

WOMEN'S RIGHTS: ITS CHALLENGES AND SENSITIVITY

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Foreword

At the threshold of the 21st century, Nepal has not made a significant departure from the patriarchal structure perpetuating unequal roles, responsibilities and opportunities for women and men. Gender inequity characterised by limited opportunities for women is prevalent in the private realm of the household and the public sphere of the community and society at large. Women experience gender discrimination from birth which is further perpetuated through the systematic restriction of girls' equal participation in every field as compared to that of boys. Discriminatory social values and norms underpin the social, cultural, economic and political spheres restricting women from negotiating new roles and opportunities that transform unequal gender relations. Violence against women is also a manifestation of gender inequity, reflecting women's vulnerability to a range of physical, sexual and psychological harm. Commercial sexual exploitation, forced prostitution, physical torture, infanticide, polygamy, child marriage and dowry are some of the practices that undermine women's human rights. It is a harsh reality that such practices continue unabated.

In this context, the publication of the book entitled "**Women's Rights: its Challenges and Sensitivity**" by National Network Against Girl Trafficking/NNAGT is appropriate and timely. NNAGT, certainly deserves appreciation for bringing out this book. The book has outlined the efforts made at various levels by organisations and the government in the control and prevention of girl trafficking and other forms of violence against women. The book also contains a glimpse of the commitment shown by His Majesty's Government through the ratification of various international covenants and particularly, the Covenant on the Elimination of Discrimination Against Women (CEDAW).

Another valuable contribution of the book is the research findings from the survey conducted by NNAGT in four VDCs of Kathmandu, Lalitpur and Bhaktapur on the current status of women and the efforts at supporting women's empowerment from the local level. The findings provide an important tool for policy formulation on women's empowerment.

On the whole, I am confident that this book will serve as an excellent support material for those undertaking research on women's issues, particularly, violence against women.

I would like to express my gratitude to the coordinator of NNAGT Prof. Dr. Madhavi Singh for her valuable contribution in bringing out this publication.

Thanks.

Durga Ghimire

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Chairperson,
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Preface

Understanding women's empowerment draws attention to the complex and multi faceted nature of women's realities where the social, economic, political and cultural aspects interplay to both support and subvert gains that promote women's status. Nepal is a developing country where patriarchal norms and values permeate all aspects of the political, economical, social and cultural dimensions of women's lives. Gender equity is pervasive and is reflected in the comparatively limited opportunities and tremendous constraints that mediate women's lives. Violence against women manifested in a range of physical, sexual or psychological harm is a serious problem affecting the lives of women across caste, class and ethnic divides. The different forms of violence against women pose a severe threat to women's human rights to survival and well being. Girl trafficking in particular has emerged as a pressing concern reflecting the gross violation of women's human rights and an acute form of violence against women.

In this context, the book is an attempt on the part of National Network Against Girl Trafficking/ NNAGT to present the situation of trafficking and violence against women. Girl trafficking is deeply rooted in the interplay between poverty and systemic gender inequity and must be contextualised within the understanding of violence against women and other issues which have a bearing on women's status. Consequently, the book also provides an overview of the different issues and challenges that shape women's opportunities and experiences.

As violence against women is reflected and perpetuated in the public and the private sphere, this publication has compiled information on the various issues and challenges that exist in addressing the issue. It outlines the role and responsibilities of the government, NGOs, INGOs, civil societies and families in addressing violence against women. The book also sheds light on the efforts made by the government and NGOs in the prevention and control of girl trafficking, domestic violence and other forms of violence against women. Due to the various constraints on the part of NNAGT, the publication may have some shortcomings. However, it is hoped that the publication will be useful to some extent for the concerned stakeholders working in the area of girl trafficking and all forms of violence against women.

Yet another important aspect of the publication is the survey conducted by NNAGT in August 2002. The survey aimed at assessing the social status of women and provides recommendations to promote women's empowerment from the local level. Since the survey area included a combination of both the urban and rural setting, the survey provides more comprehensive information to understand and address issues related to women's empowerment. A brief summary of the survey has been presented to the readers in the subsequent chapters. In addition, the publication provides a compilation of the previous information published on the topic.

I would like to express my sincere thanks to those individuals who have contributed directly or indirectly for bringing this information in a book form. In particular, I would like to thank NNAGT team members Narayan Kumar K.C., Radha Ghimire, Badri Adhikari and Januka Rayamajhi for their continued support in bringing out this publication.

Madhavi Singh

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CHAPTER - 1

GIRL TRAFFICKING- CRIME AGAINST WOMEN

1.1 Girl Trafficking – A National Problem:

Every year, thousands of Nepalese girls have been trafficked to India and other countries on the pretext of better employment prospects. About a decade back, the illegal trade in girl trafficking was limited to a few districts. But today, this trade covers almost the entire nation, affecting almost every community in Nepal. Although the issue of girl trafficking has received attention, it is difficult to get an accurate figure on the number of girls trafficked every year. It has been estimated that about 2,00,000 Nepali girls and adolescents are either sold or forced in the flesh trade. The available statistics show approximately 40 percent of the trafficked victims are adolescents under 18 years. Earlier it seemed that mostly Tamang women from Nuwakot, Sindhupalchowk, Kavrepalchowk and Dhading districts were trafficked. However, most recently, the pattern and trend in trafficking is changing, extending to and affecting other communities too. The practice of luring girls for employment opportunities is rampant across the districts bordering India. In India and Bangladesh, trafficking exists both within and outside the country whereas in Nepal, girl trafficking takes place predominantly from Nepal to India.

Involvement of the traffickers is not gender specific. Both men and women are involved in trafficking. However, men are known to be more risk taking and are often involved in beguiling, coercing and accompanying victims to the final destination. The peak season for the flesh trade is between June to August which is termed as the “hungry months” (Pradhan- date not mentioned 34 -39).

Research conducted in Nepal reveals that a range of social and economic reasons push girls and women to migrate out of their villages in search of better livelihood opportunities. However, most often, they fall prey to the agents who traffic them for commercial sexual exploitation - either abducted or duped by the false promises of better lives in the city. Ultimately when these girls reach their destination, they are compelled to work under extreme physical and psychological stress living in circumstances deprived of any basic facilities to adequate food, health services or even payment for their services. In addition, the limited control over their bodies and the sexual nature of their work makes them vulnerable to STDs and HIV/AIDS consequently endangering their lives.

Historically, the concept of trafficking dates back to the Rana regime where the young girls were used for entertainment purposes in the palace. Similarly it is also linked to the Tibetan traders in Nepal where young women were used to entertain the traders. Traditionally some communities have been involved in the flesh trade due to poverty but in the recent context, the social, economic, political and

administrative dimensions seem to play a key role in promoting the trafficking of girls. Various studies, working papers and media materials supplemented by some statistics have tried to correlate the problem with specific communities. However, most of the studies done in Nepal and India so far have not been able to specify the scope, the magnitude and the trends of trafficking in Nepal. There is a lack of both qualitative and quantitative information on the situation.

1.1.1 Socio-economic factors:

*Abstracts from previous studies and publications (Ashmita Mahila Prakashan Griha 2056 (1999)
Media Against Girl Trafficking – Collection of Relevant materials)*

Studies on girl trafficking have indicated socio-economic factors as the main reason behind trafficking. Various studies have linked trafficking to the traditional concept as well as with the modern growth model and have concluded that girl trafficking is a consequence of the exploitation of women's lower status in society (Paudel, date not mentioned). Consequently, it is often girls from poor families who are vulnerable to being trafficked. Another study conducted in Kathmandu, Jhapa, Kanchanpur, Banke and Nuwakot districts has showed Nuwakot district has the highest rate of domestic violence, rape, forced prostitution, forced miscarriage, polygamy, witchcraft practice (Rana, Deuba and others 1997).

Studies have shown that Nepali women seek job opportunities both inside and outside the country in order to raise their livelihood status and to move out from their circle of poverty. The agents of trafficking take an advantage of this delicate situation and lure them with promises of better livelihood options and thus exploit them. While many girls and women have been cheated into prostitution, there are examples of family involvement in the trafficking of girls where families have been supported by those involved in flesh trade. Some villages e.g. Ichok in Sindhupalchowk district are known for parents' willingness to send their daughters to join the sex trade because of the economic benefits it provides to the family (Pradhan, 1992.23.30).

Lack of educational opportunities is seen as another contributing factor for the trafficking of girls and adolescents. Various studies indicate that their low access to education and information increases their vulnerability to those involved in the commercial sexual exploitation of women. A survey carried out with the Nepali victims of trafficking in the brothels of Mumbai (India) reveals that the majority of the girls are illiterate. A study conducted by WOREC also shows that 100% of those girls and adolescents involved in trafficking are illiterate (Rajbhandari 1997 B 13). On the other hand, another study conducted by another official (1996-1998) from the same organization stated that some literate women were also found in the brothels and that one of them had attended grade 10. This also challenges the assumption that only illiterate women are potential victims of trafficking for commercial sexual exploitation.

1.1.2 Psychological factors:

Besides economic motivations, many girls and women are driven to prostitution when their status in society has been compromised and they cannot avail of social protection from their family or the community. For example, unmarried pregnant women, widows, women who have been raped. Furthermore, abduction of women is not uncommon where women gathering firewood in the forest are also known to have been kidnapped.

Clientele demand has also been cited for the trafficking of girls from certain communities for the purpose of commercial sexual exploitation. Some studies have pointed out that there is a high demand for girls with Mongolian features in the brothels of India. A police report reveals that between 1989–1996, out of a total of 716 cases, 92.0 percent girls had Mongolian features, 4.5 percent were from the lower castes while 3.2 percent were Brahmins and Chhetris. However, the low prevalence of girl trafficking in the Indian states where communities of Mongolian descent are in populous number undermines this assumption.

1.2 Reasons for internal and international migration/Linkages with Trafficking:

According to the 1981 census, the largest number (36.3 percent) of migrants have been reported in the "other reasons not specified" category. Migration for the government services in the urban areas constituted 15.8 percent, followed by 14.5 percent for trade and commerce, and only 6.3 percent for studies and training.¹ Towns like Pokhara and Tansen in the hills, Kathmandu Valley, Hetauda in the inner terai, and Nepalgunj and Birgunj in the terai, have attracted many migrants for trade and commerce. All inner terai and terai towns have attracted migrants for agriculture. Migration for government services was proportionately higher in the district headquarter towns such as Dhankuta, Ilam and Rajbiraj. The reasons for migrating to Kathmandu and Lalitpur were equally divided between the government services and trade and commerce. Migration for studies and trainings was of lesser importance except in Kathmandu and some terai towns.

1.2.1 The impact of labour force:

In the last decade, the capital city (Kathmandu) has increasingly become the major employment center, especially for teenagers and youths working in the carpet and garment factories, restaurants, hotels, retail shops, trekking centers and bus terminals. A survey conducted by CWIN (1993) on the situation and problems of child labour in the carpet factories in Kathmandu estimated that about 300,000 total labourers were involved in these industries, of which almost one half were child labourers (below 16 years of age). Of the child labourers, 97 percent were reported to be migrants. Another study conducted by CWIN (1992, 1993) on child

labour in Nepal revealed that out of the 34 ragpickers interviewed in the different parts of Kathmandu, 20 were migrants and 14 were non-migrants. There were 250 - 300 street children in Kathmandu who came from the neighbouring districts- Ramechhap, Trisuli, Dolkha, Sindhupalchowk and Dhading.

International migration:

The trend of international migration from Nepal started with the signing of bilateral agreement " Anglo- Nepal Treaty of Peace and Friendship in 1816. According to the treaty, 3000 Nepali soldiers joined the British Gorkha Regiment². Similarly, labourers from the hilly regions went to Darjeeling and Assam (India) to work in the tea gardens. Subsequently, a large number of Nepali youths from the hills also joined the Indian army – a trend which continues today. On the other hand, with the signing of Peace and Friendship Treaty with India in 1923, Indian labourers migrated to Nepal in search of semi skilled and skilled workers, mostly in the industrial factories of Birgunj and Biratnagar.

Approximately 60 percent of the country's population fall below the poverty line, and high levels of unemployment and underemployment persist in rural areas. There is a gradual shifting of the rural poor to the urban areas. Besides, the reasons for large scale emigration from Nepal are due to population growth, limited employment opportunities outside the farm sector, disguised unemployment in the agriculture sector, low salary structure in the country, and so on. Most of the out-migrants are young adults of 30-39 years. Similarly, more than 90 percent of the out-migrants are males. Out of the total out-migrants, 46.1 percent have higher education and 33.3 percent school education³.

The Government of Nepal has pursued the policy of emigration as a relief to unemployment problem and as a source of earning foreign exchange remittances in the national exchequer. Therefore, foreign employment has been encouraged extensively.

1.2.2 Problems faced by migrant women workers both in the country of origin and destination.

Status of women migrant workers:

With an exception of few women involved in white-collar jobs, the majority of migrant rural women workers are labourers in the non-agricultural sector. Wool spinning and carpet weaving are the major employment sectors for rural migrant women in the urban areas, especially in Kathmandu Valley. Textiles are another sector with a high concentration of female workers. In both the sectors women are paid low wages where they work as unskilled or semi-skilled works. These women face

2. Dr. V. B. Kansakar- Migrant workers: Emerging issues in Nepal

3. Task force on migration 'Internal and International migration in Nepal; Summary & recommendations' Tanka Prasad Acharya Memorial Foundation, Kathmandu 1999

insecurity, sex abuses which have adverse effects on their health in the long term. According to a UNICEF (1992) report, women's employment, particularly of migrant women, is inversely related to the mechanization and the size of the investment in the industrial establishment. These unskilled or semi skilled female workers are the vulnerable group for trafficking. The targeted group for trafficking in Nepal include girls/women with limited economic opportunities, low level education, lack of awareness and capacity to exercise their legal rights.

In Nepal, there are no specific laws or acts to protect women migrant workers outside the country or even during pre-departure. Most of the private employment agencies are not involved in sending women migrant workers due to its problematic nature. However, through the various processes either authorized or unauthorized the out flow of the young women and girls from the country is on the increase. Young women and girls willingly accept to migrate from Nepal in search of their fortune i.e. good job in urban area or foreign land. But, with limited skill, knowledge and exposure they are most vulnerable group for the victimization of many hazardous work. It has been seen that majority of these women and girls are forced to go through sexual exploitation or other hazardous forms of work when they are displaced from their villages and migrate to urban areas or foreign land. Although migration and trafficking are conceptually different, but in some cases migration for work has turned into trafficking. There are cases where the journey starts as a migrant worker but ends up in brothel primarily because there are no authorised or safe channels for women migrant workers where their employment and payment for their work are guaranteed. In most cases the migration occurs without any legal or authorized documents. Unskilled female workers, between the age group of 9 to 25 years are the vulnerable group for trafficking. Both trafficking and migration refer to movement from across the borders or from rural to urban areas. Therefore, the physical sites of trafficking and migration can be the same although the difference lies in the element of choice. However, an extensive research needs to be carried out on the annual number of those women trafficked to foreign brothels.

In the receiving countries also mostly women migrant workers have been found exploited. If the migration is the case of trafficking, it becomes more problematic and torturous for the workers. The absence of labour or trade union makes it even more difficult to protect their interest. With no linkage between their own Embassy or any authority, the magnitude of the risk seems very high. But in some cases, it has been found out that working as house maids and in production level jobs in factories or companies in Asia Pacific region such as Hongkong, Singapore and Thailand they do not have much complain with their present status and moreover they are sending money to their home and family. But there are cases where some migrant women workers have been found working as commercial sex workers and are compelled to go through the physical torture.

1.2.3 Working conditions of migrant /displaced women labourers:

Nepali women are engaged in the different sectors of the economy - agriculture, manufacturing and services. Most Nepali women work in the agricultural sector, followed closely by manufacturing. In Kathmandu valley alone, majority of the women workers are involved in wool spinning and carpet weaving. Others are found working in the garment factories on a daily wage basis. A research* conducted on the situation of women employees in the manufacturing industries of Kathmandu reveals a systematic violation of the Labour Act. Very often, women are compelled to work in insecure environments where they are discriminated in terms of wages and facilities, while vulnerable to sexual exploitation. Women working under such situations are also likely to be at high risk for trafficking. This has been further substantiated by the researcher's observation, where several legal provisions such as working hours, leave and fringe benefits, promotion and facilities spelt - out for female workers in the "Labour Act" were violated at their workplace or factories. Apart from this, there were also cases of sexual harassment, attempted rape and unwanted pressure for sexual activity or physical contact.

1.3 Existing laws on human trafficking:

The Constitution of Nepal 2047 B.S.(1990 AD) article 20 (1) has clearly stated that trafficking, human bondage or enforcement of work against the person's willingness is subject to legal punishment.

For the first time, the Civil Act 2020 B.S. (1963 AD) has defined girl trafficking as a crime. Accordingly, the Civil Law of Nepal specifies punishment of 10 years imprisonment to traffickers if caught before selling the clients in foreign countries. The sentence is increased to 20 years imprisonment if they have already trafficked the victims. The law also dictates that equal punishment will be meted out to the buyer if found within Nepal. The law forbids any attempt to separate children below 16 years from their guardians. There also exists a legal prohibition against bondage irrespective of sex. The punishment for bondage ranges from 3 to 10 years imprisonment, with a provision for compensation to the victim depending on the court's order. In terms of financial penalty, the law dictates that the money of the buyer shall not be returned and for the one who sells he/she shall in addition to the punishment also be fined with an amount equivalent to the amount involved during the transaction.

The introduction of the Traffic in Human (Control) Act B.S. 2043 (1986) has supported the Civil Act in providing legal measures to protect the rights of women and children from being trafficked.

Nepal has signed various international conventions and declarations that protect the rights of women and children from trafficking. These include the Human Rights Declaration of 1948 in which article 4 prohibits human bondage and trafficking.

* "Problems and prospects of female industrial workers in urban Kathmandu"- 2000
by Dr. Madhavi Singh, Professor, CEDATU

The UN Treaty on All Forms of Discrimination Against Women also directs states to formulate laws on trafficking and sexual exploitation of women. Similarly, the Child Rights Declaration in 1989 article 34 (1) states national, bilateral and multi-lateral measures to be taken for the control of trafficking and sexual exploitation of children.

In Nepal, according to the Children's Act 2048 B.S. (1991) Article 14 prohibits offering of children to demigods.

1.3.1 Policies and programmes on human trafficking for commercial sexual exploitation:

For the first time, the civil act 2020 B.S.(1963) has defined girl trafficking as a crime. Furthermore, the introduction of Traffic in Human Beings (Control) Act 2043 B.S.(1986) has supported the act. In 1998, a national level advisory conference was organized for an extensive review on girl trafficking which formulated the national policy as well as developed a national work plan. In 1999, His Majesty's Government formally adopted the plan. Highlights of the plan include:

- to ensure policy level environment on the implementation of international treaty and instruments.
- to develop appropriate legal structures and effective implementation mechanisms
- to develop infrastructure, capacity building from the national to the community level
- to establish common platforms for team work and collaboration, participatory promotion among governmental organizations, NGOs, INGOs and local development institutions
- to prioritize the prevention and control of trafficking on women and children.

Key measures:

The following outlines the key areas of focus that are covered in the policy.

A. Preventive measures:

- prioritises public awareness campaigns
- stipulates stiff punishments related to the rights of children and women that are violated
- legal amendments for the prevention of crimes and discrimination against women

B. Promotional aspects:

- emphasises the mobilization of resources and capacity of all sectors involved in social development activities
- highlights the need to strengthen the institutional capacity of the Ministry of Women, Children and Social Welfare
- stresses efforts to strengthen joint efforts with international donor agencies and INGOs

- emphasises linking national development policies and sectoral programmes with efforts to prevent and control girl trafficking
- highlights the importance of establishing and strengthening the capacities of national and local organizations to prevent and address issues on girl trafficking.

C. Rescue, rehabilitation and reintegration:

- emphasises rescue efforts and outlines procedures for repatriating returnees
- prioritises vocational and skill development training for returnees
- focuses on community rehabilitation for trafficked victims as well as those lured in the illegal flesh trade
- highlights the need to strengthen the capacity of the government, NGOs and local institutions for the rehabilitation and reintegration of victims

1.3.2 Role of government in the control and prevention of girl trafficking:

Trafficking is a complex problem and measures to combat trafficking must be developed to protect, rescue and rehabilitate victims of trafficking. All sectors of the government have a role to play in meeting the challenges to protect and promote the rights of women vulnerable to this practice. Convergence of services provided through other sectors is critical in addressing the issues on trafficking.

However, the problem of girl trafficking was not well articulated in the country's Ninth five-year Plan. The government's policy related to labour is focussed on the eradication of child labour, leaving out the important area of child trafficking. Similarly, the government's policy on health has not prioritised the health of the victims of girl trafficking despite ample evidence on the effects of trafficking and sexual exploitation on their lives – especially in the context of HIV/AIDS.

While formulating labour and migration policies, the government has overlooked the wide range of factors that underpin migration and trafficking. While protecting women's right to mobility, it is important that there are adequate support systems for women to make informed decisions regarding migration in search of better opportunities.

In 1998, a national level advisory conference was organized for an extensive review on girl trafficking. A national policy was formulated which was further translated into a national work plan against trafficking. This is the first initiative taken in Asia.

National work plan:

For an effective control on girl trafficking and their mobility His Majesty's government has prioritized six areas of work.

- policy, research and institutional building
- public awareness, advocacy, networking and social mobilization
- legal provision and implementation
- health and education programmes
- income generating and employment creation
- rescue and reintegration

Organizational structure for implementation of national policies and work plan:

His Majesty's government has constituted national and local task force committees to ensure participation, capacity mobilization, co-ordination and co-operation to combat girl trafficking. The government has also identified 26 districts as being highly prone to trafficking where working committees have been set up on a need basis. In addition, district working committees are authorized to form committees at the levels of the municipalities and VDCs for undertaking the task.

National programme on the control of girl trafficking:

As outlined in the guidelines of the national policy and work plan, His Majesty's government has established the Ministry of women, children and social welfare as the national focal agency for achieving common goals in the trafficking sector. Besides the task of coordinating, monitoring as well as evaluating programmes from the national to the local level, the ministry has been involved from the planning to the implementation at the national level. Main national level activities include:

A. Beyond trafficking: A Joint Initiative in the Millennium Against

Trafficking of girls and women – JIT).

A task force on the joint efforts between HMG and the UN was initiated in November 2000. The initiative was aimed at the prevention and control of trafficking, completing the preparatory assessment phase in February 2002. Since March 2002, evolutionary and enhancement phase has begun. The first part of the initiative was supported by UNDP, ILO, UNIFEM, UNICEF, NORAD and OHCHR, whereas the second phase has been supported by UNDP, UNIFEM, UNFPA, OHCHR and the Japanese government.

At the national level, the programme aims at effective policy environment, awareness raising, legal reforms, advocacy for women's rights as well as support information and communication channels.

At the district level, the programme aims at capacity building of the local communities, legal services, health and counselling, social mobilization, income generating trainings, information and communication.

B. Legal amendments:

Parliament has passed an amendment on the traffic in Human Beings (Control) Act 1986. The act has been working on ensuring more security for the trafficked victims. Efforts have been made to view this from a human rights and the victim's perspective. A recent bill on domestic violence is passed in the Parliament and the National Assembly is in the process of making it into an act.

C. Establishment and functioning of documentation and information centre on girls trafficking:

Ministry of Women, Children and Social Welfare, ILO and CEDPA have jointly established an updated resource centre for the documentation and information on

Gender, Violence, Human Rights and Trafficking. It also maintains a geographical information system and a management information system. *Combat Newsletter*, a bi-monthly publication in Nepali and English is published and widely disseminated.

D. Institutional building of the Ministry of Women, Children and Social Welfare in prevention and control of girl trafficking:

The focus has been on the capacity building of national and district level working committees, human resource development, improvement on national policies and action plans, educational/ communication development.

E. Women self dependency and rehabilitation programmes:

For the past four years women's self dependency and rehabilitation programmes has been launched in the high risk areas including 26 districts as a pilot project.

F. Mahila Jagriti and income generation programme:

With the goal of empowering rural women from the social and the economic dimension, mahila jagriti programme has been implemented in 75 districts of the kingdom through women development division.

G. Gender mainstreaming and girl trafficking:

Ministry of Women, Children and Social Welfare with the support from UNDP, has provided legal assistance to women victims of domestic violence and girl trafficking. Under this programme women legal support committee have been formed. The committee provides counselling and free legal services to the victims. A national Plan of Action on the Convention of all Forms of Discrimination Against Women (CEDAW) is in the process of formulation.

1.3.3 Concept on human trafficking for commercial sexual exploitation:

The state is not clear on the conceptual difference regarding trafficking and the right to mobility, which has further led to the complexity of this problem. In an attempt to relate trafficking and mobility, women's right to mobility is violated. The preconceived idea that any one trafficked is already affected by HIV/AIDS has also made the rescue efforts more difficult. The state has not been able to differentiate between trafficking and prostitution. Thus the criminalization of volunteer prostitution has an impact on women in particular. Similarly, the act covers forced trafficking/ prostitution only and is silent on voluntary prostitution.

1.3.4 Existing laws for the prevention of human trafficking for commercial sexual exploitation:

The Constitution guarantees the fundamental rights to its citizens, including the right to be free from exploitation, the right to equality, the right to choose a profession, and the right to mobility. But the laws and the policies related to the prevention and control of trafficking lack the human rights perspective. The definition of trafficking is limited because the act defines trafficking as a crime involving the trafficking of Nepali nationals to foreign countries only. This should be broadened to include the

selling and buying of persons both within and outside the country. The Traffic in Human Beings (Control) Act 2043 B.S.(1986) has the following shortcomings.

Since court permission is mandatory prior to launching any criminal investigations related to trafficking, delays in the investigation process allows the possible escape of criminals. Punishment on crimes related to trafficking depends on the court's rationale. However the seriousness of the crime is not considered while meting out punishments. For example, imprisonment for middlemen ranges from one day to five years. The buyer of the sold girls should be equally treated in the jurisprudence procedure. There are no security provisions for the individual affected and the witness.

The ground for evidence for the victim is strong if the culprit is not closely related or is unknown to the victim. On the contrary, the statistics on traffickers show that most of them are close relatives of the victims or are known to them.

The victim has to testify her statement before the court frequently. If she is unable to present herself or makes changes from her earlier statements, the culprits may escape.

1.3.5 External sectors rights in the crime against trafficking for commercial sexual exploitation:

Human trafficking for Commercial Sexual Exploitation are inter country crime. Traffic in Human Beings (Control) Act 2043 B.S. (1986) extends inter sectoral rights but this has yet to be implemented. The criminal hand over treaty between India and Nepal has endorsed 16 different crimes but excludes human trafficking. This makes it difficult to prosecute criminals working between India and Nepal - as is generally the case.

The Convention for the Suppression of the Traffic in Person and of the Exploitation of the Prostitution of Others, 1949 specifies that criminals from one country be handed over to the other country for prosecution. Although Nepal has already endorsed this, effective implementation remains a challenge. India, on the other hand has not endorsed this treaty yet. The formal structure for the implementation of external sectoral rights between India and Nepal therefore does not exist in practice.

1.3.6 Proposed Bills on the traffic in human beings (offences and penalty) Act, 1999:

The Ministry of Women, Children and Social Welfare had registered this bill in the Parliament on 10 Falgun 2058 B.S. (2001). However the dissolution of the parliament has hampered the discussion of the bill. Measures proposed in the bill include:

- establishment of rehabilitation centres
- compensation to the victims from the culprits
- shifting the burden of proof to the trafficker

- women and children have the right to self defence if there is enough ground to suspect that they are potential victims of trafficking and mobility. Such defensive action can even lead to the immediate death or some kind of physical disability in the culprits.

However the bill has various shortcomings which include the low priority to empower the police personnel and undermining the rights of the trafficked persons. Court consent before the investigation is still required, creating a loophole for the accused to escape justice. Furthermore, compensation procedures require further clarification.

1.4 Role of Government and NGOs for the prevention and control of girl trafficking:

About two decades back only few districts were affected by this crime. However, the number of girls trafficked is increasing at an alarming rate. One of the factors for the rapid contraction of HIV/AIDS in South Asia is through prostitution which calls for an effective work plan for the control and prevention of girls trafficking.

The World Congress against Commercial Sexual Exploitation of Children, held in Sweden, 26 -31 September has highlighted illiteracy, lack of awareness, poverty, socio- economic conditions, domestic violence, urban rural migration, cross border migration, border migration, gender discrimination, male sexual behaviour, military base, drug use, decline in human values system as contributing to the rise in girls trafficking. Any programme on trafficking needs to be formulated taking these factors in consideration.

National priority:

A national coordination committee comprising of various ministries such as Home, Foreign Affairs, Health, Women, Children and Social Welfare, NGOs should be formed. The committee should discuss issues related to girls trafficking, crimes on women and keep updated on the activities related to trafficking among the concerned ministries. The committee should also take an initiative in launching concrete programmes through the ministry of Women, Children and Social Welfare which can help in the likely reduction in the rise of crimes on girls trafficking and flesh trade. This should be followed by the formation of district and village level committees with a compulsory representation of women.

Prioritisation on girls trafficking in the formulation of national programme:

Trafficking is a complex problem and measures to combat trafficking must be coordinated among the various sectors of the government. The formulation of plans and policies should focus on providing education and employment in the potential risk areas prone to trafficking, provision of scholarship for girls from backward areas, poverty elimination, prevention of violence against women, awareness programmes on child marriage, polygamy, skill development trainings for women, establishment of police stations in the potential risk areas and the documentation of statistics on trafficking.

Amendment and additional legal provisions:

While legal provisions are necessary in establishing the framework to guide action, these have to be followed up by adequate enforcement systems. A separate law declared in 2043 B.S. (1986) prescribed up to 20 years imprisonment for girl traffickers. However, this law has not been effective in its implementation largely due to inadequate mechanisms. Police and administrative personnel responsible for the implementation should be given training, counselling and necessary resources to co-ordinate the legal implementation more effectively. A timely review of laws and their modification with additional provisions are necessary to make the laws responsive to the complex realities of trafficking.

A. Amendment in the traffic in human beings (control) Act 2043 B.S.(1986):

The act defines the crime of trafficking as a crime of trafficking to foreign countries. But it should be defined in a broader context to include the selling/ buying of persons within and outside the countries both. Similarly, the act covers forced trafficking/ prostitution only and is silent on voluntary prostitution. The act should amend voluntary prostitution.

Although the statistics on traffickers show that most of them are close relatives of the victims, the existing law excludes relatives as traffickers. This should be amended.

All those involved in the various activities of prostitution are to be legally punished and at least 10 years imprisonment for sexual exploitation of children should be authorized by the law. The buyer of the sold girls should be equally treated in the jurisprudence procedure. The flexibility of up to five years imprisonment for the middlemen which may be limited to a day only has to be amended.

B. Complain and action procedure for fulfilling jurisprudence procedure:

The system to register complaints is not generally accessed due to ignorance about legal provisions as well as fears of retribution raised by the criminals. This is also compounded by the unresponsiveness and inadequacy of the police administration to address the complex challenges of trafficking. Female police personnel should be deployed in the affected areas. In addition, all police staff should receive training to enhance their understanding and sensitivity towards cases of trafficking. It is important that a reward system be established to encourage legitimate complains against the traffickers.

C. Legal dimension:

To encourage complaints against traffickers and to ensure the effective implementation of legal provisions, the government and non government organisations should re-establish legal advisory service in areas heavily affected by trafficking.

D. Punishment regarding various criminal activities against women and children:

Crimes in different parts of the country are rapidly increasing and the problem is more pronounced in areas where there are no police post. All the criminals involved in girl trafficking and sexual exploitation despite their social status must be brought in action.

E. Lack of comprehensive legal mechanisms:

In the absence of effective laws and law enforcement mechanisms, the punishment meted out to the criminals does not justify the seriousness of the crime committed against women.

F. Establishment of family court and women's cell:

The government should take the initiative to establish a women's cell and family courts to address the different violations that particularly affect women. This gives an opportunity for a relatively more speedy redressal of issues that affect women and children particularly. Generally, the absence of a comprehensive legal provision on societal crimes against women has made it possible for criminals to go unpunished.

G. Women's education a priority:

In the long term, education can play a key role as it empowers women by equipping women with the knowledge and skills to improve their lives. Girls education should be prioritised and it should be accessible, expanded and if possible free of cost. Special incentives should be provided to ensure girls' access, participation and achievements from education programmes. Simultaneously, non-formal education should be initiated for girls and women who have not received any form of basic education. Skill development training is also useful for in providing employment opportunities.

Poverty and systemic gender inequity make women vulnerable to a range of practices that curtail their empowerment. Development programmes are critical to provide women with the resources, knowledge and skills to improve their well being.

H. Formation of national level coordination committee:

Trafficking of girls and women is a multi-sectoral problem which calls on the collaboration of the different government agencies to address the challenges of trafficking. A National Co-ordination Committee comprising the various ministries responsible for domestic affairs, foreign affairs, health as well as women and children's welfare with participation from NGOs should be formed to discuss issues related to girls trafficking and other crimes against women and share updated information on trafficking among the concerned ministries. Preventive measures on girls trafficking requires multi-lateral support and co-ordination among government agencies, NGOs, INGOs and the mass media. While formulating policies, the specific responsibilities of the different organisations at the different levels should be clear-cut and well defined. The committee should also take an initiative in

launching concrete programmes through the ministry of Women, Children and Social Welfare. Initiatives at the central level should be followed by the formation of district and village level committees at the local levels with a compulsory representation of women.

I. Women's Commission:

The commission should be provided more autonomy and mandate so that it can play a decisive role on women's issues. Given this independence and autonomy the commission should take a holistic approach and make visible contribution for achieving its overall goals.

J. Formation of focal point at local and national levels:

Contact points should also be established with the support of a cross section of people including community elders, social workers, political activists, women workers at the community levels. The information collected by the committee will be useful in identifying the involvement of particular families, agents, criminals, middleman in trafficking related activities. They can also act as a network of pressure groups to help in the control of girl trafficking.

K. Bilateral and multi lateral coordination networks at the international level:

It is estimated that over 100,000 Nepali girls are compelled to work as prostitutes in the brothels of India in extreme conditions. The problem of girls trafficking cannot be looked in isolation as this is a common problem among the SAARC countries. Efforts to reduce girls trafficking can be more effective through bilateral and multi-lateral co-ordination among the countries. Regional forums like SAARC provide space to discuss such issues of mutual concern.

L. Bilateral and regional coordination:

During the 11th SAARC summit held in January 2002 in Kathmandu, the member countries signed Convention on the Prevention and Combating the Trafficking in Women and Children for Prostitution as well as the SAARC Convention on Regional Arrangements for the Welfare of Children in South Asia. The member countries also came to a mutual agreement to establish an independent women's organisation at the SAARC regional level.

M. Prioritization of public awareness programme:

The national policy should also focus on generating public awareness on the issue of girl trafficking through the media and other information channels accessible to the public. One of the appropriate measures to prevent girls trafficking is raising awareness on the consequences of trafficking on the lives of the girls – in which the mass media has a significant role to play. However, there exists an information gap between the original source where the victims are trafficked and the workplace of exploitation. This gap can be fulfilled by a two way flow of information between the city based trade centres and those areas from where the victims are supplied.

This in turn, can make the local people aware about the network of crime and take action. At the same time mass media can exert pressure for the formulation of appropriate policies and implementing the programmes.

The media should also exercise caution when reporting on cases of trafficking. Rather than publishing the photographs of the trafficked victims, the media should expose the criminals and make public their photographs and identity. The press council should also maintain the code of ethics on sensitive issues related to the role of communication on national policies.

N. Rehabilitation of trafficked women:

Rehabilitation programmes should be initiated for the "returnees" as a special programme. The social stigma attached to returnees often leads to their rejection from their communities. Since the number of such returnees is increasing, rehabilitation centres should be equipped to offer a range of services that are responsive to the varied needs of the returnees. These include counselling, medical care, vocational training and legal advice. Appropriate education and skill oriented programmes are important in restoring their self esteem and confidence and for facilitating their re-integration in society. Family reunion should also be encouraged for those who have families.

O. Compensation for the victims of sexual exploitation:

Efforts should be made by the government and NGOs to provide compensation to the trafficked women and children who have been sexually exploited. A number of cases have been reported where women are returned from India without medical treatment or other facilities. All these issues related to the provision of basic medical treatment and the rehabilitation for those who do not wish to return home to Nepal have to be raised strongly by Nepal during the bilateral talks with India.

P. Special programmes for possible victims of sexual exploitation:

Trafficking is linked with some high risk communities and other potential victims among the homeless and refugees. Targeted programmes on education, health, training and public awareness are important to prevent trafficking.

Q. Training on gender sensitivity and human rights:

Public awareness training on child rights, women's rights, human rights including awareness on international treaties /instruments should be given to health workers, educationists/academicians, social workers, political activists, government representatives and all those who are working in the field of girl trafficking and sexual exploitation. Government as well as NGOs should give priority in training these personnel.

R. Girls trafficking and STD/HIV AIDS:

Women involved in prostitution are more vulnerable to HIV/AIDS. Since the majority of the Nepali women trafficked to India are engaged in prostitution, there is a high

chance of their getting infected with the virus. Currently, individuals and groups are working to bring Nepali sex workers infected with HIV/AIDS to Nepal from India - expanding the magnitude of the HIV/AIDS epidemic in Nepal. If some timely steps are not taken, Nepal could become a victim to this disease considering the close social, geographical, economical and the cultural ties and the open border the two countries share. It is of utmost urgency that both the countries coordinate for the mutual benefit of the other.

S. Priority on AIDS prevention:

Priority should be given to identifying other vulnerability factors and the target groups at risk of contracting the HIV/AIDS virus. In addition, appropriate measures should be taken to control the AIDS epidemic in Nepal. The national committee on HIV/AIDS has formulated policies and programmes related to AIDS. As a follow up, the committee should mobilize the various sectors in the implementation of the action plan.

T. Border observation mechanism and identity card:

The open border between Nepal and India has facilitated the illegal flesh trade and prostitution in "the red light area" in India. The non requirement of passports or visa has made it even easier for agents to traffic girls to India. Identity cards should be immediately introduced between the two countries to track and monitor movements between the two countries – especially those suspected of trafficking.

U. Control of vulgar films and pornography:

The government should check the exhibition of those films and videos that degrade norms and human values and the sale of pornography for the sake of sexual entertainment targeted against women and children. While framing policies, punishment including the complete closure of such publication should be emphasised.

V. Campaign against orthodox practice:

Traditional Nepali practices such as Deuki and Badi have indirectly encouraged illegal girl trafficking. Such practices linked with traditional prostitution should be eliminated from society by engaging the women and the communities in employment generation programmes.

W. Upliftment of the social status of girl child:

Discrimination between a boy and a girl child should be discouraged. It is known that the overall low status of girls make them vulnerable to trafficking. Efforts should be made by the government to amend legal provision to ensure equality between both the sexes.

X. Rescue efforts of girl child forced into prostitution:

There is an urgent need to rescue those who have been falsely lured and forced in prostitution. It is estimated that approximately 25 percent to 30 percent of the

trafficked victim are under age adolescents. The government should take immediate steps for the return of those victims with dignity.

Y. Women's rights should be recognised as human rights:

Until and unless women's rights are not recognised as human rights, women's rights will be meaningless. The state should give priority in recognising women's rights as human rights.

Z. Political commitment:

Political commitment is vital for the solution of the problem of girl trafficking. Each and every political party should enforce their political will and commitment for eliminating this illegal export in human trafficking.

1.5 Women's development- a focal point in the tenth plan:

A contemporary comment:

The concept paper of the tenth plan has taken a holistic approach for poverty elimination through population control, infrastructure and social sectors development and good governance. Following strategies are highlighted -

- to promote financial opportunities through sustainable and broader economic development
- to build basis for fair distribution in various physical sectors and communities
- to empower women through social services
- self employment opportunities in income generating programmes for dalits and backward communities and bring them in the mainstream of development

Focussing on the gender discrimination and the impacts it has on women, the programme aims at empowering women through enhancing their decision making. Increasing their access to resources both at the public and private realms and its utilization have been pointed as the key areas for taking women at the centre of development.

1.5.1 Women's rights and gender equality in the tenth plan:

The concept paper of the tenth plan has given a continuity to the working policy of strengthening and promoting women's rights with women as the centre of development. The plan aims to empower women, eliminate gender discrimination, promote equality as well as gender mainstreaming in development programmes.

1.5.2 Women's empowerment:

- gender equality should be given a priority while formulating development policies and programmes for women
- campaigns on awareness training on human rights
- mobilise literacy programmes for women as national campaigns
- increase women's participation in the decision making at local level programme interventions
- increase women's employment

- women's participation on gender equality at political and the administrative levels
- policies should target women's specific right with an access to productive resources
- develop policies on the upliftment of social and economic sectors of backward and targeted women
- emphasize women's participation in the utilization and protection of natural resources/ environment
- improve on the industrial policies and labour act for involving women in the main thrust of the industrial sector

1.5.3 Gender equality:

- effective implementation through amendment in the discrimination against women
- awareness on gender equality from the policy to the community level
- public awareness for gender equality based on structural development
- protection of women's existence, violence against women, children and trafficking and steps for the prevention as well as control measures by strengthening legal and institutional organizations. Simplification and an easy approach to family court decisions.

1.5.4 gender mainstreaming:

- clear-cut gender policy and goals on national and regional development
- indicators for women's contribution in gender auditing
- strengthen institutional mechanism for follow up and gender evaluation
- formulation of positive policies for increasing women's participation in the development process
- gender budgeting in the development plans and programmes
- establishment of gender focal points at the ministries and the government agencies

1.6 Role of NGOs and civil society in the tenth plan:

The concept paper of the tenth plan has highlighted the important role played by NGOs in the development of the country. Emphasising the main themes of the tenth five year plan including poverty alleviation, women's empowerment, gender mainstreaming, the plan has outlined clear policies on promoting the active involvement of NGOs in the development sectors of the country. Following are the main strategies:

- mobilisation of NGOs in the social development, population control, awareness building, women's education and women's empowerment
- mobilisation of NGOs in poverty elimination, employment generation programmes
- encourage NGOs presence in the remote areas with awareness building and the delivery basic services
- NGOs strength and its utilization both at the private and the international sectors
- role and responsibilities and encourage transparency in the programmes
- establishment of a national database for the implementation, follow up and evaluation of programmes run by NGOs and INGOs
- classification of working sectors, areas on the basis of development programmes

Intervention models adopted by NGOs:

A. Prevention and control of trafficking:

There are a number of NGOs working to combat girl trafficking and violence against women. Other human rights groups and politically affiliated organisations are also involved in the struggle to eliminate girls trafficking. Adopting a multi-pronged approach for the elimination of violence against women, the programmes focus on research, rehabilitation and advocacy.

With regard to rehabilitation, one of the successful achievements of NGOs was the repatriation of 124 Nepali girls from the brothels in Mumbai (India). A police raid in the brothels of Mumbai in July 1996 led to the rescue of 487 adolescents, out of which 128 were of Nepali origin. All of them have been rehabilitated in the different centres in Nepal.

B. Networking and advocacy:

Basically, there are two major networks, **National Network Against Girl Trafficking/NNAGT** and **Alliance Against Trafficking in Women and Children In Nepal/AATWIN**, co-ordinating the various activities of member organisations on the prevention and control of trafficking. NNAGT, the first and largest network is the consortium of 60 local and national level NGOs was established in 1990. It has been working in the area of prevention and control of trafficking in women and girls through various awareness programmes such as training and advocacy from the grassroots to the national levels. It has set-up a resource centre in its secretariat to disseminate information related to all forms of violence against women but with specific to the prevention and control of girl trafficking.

1.7 Recommendations:

Since the problem of girl trafficking has emerged at the national and cross-border level, obviously efforts to control and prevent trafficking must be implemented in all levels. Actions to address trafficking can be categorised into prevention, rescue and rehabilitation. All sectors of the government have a role to play in meeting the challenges to protect and promote the rights of women vulnerable to this practice. Convergence of services provided through other sectors is critical in addressing the issues on trafficking.

The government should initiate various policies and programmes to combat trafficking through strict imposition of anti- trafficking laws and acts, bilateral talks with the neighbouring countries and the formation of policies for the women's empowerment. Similarly, NGOs can play an important role to reduce the incidence of girl trafficking through its awareness programmes, advocacy campaigns, workshops/seminars, saving and credit programmes (women in cooperatives) rescue, rehabilitation and reintegration measures.

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CHAPTER - 2

VIOLENCE AGAINST WOMEN

2.1 The present status of violence against women in Nepal

Definition of violence against women:

According to Article 1 of the Declaration on the Elimination of Violence Against Women, the term Violence against women includes 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

1. As stated in article 2 of the same declaration, violence against women should be understood in a wider perspective which includes sexual misbehaviour, dowry related conduct, rape after marriage, female genital mutilation and other harmful customs.
2. Violence is largely seen as rape, sexual misconduct, slavery, flesh trade and forced prostitution in educational institutions, social organizations and public places.
3. Permanent and unnoticeable physical, sexual and psychological misconducts are also defined to be violence without due care by the state.

A situation analysis of violence against women in Nepali society presents a tragic picture of the extreme violation of women's human rights. To a greater or lesser degree, women and girls are subjected to physical, sexual and psychological abuse that cuts across lines of income, class and ethnicity. In the traditional and patriarchal Nepali society, violence against women is reflected and reinforced in the different domains of the family, community, workplace and society. The social, cultural, political and economic dimensions which shape women's opportunities and benefits work in tandem to locate women at the lower rungs of the social hierarchy. The lack of economic, social, cultural and political rights confirms women's position as dependent and vulnerable second-class citizens. They are denied equal access to healthcare, food and education. Girls are often more vulnerable to all kinds of violence, especially sexual violence, including rape, sexual abuse, and sexual exploitation and trafficking. Incidents have been reported specially in the eastern districts of Nepal, including Sarlahi and Siraha where women have been accused of witchcraft and tortured ruthlessly. Violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.

2.2 Various structures of violence:

Violence against women is socially sanctioned and is manifested in a range of outcomes for women at different stages of the life cycle.

Violence against women can take many different forms. These include -

- domestic violence
- sexual slavery, prostitution, international trafficking of women
- sexual relation with close kith and kin
- violence related to women's reproductive rights e.g., forced sterilisation, coercive use of contraceptives, prenatal sex selection and female foeticide
- rape
- sexual abuse in the refugee camps
- biased cultural practices against women - e.g. female infanticide, dowry, polygamy
- marital rape
- nudity through media

Source: (A situational analysis of violence against women and girls in Nepal prepared by Saathi in collaboration with the Asia Foundation – 1997)

The social silence on violence against women and the absence of adequate gender-disaggregated data and statistics on the incidence of violence in the private and public areas impede efforts to design specific interventions to protect women.

A closer look at the nature of violence against women show that various conditions allow the perpetrators of violence to escape prosecution and punishment. These include the 'mental state of the time of the act' and the 'influence of a drug'.

Among these various forms of violence against women, girl trafficking and domestic violence stand out. It has been estimated that every year approximately children and adolescents between the ages of nine to twenty five are trafficked for flesh trade. The existing Nepali law, law enforcement mechanisms and the social structure are not adequate to combat the issues on the violence against women.

2.3 Main factors of domestic violence have been outlined as follows:

- alcoholism
- polygamy
- poverty
- illiteracy
- ignorance
- gender discrimination

2.4 Impact of domestic violence on children:

This kind of violence not only affects women, but the family itself, especially children. Children who witness marital violence face increased risk of anxiety, depression, poor school performance, disobedience, nightmares and physical health problems as well as the risk of become perpetrators.

Domestic violence has severely affected the children in Nepal. Studies carried out with children between the ages of 5- 10 years reveal that boys are comparatively more affected than the girls. The boys tend to become more violent in nature and often run away from home. However, under the five years aged groups, girls are found to be more affected, resulting in under nourishment, ill treatment, psychologically obstacles.

2.5 Violence against women through socialisation process:

Violence against women is exacerbated by social pressures, notably the social silence that makes violence go unreported and therefore undetected. Women's identity and existence is often linked to the notions of male guardianship. Therefore, fathers, brothers and husbands play an important role in women's economic and social status. Resultantly, the social and economic dependence increases women's vulnerability to violence as well as its tolerance in fear of losing the social and economic protection. In addition, the lack of laws that effectively prohibit violence against women, the failure to reform existing laws on the part of public authorities and to promote awareness of and to enforce existing laws is further compounded by women's lack of access to legal information, aid or protection. Images in the media of violence against women, in particular those that depict rape or sexual slavery as well as the use of women and girls as sex objects, including pornography, factors contributing to the continued prevalence of such violence, adversely influencing the community at large, in particular children and young people.

Actions to Address Violence Against Women:

2.6 Legal provisions on violence against women:

Nepal has approved various UN Resolutions and agreements on human rights against discrimination of women. The Constitution of 2047(1990) has guaranteed equal rights to all citizens irrespective of gender. Although the Civil Act declares the protection of women's rights it fails to overcome challenges in its implementation. This is partly due to the fact that the act does not specify clearly the role of the government nor the enforcement of punitive measures against the perpetrators of violence.

2.7 Role and responsibilities of the individual, the family and the government in the prevention of violence against women:

Violence against women is a social malaise and reflects women's poor status in society. It takes place in the household, the community, and society at large. The key is to ensure awareness and attitudinal changes at all levels of society to protect and promote women's lives and well being.

Efforts at international level to combat violence against women:

Article 2 and 6 of the International Covenant on the Elimination of all Forms of Discrimination Against Women (CEDAW) has condemned violence against women, specially human trafficking and exploitation of women in prostitution. It specifies that governments should enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society. In addition, it emphasizes the prevention of violence and the prosecution of offenders while ensuring that women have access to just and effective remedies, including compensation and indemnification.

Similarly, the Beijing Declaration has emphasised the integrated approach for the prevention of violence against women and provide support to the victims of girl trafficking and forced prostitution.

During the 11th SAARC summit held in January 2002 in Kathmandu, the member countries ratified two conventions specific to combat trafficking against women and children and promote steps for the all round development of women and children. The member countries also came to a mutual agreement for the establishment of an independent women's organisation at SAARC regional level with a focus on the long term development and to uplift the status of the children.

Efforts at the government level:

- formation of Women, Children and Social Welfare Council after the restoration of multi party democracy
- formulation of national policy and programmes on girl trafficking
- establishment of a task force for preparing national policy and programmes for the prevention of girl trafficking and violence against women (VAW)
- national work plan for women's empowerment and gender discrimination
- establishment of emergency residences, shelters for helpless women
- formulation of the bill on the prevention of trafficking
- formulation of other bills related to the issues of women including domestic violence
- concept paper on family courts
- establishment of women's unit in the police force

2.8 Suggested measures in combating violence against women trafficking:

A. Government's role:

- review of the existing legal provisions as well as amendment according to the international treaties CEDAW. Existing laws should be effectively implemented regarding the control of VAW
- legal assistance, counselling and free medical treatment to the victims
- collect statistics on the potentially high risk women and provide awareness raising programmes
- prioritise empowerment of women with concrete support from the political parties
- establishment of family courts, mobile and children court for the delivery of timely justice
- institutionalisation of a confidential reporting on the violence against women by the victim themselves
- establishment of women's unit in the police force throughout the kingdom with adequate resources

B. NGOs role:

- undertake extensive studies and update information on violence against women
- publication of posters, disseminate audio visual materials, pamphlets, street drama, rallies, wall papers, interaction programmes and public awareness programmes
- immediate legal and medical assistance to the rescued women with emotional support and counselling
- better coordination mechanism between GOs and NGOs in planning, implementation and evaluation against VAW
- nation wide awareness campaign on the legal provisions through extension of women's literacy programme
- lobby and advocacy for the compensation of the victims of VAW at the government level.

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CHAPTER - 3**OVERVIEW OF HIS MAJESTY'S GOVERNMENT'S
COMMITMENT TO VARIOUS
INTERNATIONAL COVENANTS**

Nepal has signed 16 international covenants/ treaties with regard to violence against women and girl trafficking. The main theme of such treaties have been on the reduction of regional imbalances in the country, poverty elimination and economic growth. National policies have emphasised the education, health and agricultural sectors with priority to women's development. However, due to weak enforcement mechanisms there has been only incremental success.

3.1 World women conferences:

With the objectives of achieving equal rights for women through various international treaties and instruments, the UN has organised four world conferences for women.

A. The first world conference:

The First World Conference on Women was held in Mexico in 1975. Six thousand women from all over the world participated in the conference. Extensive discussions were held on women's issues including gender discrimination. A work plan was developed to monitor actions to address women's unequal status.

B. The second world conference:

Subsequently, the second world conference was held in 1980 in Copenhagen, Denmark to review the progress and follow up on the activities carried out during the preceding years. Eight thousand women participated in the conference. Equality, development and peace were outlined as the main programme areas for the coming decade. Highlighting the challenges in the overall development of women, it also shed light on the effectiveness of international cooperation for the mutual benefit among member states.

C. The third world conference:

In 1985, the third world conference on women was held in Nairobi. The objective was to review and assess the achievements and challenges of the past half decade in addressing women's rights. Almost, 15,000 women participated in the conference. The conference highlighted the wider participation of women in the exercise of their rights and responsibilities in addressing gender discrimination. The conference urged for an integrated approach among the various sectors including government, INGOs, NGOs, regional organisations, women and men to eliminate gender disparities. The conference also identified multi-dimensional strategies to tackle

various issues such as women's employment, health, education, agriculture, industries, science and technology, transportation, environment and social services sectors.

D. The Fourth World Conference:

The fourth world conference on women was organised by the UN in Beijing in 1995. Six thousand representatives from 189 countries, over four thousand NGO representatives and about four thousand media representatives and approximately seventeen thousand people participated in the conference. This was a landmark event reflecting not only the declarations and commitments made in the earlier conferences but a display of women's solidarity and unity to promote women's empowerment. The conference appealed to all the nations to act as change agents by taking concrete actions in the following areas:

- worldwide protection and promotion of the human rights of women and children
- targeting poverty reduction programmes towards women which enhances their economic independence and increases their access to productive resources
- encouraging women's decision making role at all levels, including the family and the public sectors
- eliminating all kinds of violence against women
- ensuring equal access to basic services for women and children
- promoting equal partnership in the family responsibilities between women and men.

Within this, the Beijing conference has highlighted 12 critical areas of concern:

- Women and poverty
- Education and training of women
- Women and health
- Violence against women
- Women and armed conflict
- Women and economy
- Women in power and decision making
- Institutional mechanism for the advancement of women
- Human rights of women
- Women and the media
- Women and environment
- The girl child

All the nations are under the obligation to demonstrate their commitments in fulfilling their specific responsibilities and the UN had been entrusted with the key role of monitoring the implementation of the convention.

As a follow up, a special conference of the UN General Assembly was organised by the UN on June 5-9, 2000. GOs and NGOs of Nepal participated in the general assembly. Based on the reports and observations, the conference recommended appropriate future guidelines at the national, regional and international levels.

Declaration of the fourth Beijing conference on women:

The advancement of women and gender equality are the main theme of human right issues as well as prerequisites for social justice. Women's empowerment and gender equality are yet another pre conditions for achieving political, economic, social, cultural and environmental gains.

Despite the efforts at the government and the NGOs sector, goals set by the Nairobi conference have not been fully achieved as yet. Given the international scenario characterised by armed conflict, imperialism, terrorism and the large majority of women whose human and fundamental rights continue to be violated, the challenges remain.

Since the UN Conference on Women: 'Equality, Development and Peace' in 1985, the systematic discrimination of the rights of women and girls have been reviewed.

As a follow up, the Beijing conference has highlighted the following areas and appealed to the respective government, international communities, NGOs and civil societies to formulate their strategies accordingly.

- feminisation of poverty
- lack of access to education and skill development
- inadequate health services
- violence against women
- policy discrimination in accessing productive and economic activities
- lack of decision making for women at all levels
- gender discrimination in the management of natural resources and environmental protection
- discrimination and increasing violation of girls rights

3.2 Convention on the Elimination of all forms of Discrimination Against Women (CEDAW):

The formulation of CEDAW in 1979 has incorporated the following elements for women's empowerment.

- right against trafficking and sexual exploitation for prostitution
- right to citizenship and nationality
- right to employment
- equal right to participate in international forums
- right to health
- right to education
- right to economic activities
- right to participate in public and political life
- special right to rural women
- right to social benefit
- equality before law
- right to marriage and family

Article (2) under CEDAW has reflected the state responsibilities against discrimination on women and formulate policies accordingly.

The formulation of CEDAW in 1979 commits states to undertake actions against the discrimination of women in article 2 and sheds light on the following elements:

- endorsement of gender equality in the constitution and implementation through appropriate acts
- adoption of parliamentary procedures and the initiation of a punishment system for the prevention of all kinds of violence against women
- legal protection of women's equal rights through effective legal provisions and implementation mechanisms such as national courts and public organisations
- protection of women's rights by ensuring public institutions protect and fulfil women's rights
- elimination of discrimination against women by actions at the organisational levels in different sectors.

3.3 Review on the initiatives after Beijing Conference/Beijing+5 in the Nepalese Perspective:

Nepal's national report presents a scenario of considerable gender disparity in the social, economic and legal sectors due to the systemic gender inequity that underpins women's restricted opportunities and experiences.

3.3.1 Women and Poverty:

The current status-

Approximately, 49 percent of Nepal's population live below the poverty line- and a large percent of whom are women. As gender discrimination permeates all policies and programmes, poverty alleviation programmes have failed to benefit women.

Post Beijing Initiatives:

- gender mainstreaming and women's empowerment as the central focus in the government's national plans and policies
- various programmes targeting women such as loan schemes, cottage industries, non formal education legal amendments related to ensuring women's access to equal economic rights and benefits

However political instability, weak governance, lack of transparency in the utilisation of funds, traditional patriarchal attitudes towards women and persisting gender disparity pose major challenges. On the whole, poverty eradication campaigns have not been effective due to the structural gender inequities that curtail women's empowerment.

- Feminisation of poverty has been a critical area of concern.

Future Commitments:

- women's development as the focus in the tenth five year plan
- establishment of a "poverty reduction fund" for women
- promotion of women's participation, access and benefits from long term agricultural programmes
- advocacy efforts in partnership with NGOs to amend discriminatory laws against women

3.3.2 Education and Training of Women:**Current status:**

The overall literacy rate was 2 percent in 1950. During the past fifty years, education has made a comparative progress. The current literacy rate is approximately 48 percent - where the literacy rate for men is approximately 66 percent and that for women is 30 percent.

Girls are comparatively disadvantaged in accessing educational opportunities, which reflects the low social value on investing in girls. Although primary education is supposed to be free, government schools charge money on various pretexts. On the other hand parents prefer to send their sons to school while daughters stay home to help with the domestic work.

Post Beijing initiatives:**National work-plan:**

The long term objectives include ensuring 100% women's literacy, raising the educational status of women, increasing women's access to science and technology and promoting women's employment in schools. Some of the short term objectives include provision of free education to girls and incorporating a gender perspective in the existing curriculum and textbooks.

Initiatives under the Ministry of Education:

The Basic and Primary Education Programme (BPEP) under the Ministry of Education provides learning opportunities for children for the primary levels. Scholarships programmes are provided for girls and nutrition programmes (a mid-day meal) is implemented in the eight food deficit districts of the mid and the far western development regions of Nepal

Efforts at NGOs level:

NGOs have made significant contributions by providing non formal education and skill development trainings.

However, widespread poverty, low investment in the education sector, political instability and the lack of political commitment further exacerbate the general provision of education.

3.3.3 Women and health:

Major issues related to health are discriminatory socio-cultural practices, inadequate health delivery system and poverty. Other contributing factors include child marriage, young pregnancies, lack of family planning facilities. About 10 percent of deliveries are attended by the trained health personnel or trained traditional birth attendants (TBAs). Nepal has the highest maternal mortality rate (MMR) of 539 per 100,000 live births (NFHS, 1996, Department of Health Services, HMG).

Post Beijing initiatives:

Major national initiatives include the national plan of action, long term health plan and the government's commitment to the Convention on the Rights of the Child (CRC), Convention on the Elimination of all kinds of Discrimination Against Women (CEDAW). The national plan of action has prioritised reproductive health, adolescents health and Safe Motherhood Programme with a new approach. In order to strengthen pregnancy related services, Safe Motherhood Project has been established in 24 districts.

A remarkable achievement in the health sector has been the 11th Amendment Bill, officially legalising abortion and bringing about sweeping changes in the discriminatory laws. Effective from 27 September 2002, abortion has been legalised under certain conditions.

3.3.4 Violence Against Women:

Violence against women can take many different forms. These include – domestic violence, sexual slavery, prostitution, international trafficking of women, violence related to women's reproductive rights e.g., forced sterilisation, coercive use of contraceptives, prenatal sex selection and female foeticide, rape, sexual abuse in the refugee camps, biased cultural practices against women - e.g. female infanticide, dowry, polygamy and marital rape.

Post Beijing initiatives:

A. Government level:

- formation of a national action plan to eliminate girl trafficking and their commercial sexual exploitation
- coordination with government and NGOs on the formulation of various bills including women's property rights, domestic violence, girl trafficking, as well as the establishment of family courts
- signing of a national rapporteur for the control and monitoring of girl trafficking by the National Human Rights Commission and the MOWCSW.
- initiation of a joint programme (JIT) by the MOWCSW and UNDP on girl trafficking and their mobility.

B. NGOs level:

- programmes focus on the prevention of trafficking as well as the rehabilitation of victims
- pressure groups to advocate women's rights through the setting up of media networks
- establishment of counselling and Help Line services
- establishment of a National Network Against Girl Trafficking/NNAGT in 1990 for the coordination and networking against violence against women. Similarly, Alliance Against Trafficking in Women and Children in Nepal/AATWIN is another networking on issues related to violence against women at a national level

Future Commitments:

- immediate review of the prevailing laws that indirectly sanction VAW
- nation wide follow up of an in-depth understanding of violence against women
- rehabilitation of the victims through effective support systems

Challenges:

- violence against women is a social problem. While legal measures are necessary, they are not adequate to eliminate the problem
- lack of strong laws with crimes related to rape and sexual exploitation
- the social silence on violence against women where numerous cases of violence against women go unreported

3.3.5 Women and armed conflict:

Women and children become the victims of armed conflicts. Currently about 100,000 Bhutanese refugees have been living in the refugee camps in the eastern district (Jhapa) in Nepal. Due to the so-called People's war, a large number of children and women have been internally displaced. They have become victims from both the government and the maoist sides.

Post Beijing initiatives:

- several rounds of high level consultation from the government for the repatriation of the Bhutanese refugees
- initiation of Ganesh Man Singh Peace campaign for the rehabilitation of those who want to renounce violence
- dialogue from the government, human rights groups for the solution of the maoist problem

Emerging issues:

The maoist movement has led to the increased occurrence of violence against women. Since the male population often leave home, the female population have become victims of the government and the Maoist. While women go to cities looking for employment opportunities, they are likely to become victims of other kinds of violence against women.

3.3.6 Women and the economy:

Agriculture forms the backbone of the Nepalese economy where the labour participation rate of women is 66 percent but approximately 93 percent are employed in the low productivity sector. However their contribution to the national economy have not been recognised

Post Beijing initiatives:

- Formulation of an action plan on women and economy incorporating a short and long term objectives.
- collection of gender disaggregated data using a broader definition of economic activities in 2001 census
- various programmes targeting women such as loan schemes, cottage industries, non formal education and legal amendments related to ensuring women's access to equal economic rights and benefits
- gender mainstreaming in all the development programmes

3.3.7 Women in power and decision making:

The percentage of women in the civil services in general is dismally low. According to the recent study conducted by MOWCSW, the proportion of women stands at 7.8 percent out of total 98689 employees. The number of women parliamentarians has gradually increased in the past 10 years but not sufficient to make a significant impact in the national policies and plans.

Post Beijing initiatives:

- local self- governance act with a reservation of 20 percent seats for women at local level elections. The total number stands at approximately 40,000
- the administrative reform commission extending the age limit to 40 years from the previous 35 years

However, the capacity building of both the elected and the nominated representatives remain one of the main challenges.

3.3.8 institutional mechanism for the advancement of women:

Government, a number of NGOs and political institutions are working for the advancement of women.

Post Beijing initiatives:

- the renaming of the Ministry of Women and Social Welfare (MWSC) to the Ministry of Women, Children and Social Welfare (MWCSW)
- MOWCSW as the lead agency in government on women's issues and also is the focal point for the advancement of women
- establishment of an independent women's commission
- documentation on VAW, child marriage, girl trafficking

3.3.9 Women and human rights:

Even after the declaration of gender equality, some fifty years ago, discrimination against women still exist all over the world. Nepal, is no exception to this where women's low status is rooted in and perpetuated by the various institutions and structures in society such as religion, culture, law and politics which continue to reinforce gender discrimination and curtail women's access to the basic or minimum human rights.

Post Beijing initiative:

- amendment to discriminatory laws

3.3.10 Women and Media:

With a relatively recent history of mass media in the country, progress in the women's participation in media is hardly visible.

Post Beijing initiative:

After the Beijing conference in 1995, women's movements and women's issues have been given a wider coverage.

3.3.11 Women and the environment:

Women's significant role in the conservation, preservation and the management of the natural resources and the environment have remained largely silent at all levels of policy formulation and decision making.

Post Beijing initiatives:

- establishment of the Ministry for Population and Environment
- women and environment chapter on the Ministry's plan of action with three strategic objectives
- environment curriculum in primary, secondary and tertiary levels and non formal courses

3.3.12 The girl child:

Children below 14 years constitute about 40 percent of Nepal's total population 23 million. Out of the total child population of 9.2 million, 4.5 million or 49 percent are girls. Discrimination begins at birth which is further perpetuated through the systematic restriction of girls' equal participation in every field as compared to that of boys.

Post Beijing initiatives:

- formulation of a national plan of action with long and short term objectives
- education and health programmes
- national programme to prevent and control girl trafficking with MOWCSW as the focal point

3.4 Second world conference on the commercial sexual exploitation of children at Yokohama, Japan

For the protection and the promotion of the legal rights of children and against their sexual exploitation, a world conference was organised in Yokohama, Japan in 2001. The first world conference on the sexual exploitation of children was held in Stockholm, Sweden in 1996. The second world conference was participated by representatives of INGOs, NGOs and the private sectors. While reviewing the positive steps taken by the member states in this direction, the participants reiterated their future commitments:

- to ensure children's rights against child prostitution, child pornography and trafficking for sexual exploitation through effective state mechanisms and related structural developments
- to eliminate child labour, child prostitution, child pornography and sexual exploitation with regard to the optional protocol # 182 of the International Labour Organisation
- reaffirm commitment on compiling a statistical update on gender disaggregated data and develop strategies for the implementation of legal provisions for the children's rights in the national agenda
- advocacy campaigns against their commercial sexual exploitation with a holistic approach to rebuild their physical and psychological behaviour
- extension of networks at national to international levels to promote their educational and skills development
- awareness campaign through proper flow of information overpowering the children against all kinds of violence
- new technology support and resource mobilisation in coping with the challenge of child pornography in the internet at the risk of becoming potential victims
- follow up mechanism on the resolutions.

3.5 SAARC Convention on Preventing and Combating Trafficking of Women and Children for Prostitution, 2002.

The 11th SAARC summit held in Kathmandu on 3- 4 January , 2002, on its first day of the conference approved two regional agreements related to the welfare of women and children on a broad scale. The ministers of foreign affairs of all the member countries signed the agreements showing their commitment towards this direction. Highlighting the contributions of the women's empowerment in the prevention of violence against women, long term strategy for the sustainable development and the institutionalisation of the economic and the cultural sectors were also emphasised. There was a unanimous decision among all the member states in establishing an independent women's commission for gender equality and long term investment on children for upgrading their status. However, the success of the 11th SAARC summit depends on overcoming the challenges of girl trafficking in the South Asia region and in liberating women and children from the clutches of sexual commercial exploitation.

CHAPTER - 4

FACT FINDINGS SURVEY CONDUCTED BY NNAGT IN THE SUB-URBAN AREA OF KATHMANDU VALLEY ON AUGUST 2002.

4.1 The Rationale of Studies and Research

Research can be an effective tool to identify the root causes of problem as the information generated can be utilised for responsive project implementation. National Network Against Girl Trafficking/NNAGT conducted a week-long survey beginning from 15 August 2002 in the four villages (VDCs) of Kathmandu, Lalitpur and Bhaktapur districts. The research methodology was based on Participatory Rural Appraisal/PRA. Secondary data were also used. Since the villages were situated in a semi – urban area, the survey results present mixed findings.

4.2 A brief overview of the survey conducted by NNAGT

The survey conducted by NNAGT aimed at assessing the socio – economic status of women in relation to the magnitude of the problems on violence and girl trafficking. A total of 614 population were surveyed, with 73.2 percent women and 26.7 percent men. The majority of the respondents were from Kathmandu 52.6 percent, 24.4 percent and 23.0 percent from Bhaktapur and Lalitpur respectively. The literacy profile show 71.5 percent were literate with 28.2 percent as illiterate. Out of the total 450 female respondents, 34 percent were illiterate. Out of 164 male respondents, 12.2 percent were illiterate).

Respondents by Age

Table - 1

Age Group	Percent
18 to 25 years old	32.6 percent
26 to 30 years old	20.8 percent
31 to 35 years old	15.3 percent
36 to 40 years old	12.7 percent
41 to 45 years old	6.7 percent
46 to 50 years old	4.7 percent
51 to 55 years old	2.1 percent
56 to 60 years old	2.0 percent
60 and above	3.1 percent

Out of 164 male respondents, 12.2 percent were illiterate. Further, the respondents profile demonstrated that out of the school going 27.9 percent were involved in the co-education whereas 5.9 percent were enrolled in separate boys and girls school respectively.

The trend shows that the search for employment opportunities has led to the increase in internal migration with a considerable increase in the number of women. Majority of these women are engaged in domestic work and factories working in poor conditions, with a high incidence of violence as reported from time to time.

District level respondents by gender

Table - 2

Districts	No. of respondents	No. of male	No. of female
Kathmandu	323 (52.6)	81 (49.4)	242 (53.8)
Lalitpur	141 (23)	40 (24.4)	101 (22.4)
Bhaktapur	150 (24.4)	43 (26.2)	107 (23.8)
Total population	614 (100)	164 (26.7)	450 (73.3)

(The figures in bracket indicate percentage)

Responses from the respondents:

- 98.4 percent agreed on equal treatment to sons and daughters. Only 1 percent disagreed that sons and daughters should be treated equally and this was expressed mostly by women
- 35.2 percent agreed that sons provide support to parents in old age, whereas 41.8 percent disagreed
- 32.6 percent agreed that daughters are "someone else's property" as opposed to 57 percent of the respondents
- 97.6 percent agreed that daughters should be independent. This is a positive note in the existing practice of gender discrimination
- 7.5 percent respondents opined that domestic violence took place in the villages, 37.3 percent stated that some form of domestic violence did occur in the area, whereas 36.8 percent were ignorant that such violence took place

Population of VDCs level respondents

Table - 3

VDC	No. of respondents	No. of Male	No. of Female
Chunnikhel	70 (11.4)	16 (9.8)	54 (12)
Manamaiju	254 (41.4)	66 (40.2)	188 (41.8)
Godabari	140 (22.8)	39 (23.8)	101 (22.4)
Sipadol	150 (24.4)	43 (26.2)	107 (23.8)
Total	614 (100)	164 (26.7)	450 (73.3)

(The figures in bracket indicate percentage)

As revealed in the report, 48 percent of the respondents identified illiteracy as the main factor for the incidence of domestic violence. 35.3 percent of the respondents highlighted alcoholism so as another key factor. Since illiteracy and ignorance are the root causes of violence, the people have realised the importance of education and awareness programmes. However, prevention of alcoholism requires greater efforts from the policy formulation to the behavioural changes. With regard to girl trafficking as a form of violence, the participants opined that girl trafficking cases was rare. Only 1.6 percent respondents expressed the cases of girl trafficking. On women related programmes, the opinion of the respondents were varied, highlighting the importance of extensive programmes for women.

For the control of violence against women:

- 76.1 percent respondents emphasised awareness programmes and door to door campaigns and 38 percent stressed the need of education.

Similarly, for the elimination of gender discrimination:

- 62 percent respondents emphasised awareness campaigns in the family and society,
- 42.2 percent stressed on education.

For the control and prevention of trafficking:

- 78.3 percent respondents opined raising awareness
- 28.5 percent suggested an increase in the employment opportunities for women at local level
- 62.9 percent respondents stressed the importance of employment opportunities for women both in the economic and the social sectors.
- 30.9 percent respondents emphasised the decision making role of women at all levels
- 54.2 percent respondents identified the need for encouraging employment opportunities for entrepreneurs by local organisations.
- 49.9 percent respondents outlined training for women in income generating activities.

Gender Equality

Table - 4

Opinions	Equal treatment to sons and daughters	Son is supporter of old age	Daughter is others' property	Daughters to be made Self independent
Agree	98.4	35.2	32.6	97.6
Neither agree nor disagree	0.3	20.5	15	1
Disagree	1	41.9	50.3	1.1
Don't know, can't say	0.3	2.4	2.1	0.3

4.3 Conclusions of the survey:

The information generated from the survey can be categorised under two broad sectors -

- (a) The social status of women and
- (b) Recommendations at the local level for women's empowerment.

A. The Current Status of Women:

As the survey was conducted in semi urban areas, the trend showed a positive sign in giving equal treatment to sons and daughters. The survey also highlighted the role played by women in perpetuating discrimination between a girl child and a boy, emphasising the importance of targeting mothers for awareness raising programmes. The problem of girl trafficking existed in reality, although it was not prominent. Lack of education and awareness as well as alcoholism were the main reasons for violence. Training and income generating programmes for women seem to have little impact on women. In the changing context, most respondents have agreed to provide better nutrition and education to daughters, to support their self-dependence.

B. Recommendation for women's empowerment at local level:

The recommendations have outlined both short and long term measures to promote women's empowerment. Income generating programmes, encouragement of self employment for women and a reservation for women in the various productive fields are some of the short term measures. The long term measures include awareness raising programmes, literacy classes to raise the educational level of women and the promotion of girls education.

4.4 NNAGT's achievements:

National Network Against Girl Trafficking/NNAGT, the pioneering network against girl trafficking, was established in 1990. The network consists of representatives from 60 organisations working at the district as well as the national level. The network includes organisations working against domestic violence and women's empowerment and undertakes nationwide campaigns on girl trafficking.

NNAGT is affiliated with the Regional and International networks combating against girl trafficking.

- It is a founder member of SAFAHT (South Asian Forum Against Human Trafficking)
- It is affiliated as a co-worker with CATWAP, (Coalition Against Trafficking of Women in Asia Pacific)
- NNAGT is associated with UN-DAW (United Nation Division for Advancement of Women)

A. Accomplishment:

NNAGT has launched various programmes on awareness raising towards the control and prevention of violence against women and girl trafficking in particular. These programmes have a wide coverage from the community to the national and regional levels. Its activities include disseminating information delivered through creative mediums using street drama, television, school level drawing competition, orientation classes on girl trafficking and HIV/AIDS in schools and campuses, national rallies, interaction programmes, bill board display against violence against women and girl trafficking.

B. Women's rights and personality development:

NNAGT has organised participatory programmes to promote women's rights and welfare by mobilising the elite societies, civil societies, communities based organisations and human rights organisations. It has provided training and organised seminars and interaction programmes, counselling services and observation tours.

C. Workshop/ seminars at regional level:

The problem of girl trafficking is more acute across the borders than within the country. This necessitates better coordination and strengthening of networks at the SAARC level. NNAGT has organised several workshops for SAARC member countries focussing on advocacy and interaction.

Regional workshops include;

- "Migrant Labour and Trafficking of Women" in Kathmandu 3 - 4 June 1999
- Seminar on "Women's Human Rights Advocacy and Documentation on Violence Against Women" 26 – 29 August 2000
- Strengthening Cross Border Network to Combat Trafficking of Women /Girls, in Kathmandu, 1 June 2001

D. Five day study tour:

In order to strengthen the network, NNAGT organised a five-day study tour to Bangladesh in June 2000 for the representatives of network members from five districts. The participants gained valuable insights from the regional perspectives on girl trafficking following their interactions with rural based organisations working against trafficking.

E. Women's skill development and resource mobilisation:

As poverty and gender inequity increase women's and girls' vulnerability to trafficking, targeting women and girls in income generating skills is very important. Women / girls at high risk of being trafficked have been targeted with micro credit schemes, saving and credit facilities, with the assistance from UNIFEM Regional office, New Delhi,

F. Resource centre and documentation:

As a resource centre, NNAGT has a wide collection on the documentation related to women's issues including domestic violence, women's rights, women's empowerment, HIV/AIDS. It houses a collection of books, publications, research work, reports, information materials compiled through various media such as audio-video cassettes, articles, journals both at the national, regional and international levels. The resource centre has made a valuable contribution in this area to researchers, organisations, students and various stakeholders.

Publications of NNAGT:

- Quarterly Bulletin – "Chelibeti" (English & Nepali)
- Information, Education and Communication/IEC Materials
 - ✓ Posters
 - ✓ Pamphlets
 - ✓ Badges with anti- trafficking messages
 - ✓ Caps with anti- trafficking messages
- Mapping exercises
- Grassroots training manual
- Workshop proceedings
- Database on trafficked/returnees
- Women's voice (articles related to women's issues)
- Compilation of news coverage
- Fact sheet
- Website : www.nnagt.org.np
- A survey report on the socio – economic status of women and women's empowerment in the VDCs (Manamaiju, Chunnikhel, Sipadol & Godawari) of Kathmandu, Lalitpur and Bhaktapur districts.

G. Mobilization of member organization against girl trafficking:

By mobilising the organisational strength of the member NGOs and their support NNAGT has been actively coordinating the activities on the prevention and the control of girl trafficking and violence against women. Based on the nature of the problems of the affected women and on the field verification of partner NGOs, NNAGT has also been providing appropriate support related to the rescue, training and possible rehabilitation of those victims in the community and the society at large.

H. Future programmes:

NNAGT will give continuity to the on-going programmes:

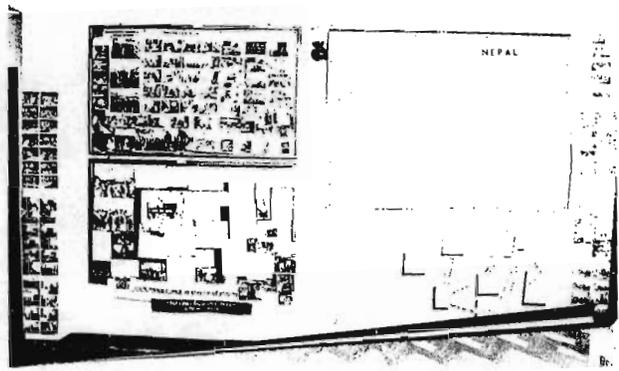
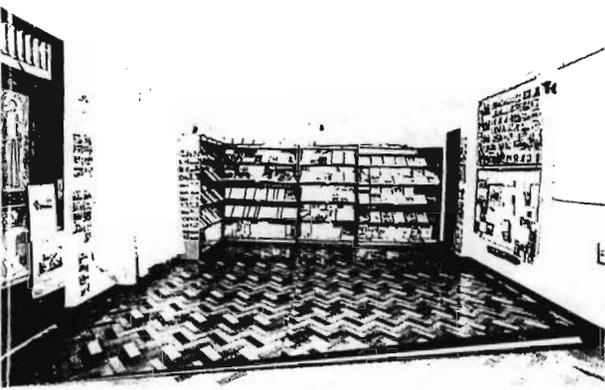
- provide financial and technical support to rural based member NGOs on women's empowerment, depending on the organisational strength and resource mobilisation of the partner organisations.
- strengthen the coordination between government, NGOs and other organisations working in the sector
- expand the secretariat's documentation centre with more analytical information, documents and make it more effective by utilising advanced technology
- continue its inventory on data collection, database and mapping exercises
- community and nationwide awareness campaign on girl trafficking and the violence against women through publication
- publicise crimes related to the violation of women's rights and conduct research on women's empowerment and gender discrimination
- district level profile of NGOs working in the area of women's rights.

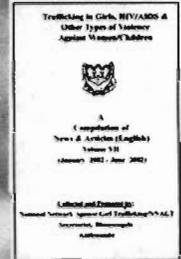
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Glimpses of NNAGT's Resource & Documentation Centre





Other Publications of National Network Against Girl Trafficking/NNAGT



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