

# Nepal Gender Profile (March 2016)



OCHA



United Nations Entity for Gender Equality  
and the Empowerment of Women

By Inter-Cluster Gender Working  
Group

## Demographic Profile<sup>1</sup>

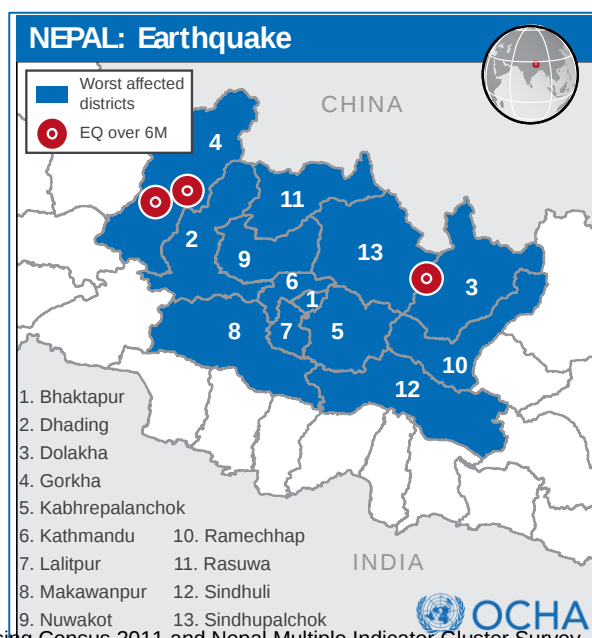
|                                                   |                                                                               |                                             |                                                  |                                             |                                                                      |                                                          |
|---------------------------------------------------|-------------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------------|---------------------------------------------|----------------------------------------------------------------------|----------------------------------------------------------|
| <b>1.35%</b><br>Population<br>Growth Rate<br>2011 | <b>170</b><br>Maternal<br>Mortality Rate<br>(per 100,000 live<br>births) 2011 | <b>2.3</b><br>Total Fertility<br>Rate 2014. | <b>69.6</b><br>Female Life<br>Expectancy<br>2011 | <b>67.3</b><br>Male Life<br>Expectancy 2011 | <b>28.31m</b><br>Total Population<br>2016                            | <b>0.94m/f</b><br>Sex Ratio<br>2011.                     |
| <b>81.3%</b><br>Hindu<br>2011                     | <b>9%</b><br>Buddhist<br>2011                                                 | <b>4.4%</b><br>Muslim<br>2011               | <b>3.1%</b><br>Kirat<br>2011                     | <b>1.4%</b><br>Christian<br>2011            | <b>0.7%</b><br>Prakriti, Bon,<br>Janinism, Bahai,<br>Sikhism<br>2011 | <b>49.7</b><br>Contraceptive<br>Prevalence Rate<br>2014. |

## 2015 Earthquake Data

On 25 April 2015, a 7.8 magnitude earthquake struck the Central and Western Regions of Nepal. The earthquake, which has been followed by a series of aftershocks, led to significant loss of life, injuries and damage of buildings and infrastructure. As of the final UN OCHA Humanitarian Bulletin in September 2015<sup>2</sup>, the Government reported that 8,891 people have died (55% of which were women) and 14,355 people have been injured. The number of destroyed homes is reported to be 605,254 and damaged homes 288,255.

According to UN Women estimates<sup>3</sup>, the 14 most affected districts<sup>4</sup> (Bhaktapur, Dhading, Dolakha, Gorkha, Kavrepalanchok, Kathmandu, Lalitpur, Nuwakot, Ramechhap, Rasuwa, Sindhupalchok, Makawanpur, Sindhuli and Okhaldhunga) include approximately 2,710,239 women (50.5% of population) 327,000 female-headed households (26.5% of households), 40,000 women with disabilities, 163,000 women over the age of 65 years (6% of female population), 764,000 girls aged 14 or under (28% of female population), and 795,000 women and girls who are illiterate (29% of female population).

The Post Disaster Needs Assessment (PDNA), which was completed in June 2015 under the leadership of Nepal's National Planning Commission<sup>5</sup> assessed the impact of the earthquake and formulate a recovery strategy covering restoration of livelihoods, economy and services and the



<sup>1</sup> Government of Nepal, Central Bureau of Statistics, National Population and Housing Census 2011 and Nepal Multiple Indicator Cluster Survey (NMICS) 2014

<sup>2</sup> [http://reliefweb.int/sites/reliefweb.int/files/resources/NepalEarthquakeHumanitarianBulletinNo4%28Sept2015%29\\_Final.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/NepalEarthquakeHumanitarianBulletinNo4%28Sept2015%29_Final.pdf)

Sources: National Emergency Operation Center, Nepal Ministry of Home Affairs (28 September); Camp Coordination and Camp Management Cluster (15 September); Shelter Cluster (30 September)

<sup>3</sup> Based on figures from the National Census 2011

<sup>4</sup> According to the UN Situation Report No.9 (as of 2 May 2015).

<sup>5</sup> Government of Nepal: National Planning Commission, "Post Disaster Needs Assessment" (2015) ("PDNA"), See: [http://icnr2015.mof.gov.np/page/post\\_disaster\\_needs\\_assessment](http://icnr2015.mof.gov.np/page/post_disaster_needs_assessment).

reconstruction of housing and infrastructure. The PDNA recognises that women are among the most vulnerable of those affected by Nepal's earthquake<sup>6</sup>. The findings reveal that the widespread loss of food stocks, loss in crop productivity, loss of livestock and small-scale enterprises "will likely cause severe income shock for women who rely on this sector."<sup>7</sup> It also reveals that women's narrow asset base, burden of domestic work, limited access to economic resources, and lack of alternate livelihoods will mean that "recovery for women take longer than for men."<sup>8</sup> The PDNA also acknowledges that the destruction of houses and household assets as had a particularly negative bearing on gender equality and social inclusion and that the destruction of water supply and sanitation facilities has also had an especially adverse impact on women and girls.<sup>9</sup> It draws the conclusion that women have a unique capacity to drive resilience building of communities and that recovery and reconstruction programmes present an "opportunity to reduce the vulnerability of women and increase gender equality."<sup>10</sup>

Assessment findings by humanitarian clusters and across clusters throughout the Nepal earthquake response demonstrated trends of gender discrimination and violence throughout the earthquake aftermath and response. According to Displacement Tracking Matrix Round 5<sup>11</sup> (published on 25 November 2015) out of the nearly 40,706 people in 140 displacement sites, 20,690 were female (51%), 20,016 male and 5,572 were children under 5 years old. The most common type of security incidents reported was by far alcohol/drug related (74%), followed by theft (10%) and friction/dispute (6%) within the community or household. In 85% of sites assessed, people knew who (or where) to report (or seek assistance) when they or their family face any abuse or exploitation in this area. In 83% of the sites assessed, there were either no or inadequate lighting available in communal areas such as around WASH facilities and public spaces. In 79% of the sites assessed, there were no gender segregated latrines. Majority of latrines/bathrooms have no lighting (85%), and more than half had no lock from inside (43%). 86% of sites did not have designated safe / social places for women. The findings from the Community Feedback Project Survey Rounds<sup>12</sup> throughout the humanitarian response period 2<sup>13</sup> (August 2015) and Round 3<sup>14</sup> (September 2015), showed that the majority of women and men of all ages continued to report not receiving information about relief and services, unequal access to relief services and that their problems were not being addressed. In terms of access to information and services, in August<sup>15</sup> more women (77%) than men (69%) of all ages replied negatively—older women above age 55 gave the highest ratio of negative responses (87%), closely followed by older men above 55 of age (82%). In August and September 2015, the Common Feedback Project partnered with UNFPA and UN Women to carry out targeted perception surveys<sup>16</sup> with a total of 32 women in the UNFPA supported Reproductive Health Camp in Dolakha district and 300 women in three UN Women supported Multi-Purpose Women's Centres in Kavre, Sindhupalchowk and Nuwakot. The UN Women perception survey findings showed that 52% of women respondents felt there was an increase in tensions and risk of violence or harassment since the earthquake. The women reported that the increased tension and violence was mainly perpetrated by community and family members, closely followed by strangers. 53% of women respondents reported that access or engagement with local or government or humanitarian agencies has diminished since the earthquake, mainly due to lack of physical access, stakeholders not listening, or women feeling too traumatized or a lack of energy to engage. Overall women respondents reported an increase in the care work time use burden with 69% of women reporting an increase in time spent on child and elderly care, 51% reported an increase in time spent on fetching water, 63% of women reported an increase in time spent on cooking and cleaning. On the other hand, 68% of women reported a decrease in time spent on paid work and 72% of women reported a decrease in time spent sleeping and resting. The UNFPA survey findings showed that 48% of women respondents feel they have not received any support in staying safe following the earthquake and 48% of women responded that they have not been able to access services or information specific to their needs, reporting that their main needs are: how to stay safe during pregnancy and keep children safe, proper sanitation practice and disposal of menstrual pads, news on government and NGOs services and decisions and shelter support. The Community Feedback Report for October 2015<sup>17</sup> indicated that 49% of female respondents felt there had been an increase in tensions or risk of violence with community members (36%), local government (26%) and strangers (19%) as the main perpetrators.

<sup>6</sup> PDNA, p. 61.

<sup>7</sup> PDNA, p. XVII.

<sup>8</sup> PDNA, p. XVII.

<sup>9</sup> PDNA, p. XVII.

<sup>10</sup> PDNA, p. 91.

<sup>11</sup> <https://drive.google.com/file/d/0B-wBRZ4U5NszMThCM2pROF83eXM/view>

<sup>12</sup>

<sup>16</sup> <http://pub.lucidpress.com/CFPSepember/> and <http://my.visme.co/projects/unfpa-perception-survey-5daf1f>.

<sup>17</sup> <http://reliefweb.int/report/nepal/inter-agency-common-feedback-project-nepal-earthquake-2015-community-perception-report>

According to the Protection Thematic Report<sup>18</sup> (30 July 2015), female representation was lacking in relief coordination and decision-making committees at the community and site level. Widespread damage to WASH infrastructure and displacement of communities has resulted in a lack of adequate segregated sanitation facilities for men, women, and third-gender, increasing the risk of gender-based violence, particularly in spontaneous settlement sites. Approximately 24% of the population does not possess a citizenship certificate, which presents a barrier to accessing government relief services and benefits. Women, low-caste, and minority ethnic groups in particular, face challenges acquiring citizenship documents. There were anecdotal reports of divorced women, married women living with their parents, and women whose husbands work abroad being excluded from relief. Report by Inter-party Women's Alliance (IPWA) launched on 30 July 2015 based on research carried out in 14 earthquake affected districts included the following key findings: 1) Single, unmarried, widowed, divorced and women whose husbands practice polygamy are facing particular problems in accessing government relief, 2) Lack of representation of women in disaster management, 3) Lactating, pregnant and menstruating women facing problems staying in temporary and integrated shelter due to lack of women friendly facilities, 4) Increase in cases of violence against women and girls, women and even girls, 5) Lack of water and toilet facilities in temporary and integrated shelter, 6) Trafficking of women and children with Chitwan as a key transit route, and 7) Cases of men selling relief material to spend money on buying alcohol. According to report "After the Earthquake: Nepal's Children Speak Out"<sup>19</sup> (27 July 2015) children, especially girls, were facing an increased burden of domestic chores and other tasks to support their parents in ensuring adequate food, shelter and water. The additional work roles reported by boys were more associated with shelter. Girls in particular also reported increased feelings of vulnerability to exploitation, sexual abuse and trafficking including due to the inadequacy and insecurity of tents and other temporary shelters. Girls also reported they were worried they may not be able to return to school because of the increased burden of domestic and other chores since the earthquake, and noted that their parents had become more protective towards them and that this was limiting their freedom to go out and meet with friends (six FGDs). Maintaining menstrual hygiene in a cramped, shared space was a major concern for adolescent girls. Girls described being embarrassed to change the pads and having nowhere private to wash. People in Need safety assessments<sup>20</sup> highlighted that 65% of women respondents reported feeling "unsafe" while changing their clothes and 81% of women reported feeling "unsafe" when using the toilets because of a perceived increase risk of SGBV. Two of the eleven schools surveyed lacked gender segregated toilets for girls and an additional four had only one gender segregated toilet for girls. The forest (93%), at night (95%), during menstruation (71%) and at home (65%) were reported to be the places and times where women felt most unsafe. 37% of girl respondents reported that they felt unsafe in schools and 44% while changing their clothes. Girls who slept elsewhere during their periods were more than twice as likely to report they had been raped since the earthquake – 4% compared to 1.7%. 42% respondents reported that alcohol abuse was either "common" or "very common" in their community. This was followed by caste discrimination (30%), gender discrimination (26%), domestic violence (28%), physical violence (28%), and child marriage (20%). When asked what happens and who is involved when a woman in their VDC is sexually harassed, 55% of respondents reported that Mothers Groups (Ama Samuha) are involved, 34% of women respondents reported that the communities resolve the issue, 31% reported that families resolve the issue, and 23% reported that the issue is reported to the police.

The report on the joint assessment on food security, livelihoods and early recovery (November 2015)<sup>21</sup> reported that more than a third (37.3%) of households were hosting vulnerable individuals, including people with disabilities, chronically ill persons and pregnant and/or lactating women. The task of caring for these individuals often falls on women. The proportion of households reporting women as economically inactive (21.8%) was much higher than for men (8.3%); further, a higher proportion of women in urban areas (27.6%) were deemed economically inactive when compared to rural areas (20.7%), owing largely to the widespread practice of agricultural activities. Males aged 17-59 represent the bulk of labour market participation (with nearly 70% of this group reportedly in employment), whilst only half (49.3%) of women in the same age class were reported as working. Male employment rates were the same regardless of whether they resided in rural or urban settings, though female employment rates were generally much higher in rural areas (51.1%) than in urban settings (42.6%) for females aged 17-59. Agriculture was the most commonly reported current income source for both men and women, with a slightly higher proportion of households reporting this as the primary source of income for women (65%) as opposed to men (63%). However, female-headed households were actually less likely to report farming as one of their primary livelihoods and do not have a significantly lower income as a result. Overall, nearly a third (30.6%) of men and a quarter (24.3%) of women reported to have access to a personal bank account; this disparity

<sup>18</sup> UN OCHA Nepal Earthquake Assessment Unit:

[https://www.humanitarianresponse.info/en/system/files/documents/files/150730\\_protection\\_thematic\\_report.pdf](https://www.humanitarianresponse.info/en/system/files/documents/files/150730_protection_thematic_report.pdf)

<sup>19</sup> [https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/150727\\_sc\\_pi\\_vw\\_unicef\\_children\\_consultation\\_final\\_lowres.pdf](https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/150727_sc_pi_vw_unicef_children_consultation_final_lowres.pdf)

<sup>20</sup> "Her Safety Assessment Report" (November 2015) and a "Assessment of Girls Attending School in Sindhupalchok" (November 2015).

<sup>21</sup> <http://reliefweb.int/report/nepal/nepal-earthquake-response-joint-assessment-food-security-livelihoods-and-early-recovery>

persists across most districts except for Makawanpur, where a slightly higher proportion of women (39.0%) had access to a bank account.

## Education Data by Gender

The educational attainment of females is lower than that of males even if the gender gap has narrowed in recent years. In the 15-49 age group, over 40% of women versus 14% of men have never been to school. The ratio of girls to boys in primary school (grades one to five) has improved significantly since 1990, and the target set for 2015 had been achieved by 2013, the ratio for gross enrolment standing at 1.04 and the net enrolment at 1.01. There are however some significant disparities by social group and geographic location: the gross enrolment rate for Dalits was (1.03) slightly lower than that for Janajati (1.02) and the national average. The situation for high school (0.91) and tertiary level (0.71) education is further from gender parity, and unlikely to be achieved by 2015. The national average of literacy rates of youths (15-24 year-olds) is 85.11% and 92.97 of male youths are literate. In a recent national survey<sup>22</sup>, it was further reported that 84 % of young women in Nepal aged 15-24 years are able to read a short simple statement about everyday life or have attended secondary or higher education. There is a notable gap between the literacy levels of urban and rural youths, and particularly among females. In urban areas, 96.30% of males and 91.05% of females are literate, whereas in the rural areas the rates are 91.89% and 76.26% respectively.<sup>23</sup> The Gender Parity Index at both primary and secondary school level is equal to 1, meaning that reportedly the net attendance rate for girls is equal to that of boys<sup>24</sup>.

## National machinery for gender equality; laws, ministry networks

Nepal is signatory to 23 human rights treaties and International human rights instruments with legal framework in Nepal largely supporting women's right and equality including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Beijing Platform for Action (BPfA), the Millennium Development Goals (MDGs), the Sustainable Development Goals (SDGs), UN Security Council Resolutions 1325 and 1820. The Election Act (2007) provide substantive quota for women (33%) to be represented in Constituent Assembly (CA). Nepal was the first country in Asia to develop National Action Plan on Women, Peace and Security in 2011 and women's and girls' right are protected in the Comprehensive Peace Accord.

Nepal promulgated a new constitution on 20 September 2015. The constitution, the seventh in the constitutional history of the country and the first to have been promulgated by the Constituent Assembly through public consultation, contains many positive provisions that seek to advance gender equality and women's empowerment. However, certain aspects of the constitution remain inconsistent with Nepal's international treaty obligations under such human rights instruments as the Universal Declaration of Human Rights, and the Convention on the Elimination of All Forms of Discrimination Against Women. The constitution guarantees non-discrimination in the application of general laws on various grounds, including sex, physical condition, health condition, marital status, pregnancy, and economic condition, and allows for special provisions by law for the protection, empowerment or advancement of women.<sup>25</sup> The constitution reinforces positive discrimination in education, health, employment and social security to create special opportunities for women, and guarantees proportional representation of women in all state organs.<sup>26</sup> Women's representation in various government structures and at the leadership level has been guaranteed to a significant extent. The constitution ensures the fundamental right of women to participate in all organs of the state on the basis of the principle of proportional inclusion. The constitution guarantees the right of women to protection against physical, mental, sexual, and psychological or any other forms of violence as a fundamental right with penalty for perpetrators and entitlement of compensation for victims. Further, it prohibits oppression against women based on religious, social, cultural, or traditional practices, with offenders liable not only

<sup>22</sup> Nepal Multiple Indicator Cluster Survey 2014 (May 2015):

<http://cbs.gov.np/image/data/Surveys/Nepal%20Multiple%20Indicator%20Cluster%20Survey%202014%20key%20Findings%20and%20Tables/Nepal-Multiple-Indicator-Cluster-Survey-2014-key-Findings-and-Tables.pdf>

<sup>23</sup> Government of Nepal and UN Country Team Nepal, Nepal Millennium Development Goals Progress Report 2013, September 2013

<sup>24</sup> Nepal Multiple Indicator Cluster Survey 2014 (May 2015):

<http://cbs.gov.np/image/data/Surveys/Nepal%20Multiple%20Indicator%20Cluster%20Survey%202014%20key%20Findings%20and%20Tables/Nepal-Multiple-Indicator-Cluster-Survey-2014-key-Findings-and-Tables.pdf>

<sup>25</sup> Article 18(2) and Article 18(3), Constitution of Nepal 2015.

<sup>26</sup> Article 38, Ibid.

for punishment, but also compensation to victims.<sup>27</sup> The constitution also prohibits human trafficking and bonded labour with penalty for perpetrators and compensation for the victims from the perpetrator.<sup>28</sup> The constitution guarantees the right of every woman to safe motherhood and reproductive health as fundamental rights.<sup>29</sup> For the first time in the constitutional history of Nepal, the constitution establishes the right to lineage for every woman, without any gender discrimination as fundamental right.<sup>30</sup> It also guarantees equal rights to property and family matters to the legal spouse.<sup>31</sup> The constitution guarantees the right to social security for single women, along with economically poor, physically incapacitated and helpless person and children as provided under the law.<sup>32</sup> Although the constitution recognizes equal right of women to lineage without any gender discrimination<sup>33</sup>, the constitution does not guarantee equal and independent citizenship rights to all people of Nepal and severely discriminates against women. Despite a clause stating that a person can obtain Nepali citizenship through either father or mother (Article 11(2)), the subsequent clauses restrict the rights of women to pass on Nepali citizenship independently (Article 11(5) and 11(7)). These provisions create a real risk of statelessness for children born to Nepali mothers and whose fathers will be unknown, unsupportive or deceased. The constitution recognizes the “sexual and gender minority” community and guarantees their rights to equality, social justice and citizenship by their identity for the first time in the constitutional history of Nepal.

The country has adopted a number of policies, programmes and plans of action to promote gender equality and the empowerment of women. It has made some notable progress on legal and policy reforms concerning discrimination against women and gender equality, with many discriminatory laws recently amended and gender equality laws adopted. The Government’s extensive normative and legal commitments to gender equality and women empowerment (GE/WE) include adopting the Human Trafficking and Transportation (Control) Act (2007), the Domestic Violence (Crime and Punishment) Act (2009), the Sexual Harassment at Workplace (Protection) Act (2014), Directives to Regulate Domestic Workers to Work in Gulf Countries, National Action Plan on Foreign Employment, Witchcraft related Accusation (Crime and Punishment) Act (2015), the five-year National Strategy and Action Plan on Gender Empowerment and Ending Gender-based Violence (2013-2017) In 2015, the Act on Amending Some Nepal Acts relating to Gender Equality and Ending Gender Violence was adopted which amended the 32 discriminatory Acts including the Domestic Violence (Crime and punishment Act), 2009; Human Trafficking and Transportation (Control) Act, 2007 and the muluku ain regarding rape chapter 14. Among the various amendments, the 35-day statutory limitation period on reporting rape has been increased up to six months. However, 33 remaining laws have been identified that adversely impact on gender equality and women’s empowerment. As many civil society organizations have noted, gender equality is often limited to laws and policy and is not translated into reality for women.<sup>34</sup> Large numbers of women, especially in rural areas, are also unaware of laws to protect them. Major inequalities also remain in relation to recognition of women as citizens and their ability to pass citizenship on to their children. Dalit women and other marginalized groups also face major hurdles in accessing justice and social services due to a lack of legal identity.<sup>35</sup>

Nepal was reviewed by the Universal Periodic Review (UPR) at the 23rd session of the Human Rights Council in November 2015<sup>36</sup> in which a total of 73 states participated in the dialogue (36 HRC members and 37 observers). States participating in the dialogue posed a series of recommendations to Nepal, including the following: 1) to advance efforts to prohibit discrimination and violence against women and provide assistance to victims, 2) to increase efforts to protect women from violence and discrimination, 3) to ensure that police provided a safe and confidential environment for women and girls to reports incident of violence, 4) to bring rape laws in line with international standards and remove the 35-day limitation on lodging a complaint with the police, and 5) to ensure full and effective implementation of the 2011 Caste-based Discrimination and Untouchability Act.

Nepal established the Ministry of Women, Children and Social Welfare (MoWCSW) in 1995. At the national level, the MoWCSW is responsible for all issues concerning women in the country. It hosts the Department of Women and Children (DWC) and extends its services in all the 75 districts through Women and Children Officers (WCO).

<sup>27</sup> Article 38(3), Ibid.

<sup>28</sup> Article 29(3), Ibid.

<sup>29</sup> Article 38(2), Ibid.

<sup>30</sup> Article 38(1), Ibid.

<sup>31</sup> Article 38(6), Ibid.

<sup>32</sup> Article 43, Ibid.

<sup>33</sup> Article 38(1), Ibid.

<sup>34</sup> Government of Nepal and UN Country Team Nepal, MDG Progress Report 2013

<sup>35</sup> “How a Legal Identity leads to a Better Life”, Open Society Foundations (22 January 2015), available online at: <http://www.opensocietyfoundations.org/voices/how-legal-identity-leads-better-life>

<sup>36</sup> <http://www.upr-info.org/en/review/Nepal?gclid=CPqa5NXOgskCFYcojgodX28MFg>

The National Women's Commission (NWC) was established in 2002 to protect, promote and safeguard the interests and rights of women and upholding justice through overall development of women. The Commission has been established as the Constitutional body by the new constitution promulgated in 2015.

The National Planning Commission (NPC), responsible for coordinating the formulation of plans and policies, has a Gender Equality and Environment Section under Social Development Division. The section works to mainstream gender equality and women's empowerment into sectorial ministries. All ministries and their departments also have Gender Focal Points (GFPs). Similarly, the Ministry of Finance (MoF) has a Gender Responsive Budgeting Committee responsible for gender issues in development programmes, budgeting and implementation. The Gender Responsive Budgeting Committee (GRBC) under the Ministry of Finance (MOF) has been strengthening the Gender Responsive Budget (GRB) system in the public financing system since 2007/08 at the national and local level. To date, 17 ministries and all 75 District Development Committees (DDCs) have established GRB Committees at the national and local level, up from 6 ministries and 39 DDCs in 2014. The proportion of the budget of the GON that is classified as directly gender responsive has increased to 22.27% in the fiscal year 2015/16. This increase accounts for 34.62% in absolute figures (NPR 182.51 billion up from 135.57 in the previous year). The commitment to apply the Government's Gender Responsive Budgeting (GRB) principles to all recovery and reconstruction programmes was included in the Post disaster Needs Assessment (PDNA) report. As a result, the Ministry of Finance requested all ministries to adopt the GRB principles in their reconstruction plans.

The National Reconstruction Authority (NRA) was established in January 2016 with a two-tier structure at central and sub-regional levels to oversee the overall reconstruction and rehabilitation work following the 2015 earthquakes in Nepal. A directive committee of the authority has created six departments at the centre and sub-regional stations. The NRA's central office is supported by six divisions — Planning, Monitoring and Development; Urban, Housing and Heritage; Rural, Housing and Resettlement Development; Human Resource Management; Public Building Development and Social Mobilisation and Rehabilitation. The women's groups' leader, Sharmila Karki, has been appointed as a member of the NRA Advisory Council.

Women and Children Service Directorate has been established by the Nepal Police to provide accessibility to justice for women and children. The Directorate extends its services to all 75 districts through 240 Women and Children Service Centres.

At the district level, the WCO is the focal agency for addressing issues of women, children, senior citizens and persons with disabilities. In all districts, WCOs host the Gender Mainstreaming Coordination Committee tasked with the formulating local level policies, monitoring and coordinating gender related activities. Additionally, the District Development Committees (DDC) – which are an extension of the Ministry of Federal Affairs and Local Development (MoFALD) – has Social Development Division to address gender equality and social inclusion issues. Women's participation has been made mandatory in district level planning and programme execution.

At the community level, the Village Development Committees (VDC) host and facilitate various committees and groups dedicated to gender equality and women's empowerment. The VDC is responsible for ensuring the participation of women and girls in various local level activities, and it is required to include 20% representation of women in all its development committees. A recent provision also requires Community Forest User Committees to have 50% women members.<sup>37</sup>

Gaps in the necessary human, financial and technical resources of the national women's machinery, combined with weak monitoring mechanisms for the implementation of laws and plans of action, have meant limited short-term progress in women's rights<sup>38</sup> and coordination between different plans and policies is a challenge.

A "Common Charter of Demands for Gender Equality and Women's Empowerment in the Humanitarian Response"<sup>39</sup> was developed by women's groups and gender equality advocates in Nepal, with technical support from UN Women, calling for ensuring women's leadership and participation in all aspects of the humanitarian response, gender sensitiveness in different clusters' work, and special programmes for women. It was submitted to

<sup>37</sup> The above discussion on the components of the national women's machinery is from Government of Nepal, Ministry of Women, Children and Social Welfare (MoWCSW), March 2014, National Review on the Implementation of the Beijing Declaration and Platform for Action (1995) and the Outcome of the Twenty-Third Special Session of the General Assembly (2000)

<sup>38</sup> CEDAW Concluding Observations, AW Committee Concluding Observations on Fourth and Fifth Periodic Reports of Nepal, 2011, paras 13-14

<sup>39</sup> <https://www.humanitarianresponse.info/en/operations/nepal/document/common-charter-demands-women%E2%80%99s-groups-nepal-gender-equality-and>

the Minister of Ministry of Foreign Affairs, and Chairperson, Legislative Parliament Committee on Women, Children, Senior Citizens and Social Welfare.

## Poverty/Development Indices

Nepal has set itself the goal to graduate from the least developed country (LDC) status by 2022.<sup>40</sup> Cited as one of the 'fastest movers' by the Human Development Report (HDR) 2010, the country has made significant progress towards achieving its development goals. The focus on broad-based economic growth and poverty alleviation has produced encouraging results, with the percentage of the population living below the poverty line falling from 42 in 1996 to 25.4 in 2011.<sup>41</sup> However, inclusive growth is a persistent challenge, with development progress continuing to be uneven across ethnic, gender and geographic categories, and vulnerabilities and inequalities are exacerbated by geographic and environmental factors. The UN-led country analysis highlights the persistent discrimination emanating from socio-cultural traditions, norms and practices.<sup>42</sup> As in other countries, poverty, discrimination, violence and gender inequality persist because of structural inequalities, the result of structural barriers and discrimination in the economic, social, environmental and political domains.<sup>43</sup>

The country ranks 145<sup>th</sup> from 187 countries on the 2014 Human Development Index (HDI) with value 0.540 (2013 figures), placing it in the LDC category. The 2014 Gender Inequality Index (GII) places Nepal 98<sup>th</sup> (with value 0.479) on the index. According to the GII, the maternal mortality ratio is 170 (2010 figures), the adolescent birth rate 73.7 (2010/2015 figures), the share of women's representation in parliament 33.2% (2013 prior to elections), female population with at least some secondary school education 17.9% (2005-2012 figures), female labour force participation 54.3% (2012 figures). The 2014 Gender Development Index (GDI) ranks the country on place 102<sup>nd</sup> (with value 0.912). According to the GDI, women's life expectancy at birth is 69.6 years (2013 figures), women's mean years of schooling 2.4 (2002-2012), expected years of schooling 12.5 (2000-2012 figures), and their estimated gross national income per capita USD 1,857 (2013 with 2011 PPP\$).<sup>44</sup>

Nepal's national GDI, capturing inequality in terms of the same dimensions as the HDI<sup>45</sup>, is 0.534. Among the ecological regions, the GDI value is the highest for Hills (0.515), followed by Tarai (0.458) and the Mountains (0.430). The Central region (0.503) has the highest GDI value, followed by the Western region (0.491) and the Eastern region (0.481). The Far Western (0.423) and Mid-Western (0.442) regions have the lowest values, primarily due to low life expectancy and adult female literacy. The value of the Gender Empowerment Measure (GEM), indicating the relative empowerment of women and men in various political and economic spheres<sup>46</sup>, for Nepal is 0.568. The Mountains has the lowest value (0.483) and the Hills the highest (0.572). The Eastern region has the highest GEM (0.575), followed by the Central and Western regions. The Far Western region has the lowest GEM at 0.523, primarily due to its low share of women in administrative and professional positions.<sup>47</sup>

Women's participation in and contributions to the country's progress are constrained by a lack of employment or alternative livelihood opportunities, compounded by their limited access to economic resources, and most women are engaged in unpaid, home-based labour - 74.8% of the unpaid family labour is carried out women.<sup>48</sup> Girls have responsibilities of helping their mothers with housework while men and boys are not expected to assist with domestic work. Nepalese women have much higher work-load than the global average<sup>49</sup>. Seventy-seven per cent of economically active women are engaged in agriculture<sup>50</sup>, a rising figure due to the extensive labour migration of men from rural areas. However, the share of women's wage employment in the non-agricultural sector has more

<sup>40</sup> Government of Nepal Three Year Plan of 2011-2013

<sup>41</sup> National Living Standards Survey III (2010-11)

<sup>42</sup> United Nations Country Team in Nepal, 2011, A Country Analysis with a Human Face, available at [http://un.org.np/sites/default/files/Nepal\\_CountryAnalysis\\_2011\\_Feb2013.pdf](http://un.org.np/sites/default/files/Nepal_CountryAnalysis_2011_Feb2013.pdf)

<sup>43</sup> The Right to Equality in Post-2015 – Speech by UN Women Deputy Executive Director, Assistant Secretary General John Hendra, in Oslo, 13 June 2013, available at <http://www.unwomen.org/en/news/stories/2013/6/the-right-to-equality-in-post2015-a-speech-by-john-hendra-in-oslo#sthash.DVohlBPR.dpuf>

<sup>44</sup> The above data are from the United Nations Development Programme, Human Development Report 2014. Sustaining Human Progress: Reducing Vulnerabilities and Building Resilience

<sup>45</sup> Long and healthy life measured by life expectancy at birth, knowledge measured by adult literacy and mean years of schooling and a decent standard of living measured by GNI per capita in PPP \$.

<sup>46</sup> Reflecting opportunities open to women, rather than their capabilities, in three key areas: political participation and decision-making, economic participation and decision-making, and power over economic resources.

<sup>47</sup> The above data on GDI and GEM are from the Government of Nepal and United Nations Development Programme, Nepal Human Development 2014: Beyond geography: Unlocking Human Potential

<sup>48</sup> Nepal MDG Progress Report 2013

<sup>49</sup> Government of Nepal and United Nations Development Programme, Nepal Human Development Report 2004

<sup>50</sup> NPC, GoN and WFP (2011), National Population and Housing Census

than doubled, from just under 19.9% in 2009 to 44.8% in 2011.<sup>51</sup> The limited opportunities and the constraints have also driven many women to seek employment opportunities elsewhere in Nepal or abroad, a trend accompanied by concerns about their vulnerability to sexual exploitation, forced labor and abuse, and their concentration in the informal sector.<sup>52</sup> Endeavoring to contribute to their family income through remittances (which contribute to about a quarter of Nepal's GDP), women often leave through unofficial and unregulated channels, rendering it difficult to have realistic figures of the overall number of women choosing foreign labour migration. However, according to official data, women's share of total foreign labor force has increased thirtyfold from 0.19% in 2006/2007 to 5.96% in July 2012.<sup>53</sup>

## Social Roles

In Nepal, women's participation, especially amongst Dalit and indigenous women, remains low at the highest levels of decision-making<sup>54</sup>, and in positions of public importance and specific sectors.<sup>55</sup> Government records show low levels of representation in public life with around 16% in civil service, 4.5% in the judiciary, 5.8% in the Nepal Police, 5% in the Armed Police Force, and 3.2% in the Nepalese Army.<sup>56</sup> The historic representation gains – 33% in the first CA – have not been maintained. In the CA elections held in November 2013, women candidates secured approximately 29.41% of the 595 CA seats contested under first past the post, proportional representation and including 20 nominated seats, compared to 33.22% in the first CA. Women account for 11.5 per cent of ministers in the subsequently formed Cabinet, occupying portfolios of Women, Children and Social Welfare, Education, and Energy.<sup>57</sup>

According to the 2011 Census<sup>58</sup>, 19.71% of households reported ownership of land or house or both in the name of female members of the household, an increase from 11% in 2001. The proportion of currently married women who earn cash for their work and decide independently on the use of their cash earnings has increased from 31% in 2006 to 53% in 2011.

## Gender-Specific Cultural Practices

Though gender discrimination is formally prohibited under Nepal's Interim Constitution<sup>59</sup>, discriminatory social norms and cultural practices continue in many parts of Nepal. There are gender differences in different communities and regions of Nepal. For example, in more traditional Hindu communities in the Tarai, women's role tends to be more limited to domestic duties and subsistence farming while in Tibeto-Burmese communities women tend to be more economically active. In matriarchal Tharu communities, gender roles and relations may be reversed with women as the leaders and men in a submissive even abused role. Marriage plays a decisive role in all women's life choices and social- economic position.<sup>60</sup>

Dalit women face a high degree of exclusion and traditional harmful practices such as Badi, Chaupadi, Kamlari and Deuki, as well as child marriage, which are still prevalent in many parts of Nepal despite being formally prohibited.<sup>61</sup> Women also face violence related to accusations of witchcraft. There are also other traditional practices like son-preference, stigmatization of widows, seclusion of women (purdah), family violence, and polygamy. Third-gender face a separate and specific set of gender inequality issues. Boys are more likely to be educated in Nepal as they are seen as the future family breadwinner while daughters live home to live with their in-laws. Almost half of the population gets married between the age of 14 to 19 years and dowry is the major driver of child marriage as well as a cause of violence against girls and women. A recent national survey<sup>62</sup> with a sample of 12,405 women across all 75 district of Nepal, indicated that 15.5% of women aged 15-49 years were married for the first time before the

<sup>51</sup> Nepal MDG Progress Report 2013

<sup>52</sup> CEDAW Concluding Observations, 2011, paras 33-34; MDG Report 2013

<sup>53</sup> Government of Nepal, Department of Foreign Employment, 2013, cited in Nepal MDG Progress Report 2013

<sup>54</sup> CEDAW Concluding Observations, 2011, paras 23-24

<sup>55</sup> NAP on UNSCRs 1325 and 1820 Mid-term Monitoring Report, 2014, available at <http://www.saathi.org.np/images/stories/pdf/saathimidtermreportenglish.pdf>

<sup>56</sup> NAP on UNSCRs 1325 and 1820 Mid-term Monitoring Report, 2014

<sup>57</sup> For more details, please see: <http://www.opmcm.gov.np/en/council/>

<sup>58</sup> Government of Nepal, Ministry of Health and Population et al., *Nepal Demographic and Health Survey, 2011*.

<sup>59</sup> Interim Constitution of Nepal, 2007

<sup>60</sup> CARE Nepal Women Empowerment Program Framework 2010

<sup>61</sup> Nepal MDG Progress Report p. 35; Amnesty International, Nepal Submission to the United Nations Human Rights Committee, 2014

<sup>62</sup> Nepal Multiple Indicator Cluster Survey 2014 (May 2015):

<http://cbs.gov.np/image/data/Surveys/Nepal%20Multiple%20Indicator%20Cluster%20Survey%202014%20key%20Findings%20and%20Tables/Nepal-Multiple-Indicator-Cluster-Survey-2014-key-Findings-and-Tables.pdf>

age of 15 and 48.5% of women aged 20-49 had their first marriage before the age of 18. Further the same survey showed that 25.5% of surveyed women aged 15-19 are currently married. The survey also reported that 71 % of women aged 15-19 years are mothers and 16% of women aged 20-14 years gave birth at least once before age 18.

The **Badi** were originally an entertainment caste. Political, cultural and economic changes have contributed to and produced the development and practice of prostitution as a strategy of survival for many in the Badi community. Subsequently, it has been said that prostitution is the "traditional caste occupation" of the Badi and it has often been defined thus as a part of the caste system.

**Chhaupadi** is a practice where girls/women are not allowed to enter inside the house and touch water and milk or prepare food for 4 to 7 days during their menstruation period. They must live, sleep and stay in a hut outside identified as a Chhaupadi's house or in a Chhaupadi goth.

**Kamlari** is a traditional system of bonded labour practiced in southern Nepal, in which socially and economically disadvantaged parents (mostly indigenous southerners and Dalits) would sell their daughter to domestic service for a contracted period to wealthier landowners buyers.

**Deuki** is an old custom practiced in far western regions of Nepal in which parents offer their young daughter to a local temple to gain protection, religious merit and/or approval and higher status from communities for the sacrifice they have made.

Although there has been improvement in women's overall status including increases in the literacy rate, the challenges remain. Suicide is the single leading cause of death among women of reproductive age. The maternal mortality rate is still highest in the world (170 per 100,000 birth)<sup>63</sup>. According to Amnesty International 2014 report *Unnecessary Burden*, it is estimated that more than 600,000 women suffer from conditions related to uterine prolapse due to early marriage, early pregnancy, overwork and neglect. According to International Labour Organization (ILO), 12,000 women and children are trafficked to the Middle East and India every year, mainly for exploitation in brothels or as forced labor. The National Demographic Health Survey (2011) showed that, among women age 15-49, 22 percent had experienced physical violence and 12 percent had experienced sexual violence at least once since the age 15. Among married women, one third had experienced emotional, physical and sexual violence from their spouse and 17 percent had experienced it within the 12 months immediately prior the survey. The most commonly reported perpetrator of physical violence among married women is the husband (84%). Factors such as women's age, caste/ethnicity, wealth status, ecological zone, region and number of living children can all impact the degree to which she may experience spousal violence, with Muslim women generally experiencing the highest level (55%).<sup>64</sup> Rural women are more likely to have experienced physical violence (22%) than urban women (19%).

## Protection

The prevalence of violence against women and girls in Nepal remains high, though there have been significant efforts made to combat violence against women such as the introduction of Nepal's Domestic Violence Act and National Strategy and Plan of Action on violence against women.<sup>65</sup> A recent national survey<sup>66</sup>, reported that 42.9% of women aged 15-49 years stated that a husband is justified in hitting or beating his wife in at least one of the five situations; when a wife neglects the children (32%), if she demonstrates her autonomy, exemplified by going out without telling her husband (25%), arguing with him (17%), refuse to have sex with her husband (3%), if she burns the food (5%). A recent survey found that one in five women reported being the victim of physical violence and more than one in ten reported experiencing sexual violence.<sup>67</sup> Domestic violence, marital rape, dowry-related violence and trafficking of women and girls for sexual exploitation are particular problems. About a third of married women suffer from spousal violence, with higher rates of occurrence in Tarai and among those with no education

<sup>63</sup> Nepal Demographic Profile 2014- Mundi

<sup>64</sup> Tuladhar, S., et Al. 2013.1 Women's Empowerment and Spousal Violence in relation to Health Outcome in Nepal. Further analysis of the 2011 Nepal Demographic and Health Survey.

<sup>65</sup> National Strategy and Plan of Action related to Gender Empowerment and Ending Gender Based Violence 2012-2017

<sup>66</sup> Nepal Multiple Indicator Cluster Survey 2014 (May 2015):

<http://cbs.gov.np/image/data/Surveys/Nepal%20Multiple%20Indicator%20Cluster%20Survey%202014%20key%20Findings%20and%20Tables/Nepal-Multiple-Indicator-Cluster-Survey-2014-key-Findings-and-Tables.pdf>

<sup>67</sup> Nepal Demographic and Health Survey, 2011.

and poorer households.<sup>68</sup> Survivors of conflict-related sexual violence in Nepal are especially lacking in redress and services and there has been a failure by the authorities to prosecute such cases.<sup>69</sup> A study conducted in 2013 identified the key challenges to combating violence as gaps in legislation and weak implementation of laws.<sup>70</sup> In relation to rape, one of the major legal barriers to obtaining justice has been Nepal's 35-day statutory limitation for filing reports of rape, which was however increased up to six months by the Government in 2016.<sup>71</sup> Weak penalties for rape also impede women's access to justice. Another major obstacle is women's lack of awareness of rights and the social stigma that discourages women from reporting violence and seeking redress.

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<sup>68</sup> Ibidem.

<sup>69</sup> TRIAL et al, Written Information for the Consideration of Nepal's Second Periodic Report by the Human Rights Committee, February 2014

<sup>70</sup> UNFPA, UN Women, UK Aid, UCL, CRHEPA 2013 GBV tracking study

<sup>71</sup> Human Rights Watch, *Silenced and Forgotten: Survivors of Nepal's Conflict-Era Sexual Violence*, 2014