



PERMANENT MISSION
OF THE KINGDOM OF NEPAL
TO THE UNITED NATIONS



GENEVA

No. OHCHR/324.05

The Permanent Mission of the Kingdom of Nepal to the United Nations Office and other International Organisations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and with reference to the latter's Note dated 26 Augustus 2005 "Special Rapporteur on Violence against Women, its Causes and Consequences", together with a questionnaire, has the honour to enclose information on efforts and activities undertaken at the national level in Nepal to prevent violence against women.

It is requested to kindly bring these information to the immediate attention of the Special Rapporteur on violence against women, its causes and consequences.

The Permanent Mission of the Kingdom of Nepal to the United Nations Office and other International Organisations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.


Geneva, 22 November 2005

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GENEVE

Office of the United Nations High Commissioner
for Human Rights
Palais Wilson
Geneva

OHCHR REGISTRY

24 NOV 2005

Recipients : SPB

His Majesty's Government of Nepal
Ministry of Women, Children and Social Welfare
Singh Durbar, Kathmandu.

(Regarding Violence against Women, its Causes and Consequences)

1. **Has your Government instituted programmes, policies or other measures to prevent violence against women in the family and community?**

His Majesty's Government of Nepal is undertaking actions to address violence against women through Legal Reforms and other initiatives for the prevention and elimination of violence against women. Public Offences Control and punishment act, 2026 is being reviewed to criminalise Witch Hunting Practices and the report is submitted to Ministry of Law and Justice to prepare Ordinance. Draft Bill on Sexual Harassment is in the process of review. The following draft bills are in the process of enactment:

The Draft Bill to Control Domestic Violence against Women.

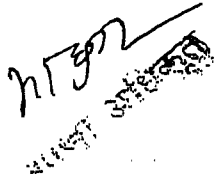
The Draft Bill to Amend Discriminatory Provision in the Prevailing Legislation.

The Draft Bill to Control Human Trafficking.

The Second Amendment Ordinance to the Civil Service Act 2005 has provided for positive discrimination for the representation of women, the dalits, ethnic communities and physically challenged persons in the civil service.

In order to implement Nepal's commitments towards the gender equality at national and international forums, a Gender Responsive Budget Initiative has been started from this fiscal year. The government is sensitive towards the violence against women in the workplace and it will adopt a policy of "zero tolerance" towards the violence against women.

His Majesty's Government has approved the Executive Order to establish and form the National Commission on Women. Central, regional and local wings are established to control violence against women under the Ministry of Women, Children and Social Welfare (MWCSW). National



coordination committee, under the chairperson of Minister for MWCSW and special Task Forces against Trafficking (national, districts, villages, municipalities) are formed.

There is a Department of Women Development under the MWCSW, which is organizing women development programmes through Women Development Offices in all seventy-five districts of the country. Programmes are focused in empowering women economically, women health education, women rights, awareness campaigns to prevent VAW, trafficking controlling, gender sensitization training, vocational and income generating trainings and they are also found to be very effective.

Ministry of Women, Children and Social Welfare (MWCSW) has been organising awareness workshops on elimination of domestic violence against women in district level. To make the awareness campaigns more effective and fruitful MWCSW has produced huge range of effective IEC materials such as posters, documentaries, audio and video cassettes, booklet, leaflets, brochures, information packages, handbooks, journals, magazines, etc for effective delivery of messages on elimination of violence against women in all spheres from all levels and establishing a gender equality and equitable social order.

The Mainstreaming Gender Equity Programme, MWCSW has been conducting a series of training, orientation, workshops and interaction programme as a huge range of public awareness campaigns to prevent violence against women in the family and community. It has enhanced awareness through training on Gender Equality, Human Rights, Women's human rights, CEDAW related issues to disadvantage and minority community¹ (1151), their Spouses (1205), Social leaders² (980), Religious leaders³ (71), Media Personnel (332), Officers of I/N/GOs (46), Ex-ENWWRs (38), Teachers and School Management Committee Members (76), Disables (28) at district level. Besides, it has organised interaction and sensitization programme on CEDAW, Gender Equality, Women's Rights and 11th Amendment of Civil Code to Judges, Lawyers,

¹ Janajati, Dalit, Muslim, other Terai

² Social development activists at community level, Ex and present VDC and DDC representatives including representatives of different political parties, members of school management committee, representatives of CBOs including IPOs and dalit organization at local level, local club members and Community men & women of program areas only

³ Dharmi, Jhakri, Lama, Mullah, Pandit, Priests, etc

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Police, and Government Attorneys to promote Women's Human Rights at the district and National Level. In addition, it has conducted training to 256 men and women on Community Mediation process to check negative forces and strengthen civil society to promote zero tolerance against VAW. Altogether 26 Community Mediation Committees have been institutionalised at 25 VDCs and 1 municipality to provide legal gender justice services to victims of VAW.

It is very encouraging to note that the civil society has been a vibrant and dynamic partner of the Government in working towards raising public awareness and providing rehabilitation support to the victims.

2. **Has your Government instituted programmes, policies or other measures to protect and provide services to women who have been subjected to violence by private actors?**

National Plan of Action on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Platform for Action (BPFA) are developed and approved. Since then, MWCSW is working within the broader framework of the CEDAW and BPFA with the purpose of meeting its main objectives of eliminating gender inequality, discrimination and violence against women in all spheres of life.

A Central Women Legal Aid Committee (CWLAC) has been formed under the MWCSW. The Committee is providing gender justice to needy women by making available free legal service counselling. This has greatly enhanced women's access to justice, particularly in areas where the law is inadequate to provide gender justice and where the law is either silent or non-existent to deal with cases of violence that occur in the private sphere. This programme deals with four main areas – trafficking, rape, abortion and domestic violence. The programme's focus on counselling has provided great assistance to women in areas such as sexual assault, sexual harassment, trafficking, abortion, and domestic violence.

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A Media Monitoring Cell has been established in Press Council Nepal (PCN) for removal of gender stereotype of women in media, which plays an effective role in eliminating VAW at national level as well.

Women Cells have been established at the Head Quarter of Nepal Police and in nineteen District Police Offices with a view to making the offence against perpetrators more reliable and victims friendly.

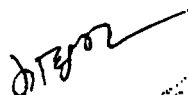

MWCSW is administering a Project called Beyond Trafficking: A Joint Initiative in the Millennium Against Trafficking in Girls and Women since 2001; which is aimed at controlling trafficking of women and children. The project activities are categorized as National, District and Community Levels. The programmes at all levels are mainly focused on capacity building trainings for victims of VAW, establishment and conduction of rehabilitation home for victims of trafficking.

3. Has your Government taken measures to prosecute and punish violence against women occurring in the family and community?

MWCSW has been working for promotion of non-violent means of settling grievances of DAGs and minorities especially VAW at the community levels. It has developed and institutionalised a mechanism of Community Mediation as alternative justice mechanisms to protect and provide legal justice service to women who have been subjected to violence.

In this regard, 26 Community Mediation Committees (CMC) have been established and institutionalised to promote and strengthen gender sensitive community based interventions by addressing cases of violence against women at the community level.


MWCSW has been providing legal counselling by legal experts through Central Women Legal Aid Committee (CWLAC) and CMC those offer the disputing parties a forum for discussion, negotiation and mediation to settle their domestic problems as an outside court settlement

process. The causes of domestic violence that cannot be settled are forwarded to the respective courts with the choice of victims of VAW. Regarding the processes of these committees, CMC has registered 100 case and mediated 74 cases of domestic violence (Partition, Divorce, maintenance, general battering), whilst CWLAC has registered 513 domestic disputes, 10 rape cases, 4 trafficking cases, 1 abortion case and 162 cases registered in different courts among which 108 cases have been finalised, 1291 victims have received legal counselling service by Women Police Cell and 672 victims have received legal counselling service by telephone help line since 2001 to till date.

4. Any information, recommendation or comments you can provide will contribute significantly to the preparation of my report to the Commission on Human Rights.

The government is not able to make much more effort due to insurgency and many national ecological problems. Women of Nepal are still motivated by ritual and the women dominated social culture, which has been promoting the violence against women so socially and culturally it being quite difficult.


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