

A smiling woman with traditional Himalayan jewelry and clothing is sitting in a field of large-leafed plants. The background shows a dirt path and some dry vegetation.

Nepal  
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Edition

# The Women of the Himalayas



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# A word from the co-founder and former Executive Director

Women are an integral part of Norlha's DNA and a central plank of our commitment; we have identified the importance of gender equality as critical on the road to development, making it fundamental to our mission in the 2010-2020 Strategic Plan. Women comprise 70% of all our beneficiaries in our projects which are set in the most isolated regions of the Himalayas. Here, women are the driving force of the agriculture economy.

Through our newest initiative, the Centre for Women in the Himalayas, Norlha's Gender Team, is taking this emphasis on women one step further. Apart from continuing our gender-focused projects, the team aspires to build on the central role of rural Himalayan women by addressing the issues they face through research and analysis, capacity building and gender mainstreaming, knowledge dissemination and advocacy.

This publication (report) is designed as a tool to disseminate the knowledge Norlha has acquired on the lives and needs of Nepali women living in rural areas as a result of research and field practice.

This publication will serve as a useful insight in general terms but will also provide invaluable information for fellow professionals working on relevant development interventions.

I would like to sincerely thank the Gender Team for having carefully compiled the findings which represent the culmination of more than three years' spent working with our women farmers. My gratitude is extended to the whole Norlha team in Kathmandu and Lausanne for their outstanding work, dedication and expertise throughout these years.

Having witnessed the establishment of Norlha more than 11 years ago, I am happy to be here today and see us delivering our vision: to build knowledge, and provide worldwide awareness and solutions to the issues of the most vulnerable, rural Himalayan communities with a special focus on the women who are at the heart of these communities.

Julien Bettler  
Co-founder and former Executive Director (2010-2016) of Norlha  
Kathmandu, Nepal





# A word from the Senior Programme Officer for Gender

Women contribute tirelessly towards the betterment of their families and community. However, their influence has often been overlooked. Women in rural areas in the Himalayas face challenges especially because, being women, they have been deprived of an education and access to and control over resources, decision-making, mobility and so on. Expectations surrounded by beliefs and practices rooted in a patriarchal society have created hurdles that limit women in the private sphere and exclude them from the public sphere. Hence to escape this situation and exclusion, the struggle of Nepali women for equality continues.

As a development organisation, Norlha has always aspired to deliver gender equality by placing women at the centre of its projects. The Centre for Women in the Himalayas is one such initiative designed to generate knowledge and knowledge sharing. This report produced through desk research and field-based knowledge will be a vital source of information for anyone seeking further knowledge on women in Nepal.

I would like to thank the entire Norlha team, especially the Gender Team, for their deep commitment and dedication towards women's issues in the Himalayas which has made this in-depth report possible.

It is my great pleasure to be a part of the Norlha Team which has a genuine concern for mountain women and their communities. With its vision, mission and approach, Norlha strives towards bringing Himalayan women's issues and solutions in the forefront of research and development.

Tshering Yodin Sherpa  
Senior Programme Officer - Gender  
Kathmandu, Nepal



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This updated second version of the report largely drew from that initial work, and was enriched and prepared by a team of people in Lausanne including Radiyah Tayob-Johnson (Gender Officer) and Loukia Douka (Gender Knowledge Dissemination and Advocacy Manager). Special acknowledgements go to Sonia Garcês (Communication Officer and Graphic Designer), who was in charge of the creative part of this publication, as well as to Heather Lima (Head of Communication Team) for her support. Norlha also wishes to thank Joep Slaats (Head of Operations) and Jeremy McTeague (Executive Director) for their expertise and overall guidance.

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Last but not least, very special thanks go to Julien Bettler (co-founder of Norlha and former Executive Director) for his invaluable support, input and final approval of this project. We would also like to take this opportunity to acknowledge his inspirational leadership throughout Norlha's existence.

## Abbreviations

ADB	Asian Development Bank
ASEAN	Association of Southeast Asian Nations
CEDAW	Convention on the Elimination of All Discrimination Against Women
CMF	Centre for Microfinance
CREHPA	Center for Research on Environment Health and Population Activities
CSW	Commission on the Status of Women
DDC	District Development Committee
ECED	Early Child Education Development
EFA	Education For All
FAO	Food and Agriculture Organization of the United Nations
FIAN	Food First Information & Action Network
FWLD	Forum for Women, Law and Development
GCC	Gulf Cooperation Council
GDI	Gender Development Index
GDP	Gross Domestic Product
GEM	Gender Empowerment Measure
GESI	Gender Equity and Social Inclusion
GoN	Government of Nepal
HDI	Human Development Index
HPI	Human Poverty Index
HRW	Human Rights Watch
ICF	Inner City Fund
ICIMOD	International Centre for Integrated Mountain Development
ICRW	International Centre for Research on Women
IFAD	International Fund for Agricultural Development
Mahila1	Norlha Gender Project “Mahila: Women and farming as a business”
Mahila2	Norlha Gender Project “Mahila: Helping women deal with men’s migration”
MDG	Millennium Development Goal
MFI	Micro-Finance Institution
MoF	Ministry of Finance (Nepal)
MoFALD	Ministry of Federal Affairs and Local Development (Nepal)
MoHP	Ministry of Health and Population (Nepal)
MoLE	Ministry of Labour and Employment (Nepal)
MWCSW	Ministry of Women, Children and Social Welfare (Nepal)
NFEC	Non-Formal Education Centre
NGO	Non-Governmental Organisation
NLSS	Nepal Living Standards Survey
OCHA	Office for the Coordination of Humanitarian Affairs
PMSAI	Promotion of Migrant Savings and Alternative Investment
SALME	Norlha Agriculture and Nutrition Project “Sustainable Agriculture-based Livelihood in Mountains Environment”
SALS	Norlha Agriculture and Nutrition Project “Sustainable Agriculture for Livelihood Security of Rural Communities”
SDG	Sustainable Development Goal
SRPC	Shadow Report Preparation Committee
SWC	Social Welfare Council
TIP	Trafficking In Persons
UN	United Nations
UNDP	United Nations Development Programme
UNPO	Unrepresented Nations and Peoples Organization
UNFPA	United Nations Population Fund
USAID	United States Agency for International Development
VDC	Village Development Committee
WHO	World Health Organization

# Executive summary

The aim of this report is to identify and outline the critical issues affecting women and girls in isolated, mountainous areas of Nepal, to investigate the legal structures and policies in place on gender issues, as well as to gather a number of good practices and challenges identified by development professionals in the field.

This publication addresses development actors who would like to have a point of reference concerning the situation of women in rural, isolated parts of Nepal when they are devising their programmes, but also academia and the wider public interested in finding out more about women in the Himalayas.

The information presented has been collected from a number of sources including academic literature and information provided by development actors active in Nepal. It also reflects the knowledge that Norlha has gained throughout its 11 years of operations in the region.

The report begins by outlining the main issues affecting rural Nepali women, clustered in thematic areas. Special attention is paid to the three districts where Norlha has been intervening over years: Rasuwa, Dhading and Humla. The document continues by identifying - in the area of gender equality - the main relevant international and national standards and policies that have been adopted and the institutions that have been established in Nepal. Finally, the report highlights a set of good practices and challenges for development practitioners working with and through women, and concludes with an outline of possible windows of opportunities for empowerment that natural disasters like the Nepal earthquakes of 2015 can present for women.

The main conclusions of this review are the following:

**Nepal's remote hill and mountain zones** are generally the least developed of its three ecological regions. With the most marked gender gap among its S. Asian neighbours, gender issues that exist elsewhere in Nepal tend to be even more striking in mountainous regions. Some of the key issues affecting women's lives include vulnerability to climate change and natural disasters, male emigration, lack of education and financial dependency, maternal and reproductive health, malnutrition and violence. Therefore, greater attention should be given to the empowerment of women and girls in rural, isolated mountainous areas.

Rasuwa and Dhading are among the most vulnerable **districts** in the country, facing serious issues of food security and male emigration. Humla also experiences critical problems in terms of food security but additionally exhibits the lowest life expectancy and literacy rates countrywide. All three districts display alarming numbers in terms of the age at which women and girls marry.

The GoN has committed to a series of international and national **regulations** to strengthen gender equality. At the same time, women are promoted through various governmental institutions at all levels (from the MWCSW to DDCs and VDCs). The MWCSW clearly determined a number of gender-related priorities in its 10-year strategic plan in 2014, including in the areas of gender-based violence and trafficking, empowerment of women from marginalized groups, awareness-raising of equality laws, and training activities centred on entrepreneurial skills. Unfortunately, despite formal commitments, there remain legislative and executive shortcomings that are noteworthy in the areas of citizenship and legal identity provisions, child marriage practices, and trafficking.

There are more than 39,000 registered NGOs in Nepal operating in a variety of fields (SWC, 2014), and all major UN agencies are involved in the country. Good practices and challenges in development practices were identified under most - if not all - thematic areas (i.e. male emigration, drudgery, access to resources, health, participation, education). There is a clear scope for **development actors** to strengthen their cooperation, better complement their interventions, and ultimately increase their effectiveness to the benefit of women in Nepal. The report finds a series of salient points that could be addressed: increased attention to isolated or neglected regions, the provision and sharing of gender disaggregated data in these areas, the training of gender-sensitive development agents, devising optimal monitoring and measurement indicators of women's empowerment, common pooling of resources and knowledge-sharing initiatives, and closer collaboration between researchers and practitioners.



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1.

# Introduction

According to IFAD, Nepal is one of the poorest countries in the world with an overall poverty rate at 25% that increases to 45% in the Mid-Western and 46% in the Far-Western region. These are remote hill and mountain zones where about 80% of Nepal's people live. Poor rural people in Nepal include particularly those belonging to the lowest caste (Dalits), indigenous peoples (janajatis) and women (Rural Poverty Portal, 2016).

Development indices vary greatly in Nepal between the three distinct ecological regions of terai, hill and mountain zone - the mountain zone being generally the least developed<sup>1</sup>. Only 18% of Nepal's population live in urban areas<sup>2</sup> hence the focus should be on the development of rural or mountainous areas, where a more pronounced gender inequality exists among the population.

Women and Development are central to Norlha's intervention strategy<sup>3</sup>, programme and objectives - which all target gender transformative change. We believe that targeting women and girls is the most efficient way in achieving sustainable development.

1 The HDI score for the tarai region is 0.521, for the hills region 0.569, for the mountains region however it stands at 0.496 (UNDP, 2014).

2 The data are available online: <http://www.who.int/gho/countries/npl.pdf?ua=1>

3 The Norlha Strategic Plan 2011-2020 is available online:

[http://norlha.org/wp-content/uploads/2015/06/Norlha\\_Strategic\\_Plan\\_2015-2016.pdf](http://norlha.org/wp-content/uploads/2015/06/Norlha_Strategic_Plan_2015-2016.pdf)

Accordingly, the Centre for Women in the Himalayas, a research organisation for enabling knowledge-building, knowledge sharing and learning, aims at empowering women and girls in the most remote Himalayan areas, as well as promoting gender inclusive development practices by all stakeholders in the region.

This review was compiled with international literature, and national and international practice examples including knowledge gained from Norlha's own field experience in Nepal. The paper focuses on the rural women of Nepal's mountainous areas - a focal point in Norlha's development interventions - thus encompassing the poor and marginalised agricultural communities of Nepal, who live in isolation in rugged and steep terrain, with little to no access to the basic means and needs necessary to live a healthy and sustainable life.

The review begins (**Chapter 2**) with a short overview of the gender context in Nepal and goes on to examine the situation, first, of women in the rural areas of Nepal presented in thematic areas, and, second, in the three districts which have been at the core of Norlha's development initiatives: Rasuwa, Dhading and Humla.

**Chapter 3** examines the legal framework governing the women of Nepal, the national and international legal, policy and strategic measures in place, as well as the government structures responsible for their implementation. Certain shortcomings in the legal

framework are listed next, together with how the GoN plans to deal with these.

**Chapter 4** presents a list of recommendations for development professionals, clustered in topical areas, in the form of good practice examples alongside possible impediments to their implementation.

**Chapter 5** culminates with an overview of points to consider for the way forward.

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Both the GDI and GEM scores are significantly lower in Nepal's mountain regions than in any other ecological zones: compared to the national average of 0.534, the mountains score a GDI value of 0.487, and a GEM value of 0.483 instead of 0.568 for overall Nepal (UNDP 2014).

Empowering women at Norlha and beyond, delivering the 2030 Agenda for Sustainable Development:

- Addressing inequalities between women and men and giving women a voice.
  - Engaging with women and men in transforming unequal power relations.
  - Enabling women and girls to effectively participate in and influence decision-making in their lives.
  - Changing perceptions and recognizing women as key development actors.
  - Contributing to initiatives to change the negative implications of global migration and end the human trafficking of women in the Himalayan communities.
-



2.

# The gender context in Nepal

According to the Beyond Beijing Committee report in 2014, Nepal exhibits the biggest gender-gap in both social and economic dimensions in S. Asia and remains in the bottom ranks of international classifications made by UN agencies and beyond.

Nepali women are unable to fully enjoy their basic rights due to gender discrimination - Nepali society is based on patriarchy, patrilocality<sup>4</sup> and patrilineality<sup>5</sup> (Kaspar, 2013) which lead to deep-rooted stereotypes of cultural subordination and a diminished bargaining power in life. Male family members still predominantly make important strategic decisions (Maharjan et al., 2012) - where women's needs, interests, knowledge and contributions are largely ignored. Women's involvement in intra-family or income-related choices is often restricted to the operational level: only one fourth of Nepali households declare having a female household head (Central Bureau of Statistics, 2011). However, gender is not the only social identity that determines and influences the lives of women in Nepali society: economic class, ethnicity, caste and religion also do.

The women living in the mountain areas of Nepal are exposed to particular vulnerabilities: “[M]ountain women remain as the marginalized gender of the marginalized mountain areas, and thus face double marginalization.” (Sherpa D., 2007).

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The GDI score for Nepal is 0.908 (rank 145/187, 2014) with a GEM value of 0.568 (rank 83/109, 2014). In the WEF Global Gender Gap Report, Nepal scores 0.661 (rank 110/144, 2016).

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4 After marriage the wife leaves their parental household and moves to her in-laws' home.

5 Family possessions are passed on to male family members.



## 2.1

# Women in mountainous areas of Nepal

## Agriculture

Remarkably, 86% of women in Nepal rely on agriculture for their livelihood (Beyond Beijing Committee, 2014) with the proportion of women being higher among small-holder agricultural producers (ADB, 2013). Furthermore, women “are the key to food security for their households” as they are responsible for 60-80% of total agricultural food production (The World Bank, 2009, p. 12; FAO, 2010).

However, in terms of agricultural and domestic work, women’s daily tasks are both time-consuming and physically demanding, mainly undertaken with traditional simple tools relying on human and animal power (Maharjan et al., 2012). According to a survey by FAO in 2010, about 3% of households headed by women used mechanical equipment, compared to 8% of those headed by men<sup>6</sup>. The most difficult and tedious tasks in farming, like forage collection and cleaning the gutters and sheds, are traditionally delegated to women - whereas men are more likely to be involved in livestock keeping and in the eventual selling of the produce (Paudel, 2009).

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**Women contribute 60.5% to the agriculture economy compared to men’s 39.5% (ICIMOD, 2014).**

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## Climate change and natural resources

Considering Nepal’s size and its negligible contribution to greenhouse gases, Nepal is still ranked 13<sup>th</sup> in the world in terms of climate change vulnerability, worsened by its geographical location between two of the world’s largest economies, India and China (Arjun, 2013). Climate change has produced noticeable changes<sup>7</sup> in Nepal’s landscape and environment, particularly affecting its rural farming communities since a significant portion of its rural economy is derived from climate-sensitive industries such as agriculture, forestry and eco-tourism (USAID, 2016). Nepal has also been impacted upon by climate change occurring in Tibet (UNPO, 2016).

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**Women in Thulogaun VDC in the district of Rasuwa in Nepal cited the difficulty in movement and the limited access to resources as decisive in their everyday lives. These constraints make income generation difficult and leave them little or no time for other activities (Norlha Mahila1, 2016).**

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6 Information is available online: <http://www.fao.org/docrep/013/i2050e/i2050e03.pdf>

7 Increasing temperatures, aridity and forest fires, growing number of glacial melts causing dramatic changes in the ground water levels (Rathi, 2016; USAID, 2016), erratic rainfalls impacting on the size and shape of the S. Asian monsoon, droughts and flooding, as well as a contribution to the occurrence of earthquakes occurring in the Himalayas (Alex Renton, 2015).

The remote and isolated mountain areas already experience the most severe food deficit<sup>8</sup> in the country (FAO, 2010; Kilpatrick, 2011). As a result of the climate variability and/or unsustainable overuse, agricultural production decreases with the scarcity of natural resources - with the farming process and the ultimate yields impacted upon (Sherpa D., 2010) - further endangering food security.

Women are disproportionately affected by this climate change as they have fewer opportunities to adapt their means of livelihood due to their social status, the various discriminations that they face, and the higher restrictions on their mobility<sup>9</sup> (Leduc, 2009). Since they are the main users and managers of natural resources, such as fuelwood<sup>10</sup>, fodder or water (Synnott, 2012), their already intense labour is increased (Sherpa D., 2007). For example, water used for cooking, irrigation, hygiene and cleaning often has to be collected several times a day (Regmi 2001), and collecting firewood can take up to 6 hours - all of which contribute to time-intensive and/or expensive procurement as well as health and environmental hazards (Mahat, 2004).

## Male emigration

Mountain regions in Nepal are visibly marked by male emigration: here, almost 80% of migrants are male (Central Bureau of Statistics, 2012). Men emigrate mostly seasonally, to lower altitudes, urban areas or neighbouring India or other countries (mainly Middle East, ASEAN member states (Sijapati, Bhattarai et al., 2015)) hoping to generate additional income for their families (Sherpa D., 2010).

These migration patterns tend to have adverse effects on women and girls. They may result in a temporary or permanent empowerment of the women as the family structure changes with women inhabiting the role of the head of the household (Sherpa D., 2007). Often though, women's workload and responsibilities increase as the male agricultural work-force disappears. The "feminization of agriculture" may occur: an increase in women's contribution as subsistence farmers or as paid casual agricultural workers (FIAN Nepal, 2012). There is also a possible risk of domestic violence or other abuses if women increase their dependency on parents-in-law or other family members.

Whether the net-balance of male emigration is positive or negative for the women left behind, depends on the local and household dynamics, as well as on the amount of remittances received (Maharajan et al., 2012). The issue of remittances can either help or hinder women's developmental efforts, as they often lack access to financial, social and technological resources. In respect of unskilled migrants, the sums received by the family are often not enough to compensate for the missing workforce at home, which may decrease agricultural output even more (ICIMOD, 2009). Contrastingly, with sufficient remittance earnings a dependency could develop, particularly if consequently the productive work at home is reduced. Problematically though, women tend to access these remittances through insecure and informal transfer systems due to their geographical isolation and lack of education.

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**40.9% of Dalits, who live under the poverty line, end up in India, and approximately 17% of Nepalis comprise Malaysia's migrant workforce, with only 0.4% being high-skilled. The Nepal Living Standards Survey (NLSS) 2010 reported that 11.53% of households in**

8 The reasons for food insecurity can be grouped into four main pillars: availability, access, utilization and stability/vulnerability to food (FAO, 2010).

9 For instance, men use labour migration as a coping strategy to secure their livelihood.

10 Biomass is still the main energy resource in mountain areas.

Nepal have at least one absentee living within or outside the country (Sijapati, Baniya et al., 2015).

Only about one fourth of Nepali households declare having a female household head - in the mountains the percentage is even lower (Central Bureau of Statistics 2011).

## Income and resources

In a family structure where separation of property is prevalent, the lack of personal income increases women's financial dependency on others, cements their vulnerability within the family, and crucially impacts the livelihood of the entire household.

Women in the mountains have limited opportunities to generate their own income due to subsistence agriculture with insufficient surplus produce, inaccessibility of markets and networks, illiteracy, and inexperience in business. Whereas men use the natural resources and their agricultural yield to generate income for the household, women use them mostly for the immediate survival of their family (Leduc, 2009) instead of selling them for profit. Consequently, women's substantial contribution to the household's livelihood remains non-monetary and thus unrecognized.

Despite being the major contributors to agriculture, only 7.2% of women farmers in the mountains have ownership of agricultural land (MoHP, New ERA & ICF International, 2012). As access to loans are often bound to the ownership of land, women are seen as not creditworthy impacting upon their participation and decision-making power in User Associations and Management Systems of natural resources (Joint Regional Initiative for Women's Inclusion in REDD+, 2013). Unsurprisingly, development initiatives are automatically and exclusively directed at men neglecting the specific needs and knowledge of women farmers.

Women in Thulogaun VDC (Rasuwa, Nepal) wished for more opportunities to link their products with the market. They considered this a challenge, making them feel that their produce was in vain (Norlha Mahila1, 2016).

## Health

Maternal and reproductive health<sup>11</sup> remain a main concern for women in Nepal particularly, as child marriages and early pregnancies are widely prevalent: young girls tend to have less reproductive control and suffer higher rates of maternal mortality, and domestic violence (UNICEF 2001). The preference for a son in the name of religious values discriminates against females even before birth: women are forced to have more babies until they get a son.

The high maternal mortality and morbidity rate is caused by a lack of adequate ante- and postnatal care (Committee on the Elimination of Discrimination against Women CEDAW, 2011), particularly for women with a lower level of education and/or a lower social status in their families. Normally, women tend to go back to work almost immediately after giving birth, due to economic reasons or family pressure (Amnesty International, 2014): evidently uterine prolapse, related to heavy work during pregnancy and malnutrition<sup>12</sup>, disproportionately affects rural women.

11 According to WHO's definition: "reproductive health addresses the reproductive processes, functions and system at all stages of life. Reproductive health, therefore, implies that people are able to have a responsible, satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so".

12 = An insufficient overall calorie-intake and/or an imbalanced diet with a lack of variety and nutritious food.

Another important issue is violence against women (and girls)<sup>13</sup> which remains a substantial problem in the country (Committee on the Elimination of Discrimination against Women CEDAW, 2011) due to the social acceptance of it, misbeliefs and the general unawareness of existing laws. Perpetrators are mainly husbands, family members or neighbours. The forms of violence are diverse and include harmful traditional practices manifested as gender-based discrimination and actual violence - all defended on the premise of tradition, culture, religion or superstition.

Accusations of witchcraft tend to target women belonging to economically poor, socially deprived and disadvantaged groups in rural areas of Nepal. Women are beaten, fed human faeces, and tortured physically and mentally. Women also become victims of dowry-related violence<sup>14</sup>. when they are unable to meet their groom's demands, resulting in abandonment, divorce, domestic violence, murder and suicide. Particularly in the western part of Nepal, harmful cultural practices, like chhaupadi, chuee, or gothpratha, which relate to the assumed "impureness" of women during menstruation and childbirth still exist. These practices pose a serious risk<sup>15</sup> to their health as they can result in severe illnesses like starvation, pneumonia, uterine prolapse and in extreme cases death (ICRW, 2014; UN Women, 2014).

Institutionally, the health care system in rural Nepal can be classified as underdeveloped with often inadequate medical infrastructure in remote locations. Health services tend to be largely inaccessible to most women due to social misconceptions, caste adherence, gender and poverty. Furthermore, a lack of awareness prevents many women from voicing their health issues and seeking medical information or treatment. There is also the increased risk of HIV/Aids infections for women with their migrant husbands returning as only 10% of them have comprehensive knowledge about the condition (ADB, 2010).

In addition, the incidences of human trafficking are on the increase: the most vulnerable social groups are more prone to being trafficked for sexual and labour exploitation, within Nepal or in India or Saudi Arabia, due to poverty, and lack of employment opportunities, awareness and education (Committee on the Elimination of Discrimination against Women CEDAW, 2011).

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In India, people can access clinics and abortion providers willing to defy laws prohibiting sex selection. Incidentally, about 11% of Nepali women residing in southern Nepal have visited India for sex selective abortion (CREHPA, 2010).

50% of Nepali women gave birth to a child by 20 years of age (Central Bureau of Statistics, 2011), and one fifth of them delivered their child before 18. Approximately 80% of women give birth at home without the help of a trained health practitioner (Central Bureau of Statistics, 2011), and 25% of married women report an unmet need for family planning (MoHP, 2011). At least 10% experience uterine prolapse, and in some regions 50% of those with the condition develop it before the age of 30 (Institute of Medicine (Tribhuvan University), 2006).

Over 60% of the incidences of violence remain unreported, undocumented and consequently unpunished due to the fear, shame and insecurity that women feel (GoN National Planning Commission, 2013). Almost 50% of women report experiencing violence (mainly emotional, followed by physical and sexual) with one third in the past 12 months. Only 13% of women know about the law against domestic violence, and 9% are aware that rape within marriage is punishable (Office of the Prime Minister and Council of Ministers, 2012).

Medical consultation requires 1-2 hours travel time for more than one quarter of the rural population (Central Bureau of Statistics, 2011), and 11% of women report being denied access to health services by family members (Office of the Prime Minister and Council of Ministers, 2012).

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## Education

Boys usually get a quantitatively and qualitatively better education from their parents, as girls tend to leave the family home once they get married. When girls are enrolled, they are more likely than boys to be absent, drop out, fail or repeat grades due to the obligation to help with daily activities at home, inadequate gender-sensitive infrastructures (e.g. lack of sanitation facilities), and an unfriendly social environment at school (i.e. the curriculum reinforces gender stereotypes and there is a lack of female teachers) (Acharya, 2007). This lack of education prevents rural women's participation and limits their occupational opportunities.

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50.1% of women in the mountain region are literate as opposed to 71.6% of men, with 57.4% and 75.1% respectively on a national average. This, despite over 92% of the mountain population having a school within reach of 30 minutes (Central Bureau of Statistics, 2011).

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- 13 Violence against women is often regarded as a subsection of gender-based violence and defined as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivations of liberty whether occurring in public or private life" (Office of the Prime Minister and Council of Ministers, 2012, p. vi).
- 14 Dowry-related violence is prevalent mostly in the terai. However, even countrywide 50% of cases of violence every year are dowry-related (Shahi, 2015).
- 15 During this vulnerable time women are kept out of the house in cow-sheds and are denied adequate shelter, food and social contact. They are prevented even from drinking milk or curd, are exposed to excessive cold temperatures and the danger of snake bites.



## 2.2

# Women in the three districts

The information is drawn from country-wide surveys with disaggregated data for districts and VDCs, as well as district data from Norlha's own projects. Important to note is that the earthquakes of 2015 have likely affected indicators in Rasuwa and Dhading, something which remains to be reflected in future surveys.

## Rasuwa

Rasuwa ranks among the 12 most vulnerable districts in Nepal in terms of the HPI. In 2011, the HDI value of Rasuwa improved, mostly due to an increase in the average years of schooling of the population (UNDP, 2014), yet illiteracy amongst women particularly remains an issue.

There is a high rate of child marriage, followed by an even greater rate of male emigration. The latter is a real issue for women in the district: the population sex-ratio there is 98.4%, one quarter of the households have one absent<sup>16</sup> family member, thereof 70% men (Central Bureau of Statistics, 2012).

Farmers in Rasuwa rely almost exclusively on subsistence production, with most households reporting a shortage of food for consumption, impacting upon the food security, diversity of nutrition, and the rise of malnutrition of children under the age of 5.

Women also complain about the inefficiency of the traditional tools and methods they use, demanding improved processing technologies to release their drudgery

obligations such as improved cooking stoves (Norlha Mahila<sup>17</sup>, 2014). Most households in Rasuwa use fuelwood for cooking but procuring fuelwood is time-consuming and intense work, and its regular use can cause respiratory problems (Central Bureau of Statistics, 2012). Furthermore, due to poor access to safe water and sanitation facilities, the menstrual hygiene and health of women and girls are further impacted upon.

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Due to emigration, there is also a shortage of male labour force for agricultural activities, which women have to make up for. Consequently, women report injuries, inspiratory problems, lack of energy, stress, depression and in some cases uterine prolapse because of their workload, working up to 16 hours a day in extreme cases (Norlha Mahila<sup>1</sup>, 2014; Norlha Mahila<sup>2</sup><sup>18</sup>, 2015).

Norlha SALS (2014) indicated that 67.3% of the project's beneficiaries did not have enough food to eat for 3-6 months per year, with 68.4% having no choice as to what they did eat.

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## Dhading

Dhading's HDI value of 0.461 is on the same level as Rasuwa - in the middle field of all 75 districts. (UNDP, 2014). Its HPI value reflects approximately the national average of 31.12.

Dhading is similar to Rasuwa with life in the district: based on an agricultural economy, with fuelwood and biogas used as the predominant energy sources for cooking. The rate of food security and malnutrition in the district also poses a huge problem though the data findings are slightly better than Rasuwa. In relation to safe water and sanitation, the district is almost on par with Rasuwa.

Dhading is severely impacted upon by male emigration. This has a direct effect on the sex-ratio of 88.6% (Central Bureau of Statistics, 2012) - the most biased of the three districts under investigation. The rate of child marriage here is also greater than on national average.

## Snapshot of Rasuwa

### Literacy rate

Women at 46.5%, compared to 60% for men.

### Child marriage

68.8% of girls get married before the age of 20.

### Male emigration

18.75% of 400 households have at least one absent family member - thereof 72.9% men.

### Food security

Close to ¼ of households report that their own agricultural produce is insufficient for consumption; almost 50% of children under the age of 5 are malnourished.

## Humla

Despite substantial improvement since 2001, Humla's HPI was still the highest countrywide 10 years later (UNDP, 2014). Humla also features among the 10 districts with the lowest HDI values across Nepal (0.376) primarily due to the low life expectancy (64.15 years) and the lowest values for education (UNDP, 2014).

In the past, Humla has been declared as severely food insecure due to financial problems and crop failure (MoHP, New ERA & ICF International, 2012) with the highest prevalence of malnutrition countrywide (UNDP, 2014).

Contrary to Rasuwa and Dhading, a minor percentage of the population is absent due to migration - there are more male inhabitants than female, resulting in a sex-ratio of 103.2 (Central Bureau of Statistics, 2012).

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A majority of households are involved in various community/leasehold forest user groups with only 13% of women having a leading role, and merely 5% of women involved in the decision-making process (Norha SALME, 2012).

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### Energy sources

Almost 90% of households use fuelwood for cooking.

### Water & Sanitation

1 out of 10 persons do not have access to safe water. Almost 50% of households do not have their own toilet facility.

### Population

2/3 Tamang ethnicity and 15% Brahmins, followed by smaller percentages of Gurung, Chetree and Ghale caste. Almost 70% are Buddhists and 25% Hindus.

(Central Bureau of Statistics, 2012; 2013; UNDP, 2014)

## Snapshot of Dhading

### Literacy

41.7% of women cannot read nor write, contrary to one quarter for men.

### Child marriage

75% of women get married before the age of 20.

### Male emigration

Almost one quarter of households have at least one absentee, primarily males.

### Food security

Almost 50% of households based on agriculture are unable to produce sufficient food for their own consumption; almost 25% of children under 5 are malnourished.

### Energy sources

Fuelwood and biogas are the predominant energy sources for cooking.

### Water & Sanitation

More than 15% of Dhading's population do not have access to safe water, and less than one third of households do not have toilet facilities.

### Population

The indigenous Tamang ethnicity constitutes the majority of more than one fifth of the total population with 72.4% Hindus, 20.6% Buddhists and 6.3% Christians.

(Central Bureau of Statistics, 2012; 2013; UNDP, 2014)

## Snapshot of Humla

### Literacy rate

64.2% of women and 35% of men are illiterate.

### Child marriage

68% of females marry before the age of 20.

### Male emigration

Only in 4.6% of households have absentees.

### Food security

Over 60% of children are malnourished.

### Energy sources

Fuelwood used exclusively for cooking.

### Water & Sanitation

30.2% without access to safe water, and 50% of households have no toilet facilities.

### Population

The Hindu Chetree caste comprises more than one third of the population, followed by 20% of Thakuri and 14% of the indigenous Tamang. 81.6% of the population are Hindus, 18.1% Buddhists.

(Central Bureau of Statistics, 2012; UNDP, 2014)

16 A person is declared "absentee" when s/he is away for more than 6 months (Maharjan et al., 2012).

17 Norlha's project "Mahila: Women and farming as a business" (2014-2018) aims to promote agricultural entrepreneurship of women while addressing their practical constraints, such as heavy workload, and lack of access to basic health and education. The project is taking place in Dandagaun VDC, Thulogaun VDC and Ramche VDC in the district of Rasuwa, Nepal.

18 Norlha's project "Mahila: Helping women deal with men's migration" (2016-2019) aims at improving the livelihood of women and girls who are impacted by male emigration, reducing their socio-economic dependencies through financial inclusion, entrepreneurship and social support and via easing their practical constraints. The project is being implemented in Gatlang VDC in the district of Rasuwa, Nepal.



## 3.

# Legal framework governing the women of Nepal

## 3.1 Legal measures

The GoN has enacted, adopted and ratified several international and national legislative measures, policy programmes and legal strategies to promote gender equality in Nepal.

### International legislation

International instrument	About	To note
<p><b>Convention on the Elimination of All Discrimination Against Women (CEDAW) and Optional Protocol (ratified in 1991)</b></p>	<ul style="list-style-type: none"> <li>• Article 9: The state must safeguard against gender discrimination and statelessness in national law.</li> <li>• Reports on the progress and measures undertaken by Nepal are to be submitted every 4 years.</li> </ul>	<ul style="list-style-type: none"> <li>• Current citizenship laws violate Article 9.</li> <li>• The UN received its last report from Nepal in 2011.</li> <li>• Merely “short-term progress in women’s rights” has been achieved (Committee on the Elimination of Discrimination against Women CEDAW, 2011, p. 3).</li> </ul>
<p><b>Beijing Platform for Action (adopted in 1995)</b></p>	<ul style="list-style-type: none"> <li>• The GoN formulated a National Action Plan encompassing “the principle system to strengthen and capacitate the existing instruments for women’s development, and to consolidate gender perspectives in the national policies” (Beyond Beijing Committee, 2014, p. 50).</li> <li>• The CSW reviews the progress of states in their implementation every 5 years.</li> </ul>	<ul style="list-style-type: none"> <li>• The last time that Nepal was reviewed was in 2014.</li> </ul>

## International instrument

## About

## To note

### UN Millennium Development Goals (MDGs) (2000)

- The GoN committed to the gender-related ones: the promotion of gender equality and the empowerment of women (MDG number 3), reducing child mortality (MDG number 4) and improving maternal health (MDG number 5).

- The continued occurrence of child marriage contributes to underage pregnant mothers which tend to increase rates of infant and maternal mortality.

### UN Sustainable Development Goals (SDGs) (2015)

- Include: gender equality and the empowerment of women (SDG number 5); poverty (SDG number 1); hunger, food security, nutrition and sustainable agriculture (SDG number 2); inclusive and equitable education (SDG number 4); climate change (SDG number 13).

- Specifically, the GoN aims for zero discrimination in education, and for significant improvement in the areas of participation and labour. Combating harmful practices and violence are also among the articulated goals for 2030 under SDG number 5 (GoN National Planning Commission, 2015).
- Even though Nepal is making good progress to combat malnutrition, the current progress is not enough to reach the SDG to end malnutrition for all by 2030 (Save the Children, 2016).

### UN Security Council resolutions 1325 (2001) and 1820 (2008)

- Protection of women and girls from sexual-based violence in armed conflict.

- The Ministry of Peace and Reconstruction refers to these as guidelines.

## National legislation

## National legislation

## About

## To note

### Constitution of Nepal (2015)

- Article 18: Guarantees gender equality as all citizens are equal before the law. Special mention is made of possible provisions for the protection and empowerment of vulnerable groups, such as culturally backward women, Dalits etc.
- Article 38: Refers to “rights of women”, who are equal to men in participation and property. Furthermore, positive discrimination in education, health, employment and social security is applicable.

- In practice, it does not always succeed in guaranteeing protection against gender discrimination in the general application of laws.
- Certain acts of the Federal Law still need to be amended accordingly (FWLD, 2016).

## National legislation

## About

## To note

- Generally makes mention of specific rights and issues relating to gender and marginalized groups, setting the limits of the relevant Federal Law each time. For example: citizenship (Part 2), equality (article 18), untouchability and discrimination (article 24), property (article 25), education (article 31), labour (article 34), women (article 38), Dalits (article 40).

**Gender Equality Act (2006)**

- Amended discriminatory provisions of other existing acts.
  - Provides women with the same rights as men when it comes to the ownership of property (The World Bank, 2013) and the inheritance rights to property (ADB, 2010).
- The new Constitution (2015) specifically guarantees the right to equality (article 18).
  - There are still laws that discriminate against women, especially on citizenship, inheritance, marriage and family life (FWLD, 2011).

**Citizenship Act (2006)**

- Citizenship for children born of mixed marriages where one of the parents has Nepali citizenship.
- The new Constitution of Nepal speaks about the acquisition of citizenship as a right entitled to all Nepali citizens (part 2). However, the Citizenship Act has not been updated hence still includes provisions contradictory to the new Constitution (FWLD, 2016).
  - In reality, barriers might still exist for children acquiring citizenship based on their Nepali mother (see section 3.3. of current report).

**Marriage Registration Act (1963)**

- The legal age of marriage for both men and women is 20 years old with no exceptions.
  - Violators can be jailed for 3 years and fined NPR 10,000.
- Police rarely act to prevent child marriage and/or bring charges, and fail to do so, unless a complaint is filed.
  - Government officials often officially register child marriages, even though child marriage is a crime (HRW, 2016).

## National legislation

## About

## To note

**Finance Act (2015)**

- According to the Act, the GoN allows a revenue discount when registering land in the woman's name: the discount is 25% when registering land in a municipal area, and 30% in a VDC. Additionally, for VDCs of specific Himalayan districts there is up to 50% revenue discount.
- For single women, an additional 10% revenue discount is provisioned.
- Access to information is vital to access property rights, including land rights.
- It is important to identify the knowledge level on legal and administrative policies regarding land, and to understand the awareness in women regarding their rights under state and customary systems (IOM, 2016).

**Inheritance Law (2015)**

- Equal inheritance laws: sons and daughters have equal sharers in property division, regardless of their marital status.
- The new Constitution of Nepal speaks of equal lineage without any gender discrimination (article 38).
- Even though "pewa" (the property given to daughters) is under the complete control of the woman receiving it, she is still pressured to seek permission from her father before selling it (Rajbhandary, 2016).

**Discrimination in Caste and Untouchability (Offense and Punishment) Act (2011)**

- Addresses discrimination against, among others, tribe and caste.
- Violators face imprisonment of up to 3 years and fine up to NPR 25,000 or both (Pun, 2014).
- Article 18 of the new Constitution of Nepal (2015) prohibits discrimination founded on caste, and article 24 stresses the "right against untouchability and discrimination".
- Any witness can report the relevant crimes to authorities.
- Has been criticised for "unsatisfactory implementation" (Pun, 2014).

**Anti-witchcraft Act (2015)**

- Enacted to minimize violence against women based on witchcraft accusations.
- With a jail sentence of 5-10 years and a fine up to NPR 100,000 to those convicted.
- For those abetting such crime: 3 months in prison and a fine of NPR 30,000 (my Republica, 2015).
- In 2010, the National Women's Commission tabled a proposal at the MWCSW. The proposal took the form of this Act after 6 years.

## National legislation

## About

## To note

**Domestic Violence (Crime and Punishment) Act (2010)**

- Authorises the filing of both verbal and written complaints by the victims (and includes through a third party) against domestic violence (physical, mental, sexual, financial, behavioural) in court.
- The court can order interim protective measures for the duration of case proceedings.
- A fine of NPR 3,000-25,000 or 6 months imprisonment, or both can be imposed.
- Anyone who attempts, abets or incites others to commit the crime shall be liable to half the punishment of the perpetrator.
- Anyone who has already been punished once is liable to double the punishment upon every repetition of the offence. If a person holding a public post commits the offence, s/he is liable to an additional 10% of the punishment.
- The Act contains provisions for preliminary "negotiations" first, through quasi-judicial bodies, police officers, or mutual understanding to resolve cases, with victims vulnerable to threats and coercion to "take back" cases filed (Rajbhandary, 2016).
- The probation period for women is 6 months while for men one year.
- Judicial orders have also been issued prohibiting different malpractices contributing to gender-based violence, such as chhaupadi, accusation of witchcraft or child marriage.
- The 2006 Nepal Demographic and Health survey found that 22% of men and 23% of women agreed that there were at least some situations in which a husband was justified in beating his wife.

**Human Trafficking Act and Transportation Control Act (TIP) (2007)**

- Extended the meaning of trafficking in persons.
- Lack of awareness among rural populations of the Act and of risk factors leading to human trafficking (USAID, 2015).

**Legal Aid Act (1997)**

- Amended in 2015, redefining the economic status-based eligibility of the indigent to receive free legal aid, to include survivors of gender-based violence and armed conflict.<sup>19</sup>
- There should be a District Legal Aid Committee in each district. However, only 48 of these Committees have government employees (FWLD, 2015).

**Education Act (1971, 7<sup>th</sup> Amendment)**

- Inclusion of women members in village education committee and school management committee.
- Free education for women, Janajati, and Dalits living below poverty line.
- The new Constitution of Nepal (2015) also speaks of equal access to education for all.
- Reducing inequality in access to education between men and women and among women of various social groups needs special attention - particularly in remote areas and schools catering to children of marginalized communities (UN Women, 2015).

<sup>19</sup> The information is available online: <http://www.np.undp.org/content/nepal/en/home/presscenter/articles/2016/06/28/know-your-rights.html>

<sup>20</sup> The information is available online: <http://www.manosamajik.com.np/en/recent-news-and-media/48-the-fight-against-violence>

National legislation	About	To note
<b>Civil Service Act (2007)</b>	<ul style="list-style-type: none"> <li>Reserves one-third of vacant posts in the civil service for women (FWLD, 2011).</li> </ul>	<ul style="list-style-type: none"> <li>There is a 40 years age limit for women to enter government service.</li> </ul>
<b>Labour Act (2014)</b>	<ul style="list-style-type: none"> <li>Introduced to amend and unify labour related laws as per the GESI policy.</li> <li>Equal wage for equal value of work is specified.</li> </ul>	<ul style="list-style-type: none"> <li>According to article 18 of the new Constitution of Nepal (2015), no discrimination in remuneration is allowed on the basis of gender.</li> <li>Provides for maternity leave (up to 60 days) with full pay, and an additional one month with a medical prescription.</li> <li>Requires the inclusion of 4 women representatives in the Central Labour Advisory Council of 14 members (UN Women, 2015).</li> </ul>
<b>Foreign Employment Act (2007)</b>	<ul style="list-style-type: none"> <li>Lists specific criteria concerning migrant workers and their eligibility to go abroad.</li> <li>Section 8: Discrimination on the basis of gender is prohibited when sending workers abroad unless an employer requests workers of a particular gender.</li> <li>Section 9 (1) &amp; 9 (2): The Government may make "special facility" for minority and disadvantaged groups (women, Dalits, indigenous groups, "oppresses" persons, victims of natural disasters, persons living in remote areas), all institutions must reserve allocations for these groups based on the Government's prescribed numbers (Sijapati, Bhattarai et al., 2015).</li> </ul>	<ul style="list-style-type: none"> <li>Women under the age of 25 had been prohibited from travelling to the GCC countries, Lebanon and Malaysia to work as domestic workers, pursuant to a decision of the Minister of Labour and Employment (Sijapati, Bhattarai et al., 2015). However, this ban was eventually lifted since it was not proven effective with protecting women: those in need of employment abroad kept pursuing it via unofficial and unsafe channels (The Kathmandu Post, 2016).</li> </ul>
<b>Sexual Harassment in the Workplace Act (2014)</b>	<ul style="list-style-type: none"> <li>Combats sexual harassment against women in the formal employment sector.</li> <li>Penalty: a jail sentence of up to 6 months or a fine of up to NPR 50,000, or both.</li> <li>For repeat offenders, the punishment would be doubled every time. In respect of a false complaint, s/he faces a fine of up to NPR 10,000.</li> <li>If the office management does not fulfil their responsibilities in terms of this Act, they will face a fine of up to NPR 25,000.</li> </ul>	<ul style="list-style-type: none"> <li>Only women working in government offices, full or semi-governmental organisations or companies are addressed by this law. It does not include women working in the informal sector.<sup>20</sup></li> </ul>

# Policy programmes

## Policy

## About

## To note

### Ongoing

#### Second Long-Term Health Plan (1997-2017) and Safe Motherhood Plan (2002-2017)

- Focus on reducing maternal mortality through health and development services (Department of Health Services GoN, 2002).

- The Supreme Court acknowledged uterine prolapse as a serious reproductive health issue, advocating the provision of free check-ups (FWLD, 2011).

#### Multi-sector Nutritional Plan (2013-2017)

- Contributes to maternal health, targets teenage girls, pregnant women and breastfeeding mothers (UN Women, 2014).

#### Women and Children Service Centres (1996-today)

- Established by the Nepal police in the headquarters and in several districts to investigate crimes against women and children that include gender sensitive service delivery (UNFPA, 2007; Nepal Police, 2010).

- The Service Centres and hospital-based one-stop crisis management centres provide immediate help to victims of gender-based violence (UN Women, 2014).

### Implemented

#### National Health Policy (1991), and Aama Programme (2009)

- Focus on greater access to maternal healthcare, free delivery services, abortion facilities and awareness raising (ADB, 2010).

- Female Community Health Volunteer Programmes in all 75 districts (ADB, 2010) indicate significant improvements.

#### Affirmative Action Policy and Government Resolution (2006)

- 33% of seats in the Constituent Assembly (Parliament) are reserved for women and at all levels of state mechanisms.

- Impacts upon participation favourably.

#### Education for All (EFA) programme (2004-2009) and School Sector Reform Plan (2009-2015)

- Provide free primary education, scholarships and incentives to overcome gender disparity, indirect and opportunity costs, including recruiting female teachers (ADB, 2010).

- More than 30,000 Early Child Education Development (ECED) centres and literacy programmes of the Non-Formal Education Centre (NFEC) established (Beyond Beijing Committee, 2014).
- Girls' and women's access to education increased: abolishing school fees, and providing scholarships and free lunch at school proved effective in increasing girls' enrolment and retention (UN Women, 2014).

Policy	About	To note
<b>Nepal Police Gender Policy (2012)</b>	<ul style="list-style-type: none"> <li>Ensures gender sensitivity within Nepal police by creating gender-friendly environment and developing gender-friendly infrastructure as well as by enabling the police to successfully address gender issues in law and in practice.</li> </ul>	
<b>10-year National Plan of Action (2011) (relating to the TIP Act of 2007)</b>	<ul style="list-style-type: none"> <li>Prioritizes the prevention, protection, prosecution and capacity building of concerned institutions in relation to trafficking of women (UN Women, 2014).</li> </ul>	<ul style="list-style-type: none"> <li>A persistently low rate of prosecutions reflects an inadequate understanding and coordination by law enforcement and judicial officials regarding their responsibilities (USAID, 2015).</li> </ul>
<b>Foreign Employment Policy (2012) and Foreign Employment Rules (2008)</b>	<ul style="list-style-type: none"> <li>Address concerns of female migrant workers and ensure their rights in the overall migration cycle (Department of Foreign Employment, 2013/2014).</li> </ul>	<ul style="list-style-type: none"> <li>Recognize the problems (e.g. lack of skills that leads to low salaries, less than ideal workplaces, migration through irregular channels etc. (UN Women, 2014)) that female migrants experience in the emigration process.</li> <li>Include strategies intended to better protect women - due to their vulnerability and lack of protection, especially for domestic workers, from physical violence, sexual harassment and economic exploitation (Department of Foreign Employment, 2013/2014).</li> </ul>
<b>National Policy for Agriculture (2004) and Agricultural Development Strategy (2013)</b>	<ul style="list-style-type: none"> <li>Focus on the involvement of women in the agricultural production (MWCSW, 2014).</li> <li>Promote programmes for cooperative-based production, rural agricultural employment, agricultural credit and their proportional representation in farmer's consultative committees (ADB, 2010).</li> </ul>	<ul style="list-style-type: none"> <li>The Ministry of Forestry particularly, promotes forestry related micro-enterprises, representation, membership and capacity enhancement of women in forestry-related groups (ADB, 2010).</li> </ul>
<b>Rural Water Supply and Sanitation Policy and Strategy (2004)</b>	<ul style="list-style-type: none"> <li>Enhances access to drinking water and sanitation providing for gender dimensions and a 33% representation of women in user committees (ADB, 2010).</li> </ul>	

**Policy****About****To note**

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**Alternative Energy Promotion Centre / Energy Sector Assistance Programme (2008)**

- Started the Strategy on Gender and Social Inclusion (ADB, 2010).

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**Climate Change Policy (2011)**

- Prioritises the participation of women in the implementation of climate adaptation and climate change-related programmes.
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## 3.2

# Government structures and institutions

In 2007, Nepal signed a peace accord and underwent political transition following a decade-long internal conflict. In terms of governmental development planning, a paradigm shift in line with the international community from “women in development” to “gender and development”<sup>21</sup> became evident from Nepal’s Ninth Five-Year Plan (1997-2002) onwards - generalizing gender mainstreaming in governmental activities and institutions (ADB, 2010) such as gender-assessment studies, gender in training programmes, gender-sensitive monitoring systems, gender-responsive budgets, and gender-disaggregated data.

A few of the governmental institutions in charge of advancing women’s rights on a daily basis are listed below.

<sup>21</sup> This entailed a shift from development initiatives integrating “women’s” issues to a development approach that tackles “gender relations” in general.

## Government institutions

## About

<b>National Women's Commission</b>	<ul style="list-style-type: none"> <li>• A constitutional body<sup>22</sup> that monitors Nepal's compliance of international instruments for the protection and promotion of women's rights (FWLD, 2011).</li> <li>• Remains largely ineffective due to lack of organizational structure and expertise (Beyond Beijing Committee, 2014).</li> </ul>
<b>Ministry of Women and Children and Social Welfare</b>	<ul style="list-style-type: none"> <li>• Its periodic plans (2013/14 - 2015/16) establish and strengthen mechanisms for gender equality as well as develop new programmes on women's empowerment. Provides for the promotion of gender equality, women's empowerment and gender mainstreaming (ADB, 2010).</li> </ul>
<b>Department of Women Development</b>	<ul style="list-style-type: none"> <li>• Its mandate is to "empower women, especially those who are economically poor, socially deprived or otherwise put at a disadvantage"<sup>23</sup>.</li> </ul>
<b>Women Development Offices</b>	<ul style="list-style-type: none"> <li>• The main gender institutions on the district level, mainly implementing the Women Development Programme (ADB, 2010).</li> </ul>
<b>Gender Focal Points</b>	<ul style="list-style-type: none"> <li>• Established in coordination with the MWCSW in other governmental ministries and departments.</li> </ul>
<b>District Development Committees (DDCs) and Village Development Committees (VDCs)</b>	<ul style="list-style-type: none"> <li>• Locally, major decisions on development policy are taken by the DDCs and VDCs.</li> </ul>
<b>Office of the Prime Minister and Council of Ministers</b>	<ul style="list-style-type: none"> <li>• National Plan of Action for Controlling Gender-Based Violence and Promoting Gender Empowerment (2012).</li> </ul>
<b>Ministry of Finance</b>	<ul style="list-style-type: none"> <li>• Formally introduced Gender Responsive Budgeting in 2007/2008: sectoral ministries are required to categorize their programme budgets based on the extent to which they support gender equality (GoN &amp; MoF, 2008).</li> <li>• Has a Gender Responsive Budget Committee responsible for gender issues in development programmes, budgeting and implementation (OCHA &amp; UN Women).</li> <li>• Gender Responsive Budget Formulation Guidelines (2011).</li> </ul>
<b>National Planning Commission</b>	<ul style="list-style-type: none"> <li>• Provides for a Social Development Division and a Gender Equality Division (UN Women, 2014).</li> <li>• Responsible for coordinating the formulation of plans and policies, with a Gender Equality and Environment Section under the Social Development Division. The section works to mainstream gender equality and women's empowerment into sectoral ministries (OCHA &amp; UN women, 2016).</li> <li>• Approach paper of Fourteenth Plan (2016/2017-2018/2019).</li> </ul>
<b>Ministry of Information and Communication</b>	<ul style="list-style-type: none"> <li>• Implements the Information Technology Policy 2011.</li> <li>• Focuses on increasing access to information and technology for women and others living in remote areas.</li> </ul>

<sup>22</sup> Before the Constitution of Nepal (2015), it was established in 2002 as an independent institution.

<sup>23</sup> The mandate is outlined online: <http://www.dwd.gov.np/>

## Government institutions

## About

<b>Ministry of Science Technology and Environment</b>	<ul style="list-style-type: none"> <li>• Implements the Climate Change Policy (2011).</li> <li>• Prioritizes the participation of women in the implementation of climate adaptation and climate change-related programmes.</li> </ul>
<b>Ministry of Education</b>	<ul style="list-style-type: none"> <li>• School Sector Reform Plan (SSRP) of 2009-2015.</li> <li>• Human Resource Development for Ministry of Education: Training Policy (2010).</li> <li>• National Centre for Education Development: Training Policy (2010).</li> <li>• Non-formal Education Policies (2010).</li> <li>• Nepal Technical and Vocational Training and Skill Development Policy (2007).</li> </ul>
<b>Ministry of Health</b>	<ul style="list-style-type: none"> <li>• Second Long Term Health Plan of 1997-2017.</li> <li>• Nepal Health Sector Programme: Implementation Plan of 2004-2009 and Implementation Plan of 2010-2015.</li> <li>• Strategic Plan for Human Resources for Health of 2003.</li> <li>• Safe Motherhood and Neonatal Health long term plan of 2006-2017.</li> </ul>
<b>Ministry of Labor and Employment</b>	<ul style="list-style-type: none"> <li>• Foreign Employment Policy of 2011.</li> </ul>
<b>Department of Foreign Employment 2013</b>	
<b>Ministry of Agriculture and Development</b>	<ul style="list-style-type: none"> <li>• Agriculture Development Strategy of 2013.</li> </ul>
<b>Ministry of Federal Affairs and Local Development</b>	<ul style="list-style-type: none"> <li>• GESI section established.</li> <li>• GESI Policy of 2009.</li> </ul>
<b>Ministry of Industry</b>	<ul style="list-style-type: none"> <li>• Women Entrepreneurship Development Fund Procedural Guideline of 2013.</li> </ul>

# Legislative and executive shortcomings

As already outlined previously, despite the formal adoption of legislation and policies to empower women in Nepal, imperfections and limitations throughout the regulating process and beyond it are still to be found as follows.

## During the legislative process

Multiple discriminations and diversity among women are not taken into consideration when formulating legislative initiatives (ADB, 2010). Generally speaking, the prohibition of discrimination only applies to the public sphere, leaving out the private sphere (FWLD, 2011). As the Shadow Report of the FWLD (2011) underlines, governmental interventions are predominantly structural with the underlying patriarchal attitudes remaining largely unchallenged.

## Citizenship

According to CEDAW, the state is supposed to safeguard against gender discrimination and statelessness in national law. However marginalized groups in the country have difficulty in accessing social services and/or justice due to their lack of legal identity (UN Women, 2014; USAID, 2015).

Few persons have been successful in obtaining a citizenship certificate solely in the name of their mother. The situation

can be summed up as follows: if a Nepali woman is married to a foreign man, she can only confer naturalised citizenship to her child, whereas a Nepali father can confer citizenship by descent. In addition, the single Nepali mother is required to declare the name of the father on her child's citizenship papers, or state that she does not know who the father is (Rajbhandary, 2016). The problem with citizenship by naturalisation is that it is not a matter of right; it relies on the discretion of the state.

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In 2013, 23.65% of the population in Nepal (4,346,046 individuals aged 16 and above) did not have citizenship (FWLD, 2013). 30% of the Dalit community did not have citizenship in 2014 (UN Women, 2014).

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## During implementation

On all executive levels, the implementation status and efficiency of institutions and policies remain unsatisfactory (ADB, 2010). The initiatives neglect building capacity and an enabling environment because of the general assumption that

special measures for the promotion of gender equality or quota are enough (FWLD, 2011). Stereotypical gender roles need to be addressed through knowledge and awareness building activities for policies and legal changes to have a substantial effect on the status and equality of women in Nepal. Most importantly, women need to be aware of their rights and the laws guaranteeing those rights; the Ministry of Law, Justice, Constituent Assembly and Parliamentary Affairs launched a Legal Awareness Programme in 2012 (UN Women, 2014).

Government institutions created for the advancement of women are generally ill equipped in both financial and human resources: many of them still do not have the capacity to collect and/or maintain gender disaggregated data. Generally, the energy, water and transport sectors tend to be partially gender blind as women's time use, access to resources and support needs are not adequately addressed in them (FAO, 2015). Gender Responsive Budget programmes are confined to the ministerial level and not to local level beneficiaries (FWLD, 2011).

## Child marriage

Since 1963, Nepali law has declared child marriage as illegal. The age of marriage is set at 20 years old for both men and women. Despite this, child marriage is widely prevalent and deeply entrenched in Nepali society, driven by gender discrimination and poverty.

“Poverty, lack of access to education, child labour, social pressures, and dowry practices<sup>24</sup> are among the factors driving child marriage.” (HRW, 2016, p. 3). There are also the self-imposed “love marriages”

among underage girls and boys which are alarmingly on the increase: young girls are often “prompted by deprivation or abuse at home, a desire to avoid a forced child marriage to a less-favoured partner, lack of information about and access to contraception<sup>25</sup>, and social pressures” (HRW, 2016, p. 120).

The causes and consequences of child marriage are interlinked with gender discrimination: many girls report suffering violence, including sexual violence, and early marriages tend to lead to early and closely spaced pregnancies contributing to serious health consequences which include infant and maternal mortality. In 2016, Nepal shifted its goal of ending child marriage by 2020 to 2030 (HRW, 2016) and the government also adopted a national strategy plan in 2016, providing a foundation for a National Plan of Action to be adopted with the aim of ending child marriages. However, a lack of awareness and a change of perception and attitudes of communities in the rural areas of Nepal may prove to be the biggest and most important first step in tackling the crime of child marriage<sup>26</sup>.

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According to HRW (2016), Nepal has the 3<sup>rd</sup> highest rate of child marriages in Asia after Bangladesh and India: around 37% of Nepali girls get married before the age of 18 and 10% before the age of 15. Furthermore, a majority of the children who marry young were from Dalit or indigenous communities. In Nepal, poor girls are four times more likely than the richest ones to marry early (Save the Children, 2016).

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24 Some Nepali communities expect girls to marry as soon as they begin menstruating; often parents cannot afford the additional costs associated with free education, and the older the bride is, the higher the dowry demanded by the groom's family.

25 The possibility or fear of extramarital pregnancy puts children at risk of a rushed marriage (HRW, 2016).

26 Fighting child marriages by empowering girls, providing them with better education, making families and communities more aware of the laws, and implementing the laws and policies (MWCSW quoted by media sources (ABC News online, 2016): <http://abcnews.go.com/International/wireStory/nepal-criticized-stopping-child-marriages-41940226>).

## Trafficking of Women

TIP in Nepal is a serious issue worsened by the 2015 earthquake that left more women and girls from poor and marginalized communities vulnerable. Labour trafficking is on the increase: for instance, desperate women and girls are being lured to the Middle East with the promise of jobs and a much needed income.

Most rural populations remain largely unaware<sup>27</sup> of the TIP Act and the risk factors leading to human trafficking (USAID, 2015). Trafficking for commercial sexual purposes is also prevalent: Nepalese girls as young as 11 are sent to or procured for brothels in the big Indian cities by middlemen who approach poor farming families with the promise of feeding, housing and finding their daughters work (Sallee, 2008). Often the families lose contact with their daughters once they cross the border. One has to note that “it takes a holistic approach to address protection, prosecution, and the prevention of trafficking in persons” (USAID, 2015, p. 1).

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NGOs in Nepal estimate that 15,000 Nepali women and girls are trafficked annually to India, while 7,500 are trafficked domestically for commercial sexual exploitation. In addition, an estimated 20,000-25,000 Nepali women become involuntary domestic workers yearly within Nepal (USAID, 2015).

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27 “Returning migrants, who are survivors of human trafficking as defined per the international and national legal framework, more often file complaints under the Foreign Employment Act rather than identifying themselves as a TIP victim” (USAID, 2015, p. 1).

# Government priorities

In its 10-year strategic plan the MWCSW (2014) has outlined a list of priority strategies and actions:

- **Gender-based violence and trafficking** of women have been advanced to the forefront of issues to be tackled. The Ministry in collaboration with USAID has developed key national anti-TIP policies like the National Minimum Standards for Victim Care and Protection and the Standard Operation Procedures for Rehabilitation Centres that are now being implemented by the National Committee on Controlling Human Trafficking.
- Focusing on the empowerment of women belonging to **marginalized groups**, such as single women, Dalit women and women with disabilities: the Discrimination in Caste and Untouchability Act (2011) has been enacted to address discrimination against Dalits, including Dalit women (see section 3.2 of current chapter).
- **Raising awareness** of these direct and indirect gender equality laws and monitoring their implementation.
- **Clarifying roles and responsibilities within structures**, specifically at the district level, enhancing their overall capacities.
- Encouraging meaningful **participation** of women throughout the development processes and government framework in line with the gender mainstreaming strategy.
- Promoting **entrepreneurial skills and capacities** of women through training on skills, leadership and credit in collaboration with development partners.

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For instance, the MoLE, the MoFALD and UN Women conducted a joint project under the aegis of IFAD on “Economic Security of Women Migrant Workers” (2009-2011) focusing on providing alternative livelihood opportunities to enable entrepreneurship development for women migrant workers as well as women from migrant families. By the mid-term review, a total of 497 women had taken part in the training, of whom 297 had already set up their enterprises and 158 were in the process of initiating them (Sijapat, Bhattarai et al., 2015).

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4.

# Good practices and challenges in development

The empowerment of women, as the pillars of the rural economy of Nepal, is constantly challenged by various constraints and discriminations in their daily life. A few good practice examples by the national and international community are listed below together with the challenges these stakeholders may face in the implementation thereof.

## Male emigration

The absence of male members of the family and the subsequent inflow of remittances change the workload, financial means, and distribution of roles within a household.

## Good Practices

- Ensuring legitimate remittance **transfer channels** to reduce transaction costs and safety issues.
- Establishing **financial literacy** among the women to ensure sound financial decisions with respect to the remittances received (Alvarez et al., 2011): for instance, programmes where women learn how to keep records of their household revenues and expenses, and rural **investment opportunities** for the women to effectively and sustainably deploy their additional finances (Vargas-Lundius & Lanly, 2008).

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IFAD funded the project “Promotion of Migrant Savings and Alternative Investment through selected MFIs in Nepal (PMSAI)” (2009-2011) to provide improved financial services for the rural poor and migrant worker families. It was implemented by the Centre for Micro-finance (CMF), Nepal, by promoting migrant savings and investment using community-based MFIs located in the migrant workers’ home villages.

The NGO Pourakhi with the support of UN Women conducted the pilot programme “Economic Security of Returnee Women Migrant Workers and Their Families in Nepal” in Sunsari, Kaski and Kathmandu to enhance the economic security of women migrant workers and their families through productive investment of remittances, and to create alternative livelihood options for women returnees. The entrepreneurs’ development training saw the participation of 736 individuals out of whom 45% had invested their remittance in business (Sijapati, Bhattarai et al., 2015).

Norlha's project "Mahila: Helping women deal with men's migration" (2016-2019) in Gatlang VDC (Rasuwa, Nepal) empowers women affected by male emigration (extremely common in this VDC) economically and socially. Transfer, management and investment of remittances, and general financial literacy are main components of the project.

In Humla, the establishment of a savings and credit cooperative run by women, to handle remittances was a success (Sherpa D., 2010).

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## Challenges

- There are **limited** efficient channels to receive remittances, and often the **regularity** of remittances income, the **control** over it, and its **utilisation** remain unclear.

Most women (70.4%) are unable to use remittances without permission (Norlha Mahila1, 2014). Sometimes, remittances are exclusively used to pay off debt (Lahiri-Dutt, 2014; Norlha Mahila2, 2015).

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## Drudgery

Tackling drudgery is often an immediate and visible aid: contributing to women's **health** and the general **wellbeing** of their community. It is an effective **strategy** to encourage women to participate in other capacity building activities (Leduc, 2011) - allowing for women's empowerment.

## Good Practices

- The introduction of **drudgery reduction technologies**<sup>28</sup> is a crucial entry point in addressing women's immediate practical needs (Sharma et al., 2005).
- Establishing **demonstration centres** on site managed by women - to train and support the targeted women - may aid

the successful and fast dissemination of technologies in the area (Sharma et al., 2005).

- In water and energy projects successfully implemented in Nepal, women experienced drudgery reduction of 60% and associated health benefits within a short time (Sharma et al., 2005).
- Providing energy through rural electrification, micro hydropower and/or other **alternative and sustainable energy** sources, as well as installing rainwater harvesting systems near the households (Joint Regional Initiative for Women's Inclusion in REDD+, 2013).
- **Biogas** plants and improved cooking stoves instead of fuelwood enable women to spend more economically productive time (Joint Regional Initiative for Women's Inclusion in REDD+, 2013).

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In Nepal, women participated more actively in vegetable production when drip-irrigation technology was introduced, increasing food availability (Upadhyay, 2005). The introduction of micro-irrigation for women's vegetable gardens in Nepal where women provided 88% of the labour, led to a 50% reduction in their time spent in the fields (Upadhyay et al., 2005).

Similarly, the adoption of drudgery reducing technologies (i.e. improved cooking stoves, millet threshers, water tanks, hand tractors, seed cleaners) by Norlha in Nepal reduced each woman and girl's chores by 2 hours per day (Norlha Mahila1, 2016).

The introduction of clean energy like solar can reach remote areas without depending on traditional distribution infrastructure or resources.

Experience in Nepal shows that biogas can encourage an improved and ecological sanitation system in the community as human waste will also feed the biogas plants (Forte, 2011).

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## Challenges

- To encourage acceptance for the introduced drudgery reducing technologies, certain questions of **appropriateness, socio-cultural acceptance, and priority and accessibility** need to be addressed.
- Focus should also be on women's **control** over the technologies and not just mere access (Carr & Hartl, 2010).
- Often, the **design, planning and service delivery** of the technology is not specifically adapted to the physique, needs or priorities of women.
- **Technical problems** can also severely reduce the effectiveness or raise costs of the introduced technology - adequate training for maintenance and reparation are essential, as well as the availability of spare parts and expert advice close by (Forte, 2011).
- Development planning needs to take into account that short-term practical benefits can often be lost if the use of a new technology does not lead to **longer-term strategic changes** (Carr & Hartl, 2010).
- While it is easy to **measure** the impact in terms of time saved, it is more difficult to decipher as to what the newly gained time is used for (Carr & Hartl, 2010).

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Sometimes husbands are reluctant to contribute financially to the technology as “the work can be done free of charge by women” (Carr & Hartl, 2010, p. 43). Hence the added importance of the technology's ability to generate income for the user (Sharma et al., 2005).

Agricultural labour-saving tools, equipment and machinery tend to be designed for men. Women are sometimes ill-equipped to make the decision regarding the correct technology to use due to lack of capacity. And they often lack the credit to invest or even rent the new technology due to lack of land rights.

Extension and technical support on the use and upkeep of agricultural technologies are more likely to be provided by male agents, impacting upon women's comfort levels in raising concerns or problems (FAO, 2016).

In Nepal, “mechanized mills reduced the time to process 1 kg of rice from 19 to 0.8 minutes but women walked distances of 10 to 180 minutes to reach the mill and then waited an average 30 minutes for their turn” (Carr and Hartl, 2010, p. 29). Similarly, as a result of improved access to water, women collected water more times a day due to an increase in household water consumption or only after dark since the new water source was in sight of men, which they wanted to avoid considering it inappropriate (Regmi, 2001).

In one alternative energy project in rural Nepal, “the saved time was not always visible as women were always occupied with additional work such as working in kitchen gardens, collecting more fuel-wood to store and weaving mattresses” (Mahat, 2005, p. 29).

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## Income generation

An additional source of income<sup>29</sup> would contribute to financial independence and resilience, reducing women's vulnerability with unexpected expenses, and contributing to the family's livelihood, while potentially decreasing their exclusive reliance on subsistence agriculture and resolving issues of food insecurity.

## Good Practices

- It is critically important to integrate drudgery reducing technologies with

28 For examples of improved equipment for agriculture, animal production and horticulture see Manandhar et al., 2009. For a list of selected technologies, services and practices with labour-saving potential for women see FAO, 2015.

29 Despite women's triple work responsibilities (on the homefront, in their agricultural contribution to their family and their community) their work remains largely unpaid and unrecognised (FAO, 2016).

**micro-enterprises** to harness the saved time for income generation. Appointing women as **energy entrepreneurs**: to produce, distribute and install stoves to other women links drudgery reducing technologies with income generation (Sharma et al., 2005).

- Building a **sales network** of “women clean energy entrepreneurs” and using a “micro-consignment innovation” reducing the start-up risk for women was successful in rural Africa (Joint Regional Initiative for Women’s Inclusion in REDD+, 2013): women utilized solar energy and were able to focus on economic activities instead of collecting fuelwood.
- Providing women’s groups with **technical training and support** for enterprise development (e.g. in water management, nursery construction, agro forestry, tree biomass measurement, orchard management) are imperative to diversify women’s livelihoods and expand on the mere distribution of technologies (Joint Regional Initiative for Women’s Inclusion in REDD+, 2013).
- **Small livestock** - not seasonally restricted - and enhancing **knowledge capacity** (IFAD, 2010) effectively empower women by building family assets (Singh, 2009): a goat programme resulted in an annual supplementary income of NPR 10,000 per family (Paudel, 2009), and micro-insurance and micro-credit programmes, as well as vaccination, de-worming and castration, can reduce financial risks in livestock keeping (The World Bank, 2009).
- **Medicinal and aromatic plants**, cash crops particularly present in trade in Rasuwa, also contributed to a large part of the farmers’ income (Humagain & Shrestha, 2009).
- **Trade-oriented skills** such as sewing and cutting, fabric painting, weaving and beverage processing can help women to orient their production towards the designated market and to sell higher-value products (Helvetas Nepal, 2009).

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Examples of interventions can be: the establishment of community-managed collection, dispatch centres and coop-

eratives, non-destructive harvesting to improve the quality of the raw material, as well as improved post-harvest procedures such as drying, grading and packaging (ICIMOD, 2012).

Women keep being interested in “traditionally female” activities such as weaving. Norlha’s beneficiaries in Rasuwa believed that more training in such activities would enable them to pursue an income, and not only meet the needs of their family (Norlha Mahila1, 2016).

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## Challenges

- In order to find **acceptance** to teach women new skills, whether traditional norms break needs to be taken into account (The World Bank, 2009).
- Businesses owned by women generally face more **constraints**: women’s bargaining power for higher prices and appropriate technology need to be facilitated due to issues such as lack of education and information (Joint Regional Initiative for Women’s Inclusion in REDD+, 2013).
- Women business owners also receive **less support** than their male counterparts.
- It is crucial to ensure that women retain **control** over their own production and marketing: there is a tendency for men to take over a business once it becomes financially lucrative (The World Bank, 2009).

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The inability to borrow leads to women’s inability to develop their skills, preventing them from earning more. And so they cannot afford the technologies that might boost them to the next rung on the economic ladder. Mobility is required in order to access resources, social networks and knowledge: in areas where women have limited mobility, they will be absent from value chains (FAO, 2015). Women farmers also commonly find it difficult to hire labour for their crops (FAO, 2016).

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## Access to resources

It is vital to increase the control that women have over assets to ensure the general sustainability of interventions (Leduc, 2011). Women could start their **own business undertakings** with an increased access to resources, contributing to increased **participation** as the legal owner or due to their available financial resources. Consequently, women would be easily recognised as relevant **stakeholders** in management and decision-making processes - even more important within the context of **male emigration**.

### Good Practices

- Initiatives involving **pooling efforts**, such as collective land lease, joint investment in equipment, and assistance in developing community grain funds available to members at low prices, prove successful when providing women with access to resources (Joint Regional Initiative for Women's Inclusion in REDD+, 2013).
- Similarly, financial inputs such as **group savings, micro-credit** or **revolving credits** could be feasible solutions to overcome initial cost barriers, i.e. in accessing technologies (Sharma et al., 2005).
- Self-help **groups** who manage collective savings succeed with increasing access to financial resources for women to meet household needs (Leduc, 2011). Cooperation between women's groups and women-administered **micro-finance institutions** can help to alleviate barriers and gain economic benefit. Women **networks and federations** can promote access to natural resources and their equitable distribution (Joint Regional Initiative for Women's Inclusion in REDD+, 2013).
- Women's access to financial resources helps **men to accept** their participation in village development programmes (Locher, 2006).

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The Leasehold Forestry and Livestock Programme of IFAD promoted savings and credit groups as well as cooperatives among marginalized groups including female-headed households, organizing women's groups to obtain the leased blocks of degraded forest land from IFAD (IFAD, 2009).

Combining drudgery reduction with access to credit could ensure that the extra time gained is used to earn more (Carr & Hartl, 2010). Women also tend to invest the loan money in income generating activities, girls' scholarships or village development (Locher, 2006).

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### Challenges

- It is difficult to address the **gender dimension of property** as land rights remain one of the most sensitive issues in rural and mountainous areas (Leduc, 2011), and it remains a fact that weak access to land rights diminishes women's credit capacity and autonomy to rent or invest in new technologies (FAO, 2016).
- In relation to **group lending programmes**, dropout rates can be high - especially at a later stage (Ashe & Parrott, 2001).

## Maternal and reproductive health

In addressing maternal health, one strengthens the health of the next generation. Adequate family planning also allows women to have more time and freedom for education and income generation.

### Good Practices

- **Awareness** raising programmes that emphasize the importance of ante-, postnatal and delivery care for mothers - targeting all women, family, mothers-in-law and husbands (Dhakal et al., 2011).
- **Fighting child marriage** necessitates fundamental change in creating opportunities and economic alternatives for girls, and in increasing the influence over their strategic life choices (Warner et al., 2014). For instance, conditional cash transfers can be established subsidizing care, or linking the education of girls to the prevention of underage marriages (Solataroff & Pande, 2014). Also, basic prerequisites may prevent underage marriage<sup>30</sup>: the issuance of **birth certificates** to verify the girl's real age, ensuring the official **registration of marriage**.
- Generally, women's secondary **education** is strongly associated with greater use of health care (Furuta & Salway, 2006). Other mechanisms include **participatory learning and actions**, women's groups learn about health, develop confidence, disseminate information in their communities and build community capacity to take action.
- Strengthening **community-based outreach services**, addressing financial barriers and establishing rationally located birthing centres are especially important in remote areas to ensure/facilitate the actual access to care for women (MoHP, 2014). In Nepal, some VDCs raised funds for accessing obstetric care, which improved its utilisation rate (Hussein et al., 2009). There are also clear indications that building the

**capacity of health workers** can play an important role in aiding women who have experienced violence (UNFPA, 2011).

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Effective prevention strategies for reproductive health should include information dissemination among women and girls to allow them "to make their own decisions concerning their sexual and reproductive health" (Amnesty International, 2014, p. 11). Poster campaigns help with public awareness, transforming issues from an "unspeakable social taboo into an important rights and health issue" (Helvetas Nepal, 2009, p. 10). Radio dramas can overcome the information barrier, and promote gender equality, maternal health services and use of family planning, reaching a big part of the population at once (UNFPA, 2012).

With the help of Save the Children and following advocacy by girls and boys, three local priests agreed to stop solemnising child marriages in Nepal (Save the Children, 2016).

Gender sensitisation workshops tend to serve as a forum where women gain confidence to question and challenge discriminative practices such as chhaupadi. Health issues can serve as entry point to raise other issues and discrimination: when uterine prolapse was used as a starting intervention point, more women showed interest and participated in group discussions on other topics (Helvetas Nepal, 2009).

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### Challenges

- The female health volunteers deployed by the government in effectively providing community-based care may become **overburdened** as their responsibility increases (MoHP, 2014).
- Women burdened by their daily **workload** may not have the time to participate in workshops or they can even be discouraged by family members.

## Participation

Rendering women's regular and active participation as desirable is a cornerstone of any effective and sustainable development initiative. Policies and projects assume that farmers and rural workers are mostly men. Ensuring the full involvement of women in all planning and decision-making processes would guarantee that women's concerns, needs and wants are met, translating into improved livelihoods (Carr & Hartl, 2010).

### Good Practices

- The **active participation** of women in groups, federations and networks identify women as beneficiaries and key players in the programming and implementation of development activities. Women's presence in groups encourages overall collaboration, solidarity and conflict resolution.
- **Women-only groups** can develop women's influence and engagement in the community (Joint Regional Initiative for Women's Inclusion in REDD+, 2013).
- Strategically **linking** women professionals to grassroots women, who then receive training in leadership, coaching, mentoring and support, also proves successful (Joint Regional Initiative for Women's Inclusion in REDD+, 2013).
- Equally important is men's participation in local groups and institutions together with women to facilitate **male gender champions** who will then advocate for the inclusion of women (Leduc, 2011).

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Women's participation by a mandatory quota in executive committees in forestry projects led to significant improvements in institutional efficiency, financial transparency and public awareness on environmental issues (Joint Regional Initiative for Women's Inclusion in REDD+, 2013).

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## Challenges

- Experience shows that "women's active involvement needs additional facilitative support" in the form of **capacity building** (WaterAid in Nepal, 2009, p. 12; Joint Regional Initiative for Women's Inclusion in REDD+, 2013, p. 14). Often, women's participation is nominal due to illiteracy, low levels of confidence and gender norms (The World Bank, 2009). The women mostly represented belong to higher caste and class groups, excluding the marginalized ones.
- **Logistics** must be thought through to make it possible for women to attend and participate (Joint Regional Initiative for Women's Inclusion in REDD+, 2013): in some instances men tend to substitute their wives or mothers in women's groups meetings because "the women are too busy" (Bhushan Udas, 2005; Locher, 2011, p. 276).

## Education

Education and literacy are prerequisites for women's participation in development initiatives. They directly impact many challenges that women encounter: ignorance of their rights and of health issues, access to resources, income generation. They also contribute to women's self-confidence, improving their own status and the livelihood of their families (Locher, 2006).

### Good Practices

- In Nepal, literacy programmes are successful when they address four particular aspects of the learner's life (their **socio-economic conditions**): livelihood, social justice, the learner's identity and lived issues (UNESCO, 2006).
- Literacy empowers women to participate in **business decisions**, especially since women's knowledge is directly linked to household food consumption and health (Joint Regional Initiative for Women's Inclusion in REDD+, 2013). Training and capacity development of female farmers is required to promote their leadership and negotiation skills, support voicing of their concerns, and enhance their technical skills (FAO, 2015).
- Often, **peer** training and exchange of experience tend to be more effective than formal training courses, and women appear to be good at this (Carr & Hartl, 2010). **Non-formal education** can be used "as part of an awareness process that will ultimately lead to social action, in order to change unequal power structures": after a 6-month course of non-formal education participants should be able to read, write, keep a book of accounts, and have knowledge on community development and conservation (Locher, 2006).
- **Radio programmes** can be listened to while working, providing education and health information that is targeted at a rural population (The World Bank, 2009).

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In Dhading, the use of local FM radios or cassettes' listening programmes were used for both basic literacy and post-literacy phases delivering various content (UNESCO, 2006).

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### Challenges

- Evidence shows that **geographically disadvantaged and/or economically marginalized** households may benefit less from non-formal education classes as they cannot afford to invest time in additional duties or long walking distances (Locher, 2006).
- Women often face opposition due to **socio-cultural values**: perceptions that women, especially the elderly, are not able or supposed to study, discourage them from participating (Locher, 2006).





## The Nepal earthquakes and natural disasters as a window of opportunity

In the past century Nepal has suffered four earthquakes measuring greater than a 6.0 magnitude; geologists warn that more are coming - caused by the effect that climate change has on the underlying structure of the earth. Leading scientists explain the seasonal difference in the occurrence of tremors in the Himalayas: "The coming and going of the weight of the monsoon rains causes energy to build up at the edge of the plate" (Renton, 2015) - speculating that the 2015 earthquakes may have occurred sooner than expected.

In June 2015, the death toll following the earthquakes rose to a total of 8,693, of which 55% were females (GoN, 2015). About 1.4 of the 5.6 million people affected were women of reproductive age - roughly 93,000 pregnant. In Rasuwa, among confirmed cases, women accounted for 62% of the deaths and 59% of the injured (The Gender Agency, 2015).

Women - especially single women, girls, widows, female-headed households, women with disabilities and older women - are **affected disproportionately** in terms of post-disaster mortality, injury and illness rates, as well as economic losses and post-disaster stress symptoms (ILO, 2000). Furthermore, women's **resilience** in a post-disaster situation is impacted upon by the legal, economic, cultural discriminations and inequalities (Trohanis et al., 2011). There are also long-term consequences due to indirect impacts: their workload increases (Thurairajah, 2008), as well as the risk of gender-based violence and trafficking (UNDP Bureau for Crisis Prevention and Recovery, 2010), girls are more likely to quit school and child marriages increase (UN Women, 2015).

However, experience shows that the reconstruction phase can represent a window of **opportunity** to empower women who are taking an active part in the rebuilding of their community:

- Women **participate** and advocate their needs in local governance (International Recovery Platform, 2009; Norlha Mahila1, 2015). Women's groups in the reconstruction planning increase their collective bargaining power and serve as psychological support system. In the long term these groups are likely to continue influencing the local agenda.
- Re-establishing self-sufficiency and creating **income** opportunities are essential parts of rehabilitation. For women largely dependent on agriculture, this can mean restoring their livestock, and replacing tools, work spaces, equipment and (improved) agricultural inputs. In this context, any gender-stereotyping should be avoided as it limits women's capacities and options: non-traditional female occupational-training such as "electrical fitting, masonry and carpentry" can successfully open up new income opportunities (International Recovery Platform, 2009, pp. 17-18).
- Women should be actively involved in all stages of the design, location and **reconstruction** of housing and community facilities. This can improve their living and working conditions. It is also crucial to integrate women in the decision-making of the restoring of water resource management and irrigation systems even if they are not landowners (FAO, 2012). In this regard, the reconstruction represents an opportunity to advance the joint-title of land and property (International Recovery Platform, 2009; UN-HABITAT, 2010).
- A social enterprise, supported by the US, made a mobile app out of new building codes of higher standards: working to train stone masons in using traditional materials and technologies - not just steel rebar - to build **resilient buildings** (Saldinger, 2016).

- Following a natural disaster, physical and sexual **violence** against women increases (Parkinson, 2011). Furthermore parents in disaster-hit areas use early marriage to ease financial burden and protect their daughters (Lemmon, 2014). It is thus essential to focus on completing education and creating employment perspectives for girls. Equally, females become more prone to trafficking therefore anti-trafficking interventions providing education and income are necessary (US Aid, 2006).
- Evidence suggests that after a disaster the longer children stay out of **school**, the less likely they are to return (Plan International, 2013). Transitory vocational and life-skills training can offer livelihood opportunities, serve as a coping strategy, and contribute to community development by persuading families to continue educating their girls.
- Generally speaking, there are no clear indications concerning male **emigration** trends across countries and cases. Some first knowledge after the 2015 quakes in Nepal indicates that the number of people looking for a chance to work abroad generally rose. So did remittance inflows for the first months after the disaster. This helped the families in Nepal to cope with their first post-disaster needs. However, during the earthquake in Pakistan in 2005, remittance flows were severely disrupted due to destroyed communication and transfer systems. So it is salient to (re-)establish money transfer systems as soon as possible. In the case of Nepal, most people who were migrants at the time of the earthquake did not immediately return home and in some cases not at all (Sijapati, Baniya et al., 2015). This was not the case after the Pakistan quake when many relatives returned to the country, leaving their foreign employment behind (Humanitarian Policy group, 2006).
- Nepal, as a poor developing country, has limited resources to prepare for or to mitigate the effects of natural disasters (and also climate change). Hence **international intervention** in Nepal should prioritize strengthening the adaptation and mitigation strategies of Nepalis (Karki et al., 2009), as well as institutionalize transparency and accountability of international players (Cooke et al., 2016).



# The way forward

“The 2030 Agenda for Sustainable Development promises to leave no one behind. To deliver on that, we must help rural women to thrive, and to access the support and information they need, so that they can fulfil their potential without leaving their communities.” Ban Ki-moon, 8<sup>th</sup> UN Secretary-General (2007-2016)

Women and girls form the very backbone of rural, isolated communities in the Himalayas, often bearing the prime responsibility for food security, health-care and education opportunities. Yet, their lives are marked by deeply entrenched gender divides, which prevent them from participating fully and in an equal fashion in the social and economic development of their communities. Increasingly recognized as critical actors in achieving rural development, economic growth and poverty reduction, a number of national and international measures have been adopted to address this persistent gender-based discrimination. However, translating legal and political measures into real day-to-day equality remains difficult - particularly in isolated rural areas.

In order to implement successful strategies for tackling gender discrimination, it would be useful to understand the context and the root causes of the situation in which women from the mountains of Nepal find themselves. For development practitioners, this potentially means:

- Drawing further attention to the empowerment of women and girls in **rural and mountainous areas** in their programming, as they remain one of the most vulnerable groups of the population in Nepal. In doing so, one needs to take into account the large variety of social markers across these areas. It is crucial for international development actors to grasp the local context and tailor their interventions accordingly, avoiding a generic approach as far as possible.
- Capitalizing on and spreading **local indigenous knowledge** of rural women in the Himalayas. They possess a wealth of knowledge in the areas of agriculture and livestock management, natural resources and environmental conservation, rural transport, traditional medicine and so forth, which should be built upon in development programmes.
- Favouring the development of **gender-specific projects** over all-encompassing ones. Indeed, the former are particularly appropriate for areas where gender discrimination and inequalities are persistent. It allows for the needs of women and girls to be specifically addressed, and provides them with the opportunity to take the lead in areas outside their socially agreed zones of control. Alternatively, projects having a broader approach, or having gender as only one of their components, run the risk - if poorly designed - of overlooking women's activities from the larger project. That being said, the inclusion of men and the wider community in gender-specific projects is crucial for a long-term transformative change (Landuyt, 1998).
- Ensuring that all stakeholders involved in the formulation and/or the implementation of development interventions should be **gender-aware** in addressing women's needs, practices and priorities. Gender should be mainstreamed at all levels of the project cycle. This is particularly true for local organisations in isolated areas, which may struggle to find sufficient financial and qualified human resources to do so.
- Increasing joint efforts to collect standardized, **gender disaggregated data** and information on women in rural and isolated areas to inform project/programme design. Available information at local levels (i.e. through household surveys and baseline assessments) should be shared among all relevant development stakeholders and could be stored on a common platform or database. Undoubtedly, a good circulation of data and knowledge (good practices, challenges etc.) on gender issues, especially in isolated areas, could help to overcome the lack of available information on women and girls.
- Devising and testing common **monitoring and measurement** indicators of women's empowerment. Joint initiatives aimed at mainstreaming gender indicators in programmatic surveys, assessments and appropriate frameworks, developing comparative data-collection methods and piloting measures of women's empowerment would help development stakeholders to disseminate good practices and to cross-fertilize their learning.
- Strengthening cooperation with **research institutions and academia**. Research is of key importance to comprehend the situation and needs in a given context. The focus of development practitioners is to map a local context and devise appropriate solutions to overcome on-the-spot problems, translating existing findings into practice. Development practitioners can implement and test recommendations based on research findings and would benefit from the strong methodological approach of researchers, while providing the latter with access to the most isolated areas.



6.

# Testimonials

"I have become an active member of my family. And my family respect me when we make decisions. They even help me with things like reading and writing."

Kau Maya Gurung, Norlha Mahila1

"I feel I will be able to continue generating more income by selling vegetables at the nearby market. This way I can send my children to a good school."

Ramita Gurung, Norlha Mahila1

"My husband started helping me with housework like washing the dishes and clothes, and cooking. And now he feels that there is no difference between a daughter and a son."

Ambika Gurung, Norlha Mahila1

"I've always considered livestock as important as vegetable cultivation. After the SALS project provided us with sheds, I am able to keep goats."

Kailimaya Tamang, Norlha SALS

"I am 59 years old and until recently I had always been using traditional methods in agriculture. Now I know there are plenty of new techniques which can help me earn more."

Kumari Gurung, Norlha Mahila1

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