I. Women, Peace and Security Profile

A. Nature of the Conflict

The ten-year long rebel insurgency in Nepal, launched on 13 February 1996, reached formal conclusion when the Government of Nepal (GoN) and Maoists signed the Comprehensive Peace Accord (CPA) on 21 November 2006. The conflict remained a low-grade insurgency until 2002 when it escalated and began disrupting daily lives, especially in the countryside. Structural inequality, exclusion and discrimination (gender, caste, class, geographical), concentration and abuse of power, poverty and unemployment, lack of access to opportunities, failure of state governing system, and varying ideologies were key factors behind the insurgency. During this period, Nepal, once a peaceful nation, witnessed damages of lives, infrastructure and development activities unparalleled in its history. More than 13,000 men, women and children are estimated to have died during the conflict, between 100,000 to 200,000 people were displaced, while even now the whereabouts of more than 1,000 people remains unknown. Infrastructure worth billions was destroyed due to the conflict. Of the total 3,915 Village Development Committees (VDCs), more than 1,772 VDC buildings were destroyed by the conflict, and some 2,646 development structures damaged. These are yet to be reconstructed and restored.

Post Conflict Situation: The conclusion of the conflict brought Nepal at the crossroads of redefining itself as a country and nation. However, despite the damages and destruction the conflict also paved the way for multiple transitions:
from monarchy to a republic;
from authoritarianism to democracy and human rights;
from a hegemonic to an inclusive and participatory system of governance;
from a state pervaded by one religion to secularism; and
from a heavily centralized unitary system to one characterized by decentralization and autonomy at the regional and local levels.3

Nevertheless, the initial hype and expectations of people following the CPA, the 2006 April Janaandolan (people’s movement) and the downfall of monarchy remain far from being attained. Inter and intra-political party conflicts, power sharing, security sector restructuring, reconstruction and rehabilitation of former People’s Liberation Army personnel, addressing

2 Ibid
Tari-Madhesh 4 issues, providing peace dividends, addressing root causes of conflict, addressing transitional security and justices, addressing concerns of other identity, deciding federal structures of the country, inability to make a Constitution, deteriorating rule of law and increasing impunity have become bones of contention towards the peace path. Subsequently, Nepal is currently in a fragile transition phase.

B. Impact of Conflict on Women

The armed conflict between 1996 and 2006 was deeply gendered, not only concerning its consequences, but also involving its origin – as verified by a study conducted for Gender and Social Exclusion Assessment in 2005 which revealed 176 provisions in 83 pieces of legislation that discriminate against women; the ideologies underlying it and the dialogues surrounding it, both by parties confronting each other and the analyses carried out in politics and in academic research.

However, the impacts of conflict have dealt even more unexpected and far-reaching blows. The conflict impacted Nepali women tremendously, irrespective of whether it is women who joined as combatants, were related to men taking part in it, due to their residing in particular conflict affected areas, their own or their male members’ political beliefs or due to their ethnic and economic backgrounds. Socially and economically, girls and women became overburdened with responsibilities. Women became heads of households and solely responsible for their families because men and young people were compelled to leave their villages for fear of being caught in the conflict between state security forces and the Maoists. Women began taking up work traditionally restricted to men – such as ploughing and performing funeral rites. With increasing insecurity of food supply, women and girls’ health were threatened by inequitable food distribution resulting in malnutrition and severe anemia. Girls’ educational opportunities, already fewer than those of boys, further diminished due to displacement, fear of kidnapping, forced induction and being caught in crossfires.

Abduction and torture, rape and sexual abuse by both warring sides became widespread; forceful induction within the insurgent party increased; intimidation, murder, terror and forced displacement, number of widows, as well as women “forced to lead the family and sometimes become the sole caretakers of children and elders during conflict situations”4 soared. More than 4,000 women lost their husbands, and hundreds of women were raped by parties in conflict.4 Even today many internally displaced people, many of whom are women, have not been able to return to their homes, and thousands are facing mental distress and physical torture. More than 13,347 people had been killed by the end of 2006, approximately 8 per cent of them women; and more than 3 per cent children. In addition, 50,356 people were displaced by the end of 2004, the greatest number in Mid-Western Development Region. Even after the signing of the CPA in November 2006, another 551 people were killed and 541 in 2008. Of the total 13,344 people killed during the period of Maoist insurgency, 10,297 were men and 1,013 were women while the gender of 2,034 people were not verified, as they were killed during the clashes and were buried or taken by the conflicting parties in an attempt to hide the identity of the deceased. Of the total 1,013 women killed during the period, 193 were killed by the Maoist while others were killed at the hands of state security forces. Similarly, of the 84,969 people abducted, 2,087 were women, while the identity of 69,403 people abducted during the period was not known.5 To date, there has been no accountability for the thousands of crimes of sexual violence or other appalling human rights abuses committed during the Maoist insurgency in Nepal. Splinter groups arising across the nation are worsening the situation. One such impact is on women in the Terai region where hundreds are reportedly facing rape and abuse. A report on the Human Rights Situation by INSEC, an NGO working for human rights and social justice, shows that within the period of three months from January-March 2011 alone there were 29 people killed, including those women, 28 people abducted, and 79 women and 62 children had their rights violated.

Nevertheless, the changing roles of empowerment fast-forwarded by conflict such as inclusion of women in the Nepal Army, involvement in non-traditional roles, increased decision making powers cannot be overlooked. Conflict may be attributed to have indirectly increased women’s rights. The provision of 33 percent quota for women in the Constituent Assembly (CA) 2008, significantly overcame the dismally low female participation in past parliamentary representation. Changes in gender roles and the growing acceptance by Nepalese men is evidenced by increasing number of migrating women workers, more vocal demands for women’s rights and legal provisions guaranteeing inheritance rights and others. But a notable issue is the significant absence of women in the peace process, particularly in the context of including women to deal with gender issues. As a result, gender-based persecution and violence have been rendered trivial and invisible in peace agreements; they have not been taken into account either in the interpretation or implementation of the agreements.

C. Relevant Policies


Other relevant policies which have recently come up are:

The GoN has formulated a national response for prevention of Gender Based Violence (GBV) with special focus on its prevention and the protection of women and girls. It declared 2010 as the Year to End gender Based Violence (GBV). Recently it has established a gender violence prevention fund and gender violence coordination committee in every district of the country. The 2010 Action Plan against GBV, focusing on prosecution, protection and prevention, highlights the need for a special commission to investigate cases of violence against women. A free hot-line number (1111), directly connecting to the Prime Minister’s office.

7 www.inseconline.org

4 The current Madhesh protests began to surface in late 2006. The interim constitution became the rallying point, which Madhesh claim, failed to address issues related to their rights. The trouble soon took a different turn when the country’s draft interim constitution came into effect on 15 January. Key demands made by various Madhesh groups are: amendments to the interim constitution to include provisions for ethnic and regional autonomy with the right to self-determination and proportional representation based on ethnic population for the elections to CA; an autonomous and separate independent Terai state; equal participation of Madhesis in government security forces; fresh delimitation of electoral constituencies based on populations; and eviction of non-Terai officials and administrators from Terai region.


7 www.inseconline.org
Office is available. The government has also expressed commitment to establish women's and children's service centres in police stations across the country for the expeditious investigation and prosecution of sexual and gender related violence cases.

Adoption of National Action Plan on UNSCR 1325 and 1820 on 1st February 2011. The National Action Plan covers five pillars, namely, Participation – aimed to promote equal, proportional and meaningful participation of women in all decision making levels of conflict transformation and peace building process, Protection and Prevention – aimed at “protecting the rights of women and girls and preventing the violation of these rights during the conflict and the post conflict period,” Promotion — aimed to “promote the rights of women and girls and to mainstream the gender perspective in all phases and stages of the conflict transformation and peace building process,” Relief and Recovery — aimed to “address the special needs of women and girls and to ensure their participation in the formulation and implementation of all programs related to relief and recovery,” and Resource Mobilisation and Monitoring and Evaluation – aimed to guarantee means and resources required in the implementation of the National Action Plan, to institutionalize the monitoring and evaluation system and to maintain collaboration and coordination with concerned stakeholders.8

Setup of Local Peace Committees in every district – empowered to address conflict at the local level and to mediate between conflicting parties- with at least 33 percent participation of women.

The Interim Constitution of Nepal, 2007 prohibits physical, mental or any other form of Violence against Women. Women's reproductive rights are recognized as fundamental.

The Comprehensive Peace Accord (CPA) includes a prohibitory provision on GBV to be abided by both parties to the agreement.


Human Trafficking Act. 2007 extends definition of trafficking to include offense of transportation for trafficking purposes. The new Act affords support and care for victims.

The Supreme Court issued orders at prohibiting malpractices that contribute to GBV.

Tenth Five Year Plan includes gender and human rights as crosscutting sectoral issues. Gender Focal Points established in sectoral ministries and Task Forces at central and district levels to check trafficking.

Adoption of policy representation of 33 percent women in government and political sectors.

II. Data Presentation and Analysis

In spite of noteworthy policies and provisions which have come about, factual data with regards to their implementation present a different picture. Effective implementation of policies has always remained a concern plaguing the country in diverse sectors, and more so in relation to women’s rights and empowerment issues, as well as peace and security issues.

A. Participation

Indicator 1 - Index of women's participation in governance (% of women in senior positions in cabinet/council of ministers, parliament, local governance)

A major component of the CPA is the political and socio-economic transformation, which demands state restructuring in an “inclusive, democratic, and forward looking” manner for ending all forms of discrimination. It also envisaged an inclusive, democratic and progressive state restructuring wherein the needs and concerns of women, amongst others, are taken into account. All these led to the promulgation of an Interim Constitution - to cover the transition period prior to the Constituent Assembly drafting of the new Constitution.

Nepal continues to remain in the transition period given its inability to draft the new constitution within the stipulated time period. So far the tenure of the Constituent Assembly has been extended three times since it was elected for two years in May 28, 2008 and the present tenure expires in November 2011. Inter and intra-political party conflicts and the issues of power sharing, security sector restructuring, reconstruction and rehabilitation of former People’s Liberation Army Personnel constrain the political scenario of Nepal. Hence, there is no progress towards the peace process and drafting the new constitution - the main responsibility of the National Politics.

So far the tenure of the CA has been extended for the fourth time since it was elected for two years in May 2008 and the present tenure expires in 6 months in May 2011. However, this time the Supreme Court has stated that this should be the last time the CA tenure would be extended. If the new statute is not drafted within that deadline, CA should be dissolved and fresh elections held.

Legislative and Parliamentary Level

Compared to 2010, the status of women’s participation in legislative and parliamentary level, constitution and bureaucratic level has remained the same, except for a few minor changes. At legislative and parliamentary level, a slight decrease in the total number of female CA members has subsequently resulted in decrease in the percentage of women CA Members. Out of the total 601 CA members, eight seats have remained vacant while CA membership of two male lawmakers was scrapped on recommendation of their respective parties, hence leaving the number of CA Members to a reduced 591. The current percentage of women CA members is 31.97 percent as of September 2011.

The political situation of Nepal has remained highly unstable with change in government having occurred twice within the span of one year. An examination of women’s participation in the cabinet, constituted and reconstituted during the period 6 February 2011 – 1 August 2011, reveals a slight increase in the percentage of women. Nevertheless, the allocation of the key ministerial portfolios such as defense, foreign, finance, home affairs have been predominantly male dominated as indicated by Table 1. However, in the new cabinet constituted and reconstituted in August/September 2011, the percentage of women has significantly dropped to 7.6.
Table 1: Total Number of Council of Ministers

<table>
<thead>
<tr>
<th>Total Council of Ministers</th>
<th>Male</th>
<th>Female</th>
<th>Percentage of Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cabinet constituted and reconstituted in October 20 – November 13, 2011</td>
<td>38</td>
<td>11</td>
<td>22.4%</td>
</tr>
<tr>
<td>Total No. – 49</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ministers: 3 (Youth and Sports: 1, Labor and Transportation Management: 1, Science and Technology: 1)
State Ministers: 8 (Industry: 1, Education: 1, Land Reform and Management: 1, Federal Affairs, Constituent Assembly, Parliamentary Affairs and Culture: 1, General Administration: 1, Environment: 1, Law and Justice: 1, Information and Communication Minister: 1)

Year 2011

<table>
<thead>
<tr>
<th>35</th>
<th>28</th>
<th>7</th>
</tr>
</thead>
</table>
| Ministers: 4 (Peace & Reconstruction: 1, Land Reform & Management: 1, Local Development: 1, Women, Children & Social Welfare: 1)
State Ministers: 3 (Forest & Soil Conservation: 1, Physical Planning & Works: 1, Health & Population: 1) | | |

20% Source: http://www.opmcm.gov.np/

Cabinet constituted and reconstituted in August 30/ September 4, 2011

<table>
<thead>
<tr>
<th>12</th>
<th>1 (Ministry of Youth and Sports)</th>
</tr>
</thead>
</table>
| Deputy PM: 1
State Minister: 1
Assistant Ministers: 2 | 7.6% Source: Republica, English Daily dated 5th Sept 2011 |

Year 2010

<table>
<thead>
<tr>
<th>43</th>
<th>38</th>
</tr>
</thead>
</table>
| Defence Minister: 1
Deputy PM: 1
State Minister: 1
Assistant Ministers: 2 | 11.62% Source: http://www.can.gov.np/ |

While in the new cabinet, the biggest in Nepal’s history, constituted and reconstituted in October - November 2011, the percentage of women has again increased to 22.44

Bureaucratic Level

Compared to 2010 the civil service currently holds 79,515 personnel of which women comprise 10,895 i.e. 13.70 percent, a slight increase to the previous year. There are only 790 women out of a total of 12,163 senior positions in the Nepal Civil Service. The presence of women at decision making level within the bureaucracy remains dismally low as evidenced by Table 2 figures.

Table 2: Total Number of Women in Senior Positions in Civil Service

<table>
<thead>
<tr>
<th>Description</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
<th>Percentage of Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secretary</td>
<td>73</td>
<td>4</td>
<td>77</td>
<td>5.19</td>
</tr>
<tr>
<td>Joint Secretary</td>
<td>484</td>
<td>9</td>
<td>493</td>
<td>1.83</td>
</tr>
<tr>
<td>Under Secretary</td>
<td>2671</td>
<td>97</td>
<td>2768</td>
<td>3.5</td>
</tr>
<tr>
<td>Section Officer</td>
<td>8145</td>
<td>680</td>
<td>8825</td>
<td>7.71</td>
</tr>
<tr>
<td>Total</td>
<td>11373</td>
<td>790</td>
<td>12,163</td>
<td>6.49</td>
</tr>
</tbody>
</table>

Source: Ministry of General Administration, August 2011

The scenario at local governance level with regard to women’s representation is no different from last year. Each of the 75 districts in Nepal has a Chief District Administration Office and a Local Development Office. All 75 Chief District Officers (CDO) are male and there is only one female Local Development Officer (LDO) out of 71. In the remaining 4 districts the position of LDO is vacant and those acting as LDOs are male. The total absence of women’s presence as Chief District Officers and negligible representation in Local Development Offices underscores the lack of attention towards this concern. Such a discrepancy is bound to impact gender sensitive decision making at district and community level.

Women’s Representation in Major Political Parties

The Nepali political parties are far ahead of any other institution in making verbal commitments for ensuring women’s representation. However, reality speaks differently. None of the parties have any special provisions to increase women’s participation within their constitution and regulations. Political parties have not even been able to secure 33 percent women’s participation within their central committees. For those women who are present, patriarchal norms and values within the parties prevent many of them from meaningful participation and voicing of opinions during decision making processes.

Table 3: Women’s Representation in Major Political Parties

<table>
<thead>
<tr>
<th>Political Party</th>
<th>Total No. of Central Committee Members</th>
<th>Male</th>
<th>Female</th>
<th>Percentage of Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unified Communist Party of Nepal (Maoist)</td>
<td>148</td>
<td>134</td>
<td>14</td>
<td>9.46</td>
</tr>
<tr>
<td>Nepali Congress (only elected in 12th Assembly)</td>
<td>65</td>
<td>51</td>
<td>14</td>
<td>21.54</td>
</tr>
<tr>
<td>Nepali Communist Party (United Marxist-Leninist) including alternate central members</td>
<td>116</td>
<td>95</td>
<td>21</td>
<td>18.10</td>
</tr>
<tr>
<td>Madhesi People Rights Forum, Nepal (Democratic)</td>
<td>51</td>
<td>45</td>
<td>6</td>
<td>11.76</td>
</tr>
<tr>
<td>Tarai Madhes Democratic Party</td>
<td>55</td>
<td>43</td>
<td>12</td>
<td>21.82</td>
</tr>
<tr>
<td>National Democratic Party (including invited members)</td>
<td>65</td>
<td>57</td>
<td>8</td>
<td>12.31</td>
</tr>
<tr>
<td>Nepali Communist Party (Marxist-Leninist) including alternate central members</td>
<td>35</td>
<td>30</td>
<td>5</td>
<td>14.29</td>
</tr>
</tbody>
</table>

Source: Jagaran Nepal: Collected from central office of concerned party from 8th December 2010 to 20th February 2011

While in the new cabinet, the biggest in Nepal’s history, constituted and reconstituted in October - November 2011, the percentage of women has again increased to 22.44
Despite women’s involvement in the revolution, the end of the monarchical regime, and in the course of the conflict and its consequences women have remained virtually absent in all peace negotiating teams with the exception of Ms. Anuradha Koirala in 2003, the then Minister who was a member of the peace negotiating team during the ceasefire between the government and the Maoists (January 2, 2003). However, her role was limited to rapporteuring/taking minutes of the meeting. Special Representative of the UN Secretary General and head of UNMIN, Ian Martin, stated: ‘At all the political negotiating tables I have seen in Nepal during the peace process, not once have I seen a woman at the table. So far in the peace process, decisions are being made by men for women […]’.

However, a slight presence of women was visible in political dialogues and institutions established to address the peace process. The National Monitoring Committee, in which only two of the 31 members were women, and the Interim Constitution Drafting Committee, initially made up of six men and subsequently expanded after a campaign led by women’s organizations to include six women as well as representatives of the Dalit community. The Local Peace Committees also saw a one third presence of women, though the extent of their meaningful participation remains uncertain.

Numerous women’s organizations have raised their voices demanding a greater presence in peace talks. Such organisations tried to increase women’s participation in the peace negotiations by pressurizing the government, the political parties and the Maoists. UNSCR 1325 was used as an instrument to support demands for greater presence of women in the political sphere, and establish wide-ranging gender agendas. The desire for involvement of women in the peace process led to a number of alliances between organizations which, before the peace process, had worked in areas such as human rights, education, women’s rights, the rights of the Dalit communities and women’s participation in the media. Common platforms were established to influence the process. Moreover, women’s organisations tried to influence the process and act as a bridge between the political class and unorganised society, as there was a general feeling that the needs and demands of the latter were not being addressed.

Although the low percentage of women in the peace negotiation teams and the slight increase in the post CPA (Comprehensive Peace Accord) committees fail to recognise women’s actual contribution in the conflict and the overall peace process, subsequent committees are endeavouring to reflect it. Nevertheless, it can be concluded that the low percentage may be a result of women’s participation not being viewed as essential towards peace building process. General ignorance, absence of women at policy level, inadequate and timely lobbying for inclusion of women in negotiation teams may be some of the other explanations.

**Indicator 3 - Index of women’s participation in the justice and security Sector (% women in military, police, judiciary, at all levels)**

**Judiciary Sector**
Gender mainstreaming efforts within the judiciary sector, during the past one year, have remained insignificant. There have been little changes to indicate increase in women’s participation at this level. The issue of substantive and meaningful participation is a far off concern under such circumstances.

**Security Sector**
Quantitative changes in terms of increasing women’s presence within the major security forces, namely, Nepal Army, Nepal Police and Nepal Armed Police Forces have not been of significant nature, as evidenced by the tables below. However, it is necessary to state that the security sector has been undergoing numerous trainings on SCR 1325 and 1820 and gender equality provided by NGOs and UN organizations. Following the adoption of the Nepal National Action Plan on UNSCRs 1325 and 1820, representatives from Ministry of Peace and Defense are invited to such trainings for the sessions on the NAP. The Nepal Army has over the past year conducted such training for its personnel.
The main reason behind low participation of women in the Security and Judiciary Sector is due to discouraging or inapt constitutional/legal provisions given the socio-cultural context of Nepal for women to be engaged or seek careers in these sectors. For example, under the section “Appointment and Qualifications of Judges of the Supreme Court” Article 103 (3) states “Any person who has worked as a Judge of an Appellate Court or in any equivalent post in the judicial service for at least seven years, or has worked as a gazette officer first class or above of the judicial service for at least twelve years, or has practiced law for at least fifteen years as a law graduate advocate or senior advocate, or a distinguished jurist who has worked for at least fifteen years in the judicial or legal field is eligible for appointment as a Judge of the Supreme Court.”

Indicator 4 – Percentage of women in peacekeeping missions, disaggregated at all levels

Percentage of women deployed in peacekeeping missions by Nepal Army and Nepal Police continues to remain low. This is primarily due to low percentage of women in the security sector despite the new policy that requires 20 percent seat reservation for women in the sector. Compared to Nepal Army and Nepal Armed Police Force, there has been a significant rise in the number of women in peace keeping missions deployed by the Nepal Police. One reason is maybe due to increasing intake of women personnel in Nepal Police.

Indicator 5 - Number and percentage of women participating in each type of constitutional or legislative review

As indicated by Table 10, women’s representation in Constituent Committees is comparatively better than in other areas. Nevertheless, it has not been possible to gauge the level of active participation and their roles in decision making.

Table 10: Women’s Representation in Constituent Committees (see Appendix1)

<table>
<thead>
<tr>
<th>Committee Type</th>
<th>Total No. of Members</th>
<th>Female</th>
<th>Percentage of Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constituent Assembly Committee</td>
<td>595</td>
<td>198</td>
<td>33.27</td>
</tr>
<tr>
<td>Draft Constitution</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provide support in the process</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Constituent Committee (1)</td>
<td>61 (two vacant)</td>
<td>15</td>
<td>24.19</td>
</tr>
<tr>
<td>Present concept paper on constitution and the themes not covered by thematic committee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thematic Committee (10)</td>
<td>421</td>
<td>137</td>
<td>32.54</td>
</tr>
<tr>
<td>Concept paper and Preliminary draft on different themes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Committee on Fundamental Rights and Directive Principles (Led by Ms. Binda Pandey)</td>
<td>43</td>
<td>12</td>
<td>27.90</td>
</tr>
<tr>
<td>Committee on the Protection of the Rights of Minorities and Marginalized Communities (Led by Mr. Lalbabu Pandit)</td>
<td>43</td>
<td>18</td>
<td>41.86</td>
</tr>
<tr>
<td>Committee on State Restructuring and Distribution of State Power (Led by Mr. Lokendra Bista Magar)</td>
<td>42</td>
<td>12</td>
<td>28.57</td>
</tr>
</tbody>
</table>
Committee for Determining the Structure of the Legislative Body (Led by Mr. Ramesh Rijal) 41 17 41.46
Committee for Determining the form of the Government (Led by Mr. Shambhu Hajara Dusadh) 42 9 21.42
Judicial System Committee (Led by Mr. Prabhu Shah) 41 17 41.46
Committee for Determining the Structure of Constitutional Bodies (Led by Mr. Gobinda Chaudhari) 42 14 33.33
Committee on Natural Resources, Financial Rights and Revenue Sharing (Led by Mr. Amrit Thapa Magar) 42 7 15.21
Committee for determining the base of Cultural and Social Solidarity (Led by Ms. Nabodita Chaudhari) 41 20 48.78
National Interest Preservation Committee (Led by Mr. Amik Sherchan) 44 11 25
Procedural Committee (3) To take the constitution drafting process at general public To collect public opinion To build capacity of CA members and staffs involved in constitution making 113 46 40.70
Committee on Citizen (led by Ms. Mina Pandey) 36 14 38.88
Public Opinion Collection and Coordination Committee (led by Mr. Pramod Prasad Gupta) 41 14 34.14
Capacity Building and Source Management Committee 36 18 50
Legislative Parliament Committee
Legislative Committee (led by Ms. Yasoda Gurung (Subedi) 73 27 36.98
Thematic Committee
Committee on Finance and Labor Relations (led by Ms. Shushila Kandangba) 63
Committee for International Relations and Human Rights (led by Mr. Padam lal Bishwokarma) 54 18 33.33
Committee on Natural Resources and Means (led by Ms. Shanta Chaudhari) 56 18 28.57
Development Committee (led by Mr. Jitendra Prasad Sonar) 56 16 28.57
Women Children and Social Welfare Committee (led by Ms. Sandhya Devi) 59 38 64.40
State Affairs Committee 57 17 31.57

Public Account Committee (led by Mr. Ram Krishna Yadav) 61 16 29.82
Special Committee 142 43 30.28
Security Special Committee (led by CA Chair Subash Nembang) 72 18 25.00
Parliamentary Hearing Special Committee (led by Mr. Kul Bahadur Gurung) 70 25 35.71

Source: http://www.can.go.np/August 2011

Indicator 6 - Percentage of CSOs in Task Forces on SCR 1325 and 1820 (out of total TF members)

In order to implement the Nepal National Action Plan on UNSCRs 1325 and 1820 adopted in February 2011, a Steering Committee was formed involving different ministries, National Planning Commission, National Women's Commission, office of Prime Minister and Council of Ministers and the civil society. The steering committee comprises of 22 members, including representatives from 11 different civil society organizations/network working in the area of women, peace and security. The committee is chaired by the Minister for Foreign Affairs and co-chaired by Minister for Peace and Reconstruction. The major roles and responsibilities of the committee include making policy provisions for gender mainstreaming in conflict management and peace building processes and for the prevention and control of gender based violence, maintaining inter-agency coordination for women's empowerment, generating national and international support and providing necessary directions for the implementation of the NAP, regular monitoring and supervision of the implementation of NAP and submitting the report on the status of the implementation of UNSCRs 1325 and 1820 to the United Nations. Additionally, District Coordination Committee to be set up in the districts for the implementation of the NAP demands involvement of two representatives from non-governmental organizations working for promoting women's human rights.

B. Prevention and Protection

UNSCR 1325 marked the first time the Security Council addressed the disproportionate and unique impact of armed conflict on women; it recognized the under-valued and under-utilized contributions women make to conflict prevention, peacekeeping, conflict resolution and peace-building.

Indicator 7 - Number of sexual and gender-based violence cases reported, percentage investigated, referred, prosecuted and penalized (out of total reported)

There is still no systematic monitoring and reporting mechanism for SGBV cases in Nepal. However, the researchers were able to gather considerably more data this year. For the purpose of this monitoring report, 5 districts, namely Kathmandu, Kapilvastu, Surkhet, Doti and Siraha were selected for Focus Group Discussions (FGDs) and data collection on SGBV. The FGDs held with police, NGOs and survivors of violence in August 2011 revealed that there are increasing rates of SGBV cases being reported. This is due to increase in incidences of SGBV itself, along with GoN's efforts to address violence against women; massive awareness raising programs; provision of legal aid and other support services by NGOs; various pressure groups formed at local level; as well as media playing an important role in bringing out the cases of violence.

Despite the increase in reporting SGBV cases, majority of the cases are still not reported, especially those that involve rich families, until and unless they reach beyond the point of
tolerance. Patriarchal socio-cultural norms and values, women’s economic dependency on their husbands, illiteracy, ignorance, culture of silence, lack of confidence in accessing justice and rehabilitation as well as security problems confronted by victims upon becoming public, hinder women from seeking legal solutions. Furthermore, though domestic violence has been established as a punishable crime, even the police sector does not seem to have shown serious concern in taking action against those committing violence. The police personnel possess inadequate knowledge about the laws, and there is a general inclination, perhaps due to social pressures towards settling the case through mediation. But, there are also a number of cases where women themselves withdraw the charges against their husband because of socio-cultural norms and values to maintain family integrity.

Despite the increase in reporting, the numbers of those seeking legal remedies are low as there are many challenges in prosecuting the case. The main factors preventing victims from seeking legal remedies are ignorance of legal process as well as lengthy legal procedures, family as well as socio-economic reasons, fear of social ostracization and stigma, inability to provide evidence, geographical problem, lack of access to services, lack of support, security, lack of trust in law implementing agencies, lack of confidence in getting justice, lack of rehabilitation opportunities for victims as well as problem in examination and medical report in case of rape due to lack of female gynecologists.

The major challenge in prosecuting SGBV cases is loss of evidence, since most victims report only after the evidence gets erased. In addition, many report only after the statute of limitation of 35 days for filing a case is over. Furthermore, inadequate knowledge and sensitivity on SGBV among legal service providers, lack of women lawyers in law implementing agencies, frequent change in statements due to family pressure are other major reasons. Moreover, it has also been noted that most cases of SGBV, especially cases involving minors, are settled through mediation by community and police. Male police are unwilling to take ahead SGBV cases as evidenced by data on SGBV cases addressed by a local organization based in Surkhet. Out of 77 cases of sexual violence referred to police only 18 cases were prosecuted, while out of 465 cases of gender-based violence 237 were settled through organizational mediation process. Additionally, even when cases are filed, they get withdrawn due to socio-economic and political pressure as oftentimes political interventions prevail in majority of SGBV cases. Perpetrators possessing influential back up as well as lack of impartial investigation and fear of social ostracization are major hindrances. Furthermore, inadequate representation of women in the justice and security sector and inappropriate gender sensitization add to the problems.

Table 11: Cases of Sexual and Gender-Based Violence Registered in the Fiscal Year July 2010/July 2011 in Kapilvastu District

<table>
<thead>
<tr>
<th>Place</th>
<th>Types of Case</th>
<th>No. of Cases filed</th>
<th>Arrested</th>
<th>Prosecution</th>
<th>Proved Guilty</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Police Office</td>
<td>Rape</td>
<td>2</td>
<td>2</td>
<td>In Custody</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Attempted Rape</td>
<td>1</td>
<td>2</td>
<td>In Custody</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Family disputes Physical abuse Polygamy Trafficking</td>
<td>177/0/174 196/0/194 11/5/5 5/2/3</td>
<td>2</td>
<td>In Custody</td>
<td></td>
</tr>
</tbody>
</table>

Table 12: Cases of Sexual and Gender-Based Violence Registered in the Fiscal Year July 2010/July 2011 in Doti District

<table>
<thead>
<tr>
<th>Description</th>
<th>District Police Office</th>
<th>Women Development Office</th>
<th>District Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of Complaints on GBV</td>
<td>18</td>
<td>82</td>
<td>29</td>
</tr>
<tr>
<td>No. of Cases Investigated</td>
<td>14</td>
<td>55</td>
<td>19</td>
</tr>
<tr>
<td>No. of Cases Prosecuted</td>
<td>5</td>
<td>27</td>
<td>29</td>
</tr>
<tr>
<td>No. of Cases Penalized</td>
<td>9</td>
<td>data not available as the cases were forwarded to concerned agencies</td>
<td>10</td>
</tr>
</tbody>
</table>

Table 13: Cases of Sexual and Gender-Based Violence and their specific forms; Registered in the Fiscal Year July 2010/July 2011 in Surkhet District

<table>
<thead>
<tr>
<th>Name of the cases</th>
<th>Forms of Violence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aawaz</td>
<td>Attempted/Forced Rape</td>
</tr>
<tr>
<td></td>
<td>21</td>
</tr>
<tr>
<td>Cellard</td>
<td>-</td>
</tr>
<tr>
<td>LACC</td>
<td>4</td>
</tr>
<tr>
<td>District Court</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>(Prosecuted - 79 cases of GBV, 35 cases of Sexual Violence)</td>
</tr>
<tr>
<td></td>
<td>(Prosecuted - 8 cases of GBV, 21 Sexual violence in court)</td>
</tr>
</tbody>
</table>
During FGDs, it was further shared that only approximately 15 percent of cases of sexual violence were registered, investigated and prosecuted. It also came out in the meeting that in the Surkhet district alone, almost 50 percent of the women suffer from different forms of gender-based violence including physical exploitation, abuse, beatings, verbal abuse, polygamy, child marriage, no access to economic resources, burns violence.

Table 14: Status of SGBV cases filed in Surkhet District

<table>
<thead>
<tr>
<th>Place</th>
<th>Total No. of Cases filed on Sexual Violence</th>
<th>Total No. of Cases on GBV</th>
</tr>
</thead>
<tbody>
<tr>
<td>NGOs, Police, Court, Gov. Lawyers’ Office</td>
<td>82</td>
<td>465</td>
</tr>
<tr>
<td></td>
<td>Case filed in police: 187 Court: 81</td>
<td></td>
</tr>
<tr>
<td>Remarks</td>
<td>5 - settled through mediation</td>
<td>237 settled through mediation</td>
</tr>
<tr>
<td></td>
<td>77 - referred to police</td>
<td>66 cases withdrew from further prosecution</td>
</tr>
<tr>
<td></td>
<td>24 cases of sexual violence registered in court, decision was made on 18 cases where 13 was penalized and 5 were not proven guilty</td>
<td>Out of 81 cases filed in court, 62 were decided</td>
</tr>
<tr>
<td></td>
<td>Out of 11 ongoing cases of forced rape, 7 were put in police custody, 4 ran away and out of 7 cases of attempt to rape, 4 released on bail and 3 were put in custody</td>
<td>Out of 5 cases of domestic violence, 2 were mediated, 1 penalized, 2 ongoing</td>
</tr>
<tr>
<td></td>
<td>24 cases of trafficking, there were 8 accused among them 1 was imprisoned, 4 ran away, 3 released on bail</td>
<td>Out of 3 cases of trafficking, there were 8 accused among them 1 was imprisoned, 4 ran away, 3 released on bail</td>
</tr>
</tbody>
</table>

Source: Different NGOs working on SGBV in Surkhet District.

During FGD, it was further shared that only approximately 15 percent of cases of sexual violence were registered, investigated and prosecuted. It also came out in the meeting that in the Surkhet district alone, almost 50 percent of the women suffer from different forms of gender-based violence including physical exploitation, abuse, beatings, verbal abuse, polygamy, child marriage, no access to economic resources, burns violence.
to address SGBV concerns. SGBV patients are treated as any other patients without any consideration to the sensitivity of the case and the need for confidentiality. Inadequate training of health professionals to identify symptoms of SGBV and provide medical treatment, psychological and emotional support was identified as one of the key factor. Financial constraint as well as family pressure was also found to be another major factor behind low access to health care facilities especially for women.

It is however noteworthy to mention endeavours which have taken place in this context. Increased awareness on GBV by government and non-governmental organizations have led to recognition of gender-based violence (GBV) as a health concern at the national level. Training for GoN doctors and nurses on GBV are occurring, while training of psycho-social counselors has been initiated with support of UNFPA - with some of them being placed within the GoN Women and Children Office at the district level, women from cooperatives and paralegal committees are working together to prevent and support SGBV survivors, while GoN supported safe houses have been initiated in some parts of the country. However, these initiatives are significantly low in number and there is an urgent need for a robust strategy to holistically address SGBV survivors’ concerns.

There exist major gaps in the gender disaggregated data on SGBV survivors and the quality of support they are able to access. In this regard the Ministry of Health should consider establishing more health care centers dedicated to victims and survivors of sexual and gender-based violence as well as have special health care and treatment facilities for SGBV patients in the existing hospitals.

The other major gap is the lack of required capacity of the health system and its personnel at community, district and national level to recognize and address SGBV survivors needs. In this regard the Government in accordance with its obligations under international laws should increase collaboration with active NGOs, civil society organizations and UN organizations to facilitate dialogues and capacity building programs among medical personnel, the police, the judiciary and the media on how they could all work collectively to ensure that cases of SGBV are properly handled.

Table 18: Synopsis of Focus Group Discussions on access to health care for SGBV survivors held in select districts

<table>
<thead>
<tr>
<th>District</th>
<th>Places Visited</th>
<th>Research Method</th>
<th>Respondents/Interviewees</th>
<th>Key Remarks on SGBV situation and access to health service for victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kathmandu August 2011</td>
<td>Prime Minister’s Office (GBV Complaint Management and Monitoring Section), Ministry of Women, Children and Social Welfare (MoWCSW), Department of Women and Children, Office of Attorney General, Women and Children Service Centre, Police Headquarters, District Court, Local Development Office (LDO), Hospitals</td>
<td>Interview Records/Reports</td>
<td>Concerned officials of the different Government offices</td>
<td>Increase in incidences of SGBV as well as in reporting.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>There are also increasing cases of minors being sexually assaulted. This year CVICT (Centre for Victims of Torture) handled five cases of sexual assault by community people. The age group of those assaulted ranged from 5-18 yrs.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Police, media and NGOs are playing significant role in raising awareness and providing necessary support to victims.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Lack of gender sensitive approaches to address the specific medical and psychological needs of women and girls victims of SGBV continue to be a major hurdle in accessing quality and relevant health services.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>No private or government health care centers or hospitals have special separate facilities or services to deal with SGBV cases.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Incidences of abduction, murder, killing, rape, torture, sexual violence are rampant in terai region due to worsening law and order situation and political instability; most of the cases are not reported due to fear of family prestige as well as social and economic pressure; illiteracy, ignorance, poor economic conditions are other major reasons; lack of trained health personnel to deal with SGBV cases deters women from accessing health service; political intervention is one of the greatest hindrances in bringing perpetrators into justice; out of 242 cases of violence, 170 were settled through mediation at community level, 73 were registered and only 9 were penalized, which suggests how difficult it is to bring the perpetrators into justice; participants emphasized on the need for special training for health personnel for dealing with victims of sexual violence.</td>
</tr>
<tr>
<td>District</td>
<td>Places Visited</td>
<td>Research Method</td>
<td>Respondents/Interviewees</td>
<td>Key Remarks on SGBV situation and access to health service for victims</td>
</tr>
<tr>
<td>------------</td>
<td>-------------------------------------------------------------------------------</td>
<td>----------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Kapilvastu</td>
<td>District Police Office, District Government Lawyer’s Office</td>
<td>FGD</td>
<td>Representatives of NGOs, district paralegal committee, district women's advocacy forum, Dalit Women Federation, Community Service Center, Family Planning Association of Nepal along with social mobilisers, and shelter service coordinator</td>
<td>Increase in sexual violence among adolescents due to new technology; cases of sexual violence, torture within marital relationship do not come out; even the few that come out are settled through mediation; major problem posed in accessing health service is in medical examination and report due to lack of female doctors; medical test is carried out only on victims and not on perpetrators in case of rape and most of the time perpetrators escape due to lack of clarity in medical reports; health consequences of sexual violence are usually ignored; frequent change in statements of victims due to social pressure and family prestige; due to mainly ignorance and fear there is delay in reporting SGBV cases so in many instances evidence is already lost at the time of reporting; the legal procedure is lengthy, bureaucratic and unaffordable to many. Lack of health service facilities to specifically deal with SGBV concerns. SGBV patients are treated as any other patients without any consideration to the sensitivity of the case and the need for confidentiality. Increase in SGBV cases against minors. Saathi that runs a shelter in the district reported that this year 10% of those who came to the shelter are under the age of 16 and have been victims of sexual violence. Worsening law and order situation and increasing number of perpetrators of SGBV not being prosecuted which discourage SGBV victims to report cases.</td>
</tr>
<tr>
<td>Surkhet</td>
<td>Interaction with Service Providers – NGOs on 28th July 2011</td>
<td>FGD</td>
<td>Representatives of NGOs working on gender-based violence and women's rights activists, including counselors, documentation officers and legal officers</td>
<td>Increase in sexual and gender-based violence; this year only 15% cases of sexual violence were reported and taken forward for further investigation and prosecution; the major reason behind this is lack of female doctors/health workers while those available are not trained to identify the symptoms of violence nor aware of emotional and psychological support that victims of sexual violence require; in most cases victims come in contact with organizations only after the statute of limit for filing cases of violence is over as well as after the loss of evidence; frequent change in statements due to socio-cultural and family pressure as well as economic problem.</td>
</tr>
<tr>
<td></td>
<td>Interaction with Government Officials on 28th July 2011 (No. of participants - 9)</td>
<td>FGD</td>
<td>Representatives of District Court, Local Peace Committee, District Government Lawyers Office, District Police Office</td>
<td>Increase in sexual and gender-based violence; lack of trust in justice system; all the cases registered do not go for further investigation due to social, political and economic pressure; problem in medical examination; lack of gender sensitive environment; need to provide training to health personnel as well as people in police, legal and justice sector on gender based violence and the way to deal with it; need to ensure confidentiality and security of victims; need to amend/extend the statute of limitation for filing cases of sexual violence.</td>
</tr>
<tr>
<td>Doti</td>
<td>Interaction with NGOs and Victims on 21st July 2011 (No. of Participants - 14)</td>
<td>FGD</td>
<td>Survivors of SGBV, women's rights advocates, representatives from different NGOs, media, Chair of the District Federation of Journalists</td>
<td>Most SGBV cases take place within family but women are scared to bring this out in the public due to fear of stigma and social pressure particularly if it is related to sexual violence; poor economic condition, family prestige, social pressure, lack of trust in justice system deter them from coming out and seeking necessary legal and medical services.</td>
</tr>
<tr>
<td></td>
<td>Interaction with concerned stakeholders on 25th July 2011 (No. of Participants - 23)</td>
<td>FGD</td>
<td>Chief District Officer, Senior Superintendent of Police (SSP), representatives from different NGOs and media</td>
<td>Women are compelled to bear with violence because of their economic dependency on their husband and family; problem in prosecuting perpetrators as even the service providers consider such cases to be minor and do not need any action; there should be awareness raising program on health and psychological impacts of sexual violence on victims and also on legal rights and provisions at grass roots level. Awareness programs to actively engage men and boys to understand and advocate against SGBV against women should be initiated.</td>
</tr>
</tbody>
</table>
The Government of Nepal (GoN) has adopted numerous gender-responsive laws, policies and plans of action. These have played significant roles in ensuring women’s presence at various forums and promoted their rights. However, despite the laws and policies a wide gap continues to prevail between policy and implementation. Some of the significant ones are as follows:

The Preamble of Interim Constitution of Nepal, 2007 expresses the commitment for carrying out a forward-looking restructuring of the State to address gender-related problems. Women have also been included as the basis for providing citizenship certificates on the basis of descent.

Provisions have been made for fundamental rights from Article 12 through Article 32 of the Constitution, which maintain that special legal arrangements could be made for women, provisions on employment and social security, rights to social justice, provisions on rights against exploitation of women and children.

Article 63 of the Interim Constitution provides that one-third of the total candidates for the Constituent Assembly Election should be women.

**Policies and Action Plans**

The three-year Human Rights National Plan of Action (2010/11-2012/13) contains significant provisions that promotes civil, constitutional, legal and human rights of women and children. It has introduced different programs for promoting school enrollments as well as retention of poor and deprived children, ensuring reproductive health, safe motherhood and infant child care, gender mainstreaming and social inclusion and economic empowerment of women. It has also stressed on strengthening the National Women’s Commission for the protection and promotion of women’s rights.

Three Year Plan – Approach Paper (2010/11 – 2012/13) has spelled out its main objectives as achieving sustainable peace through relief and reparation to the conflict affected people, ensuring women’s meaningful participation in conflict resolution and peace building and promoting gender equality and women’s empowerment to combat different forms of gender-based violence and discrimination against women through social, economic and political empowerment of women from all classes and regions.

National Plan of Action against Gender-Based Violence to control gender-based violence and provide security and protection to women and children victims of violence.

National Plan of Action for the Implementation of the CEDAW which specifically calls for the amendment of discriminatory laws and formulation of appropriate laws, increasing women’s participation at all public, political and policy making levels.

National Plan of Action on Gender Equality and Empowerment of Women for the implementation of the Beijing Declaration and Plan of Action.

National Plan of Action for the implementation of UNSCRs 1325 and 1820 in order to achieve sustainable peace and just society and ensure proportional and meaningful participation of women at all levels of conflict transformation and peace building processes and protection of women and girls’ rights.

Terms of Reference of the Local Peace Committees, 2009, which has a mandatory provision of ensuring 33 percent women’s participation while constituting the local peace committees formed in every District, Municipality and Village Development Committee in order to ensure women’s adequate participation in all the peace process.

Despite the recognition of the significance of transitional justice mechanisms in order to achieve sustainable peace and the clear provision of it in the Comprehensive Peace Accord and the Interim Constitution of Nepal, the government has not yet been able to establish a transitional justice mechanism. The Bill on the Truth and Reconciliation Commission tabled in Parliament on 15 April 2010 is still pending consideration by the Legislative Parliament. But the Bill has failed to adequately reflect the essence of international human rights mechanisms that Nepal is party to, such as CEDAW, Convention on Civil Political Right, UNSCR 1325 etc. Moreover, while analyzing the contents of the Bill from gender perspective, the following gender gaps could be found:

The bill has used the word “brotherhood” while the UNSCR 1325 Nepal National Action Plan states the need to use gender neutral words.

Despite women being the most conflict affected, there is no mention of atrocities and violence inflicted upon women during the armed conflict nor an acknowledgment of differential and severe impacts of the conflict on women.

In the definition section, the terminologies like extra-judicial killings, disappearance, torture, sexual abuse and violence, crime against humanity, war crime, violation of humanitarian laws have not been clearly defined. For example, even the definition of “family” is quite narrow and incomplete if viewed from gender perspective. It does not encompass partners living together and transgender people. Similarly, while defining “victim,” it does not mention victims of sexual violence. The proposed bill does not ensure the need to identify different impacts of conflict on women.

In addition to the rights to investigate the incidences of violation of human rights, women’s rights and humanitarian law during the armed conflict, to reconciliation through justice as well as provide recommendation for that, the commission should be given the right to study the root causes of the armed conflict, investigate and analyze the different impacts of conflict on women, which has been clearly spelled out in the strategic objective under the Protection Pillar of the NAP.

There is no provision to ensure caste, gender, geographical region and religious diversity while forming the commission.

Under the sub-section 1 of Section 4, there is a provision of forming, at the most, a 7-member commission but no mention has been made of how many of them will be women. Further, the provision of the sub-section 2 that requires to recommend at least two women again fails to reflect the need to ensure at least 33 percent women’s representation and meaningful participation of the NAP.

In section 12, there is no mention of ensuring meaningful participation of women while appointing stafs of the commission, which shows the insensitiveness of government towards the implementation of the NAP.

Even women’s right to confidentiality is not ensured in the bill, which is clearly stated in the NAP. In article 15 of the Bill, under the commission’s right to conduct search, no provision has been made to assign women police personnel if required to conduct body search of women. Though there is mention of the need to make special provision for the protection of witness, there is not any clear provision as such. Given that women and children constitute the most conflict affected group, keeping the problems of victims of sexual violence in mind and understanding our social structure, it is predictable that unless there is special provision.
for the protection of women victims and witness, many victims will be unable to reach the
commission. Moreover, the success of the commission lies in the fact that victim, family
and witness are able to present evidence without any fear of being avenged. There is also lack of
clear mention of the process to be followed while taking statement of women and girls.

In case of victims of sexual violence, there should be guarantee of confidentiality while taking
statement and the methods applied in the process unless and otherwise victims themselves
provide approval to take statement openly. Besides, there should be provision of psycho-
social counseling service to such victims, which is not in the bill.

No importance has been given to the need to treat victims with empathy and respect their
dignity and their right to access to justice. Establishment of national fund, its strengthening
and extension in order to provide reparation to victims should be encouraged along with
continued support for their treatment.

Basic theories of justice and guidelines related to the rights to treatment and reparation for
the victims of extensive violation of international human rights should be followed.

There is a need for separate special court within the police for investigation, implementation
and hearing of the cases referred by the commission and there should be extensive discussion
while forming such structures. It is discriminatory from the perspective of gender justice not
to have any mandatory provision to ensure women's participation in such discussion.

There is no guarantee of incorporation of gender perspective in the report to be prepared by
the Commission, which is against the norms of 1325.

There is no provision of separate sub-committee for hearing of cases on sexual violence against
women while forming different sub-committees in order to protect right to confidentiality in
cases related to women.

However, World Vision Advocacy Forum in close coordination with the Ministry of Peace and
Reconstruction with financial assistance from the UN Peace Fund for Nepal and the UN Human
Rights Office in Nepal has recently established a Transitional Justice Resource Centre – the
first of its kind in Nepal. The centre intends to promote transitional justice mechanisms as
well as serve as a platform for bringing all segments of society together to interact actively
on human rights situation of the country; facilitate marginalized people’s access to justice;
promote peace building initiatives and seek reconciliation for victims of violence to help
effective implementation of the transitional justice mechanisms.

Indicator 10 - Extent to which gender and peace education are integrated in the
curriculum of formal and informal education

Although gender and peace education are relatively new in Nepal, it is really noteworthy
to mention that the subject matter is incorporated in the curricula of school as well as
university.

Gender and Peace education has been incorporated in lower secondary level under the subject
of Social Studies where there is a unit on Social Problems and its Solution which covers the
issues of gender inequality, human trafficking, conflict and its resolution and management,
sustainable peace and good governance. However, there is no mention about UNSCR 1325.
Similarly, the existing curriculum of the secondary level does not contain the subject of
gender and peace as such, except the topics of Role of Nepal in International Peacekeeping
and Gender based Discrimination. But the textbooks of secondary level are in the process of
revision and the revised edition is expected to incorporate the gender and peace education
as well as introduction of UNSCR 1325.

At the Higher Secondary Level under the Higher Secondary Education Board Nepal, there is an
optional subject “Gender Studies” under the Faculty of Humanities, which discusses gender
and peace and mentions both the United Nations Security Council Resolutions 1325 and 1820.
However, subjects such as Sociology and Social Studies also contain basic concepts of peace
and education but do not mention UNSCR 1325.

At the Bachelor Level, Gender and Peace Education is incorporated in Sociology, Social Work
and Political Science Programs of Tribhuvan University as well as in the curricula of BSW
(Bachelors of Social Work) program of Kathmandu University and Purbanchal University
and Bachelor in Development Studies (BADS) programs of Pokhara University. But again the
subject of UNSCR 1325 and 1820 is not included in any of the above courses.

At the graduate level, Tribhuvan University has master's degree programs on "Conflict, Peace
and Development Studies" and "Gender Studies" which contain the subject of gender and
peace education in detail with specific mention of UNSCR 1325. Apart from these courses, the
subject of gender and peace is also included in other master's degree programs on Sociology
and Anthropology, Rural Development, Political Science, Post Graduate Diploma in Women
Studies and Population Studies.

Similarly, Masters Degree Program on Development Studies offered by the Kathmandu
University and Population, Gender and Development Program of Pokhara University also
contain subject of peace and gender partly. The Master Degree Programs in Sociology and
Anthropology, Development studies and Social Work offered by the Purbanchal University
also contain the subject of peace and gender to some extent. Purbanchal University has also
designed One Year Post Graduate Diploma on Conflict Management and Peace Building but
it's not in operation.

There is a gradual integration of gender and peace education in school curricula in Nepal.
Some schools have integrated SCR 1325 and 1820 in their gender and peace education
curricula. However, more schools have yet to integrate SCR 1325 and 1820 in their courses.
More work has to be done to raise awareness and understanding of the significance of the
resolutions and their relevance to the present context of Nepal, particularly among school
officials involved in curriculum development.

Indicator 11 - Percentage of women (versus men) who receive economic packages in
conflict resolution and reconstruction processes

Since 2007 the GoN has been offering financial compensation to conflict victims to enable
them to develop or redevelop sustainable livelihood means. Under the Interim Relief and
Reparation program, the government offers NRs. 100,000.00 (USD 1428.57) to the displaced
and families of those who died because of the armed conflict as well as compensation to
the handicapped, abducted and property loss depending on the level of injury and damage.
For the fiscal year 2010/2011, out of the total number of recipients of financial compensation,
women constitute quite a low number of recipients in all the categories except in the category of
killed family members. Behind this lie a number of reasons such as lack of control and
access of women over ancestral property, lack of information on relief/reparation programs –
most women do not know where to file complaint, lack of official documents such as identity
card, citizenship, marriage certificates, ignorance of procedures, illiteracy, restriction on
mobility, feeling of insecurity etc. The high number of women recipients in the category of
killed family members is due to the wife being the immediate beneficiary of the economic
assistance. However, the high number of women recipients does not ensure that women are
real beneficiaries of the compensation as many of the women during consultations shared
that their compensation is being taken away by their in-laws later, sometimes even without
their knowledge. No follow-up is carried out on how the compensation has impacted women,
whether they really get to use it and if it has really helped them sustain their livelihoods.
C. Promotion of a Gender Perspective

Despite the gaps evident in the prevention, protection and participation, efforts towards promoting gender perspective are more prevalent. Gender issues have been incorporated at various points since the beginning of the transition period, though this is not the case in every sector.

Indicator 12 - Detailed breakdown of gender issues addressed in peace agreements

Various points in the Comprehensive Peace Accord (CPA), including the preamble, mention the need to address issues related to gender differences – as well as differences of caste, class, ethnic group and region – and to guarantee the principles of social justice and fairness.

The CPA, in Point 7.6 Rights of Women and Children, states "Both sides fully agree to special protection of the rights of women and children, to immediately stop all types of violence against women and children, including child labor as well as sexual exploitation and abuse."

The final draft of the CPA incorporates critical issues for constructing peace from a gender perspective. However, the CPA failed to address the issue of reform of the security sector from a gendered standpoint, considering the large number of women who participated in the conflict as combatants. Reconciliation issues, which would include the experiences of women and the impact of the armed conflict on them, are also absent.

As an aftermath of the CPA, Local Peace Committees (LPC) have also been established. Comprising of representatives from district administration office, political parties and civil societies these LPCs have, over the last few years, to some extent increased their ability to provide relief to conflict affected victims. Yet their overall effectiveness and outputs remains unclear.

The vibrant women's movement which demanded rights and empowerment; and diverse women's organizations collaborating and raising voices through common platforms, e.g. Shanti Malika and Sankalpa (previously WAPDCA) played a significant role in getting the gender issues included in the CPA. Besides the issue of women's emancipation being a part of the CPN-M's (Communist Party of Nepal –Maoist) agenda probably eased the inclusion of these points in the peace agreement.

Despite this, absence of women in negotiating teams has remained a barrier towards inclusion of greater gender concerns. More issues pertaining to women's participation in peace negotiations and protection during conflict such as sexual and gender-based violence could have been reduced if appropriate measures had been taken to address this gap. Additionally, adequate and timely capacity building of women leaders and catalysts, prior to CPA, would have enabled them to include their presence and voice in the negotiating, reconciliation and security reform teams. Women's organizations and women from different political parties were reaching out to each other and trying to identify ways to influence the talks and committees to ensure sustainable peace and development process.

## Table 19: Conflict-Affected Women Recipients of Economic Packages

<table>
<thead>
<tr>
<th>Conflict-affected individuals/families (Type of impacts of conflict)</th>
<th>Total Number of Recipients of Economic Packages</th>
<th>Female Recipients of Economic Packages</th>
<th>Male Recipients of Economic packages in percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Killed (Closest family members of those were killed during the conflict)</td>
<td>244</td>
<td>214 (87.70%)</td>
<td>30 (12.30%)</td>
</tr>
<tr>
<td>Disappeared (family members)</td>
<td>120</td>
<td>5 (4.16%)</td>
<td>115 (95.84%)</td>
</tr>
<tr>
<td>Handicapped</td>
<td>1047</td>
<td>114 (10.88%)</td>
<td>933 (89.12%)</td>
</tr>
<tr>
<td>Abducted</td>
<td>998</td>
<td>99 (9.92)</td>
<td>899 (90.08%)</td>
</tr>
<tr>
<td>Property Loss</td>
<td>802</td>
<td>77 (9.61%)</td>
<td>725 (90.31%)</td>
</tr>
</tbody>
</table>

Source: Retrieved from the Records of Relief and Recovery Unit, Babarmahal (July 2011)

The data included in the above Table 19 was retrieved and sex-disaggregated by the study enumerators from the records kept at the Relief and Recovery Unit of the Peace Ministry. However, at the final stage of writing this report the Peace Ministry (on 23rd September 2011) published a leaflet on major activities carried out since its establishment and its progress report. The data on recipients of economic packages provided under the relief and rehabilitation in this publication (presented below) differs from the data presented above. It should be noted that the data below is not disaggregated.

## Table 20: Number of recipients of economic packages as of 16th July 2011

<table>
<thead>
<tr>
<th>Conflict-affected individuals/families (Type of impacts of conflict)</th>
<th>Total No. Fiscal Year 2010/11</th>
<th>Total No. of Recipients from the beginning till FY 2010/2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Closest family members of those who died in conflict including army, police or government employees</td>
<td>17828</td>
<td>244</td>
</tr>
<tr>
<td>Widows of civilians who died in conflict</td>
<td>9000</td>
<td>1832</td>
</tr>
<tr>
<td>Disappeared (family members)</td>
<td>1452</td>
<td>105</td>
</tr>
<tr>
<td>Handicapped</td>
<td>5912</td>
<td>1794</td>
</tr>
<tr>
<td>Abducted</td>
<td>2985</td>
<td>998</td>
</tr>
</tbody>
</table>

Source: Ministry of Peace and Reconstruction, Budget Program for FY 2068/69 and progress detail of major activities carried out so far.
<table>
<thead>
<tr>
<th>Committee/Structure</th>
<th>Establishment</th>
<th>Purpose</th>
<th>No. of Women and/or Gender Experts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peace Secretariat</td>
<td>June 2003</td>
<td>Established under the office of the Prime Minister to facilitate the peace process and later dissolved to establish the Ministry of Peace and Reconstruction in April 2007.</td>
<td>No women or gender experts were included.</td>
</tr>
<tr>
<td>2nd Round of Peace Talk Team 2003</td>
<td></td>
<td>Established under the office of the Prime Minister to facilitate the peace process (Once the government was changed on 4 June 2003, new PM Surya Bahadur Thapa appointed new negotiators.)</td>
<td>Ms. Anuradha Koirala was a member of the Team. No other women or gender experts were included.</td>
</tr>
<tr>
<td>Nepal Transition to Peace Initiative</td>
<td>August 2005</td>
<td>Provides support to the political parties in their participation and contribution to the peace process.</td>
<td>There is no official record of women or gender experts’ participation in the Nepal Transition to Peace Initiative.</td>
</tr>
<tr>
<td>3rd Round of Peace Talk Team 2006</td>
<td></td>
<td>Established under the office of the Prime Minister to facilitate the peace process.</td>
<td>No women or gender experts were included.</td>
</tr>
<tr>
<td>Comprehensive Peace Accord (CPA) 21 November 2006</td>
<td></td>
<td>Agreement reached by GoN and CPN (Maoists).</td>
<td>Gender Issues covered: 7.6. Rights of Women and Children 7.6.1. “Both sides fully agree to special protection of the rights of women and children, to immediately stop all types of violence against women and children, including child labour as well as sexual exploitation and abuse, ...”</td>
</tr>
<tr>
<td>National Monitoring Committee on Code of Conduct for Ceasefire</td>
<td>June 2006</td>
<td>Implementation of the 12-point understanding and Code of Conduct for Ceasefire.</td>
<td>There is no official record of women or gender experts’ participation in the National Monitoring Committee.</td>
</tr>
<tr>
<td>Peace Committee</td>
<td>June 2006</td>
<td>Mandate to implement all necessary work in regard to the peace process and restoration of peace, including provision of advice to the Government’s Negotiating Team.</td>
<td>There is no official record of women or gender experts’ participation in the Peace Committee.</td>
</tr>
<tr>
<td>Committee/Structure</td>
<td>Establishment</td>
<td>Purpose</td>
<td>No. of Women and/or Gender Experts</td>
</tr>
<tr>
<td>Interim Constitution Draft Committee</td>
<td>June 2006</td>
<td>The Drafting Committee submitted its Draft Interim Constitution to the Negotiating Talk Teams in August 2006.</td>
<td>No women were included initially. After rigorous advocacy from the women’s movement four women were included, comprising 25% of the Committee: Pushpa Bhusal (Elected to the Constituent Assembly in April 2008), Sushila Karki, Chhatra Kumari Gurung and Shanta Rai.</td>
</tr>
<tr>
<td>Observer Team</td>
<td>July 2006</td>
<td>Approved by the GoN at a meeting of the council of ministers, the Negotiations Observers Group (NOG) is an agreed joint peace structure, consisting of respected and senior Nepali civil society leaders to observe advise and witness all the formal negotiations of peace process.</td>
<td>No women or gender experts were included on the Observer Team.</td>
</tr>
<tr>
<td>Central Direction &amp; Coordination Committee on Cantonment Management</td>
<td>November 2006</td>
<td>Comprising 16 members, the Committee has central and local level committees to coordinate the management of cantonments in 28 places.</td>
<td>2 female ministers were part of the Committee: Hisila Yami and Pampha Bhusal.</td>
</tr>
</tbody>
</table>
Formation of Local Peace Committees 2009
To create an environment conducive for a just system in a transitional period through restoration of sustainable peace by resolving the remnants of conflict at the local level and systematically promoting the processes of peace and reconstruction through mutual goodwill and unity; To address the concerns and complaints of local stakeholders for democratic values and beliefs and a sustainable peace.1
As per the LPC TOR, the LPCs will constitute maximum of 23 members of which one-third will be women.

5 Points agreement May 28 2011
Completion of fundamentals of the peace process within three months. Preparation of the first draft of the new constitution within three months. Implementation of past agreements with the Madhesi Morcha, an alliance of five Madhesh (terai) based political parties, by developing the Nepal Army as an inclusive institution Extension of the Constituent Assembly term by three months. Jhalanath Khanal’s (Chairman of the Communist Party of Nepal (Unified Marxist–Leninist) (CPN (UML)) and Leader of the Constituent Assembly Parliamentary Party of the CPN (UML) - resignation as Prime Minister to pave way for formation of a national consensus government. No gender issues covered.

Monitoring Committee for Implementation of 5 Point Agreement 27 June 2011
17 member panel formed to monitor the implementation of 5 point agreement between major political parties to extend the CA term by 3 months. 5 members are women from different political parties.

Indicator 13 - Number and percentage of pre-deployment and post-deployment programs for military and police incorporating SCR 1325, SCR 1820, international human rights instruments and international humanitarian law

Nepal Army provides a 3-month course which covers the issues related to Human Rights, Gender Equality, Gender Justice, Women and Children Rights, ICRC, Geneva Conventions Compliance and Implementation. The training course has a special 7 Days Package on UNSCR 1325 and 1820.

Similarly, Nepal Police provides a one and a half month training on issues related to gender, women and child protection, sexual exploitation, international human rights instruments and international humanitarian law. The training course does not contain specific syllabus on UNSCRs 1325 and 1820 but orientation is given by guest lecturers.

However, at the Capacity Building and Local Legislation Workshops held by Saathi in collaboration with GNWP in June 2011 representatives from the security sector expressed their commitment to integrate UNSCR 1325 and 1820 in their regular training.

Table 22: Efforts to address UNSCR 1325 and 1820 within Security Forces

<table>
<thead>
<tr>
<th>Institute</th>
<th>Type of training</th>
<th>Training Content</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nepal Army</td>
<td>3 Month Course</td>
<td>Includes A Special Package on issues related to Human Rights, UNSCRs 1325 and 1820, Gender equality, Gender Justice, Women and Children Rights, ICRC, Geneva Conventions compliance and implementation.</td>
</tr>
<tr>
<td>Nepal Police</td>
<td>Pre-Deployment</td>
<td>Includes issues related to sexual exploitation, gender, women and child protection, International Human Rights instruments and international humanitarian law. There is no specific syllabus on UNSCR 1325 and 1820, but the orientation is given by guest lecturers.</td>
</tr>
<tr>
<td></td>
<td>1.5 Month training</td>
<td>Includes debriefing and report submission for higher authorities on issues mentioned above.</td>
</tr>
<tr>
<td></td>
<td>Post-Deployment</td>
<td>Includes issues related to sexual exploitation, gender, women and child protection, International Human Rights instruments and international humanitarian law. There is no specific syllabus on UNSCR 1325 and 1820, but the orientation is provided by guest lecturers.</td>
</tr>
<tr>
<td>Armed Police Force</td>
<td>Pre - Deployment</td>
<td>Includes issues related to sexual exploitation, gender, women and child protection, International Human Rights instruments and international humanitarian law. There is no specific syllabus on UNSCR 1325 and 1820, but the orientation is provided by guest lecturers.</td>
</tr>
</tbody>
</table>

Indicator 14 - Allocated and disbursed funding to CSOs (including women's groups) marked for women, peace and security projects and programs

In order to obtain information for this indicator the Peace Support Working Group (PSWG), a consortium of multi lateral and bilateral donors and UN organizations working together for the Implementation of UNSCR 1325 and 1820, had been approached but no information could be obtained.


Table 22: Efforts to address UNSCR 1325 and 1820 within Security Forces

<table>
<thead>
<tr>
<th>Institute</th>
<th>Type of training</th>
<th>Training Content</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
<tr>
<td>Nepal Police</td>
<td>Pre-Deployment</td>
<td>Includes issues related to sexual exploitation, gender, women and child protection, International Human Rights instruments and international humanitarian law. There is no specific syllabus on UNSCR 1325 and 1820, but the orientation is given by guest lecturers.</td>
</tr>
<tr>
<td></td>
<td>1.5 Month training</td>
<td>Includes debriefing and report submission for higher authorities on issues mentioned above.</td>
</tr>
<tr>
<td></td>
<td>Post-Deployment</td>
<td>Includes issues related to sexual exploitation, gender, women and child protection, International Human Rights instruments and international humanitarian law. There is no specific syllabus on UNSCR 1325 and 1820, but the orientation is provided by guest lecturers.</td>
</tr>
<tr>
<td>Armed Police Force</td>
<td>Pre - Deployment</td>
<td>Includes issues related to sexual exploitation, gender, women and child protection, International Human Rights instruments and international humanitarian law. There is no specific syllabus on UNSCR 1325 and 1820, but the orientation is provided by guest lecturers.</td>
</tr>
</tbody>
</table>

Source: Training Directorate, Police Headquarter; Army Headquarter (August 2011)
Indicator 15 – Allocated and disbursed funding to governments marked for women, peace and security projects and programs

An examination of the gender-responsive classification of National Budget for 2011/12, directly responsive budget remains 19.05 percent, indirectly responsive budget 45.78 percent and neutral budget 35.17 percent. Despite the increasing percentage (as shown in the table below), there is a need to ensure that it is not only limited to planning and allocation process but actually implemented and the actual process is monitored to ensure that the fund is being accessed by and used properly. Moreover, it is also necessary to assess how effective this really has been contributing to the advancement of women's empowerment and gender equality.

Table 23: Gender-Responsive Budget Allocation in National Budget (2007/08 to 2011/12)

<table>
<thead>
<tr>
<th>GRB Classification</th>
<th>2007/08</th>
<th>2008/09</th>
<th>2009/10</th>
<th>2010/11</th>
<th>2011/12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Directly Responsive</td>
<td>11.3%</td>
<td>13.9%</td>
<td>17.3%</td>
<td>17.9%</td>
<td>19.05%</td>
</tr>
<tr>
<td>Indirectly Responsive</td>
<td>33.1%</td>
<td>35.4%</td>
<td>36.4%</td>
<td>36.3%</td>
<td>45.7%</td>
</tr>
<tr>
<td>Neutral</td>
<td>55.5%</td>
<td>50.6%</td>
<td>46.2%</td>
<td>45.7%</td>
<td>35.1%</td>
</tr>
</tbody>
</table>


The budget allocation in the three-year final plan for 2010/11 and 2011/12 has components such as children and family development, community development, aboriginal relations and reconciliation, citizen's services and education (as shown below in the table). However, there is no specific mention of women, peace, and security.

Table 24: Budget for Government 3 year- plan for the year 2010/11 and 2011/12

<table>
<thead>
<tr>
<th>Particular</th>
<th>Budget Estimate 2010/11 ($ Millions)</th>
<th>Budget Estimate 2011/12 ($ Millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children and family development</td>
<td>1,334</td>
<td>1,334</td>
</tr>
<tr>
<td>Community Development</td>
<td>309</td>
<td>220</td>
</tr>
<tr>
<td>Aboriginal Relations and Reconciliation</td>
<td>40</td>
<td>38</td>
</tr>
<tr>
<td>Citizen's Services</td>
<td>613</td>
<td>598</td>
</tr>
<tr>
<td>Education</td>
<td>5,165</td>
<td>5,243</td>
</tr>
</tbody>
</table>

The table below shows the MoPR's budget and expenditure for the fiscal year 2010/11 as well as planned budget for the fiscal year 2011/12.

Table 25: MoPR Budget for the Fiscal Years 2010/11 and 2011/12

<table>
<thead>
<tr>
<th>Program/Project</th>
<th>Fiscal Year 2010/11 Allocated Annual Budget (USD)</th>
<th>Annual Expenditure (USD)</th>
<th>Progress Percentage</th>
<th>Annual Budget for Fiscal Year 2011/12 (USD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministry of Peace and Reconstruction</td>
<td>10,483,533.33</td>
<td>837,706.67</td>
<td>81.8</td>
<td>954,680.00</td>
</tr>
<tr>
<td>(Administrative component)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office for Camp Management Central Coordinator</td>
<td>16,101,693.33</td>
<td>15,850,200.00</td>
<td>98.5</td>
<td>16,077,933.33</td>
</tr>
<tr>
<td>Peace fund</td>
<td>76,429,400.00</td>
<td>25,961,373.33</td>
<td>34.0</td>
<td>47,333,333.33</td>
</tr>
<tr>
<td>Reconstruction and Rehabilitation</td>
<td>37,481,720.00</td>
<td>27,262,693.33</td>
<td>72.08</td>
<td>48,525,866.67</td>
</tr>
</tbody>
</table>

III. Conclusions and Recommendations

The formal conclusion of the armed conflict in 2006 brought about numerous agreements focusing on transformation and restructuring of the state and society to ensure equitable human development. A “New Nepal” aimed at ending all forms of discriminations based on class, caste, ethnicity, language, gender, culture, religion and region, became the buzz word and expectations of the people rose to a great level. Citizens are now demanding for inclusion, participation, and autonomy, which are equivalent to more freedoms, more choices and more options than they had before.

However, situations are aggravated by the current political instability, impunity and the disregard for law, reflective that “the peace process in Nepal is still a fragile one.” Under such circumstances interventions and initiatives for the participation, prevention and protection of women remain inadequate. Nepal has always been prone to come up with attractive policies, and been quick to ratify international conventions and treaties; implementation of these to realize changes has conversely remained as a major hurdle. A number of inclusive provisions after the CPA in Nepal have come about wherein the rights of women have specifically been mentioned. Whether it is the Interim Constitution 2007, the 33 percent quota for women in the Constituent Assembly or the provision of quotas for women and other excluded groups in the police or in the Civil Service there is no doubt efforts to promote gender equality are evident. But provisions alone will not ensure the rights of women nor will the creation of a federal structure as has been proven by examples around the world. The gamut of problems arise with regards to commitments towards issues highlighted by the conflict.

From a participatory perspective - with the exception of the Constituent Assembly where women's participation is higher than in any other sector though significantly lower than of men – women's empowerment and participation generally continue to be viewed more from quantitative rather than qualitative indicators. Despite provisions for increase in numbers in several instances through quotas, women remain under represented in all sectors. Affirmative action and positive discrimination have increased but the overall participation of women...
There should be specific policy and legislation to enhance women's participation in the resolution processes should have at least 33 per cent women in committees. Equality in numbers. All peace negotiations and peace building, including structural conflict be ensured. Focus must be on substantive equality and equality in results rather than just.

Prevention and Protection:
A fully resourced and capacitated Gender Unit must be established in the MOPR to ensure the peace process includes gender consideration in all its initiatives targeting relief, reparation, reconstruction, addressing past violence during conflict and promotion of victims’ rights. Segregated data on murders, kidnappings, tortures, abductions and all forms of sexual and gender based violence relating to conflict need to be maintained.

Ensure the security and protection of former women combatants and their children.
Bills on Truth and Reconciliation Commission and Disappearance Commission should be passed without any further delay without any provision for providing amnesty on sexual violence.

Develop, within the peace agreement, cases of women’s rights violations for both conflict and post conflict period. The violence brought on by arms and its impacts on women must also be addressed.

CSOs should consistently work in partnership to advocate for access to justice by women and girls.

Ministry of Health should consider establishing more healthcare centers dedicated to victims and survivors of sexual and gender-based violence as well as have special health care and treatment facilities for SGBV patients in the existing hospitals.

Increase collaboration with active NGOs, civil society organizations and UN organizations to facilitate dialogues and capacity building programs among care providers including medical personnel, the police, the judiciary and the media on how they could all work collectively to ensure that cases of SGBV are properly handled.

Development and dissemination of national protocols and guidelines for management of SGBV along with establishment of a formal mechanism for collecting and managing data from the service points is recommended.

Strengthen collaboration and referrals within healthcare centres, hospitals and across agencies on SGBV cases.
IV. Bibliography/List of References


Websites
http://www.peace.gov.np/
http://www.can.gov.np/
http://www.nic.gov.np/
http://www.mof.gov.np/

V. Appendix 1

Constituent Assembly Committees
Constitutional Committee
Thematic Committees
Committee on Fundamental Rights and Directive Principles
Committee on the Protection of the Rights of Minorities and Marginalized Communities
Committee on State Restructuring and Distribution of State Power
Committee for Determining the Structure of the Legislative Body
Committee for Determining the form of the Government
Judicial System Committee
Committee for Determining the Structure of Constitutional Bodies
Committee on Natural Resources, Financial Rights and Revenue Sharing
Committee for Determining the base of Cultural and Social Solidarity
National Interest Preservation Committee
Procedural Committees
Committee on Citizen
Public Opinion Collection and Coordination Committee
Capacity Building and Source Management Committee
Legislative Parliament Committees
Legislative Committee
Thematic Committees
Committee on Finance and Labor Relations
Committee for International Relations and Human Rights
Committee on Natural Resources and Means
Development Committee
Women Children and Social Welfare Committee
State Affair Committee
Public Account Committee
Special Committees
Security Special Committee
Parliamentary Hearing Special Committee