidents and Casualties by Months
(January-December 2013)*

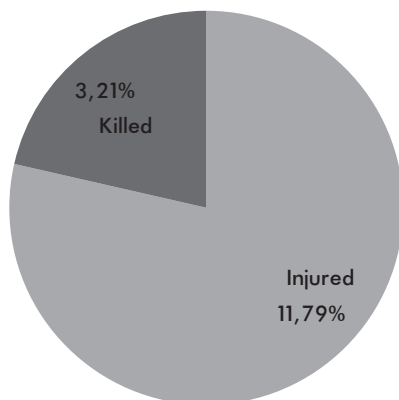


There was no incident in the months of January, March, April, July, August, October and December.

Death in Explosion

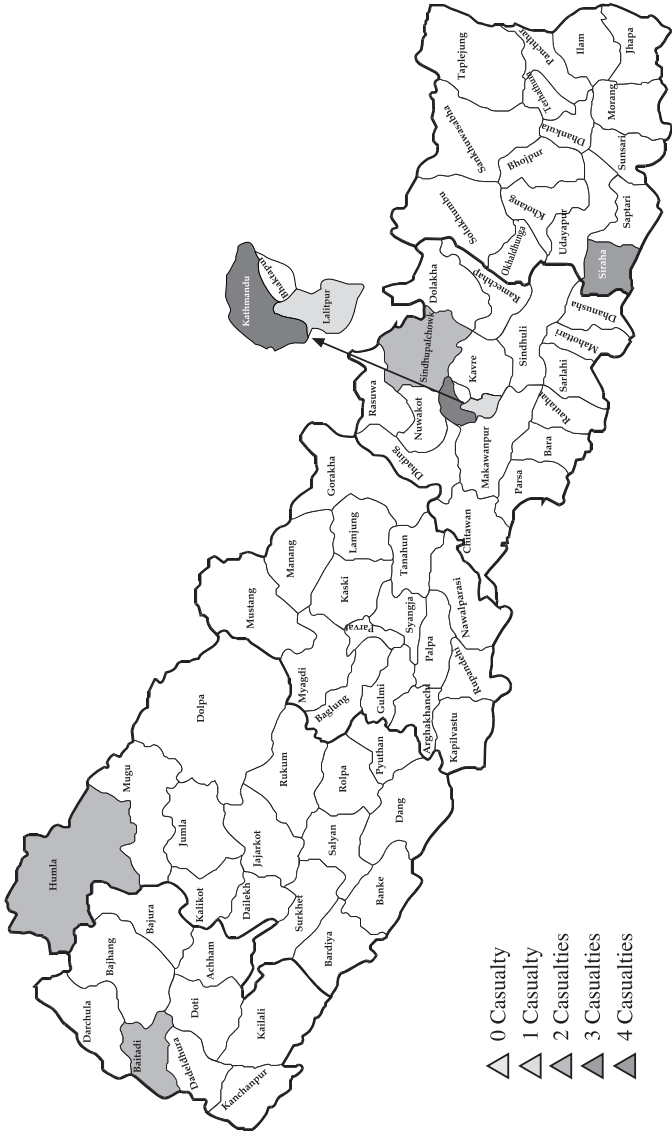
Out of 14 casualties, 11 (79%) were injured and 3 (21%) were killed.

*Chart 45: Consequences of casualties
(January-December 2013)*

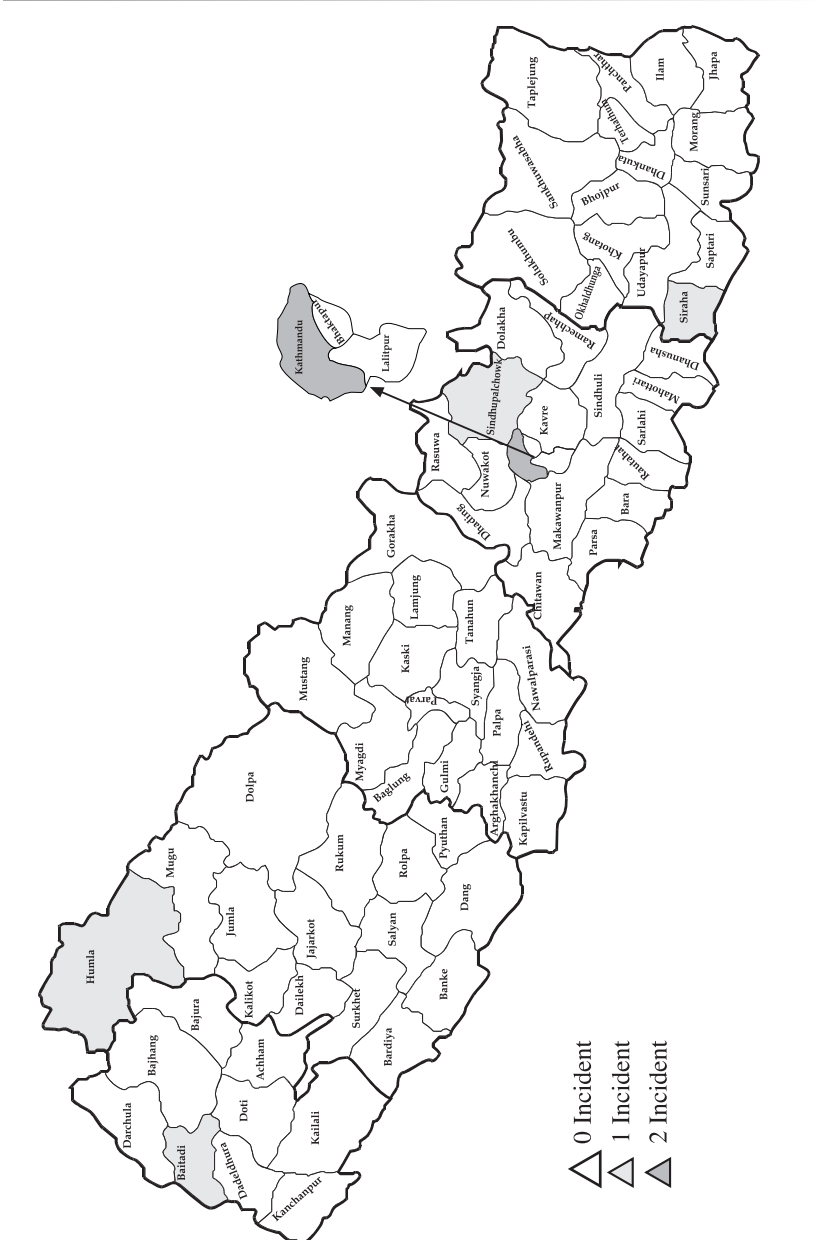


LOCATION OF VICTIM ACTIVATED EXPLOSIONS

Map 8: Casualties by District (January–December 2013)



Map 9: Incidents by District (January – December 2013)



Incidents and Casualties by Location

Between January 1 and December 31, 2013, a total of 7 incidents and 14 casualties have been identified through INSEC's Surveillance System. Four regions had incidents of victim-activated explosions, with the highest number of incidents (4) and Casualties (7) occurring in Central region. Out of the six districts affected by victim-activated explosions, Kathmandu district of the Central region had the highest number of casualties (4) in two incidents. There was no incident in Western region in this reporting period.

Table: 2. Casualties and Incidents by Regions and Districts (January-December 2013)			
Region	District	Incidents	Casualties
Central	Kathmandu	2	4
	Sindhupalchok	1	2
	Kavre	1	1
Eastern	Siraha	1	3
Mid-Western	Humla	1	2
Far-western	Baitadi	1	2
Total		14	23

From 2007 Incident-wise, Nepalgunj Municipality had four incidents affecting nine people, Biratnagar and Birgunj Sub-metropolises had four incidents with eight casualties. Twelve VDCs/Municipalities had two incidents while 116 VDCs/Municipalities had one incident each. Kalaiya Municipality has three incidents and six casualties recorded between 2007 and 2013. Nine and 16 incidents occurred in two and one incidents respectively.

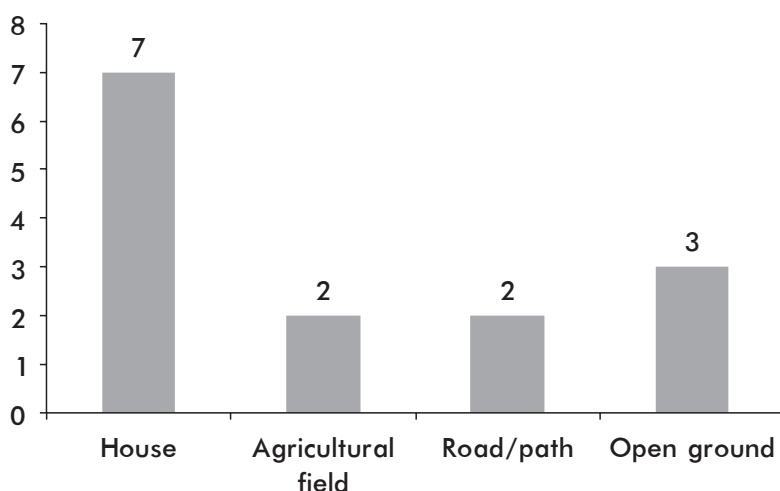
Biratnagar Sub-metropolis had the highest number of incidents (4) one of which occurred in November 2007, while the other three occurred between April and October 2008. None of the VDC/Municipality had explosions in same wards.

In 2013 one metropolis (Kathmandu) and 6 VDCs had the incidents. Most of the affected VDCs were in Central Region.

Incidents and Casualties by Setting

As shown in chart 46 below, the highest number of casualties was in home (7) followed by open ground with three casualties.

Chart 46: Casualties by Place (January-December 2013)



Casualties Before and After the Signing of CPA

Five people were affected by the devices that originated before the Comprehensive Peace Accord whereas seven were affected by the explosive devices that were originated after conflict time. It is noteworthy that use of explosive devices by the armed groups to terrorize the public continued even after the peace agreement and still children's of hilly region are prey to conflict-time explosive devices.

CIRCUMSTANCES OF VICTIM ACTIVATED EXPLOSIONS

Type of Explosive Device Causing Incidents

Table 3 below shows that seven incidents were caused by Improvised Explosive Devices namely Sutali bomb (2), homemade bomb, Rocket bomb and detonator.

Table 3: Incidents and Casualties by Explosive Device (January-December 2013)			
Type of Device	Name of Device	Incidents	Casualties
IED's	Sutali Bomb	2	4
	Homemade Bomb	1	3
	Unknown	2	4
	Detonator	1	2
	Rocket Bomb	1	1
Total		7	14

Cause of Incidents

The main cause of casualties for this period is the tampering/handling of the explosive devices. Out of 14 casualties, 11 children were victimized while tampering/handling of ED as they played with the IEDs assuming it as a play thing.

Activation of Device

Table 4: Activation of the Device (January-December 2013)			
Who Activated the Device	Adult	Child	Total
Victim	3	9	12
Someone	0	2	2
Total	3	11	14

As seen in Table, around 85% (11) of casualties activated the explosive devices themselves. 14% (2) casualties were close to or beside the person who activated the device.

PROFILE OF CIVILIAN CASUALTIES

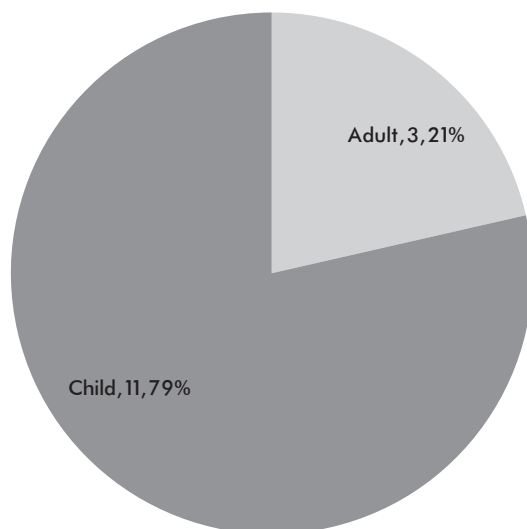
Age and Sex of Civilian Casualties

Table 5: Age and Sex of Casualties (January– December 2013)	
Age and Sex	Casualties
Boy	9
Girl	2
Man	3
Total	14

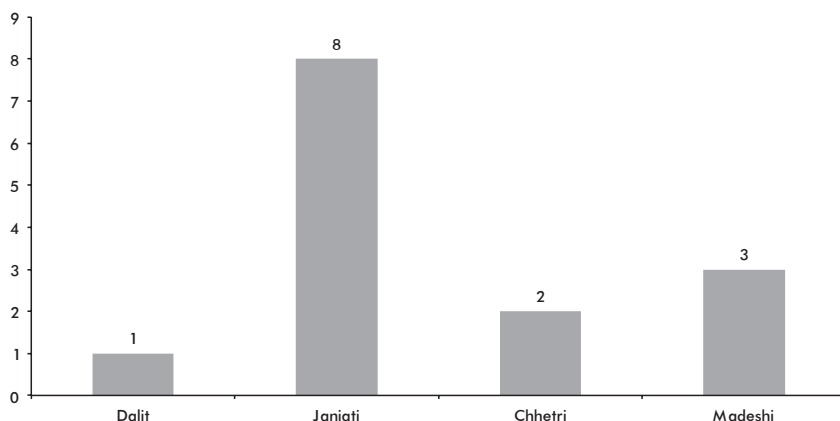
Since 2006, INSEC's records have continuously highlighted the disproportionate number of child casualties resulting from such explosions.

As demonstrated in chart 47 & Table 5, children accounted for 79% of the total number of casualties from IEDs in 2013. In 2012, children accounted for 48 % of the total number of ED casualties. It was 54 % (39) in 2008, 64% (46) in 2009, and 49% (20) in 2011 respectively.

Chart 47: Children and Adult Casualties (January–December 2013)



*Chart 48: Caste/Indigenous Group of Casualties
(January- December 2013)*



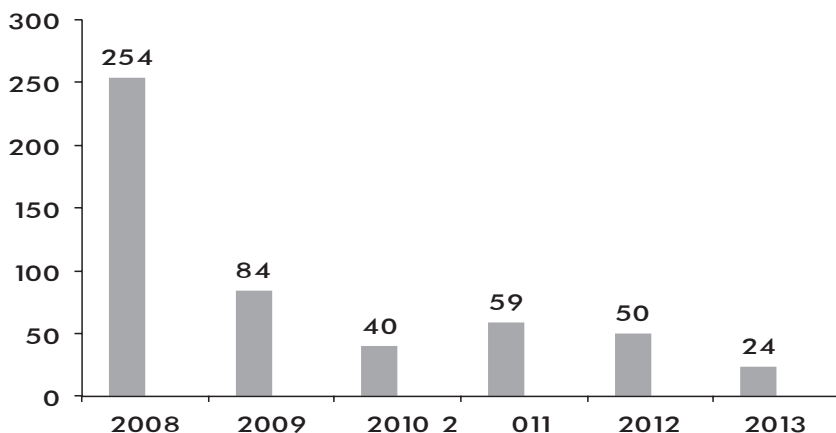
Description of Injuries

In this reporting period most of the casualties suffered from shrapnel wounds and burns to the face, lost their eyes, wrists, arms, hands and lost fingers indicating that they were facing the explosive device at the time of the incident. Type of injuries show and data on cause of explosion substantiate the possibility that most of the casualties were handling the device at the time of explosion.

Chart 48 identifies that the Janajati's (8) are those amongst whom the highest number of casualties occurred for the period. The second highest number of casualties occurred amongst Madeshi's (3).

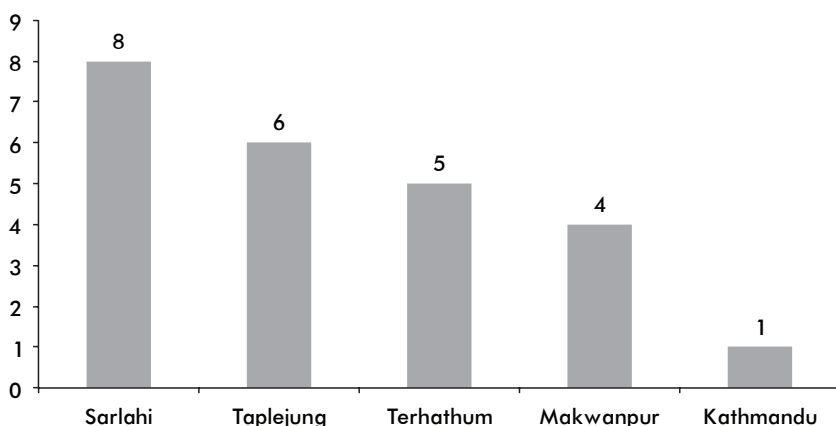
4.2.2 INTENTIONAL EXPLOSIONS WITH CASUALTIES

Chart 49: Trend of targeted explosions by Casualties



The above chart shows the trend of casualties that happened in the incidents of intentional explosions from the year 2008-2013. The casualties resulting from the incidents of targeted explosions has been decreasing.

Chart 50: Targeted explosions by Casualties in 2013



INSEC Surveillance system on intentional explosions record 24 casualties in five incidents of intentional explosions that were exploded by the armed group to terrorize the public. Most of the incidents in 2013 happened in the period of election i: e in the month of November to halt the Constituent Assembly election process.

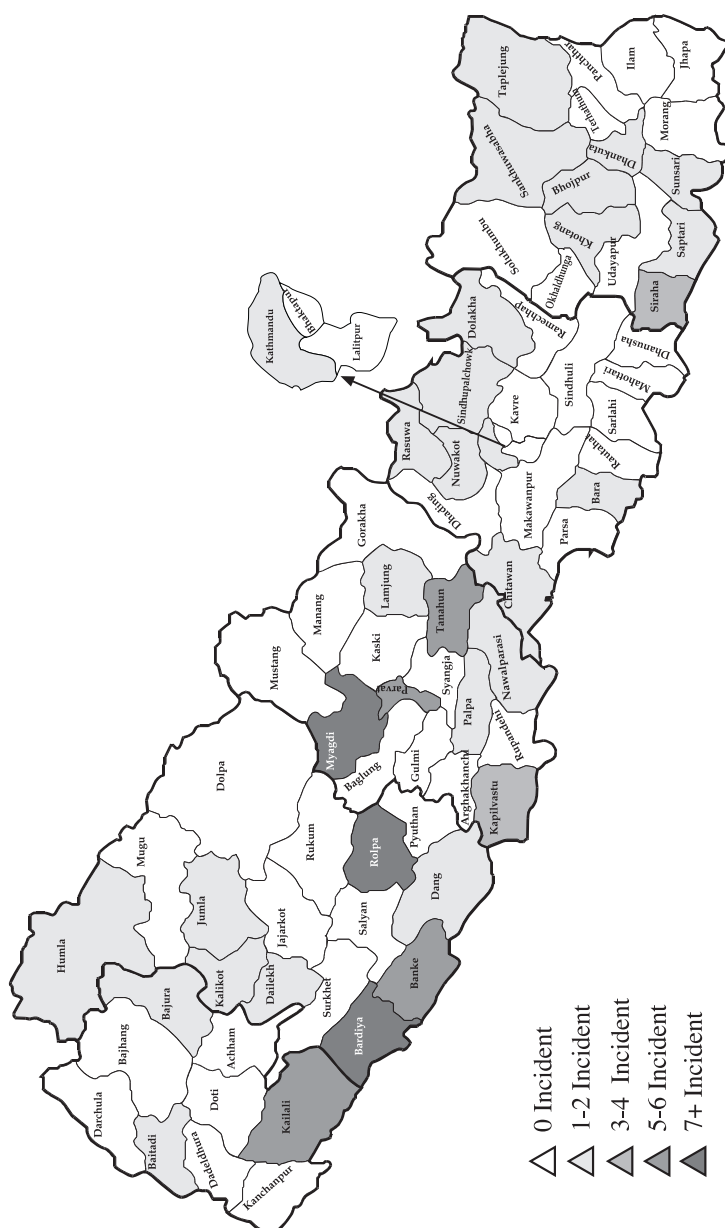
In Taplejung district, six people have been injured when an unidentified group hurled bombs at an election assembly of UML in Khokling of constituency no. 2 on November 9. Similarly, in Terhathum district, five UML cadres have been injured when a socket bomb had gone off near the program stage while Bhanubhakta Dhakal, UML poll candidate under Proportional Representation (PR) electoral system was addressing the assembly on November 16. Like wisely, in Kathmandu and Makwanpur district the incidents of explosion had occurred in the month of November to obstruct the election process.

In Sarlahi district, a bomb went off at around 11.45 am at the counter in front of the main gate of the Survey Office in Malangawa Municipality on September 13. Eyewitnesses said that the bomb was kept inside plastic bag. Meanwhile, Akhil Tarai Mukti Morcha- Goit has owned up the responsibility of the incident. Claiming to be the Military in-charge of the group, Biplav said that the group exploded the bomb as the Survey office had turned into a place for corruption and people were being troubled.

4.2.3 Intentional Explosions with Casualties

INSEC Surveillance System on intentional explosions without casualties recorded 89 incidents of explosions in 32 districts in 2013. Among the 89 number of incidents, 29 were detonated while 61 were defused by the team of Nepal Army. Bardiya district has the highest number of incidents (19) recorded, followed by Rolpa (12) and Myagdi (11). Most of the explosive devices were kept during the period of Constituent Assembly election. The left over explosive devices during the armed conflict by the rebel parties are still found in the villages which still pose threat among the people particularly in the remote areas of Nepal.

Map 10: Incidents by districts



In Rolpa district, a big cache of weapons kept hidden in a cave was found at Thurma Lek in Gairigaon on July 1. Two sacks of socket bombs, three sack of sulfur and three bundles of GI pipes were recovered from the cave. The locals going to the jungle to collect fodder had sighted the explosives and informed the police. A team of APF, posted for the security of the temporary base camp of former PLA combatants at Tila in Gairigaon took hold of the device.

Police said the objects were five meters inside the cave. DSP Om Bahadur Rana Magar informed that all the devices looked so old and could have been hidden by the then rebels during the conflict.

4.3 Violence against Women

INSEC has been collecting the data on violation of women rights including violence against women. This section contains analysis of data on women where the women are victims of armed violence and also mental, sexual and social abuse.

Analysis of the Data Collected

INSEC recorded a total of 2,348 victims in regards to Violence against Women in 2013.¹⁷ The forms of violation they faced are domestic violence, violence faced in the name of witchcraft, polygamy, lack of pre and post-partum service, rape, rape attempt, sexual abuse, abortion and women trafficking. The violence against women sometimes inflicted the use of weapons but sometimes it is about the physical, mental and social abuse.

From the available data of INSEC, it is found that the most victims in regards to all forms of violence against women have been documented in Central region, amounting to 900 cases. The maximum number of violation out of 900 in this region is domestic violence totaling 651 victims, polygamy victims 102 and 69 rape victims.

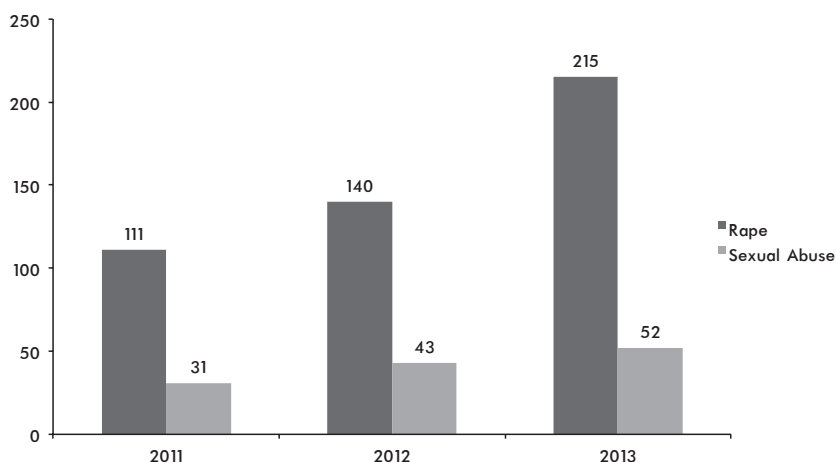
Eastern region comes in the second place, with a total of 534 victims recorded and in which, maximum victims are of domestic violence that is 303, polygamy 88 and rape victims 68.

17 Nepal Human Rights Yearbook 2014

In Mid-Western region, a total 355 victims are recorded in which 253 victims are of domestic violence, 31 rape victims, and 23 victims are of polygamy. In Western region, a total of 344 victims are documented, in which 206 are domestic violence victims, 57 are of polygamy, and 41 are rape victims.

INSEC documentation has recorded a total of 215 victims in Far Western region in which 156 are victims of domestic violence, 15 are of sexual abuse and sis are rape victims.

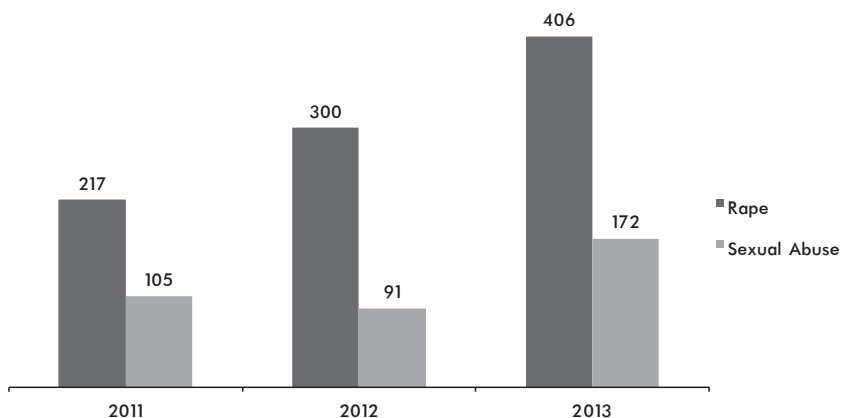
Chart 51: Trend of women victimization by rape and sexual abuse (2011-2013)



The above chart shows the trend of rape and sexual abuse faced by women from 2011- 2013. INSEC record shows that victimization of women by rape and sexual abuse has increased in the year 2013. The year 2013 records the highest number of victims who were raped (215) and sexually abused (52). In 2011, the number of women who were raped and sexually abused was 111 and 31 respectively. The number was increased slightly in 2012 where 140 women were raped and 43 were sexually abused.

The year 2013 records the highest number of rape and sexual abuse cases in terms of girl's victimization. The number of girls who

Chart 52: Trend of girls victimization by rape and sexual abuse (2011-2013)



are being raped and sexually abused has been increased almost the double from 2011. 406 girls were raped and 172 were sexually abused in 2013. Similarly, in 2012, 300 girls were raped and 91 were sexually abused and 217 raped and 105 sexually abused in 2011.

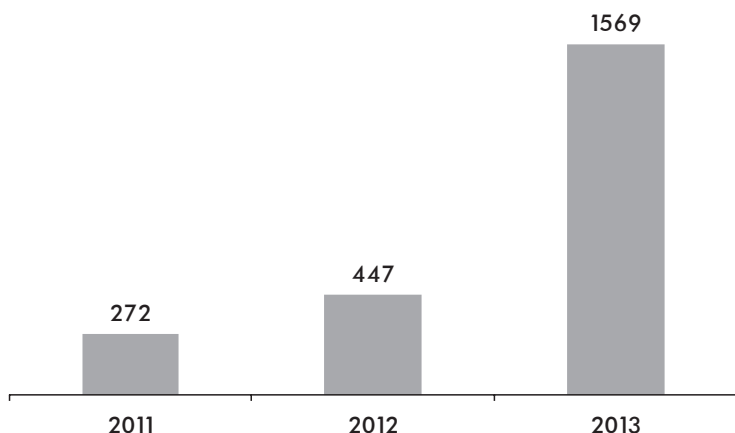
Eastern region is the most violation prone region, as per INSEC documentation a total of 135 girls are victims of rape followed by 58 children becoming victims of sexual abuse.

Central region stands in second most exposed area. The number of rape victims is 120 and sexual abuse victims are 42. A total of 61 girls are rape victims and 37 are sexually abused victims in Western Region thus making it the third most affected region. There are a total of 80 victims recorded in Mid-Western Region with total 55 rape victims, 16 sexual abuse victims and three child marriage victims. In Far Western Region 35 girls were rape victims and 19 girls were victims of sexual abuse.

Hence, it can be concluded that, in all of the five regions rape incidences are quite high followed by sexual abuse. This is indeed a matter of concern.

This year, INSEC documentation has maximum incidents of domestic violence. The domestic violence incidents have been dramati-

Chart 53: Trend of incidents of domestic violence (2011-2013)



cally increased in 2013 to 1569 from the number of incidents 272 in 2011. Despite the efforts made from the state and non-state parties by formulating laws against the violence against women, government policies, and awareness campaigns the trend of women victimization is progressive. This is a matter of concern for everyone.

In Nepal, like in almost all the South Asian countries, domestic violence is one of the many forms of GBV.¹⁸ Traditional attitudes by which women are regarded as subordinate to men or as having stereotypical roles perpetuate widespread practices, involving violence or coercion, such as family violence and abuse, forced marriage, dowry deaths, acid attack and female circumcision. Such prejudices and practices may justify GBV as a form of protection or control of women. The effect of such violence on the physical and mental integrity of women is to deprive them of equal enjoyment, exercise and knowledge of human rights and fundamental freedoms.¹⁹ Another form of violation rampant in the entire region is rape and sexual abuse.

18 Prof. (Dr.) Rajit Bhakta Pradhananga, Advocate Purna Shrestha, Domestic Violence against Women in Nepal: Concept, History and Existing Laws.

19 General Recommendation No. 19, the CEDAW Committee notes.

Table 6: Women victims as per age-group in 2013	
Victim Age	Total
18-23	597
24-29	750
30-35	494
36-41	227
42-47	135
48-53	66
54-59	28
60-65	31
66-71	11
72+	9
Total	2348

As per the age-group, it is found that the women between age 24 and 29 are most vulnerable as total of 750 victims are from this age group. After this, 597 victims fall under age group 18-23 and 494 victims are within 30-35 age-group.

There are 227 victims of 36-41 age group, 135 victims of 42-47 age group, 66 victims of 48-53 age group, and 28 victims of 54-59 age group. Similarly, 31 victims are of 60-65 age groups, 11 victims are of 66-71 age groups, and nine victims are of the age group 72+.

This year total 178 women were killed in different districts of the country. 58 numbers of women were beaten to death and 48 were killed with the use of sharp weapons. In total, 108 cases of domestic killing occurred throughout the country following by six killing after rape and five killing of dowry cases.

Table 7: Total number of murders of Women/Girls in 2013	
Types of Events	By Non-State Female
Killing	
Beaten to Death	58
By Poison	11
By Hanging	14
By Using Sharp Weapons	48
Crushing with Stone	5
Killed After Rape	6
Killed by Firing	1
Nature of Killing Unexposed	5
Pushing Down from the Landscape/Hill	1
Setting Fire	3
Throat Slit	1
Strangled to Death	11
Hammered	2
Hacked with Khukuri	7
By Stick	5
Total	178

Conclusion

NSEC surveillance system of armed violence recorded the highest number of incidents (3,389) and casualties (3,846) from the use of small arms including handmade weapons and suicide in 2013 in comparison to the previous years. Among the total casualties 50% of them were killed with the use of weapons. The highest number of incidents of armed violence was recorded in Surkhet and Morang districts. The use of homemade weapons (blunt objects, sharp/bladed objects) is most common in the incidents related to personal disputes, gang violence, robbery, attacks, and domestic violence. Firearms are mostly used in Tarai belt due to its easy availability as the districts has open border with India.

The suicide rate is very high in the country. 40% of the suicides are committed with the use of weapons along with rope and poison) were recorded where the percentage of male and female committing suicide is the same and the children committing suicide is 14. A study²⁰ has showed that the leading cause of death of Nepali women of reproductive age had been suicide giving rise to an assumption that suicide was more prevalent among the women.

In 2013, seven numbers of incidents of Victim-Activated Explosion resulted in 14 numbers of casualties. Among them, three persons were killed and 11 people were injured. Among the deceased all were the children who were playing with the devices as they unknowingly took it as a plaything. Many such incidents have happened in the previous years too. This is a worrisome situation in Nepal as people are still being victimized with the devices that were left over in the decade long conflict period. Although, the Comprehensive Peace Agreement 2006 has expected the signing parties to inform about and be responsible in clearing the mines and ERWs, the IEDs used by rebels remain a threat.

20 <http://www.irinnews.org/report/87823/nepal-why-are-so-many-women-killing-themselves>

The minefields of Nepal have been cleared on June 14, 2011. It is also observed from the surveillance system that the trend of VAE incidents and casualties has been decreasing in the subsequent years since 2007. However, the IEDs used during conflict and those found at the neglected locations in villages, jungles and fields and those that continued to be manufactured by several armed outfits pose threats. There is a need to launch a campaign to raise the awareness of the people about the devices possibly lurking in corners of their homes.

The manufacturing of the devices has seeped into the splinter criminal groups. Three boys died, seven boys and one girl were injured when they handled the explosive devices found in their homes and in open ground in their village. The innocent children had no idea that handling such objects could have been fatal. This incident points to the fact that the MRE and emergency MRE in the affected districts should be continued so as to reduce such incident.

The prime focus of the state should be on signing and implementing the Convention on Certain Conventional Weapons and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction or the Ottawa Treaty. It will be helpful for the state to get the support to clear the areas and ensure public safety.

More female are victimized in domestic violence whereas in all other incidents than domestic violence more men are victimized. Most of the victims of firearms have been in Tarai. Women are likely to fall victims of armed violence in cases of domestic violence while the men are likely to be killed or injured in personal disputes. Similarly, higher per cent of women become victims at home (75%) while 43% men were affected at home and 21% on road/path. Use of alcohol has been used as a pretext in the violent incidents but its role has been inconclusive for the casualties recorded by the surveillance.

The existence of different forms of violence against women in Nepali society is due to the deep rooted patriarchal system and malpractices, followed by the unequal power relation between male and female and discriminatory practices towards women. Though Nepal has ratified various international human rights instruments, making it

obligatory to the norms and principles enshrined for the protection of the women, the situation of women in the country is worrisome.

Each year women are victimized by the different form of violence and the trend in reporting is increasing every year. Various domestic laws have been promulgated in order to protect the women. However, Nepal's inefficiency to implement the laws and to make stronger mechanism in order to combat such VAW results in rise of the number every year numerous women and girls become the victims. Often the perpetrators are left without being charged, posing great threat to the constitutional remedy guaranteed in the Interim Constitution. Laws should not be limited in black letters. If women/girls become constantly victimized and are denied justice, then they will slowly lose their faith towards justice system, and towards the state. Thus, the state and the ones who have been given role to interpret the laws, who are there to defend the laws, the organizations who are there to raise awareness and provide support to victims should be more active and effective so that all people, irrespective of their gender, enjoy the rights guaranteed to them and feel safe in their own house, society and country.

Recommendation

On Armed Violence

- Stakeholders must make the local population aware of the abuse of weapons and encourage them to inform any activity occurring in the community in relation to production, transportation or stock-piling of the weapons.
- Government-led programs to enhance security in their communities including expansion of focus on curbing use of weapons in districts with high concentration of population should be planned.
- Government should work to improve the relation between the public and police so that the exchange of information and feedback can take place.
- Career and employment opportunities at home should be a key in tackling the armed violence as the data show high number of youth both as victims and the perpetrators. Focus on work and earning means less time for dawdling and get involved in dispute, personal or domestic.

On Mine Action and Support to VAE Victims

- Strict regulation on sale of pesticides should be implemented to prevent impulsive act of suicide.
- Support development of mental health services for the population affected by abuse and trauma.
- The state should cater to the medical, educational and psychological needs of the victims of abandoned and stray explosive devices, most of them children.
- Efforts should be expanded to locate the abandoned explosive devices to prevent future ED casualties
- Proper monitoring mechanism should be devised to reduce the transportation and manufacturing of the explosive devices, whole or in parts

On Violence against Women

- Social and economic opportunities for empowerment of women should be created so that the women would not remain silent victims of domestic abuse.
- Strong enforcement mechanism in regards to combat VAW should be devised
- Implement women empowerment and skill development trainings
- Institute fast-track court to provide speedy remedy to victims of VAW
- Formulate domestic laws in line with the International Instruments and Principles
- Work on the preventive side with the youth on combating gender stereotypes and learning more about gender equality

Annex-1

Nepal population size by district²¹

District	Population	Population per 10,000
Achham	257477	97.18
Arghakhanchi	197632	74.59
Baglung	268613	101.38
Baitadi	250898	94.70
Bajhang	195159	73.66
Bajura	134912	50.92
Banke	491313	185.44
Bara	687708	259.57
Bardiya	426576	161.01
Bhaktapur	304651	114.99
Bhojpur	182459	68.87
Chitwan	579984	218.91
Dadeldhura	142094	53.63
Dailekh	261770	98.80
Dang	552583	208.57
Darchula	133274	50.30
Dhading	336067	126.84
Dhankuta	163412	61.68
Dhanusa	754777	284.88
Dolkha	186557	70.41
Dolpa	36700	13.85

²¹ Demographic Profile of Nepal 2013/2014, Megha Publication and Research Centre. Dec 2013.

Doti	211746	79.92
Gorkha	271061	102.31
Gulmi	280160	105.74
Humla	50858	19.20
Ilam	290254	109.55
Jajarkot	171304	64.66
Jhapa	812650	306.72
Jumla	108921	41.11
Kailali	775709	292.78
Kalikot	136984	51.70
Kanchanpur	451248	170.32
Kapilvastu	571936	215.87
Kaski	492098	185.74
Kathmandu	1744240	658.34
Kavreplanchowk	381937	144.16
Khotang	206312	77.87
Lalitpur	468132	176.69
Lamjung	167724	63.31
Mahottari	627580	236.87
Makwanpur	420477	158.70
Morang	965370	364.37
Mugu	55286	20.87
Mustang	13452	5.08
Myagdi	113641	42.89
Nawalparasi	643508	242.88
Nuwakot	277471	104.73
Okhaldunga	147984	55.85
Palpa	261180	98.58
Panchthar	191817	72.40

Parbat	146590	55.33
Parsa	601017	226.85
Pyuthan	228102	86.09
Ramechhap	202646	76.49
Rasuwa	43300	16.34
Rautahat	686722	259.19
Rolpa	224506	84.74
Rukum	208567	78.72
Rupandehi	880196	332.22
Salyan	242444	91.51
Sankhuwasabha	158742	59.92
Saptari	639284	241.29
Sarlahi	769729	290.52
Sindhuli	296192	111.79
Sindhupalchok	287798	108.63
Siraha	637227	240.51
Solukhumbu	105886	39.97
Sunsari	763487	288.17
Surkhet	350804	132.41
Syangja	289148	109.14
Tanahun	323288	122.02
Taplejung	127461	48.11
Terhathum	101577	38.34
Udayapur	317532	119.85
Manang	6538	2.47
Total	26,494,439	10,000.00

Annex-2

Some Domestic Laws Related to Armed Violence and Women Violence

1. Laws Related to Armed Violence

A. Arms and Ammunition Act, 2019 (1962)"

- (a) "Cannon" includes all kinds of cannon, mortars and its parts, the vehicles to be used for transporting and mounting such cannon and the machinery which manufactures such cannon.
- (b) "Machine Gun" includes brengun, luis gun, station machine carbine, tomson machine carbine and the automatic weapons of similar catagories and its parts, the vehicles to be used for transporting and mounting such machine gun and the machinery which manufactures such machine gun.
- (c) "Arms" includes the rifle gun, pistol, revolver, mining and grenade, their parts and the machinery which manufactures such arms.
- (d) "Ammunition" includes fugsignal fuse (DhumikaSanket), gun powder, cap, the ball of a gun, shells, detonator, cartus, _similar types of explosives and other ammunitions.

B. Explosives Act, 2018 (1961)

Section 2 (a) granite, nitroglycerin, dynamite, gun-cotton, blasting powder, mercury or fluent net of other metals and any other material whether or not of the same category, produced or used with the objectives of bringing about the practical affect through explosion¹ or the effect of a firecracker nature;

Section 4 (2) Any person willing to obtain a License or to extend the validity period of the License for the production, storage, use, sale, transportation or import of the Explosives shall submit a written application along with details as prescribed in a prescribed format before the Chief District Officer. The format of each License,

the amount required there for and its validity period shall be as prescribed.

Section 20. Penalty

- (1) In case a person committing any of the following offences shall be punished with imprisonment from Three Years upto Seven Years or with fine from Rs 60,000 up to Rs 140,000 or with both:
 - (a) To manufacture or repair, _or put or cause to in another place or order to put the cannon or machine gun, have in his/her possession, convert from one shape to another, sell or give or take for sale contrary to Sub-section (1) of section 3, or
 - (b) To bring into or take out the cannon or machine gun of any kind contrary to Sub-section (1) of section 4.
- (2) In case, a person committing any of the following offences shall be punished with imprisonment _from Three Years upto Five Years or with fine from Rs 60,000 uptoRs 100,000, or with both:
 - (a) To manufacture or repair, or put or cause to in another place or order to put arms, have in his/her possession, convert from one shape to another, sell or give or take for sale contrary to Sub-section (2) of Section 3, or
 - (b) To bring into or take out the arms contrary to Sub-section (2) of Section 4, or
 - (c) To carry arms contrary to Section 5, or
 - (d) To keep in his/her possession or control the arms of any kind contrary to Section 8, or
 - (e) Not to surrender the arms pursuant to Section 9.
- (3) In a case, a person committing any of the following offences shall be punished with imprisonment _from One Year upto Three Years or with fine from Rs 20,000 upto Rs 60,000, or with both:
 - (a) To manufacture or repair ammunition, _or put or cause to in another place or order to put convert from one shape to another, sell or give or take for sale contrary to Subsection (2) of Section 3, or

- (b) To bring into or take out ammunition contrary to Subsection (2) of Section 4, or
- (c) To keep in his/her possession or control ammunition contrary to Section 8, or
- (d) Not to surrender ammunition in accordance with Section 9 (expiry of license, cancellation of permission).

Section 21. Punishment if the arms or ammunition is knowingly given to or bought from the unauthorized person:

- (1) In a case, a person committing the following offences shall be punished with imprisonment from One Year upto Three Years or with fine from Rs 20,000 upto Rs 60,000, or with both:
 - (a) Buying the arms from the person unauthorized to sell pursuant to Sub-section (2) of Section 3, or
 - (b) Transferring knowingly to the person unauthorized to keep or buy the arms.
- (2) In a case, a person committing the following offences shall be punished with imprisonment from Six Months upto One Year or with fine from Rs 10,000 upto Rs 20,000, or with both:
 - (a) Buying ammunition from the person unauthorized person to sell the same pursuant to Sub-section (2) of Section 3, or
 - (b) Transferring knowingly to the person unauthorized to keep or buy the ammunition.

Section 10. Punishment and Confiscation

- (1) Whoever carries out an act of production, storage, use, sale, transportation or import of the Explosives either without obtaining a License pursuant to Section 4 or violating the provisions of Section 5, shall be punished as follows:
 - (a) an imprisonment for a period of up to two years or a fine of up to Twenty Thousand Rupees or both in case of nitroglycerin, dynamite, blasting powder or mercury or fluent net of other metals;
 - (b) an imprisonment for a period of up to one year or a fine of up to Rs 10,000 or both in case of explosives other than

- those referred to in Clause (a) and firecrackers and fire-brands;
- (c) a fine of up to Rs 1,000 in case of firecrackers or fire-brands. Provided that no separate punishments for storage and transportation shall be imposed of the punishment for production, import or use and import, use or sale of the same Explosives shall be imposed respectively.
- (2) In case any person violates the conditions of the License obtained pursuant to Section 4 or the Rules framed under this Act, a fine of up to Rs 5,000, 2,500 and 500 shall be imposed in cases of the matters as referred to in clauses (a), (b) and (c) of the Sub-section (1) respectively.

2. Laws Related to Gender-based Violence

A. Interim Constitution 2063 (2007)

Article 20. Rights of women:

- (1) No discrimination of any kind shall be made against the women by virtue of sex.
- (2) Every woman shall have the right to reproductive health and reproduction.
- (3) No woman shall be subjected to physical, mental or any other kind of violence; and such act shall be punishable by law.
- (4) Sons and daughters shall have the equal right to ancestral property

B. MulukiAin (General Code) 2020

The provisions enshrined in MulukiAin (General Code) of Nepal; under the chapters Husband and Wife, partition, women property, hurt/battery, Intention of Sex, rape and incest address the violation which can be occurred against women in different forms that shall be correlated with domestic violation cases. Chapter of "Kutpit (Battery)" prohibits causing hurt or committing grievous hurt by using weapon or by any other means, which is followed by compensation.

Some Nepali laws scattered in different acts address the crime that can be occurred against women in the name of practicing witch-

craft. Section 2, 4, 5 6 of Some Public (Crime and Punishment) Act 2027 prohibits to perform inappropriate act in the public.

C. Domestic Violence (Offence and Punishment) Act, 2066 (2009) and Domestic Violence (Offence and Punishment) Rules, 2067 (2010)

Domestic Violence (Offence and Punishment) Act, 2066 (2009) and Domestic Violence (Offence and Punishment) Rules, 2067 (2010) have been promulgated to stop any kinds of violence against women which can be happened within the home and from the family members and to punish the perpetrators.¹The act has clearly defined the terms domestic violence, physical harm, mental harm, sexual harm, economic harm, the victim and the perpetrator.

2. Definitions

- a) "Domestic Violence" shall mean any form of physical, mental, sexual and economic abuse perpetrated by any person to the other person with whom he has a family relationship. The definition also implies to the acts of reprimand or emotional abuse.
- b) "Domestic relationship" shall mean a relationship between two persons who live or have, at any point of time, lived together in a shared household and are related by consanguinity, marriage, adoption or are family members living together as a joint family; or a dependent domestic help living in the same family.
- c) "Physical abuse" shall mean any act or conduct which is of such nature as to cause bodily harm or injury except the losing and breaking of limbs; holding the person captive, inflicting physical pain or any other act connected therewith and incidental thereto.
- d) "Mental abuse" shall mean any act of threatening the aggrieved person of physical torture, showing terror, reprimanding him, ac-

1 Preamble of Domestic Violence (Offence and Punishment) Act, 2066 (2009) : Whereas, it is expedient to make provision to respect the right of every person to live in a secure and dignified life, to prevent and control violence occurring within the family and for matters connected therewith and incidental thereto making such violence punishable, and for providing protection to the victims of violence; Now, therefore, be it enacted by the Constituent Assembly pursuant to Sub article (1) of Article 81 of the Interim Constitution of Nepal, 2063 (2007).

causing him of false deeds, forcefully evicting him from the house or otherwise causing injury or harm to the aggrieved person emotionally and this phrase also denotes discrimination carried out on the basis of thought, religion or culture and customs and traditions.

- e) "Sexual abuse" shall mean any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of any person; or any other act that hampers safe sexual relations.
- f) "Economic abuse" shall mean deprivation of all or any property jointly or separately held by the aggrieved person to which he/she is entitled to under the law; or deprivation of or access to employment opportunities, economic resources or means.
- g) "Aggrieved person" shall mean any person who is, or has been, in a domestic relationship with the defendant and who alleges to have been subjected to an act of domestic violence by the perpetrator.
- h) "Perpetrator" shall mean the person having family relations with the aggrieved person who alleges to have been subjected to an act of domestic violence by the defendant and this word also indicates any person who is involved on some way in the act of domestic violence or in the abetment of the crime.

Section 12. Punishment

- (1) Whoever commits the act of domestic violence shall be punished with a fine of three thousand rupees which may extend up to twenty-five thousand rupees; or six months of imprisonment; or both.
- (2) Whoever attempts to commit domestic violence or abets the crime or incites others to commit the crime shall be liable to half the punishment of that of the perpetrator.
- (3) Whoever has been punished once for the offence of domestic violence shall be liable to double the punishment upon every repetition of the offence.
- (4) If a public servant commits the offence of domestic violence, he

shall be liable to an additional ten percent punishment over and above the prescribed punishment.

- (5) Whoever doesn't obey the Court orders issued according to Section 6 shall be fined Two thousand rupees to Fifteen thousand rupees; or four months of imprisonment; or both.

Section 13. Limitation Period:

The complaint, for an offence committed as per this Act, shall be filed within ninety days of the commission of the crime.

D. Some Public (Crime and Punishment) Act 2027

Section 2 Prohibition to commit some public crime:

- (1) No person shall commit any of the following acts:
- (a) To hinder or obstruct any public servant from discharging his/her official duty by committing battery or riot or by any other way;
 - (b) To break public peace by committing battery or riot in any public place;
 - (c) To break public peace or to make obscene show by using obscene speech, word or gesture in public place.
 - (g) To insult women in public place by committing molestation (Hatpat);

Section 4. Limitation to file a case

- (1) Any case under this Act shall be filed within a period of seven days from the date of the commission on an offence. Provided that, the adjudicating authority may, if he/she is satisfied with reasonable ground that the case cannot be filed within a period of seven days from the commission of the offence, extend the limitation in order to file the case upto 35 days from the date of commission of the offence.

Section 5. Adjudicating authority and procedure

- (1) The Chief District Officer shall have the power of original jurisdiction to initiate the proceeding and adjudicate case under this Act.

- (2) The Chief District Officer shall, while initiating the proceeding and adjudicate a case, follow the procedure pursuant to Special Court Act,-2059.
- (3) An appeal against the decision made by the Chief District Officer pursuant to Sub-section (1) shall lie before the Court of Appeal.

Section 6. Penalty

(1) In a case tried under this Act, the Chief District Officer may upon depending on the gravity of the offence, impose a fine of upto Rs 10,000 to the offender and order the offender to provide compensation to the victim as per the actual damage, loss, injury etc.; and issue an order of detention to keep the offender in a custody for a period not exceeding 35 days if finds reasonable ground or cause in the course of investigation upon mentioning the cause thereof in the order. Such case shall be decided within a period of three months.

E. Public Offence Act 2027

Section 2 (k): To commit any act or express anything, which causes intimidation or terror in general public and breaks public peace, by entering or not entering in any public gathering, assembly or demonstration; or to show weapon.

2. Draft Penal Code 2058 section 216: Prohibition on discrimination on the basis of sex, religion, caste.

Draft code on Criminal Justice system too prohibits any discrimination on the basis of sex, caste, religion, color (220), it has punishment provision of 3 years if torture is inflicted or inhuman, degrading act is committed (221). Furthermore it has prohibited committing any act in the name of witch and has stated punishment of one year imprisonment or Rs 10,000 fine or both

Annex-3

Case Definitions

Case Definition for Victim-Activated explosions

A casualty of victim-activated explosion is described by the following sets of inclusive and exclusive criteria:

Inclusive criteria

- Casualties injured or killed in Nepal since 1st January 2008 when they activated an Explosive Device (ED) unknowingly, or without the intention to harm, hurt or terrorize. These EDs are:
 - ◆ Improvised Explosive Devices (IEDs) including booby-traps
 - ◆ Antipersonnel Mines
 - ◆ Other Explosive Munitions and Explosive Remnants of War (Unexploded Ordnance / Abandoned Ordnance)
- Casualties who were close to an ED activated by an animal or by 'natural' causes (e.g. lightning, heat, landslide, radio waves)
- Casualties who were close to those who activated the ED unknowingly, or without the intention to harm, hurt or terrorize (Bystanders)
- Bystanders affected by explosions due to ED manufacturing, transport or storage
- Civilians who were forced by the Security Forces or any armed groups / militia to defuse or remove ED
- Current members of - or affiliated to - armed groups or militia in any situation
- Casualties using the ED for criminal purposes

Exclusive criteria

- ◆ Casualties of command-detonated explosions (attack, demolition of infrastructure) including time bombs
- ◆ Casualties of hurled socket bombs / sutali bombs or any other sort of direct launched devices

- Casualties who fell victim to direct or stray bullets
- Casualties with minor physical injuries (not needing medical treatment and follow up)
- Any other persons not meeting the inclusive criteria as set out above

Case Definition for Intentional explosions

A casualty of intentional explosion is described by the following sets of inclusive and exclusive criteria:

Inclusive criteria

- Casualties injured or killed in Nepal since the 1st January 2008 by the explosion of an Explosive Device (ED) activated or launched - by any individual / group / - knowingly, with the intention to harm, hurt or terrorize. These EDs are:
 - ◆ Improvised Explosive Devices (IEDs)
 - ◆ Other explosive devices

Exclusive criteria

- Casualties of victim-activated explosions
- Casualties who fell victim to direct or stray bullets
- Casualties who fell victim by explosive devices used for fishing, hunting, road construction, weeding ceremony or any other purpose where the intention is not to harm, hurt or terrorize
- Casualties with minor physical injuries (not needing medical treatment and follow up)

Any other persons not meeting the inclusive criteria as set out above

Case Definition for Small Arms

A casualty of small arms is described by the following sets of inclusive and exclusive criteria:

Inclusive criteria

- Casualties injured or killed in Nepal since the 1st January 2009 by the illicit use of small arms - by any individual / group / Security

Forces - knowingly, with the intention to harm, hurt or terrorize.
These small arms are:

- ◆ Fire arms like revolver, self-loading pistols, rifles, sub-machine guns, assault rifles and light machine guns.
- ◆ Sharp or bladed object (knives, swords, khukuris)
- ◆ Killed with the use of poison and with the use of ropes(hanging, strangulation to death)
- Casualties who are severely injured with the attack of blunt objects (stick and rod).

Exclusive criteria

- Casualties of victim-activated explosions
- Casualties of intentional explosions
- Casualties who fell victim to direct or stray bullets
- Casualties with minor physical injuries (not needing medical treatment and follow up)
- Any other persons not meeting the inclusive criteria as set out above

Annex-4

Name of Contributors

District Representatives

Eastern Region

Jhapa	- Arjun Kumar Basnet
Ilam	- Kokila Dhakal
Panchthar	- Sandip Rai/Mangal Begha
Taplejung	- Dev Raj Gurung
Morang	- Dipen Neupane/Sukdev Chaudhary
Sunsari	- Sukdev Chaudhary/Shekhar Dhakal
Dhankuta	- Santosh Ruchal
Tehrathum	- Chhatra Rimal
Bhojpur	- Gyanendra Khadka/Kiran Rai
Sankhuwasabha	- Chhetu Sherpa
Saptari	- Manohar Pokharel
Siraha	- Durga Pariyar
Udaypur	- Kushal Babu Basnet
Khotang	- DM Chamling
Okhaldhunga	- Shiva Prasad Dhungana
Solukhumbu	- Pasang Bamjan Tamang

Mid Region

Dhanusha	- Binod Kumar Rabidas
Mahottari	- Ishwari Kaphle
Sarlahi	- Bidur Pyakurel
Sindhuli	- Anand Prasad Dahal
Ramechhap	- Nava Raj Pathik
Dolakha	- Uddhav Pokhrel
Rautahat	- Bipeen Gautam
Bara	- Laxmi Sah
Parsa	- Krishna C. Lamichhane
Chitwan	- Sabitri Sapkota

Makawanpur	- Pratap Bista
Lalitpur	- Ramesh P. Timalsena
Kavrepalanchok	- Bhoj Raj Timilsina
Bhaktapur	- Roshan Raj Aryal
Kathmandu	- Vivek Dhungana
Dhading	- Sitaram Adhikari
Sindhupalchok	- Natibabu Dhital
Nuwakot	- Keshav Mishra
Rasuwa	- Hemnath Khatiwada

Western Region

Tanahun	- Prakash Chandra Bhattarai
Gorkha	- Sudeep Kaini
Lamjung	- Krishna Prasad Adhikari
Syanja	- Sangeeta Ranabhat
Kaski	- San Bahadur Thapa
Manang	- Kaman Bahadur Gurung
Nawalparasi	- Narayan Parajuli
Rupandehi	- Amrit Giri
Palpa	- Madhav Basyal
Kapilbastu	- Nandaram Poudel
Arghakhanchi	- Narayan Prasad Bhusal
Gulmi	- Naresh Bhandari
Baglung	- Ram Bahadur GC
Parvat	- Madhav Raj Pandey
Myagdi	- Ghanashyam Khadka
Mustang	- Sharmila Gurung

Mid-western Region

Dang	- Shalik Ram Musaphir/ Gaman Sing Khadka
Pyuthan	- Rabindra Pandey
Rolpa	- Dharendra Dangi
Salyan	- Meena Budhathoki
Rukum	- Adarsh KC

Banke	- Binod Pandey
Bardiya	- Man Bahadur Chaudary
Surkhet	- Durga Thapa
Jajarkot	- Raju Kumar Shakya
Dailekh	- Yaggya Raj Thapa
Dolpa	- Bishnu Prasad Devkota
Jumla	- Man Datta Rawal
Kalikot	- Kali Bahadur Malla
Mugu	- Jivan Sejuwal
Humla	- Mim Sing Nepali

Far-western Region

Kailali	- Sur Bahadur Pariyar
Achham	- Shiva Raj Khatri
Doti	- Lav Dev Bhatta
Bajura	- Arjun Shah
Bajhang	- Prakash BK
Kanchanpur	- Komal Niranjana Bhat
Dadeldhura	- Rajendra Thagunna
Baitadi	- Sher Bahadur Chand
Darchula	- Narendra Singh Karki

ities in 2013

