

" Study On Inclusive Women's Participation and Representation in State Organs"



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Women’s Alliance for Peace, Justice, and Democracy

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Foreword

Sankalpa- Women's Alliance for Peace, Justice and Democracy, is an alliance of diverse women's organization. It is dedicated to ensure women's equal opportunity in the state making process irrespective of caste, ethnicity, religion, language, occupation, or degree of physical ability. Its objective is that diverse groups of women are visibly engaged at all levels of the Constituent Assembly and peace building processes. Sankalpa is strongly lobbying and advocating for women's representation and meaningful participation in all state organs and decision making structures. In this regards it is very important to know the current status of women representation in all state organs and government bodies.

Women's meaningful participation and representation in all state organs and decision making structures is like a paradox. Women's participation and representation of within various levels of government is very minimal in comparison to the total population of women, which is 51.44 per cent according to the census 2011. In this regard, this study is the process of identifying actual disaggregated data of number of women representing in four state organs i.e. Legislative, Executive, Judiciary and Journalism.

This study report would be strong tool to advocate and lobby for women's participation and representation in all four state organs. Besides that, the study is very significant for the political parties, government, donor agencies and other stakeholder organizations to formulate and implement policies, programs and movements for raising women's participation and representation. Thus, this study is focused on enhancing inclusive women's participation and representation.

This research will be useful, analytical tool for government, non-government, political parties and civil society such as gender-equality and democracy building NGOs in Nepal. We hope that this document will also serve as a useful reference for other professionals, researchers, teachers, students, and those concerned about women political participation.

Durga Sob,
Chairperson



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Chanda Devi Shrestha Rai
Executive Director
Sankalpa



ACRONYMS AND ABBREVIATIONS

CA	:	Constituent Assembly
CWS	:	Community Worker Society-Nepal
CPA	:	Comprehensive Peace Agreement
FPTP	:	First-Past-The Post
HEI	:	Health Empowerment Index
HDI	:	Human Development Index
GBV	:	Gender Based Violence
GEI	:	Gender Empowerment Index
ILO	:	International Labour Organization
ICPD	:	International Conference on Population and Development
KIIs	:	Key Informant Interviews
NFDIN	:	National Foundations for Development Indigenous Nationalities
MOGA	:	Ministry of General Administration
PR	:	Proportional Representation
PIS	:	Public Information Service
TYIP	:	Three Year Interim Plan
UNCED	:	United Nations Conference on Environment and Development
WDO	:	Women Development Organization

EXECUTIVE SUMMARY

The level of participation and representation of women in different organs/ bodies of the state around the world varies greatly, standing at 16.9 percent in the world's legislatures in 2006 on average. The uneven political playing field on which women and men compete has led to a number of reforms - primarily quotas or other positive action strategies -designed to safeguard the representation and participation of women in the organs of state. Governments and political parties have experimented with different types of quotas, with mixed results.

Women participated widely in the 1990's mass movement and campaigned for political reservation and equal citizenship rights during the process of formulation of the 1990 Constitution (Acharya, 1994). But they had to be satisfied with five percent reservation in the Upper House and similar reservation as candidates in election to the Lower House.

The Civil Service Act was also amended in 2008, to increase the entry of women and disadvantaged groups in civil service by reservation. A total of 45 percent new openings to be filled by open competition were reserved for inclusion of women Dalit, Madhesi, Janjatis, other marginalized groups¹ and of that 33 percent (overall 15 percent) are for women.

Similar amendments were made to other Acts related to other various services in the Government including education and health. Police, armed police and army Acts were also amended to the similar effect (Nepal/ Ministry of Law, Justice and Parliamentary Affairs, 2008).

Nearly 33 percent representation of women in the CA was achieved by the political parties through nomination of 50 percent women in the proportional list. The constitutional draft prepared by the Committee on Form of Legislative Body, retains the reservations for overall 33 percent candidacy for women in the election to the Lower House, but is silent on the same for the direct contest.

The main concern is the difficulties in implementing the provisions on gender equality. Both the constitutional provision of having 33 percent female representation in all state organs and equal inheritance of ancestral property by sons and daughters remain to be implemented fully.

Many studies emphasize that the issue of women's participation in decision-making in Nepal continue to be of serious concern. Women around the world seem to experience something similar when they break into male dominated sectors such as politics, Judiciary, and Journalism.

In the above context, there is lack of detailed study and research from the various agencies (parties, government, research/educational institution etc.) on women's participation, representation and inclusion in four state organs i.e. Legislative, Executive, Judiciary, and Journalism issues thereof.

¹ Other groups for which the seats are reserved include a) Indigenous and ethnic groups (27 percent), (b) Madhesi (22 percent) (d) Dalit (9 percent), (e) Differently abled (5 percent) and (f) Backward community (4 percent). Backward community – It includes 9 districts from Mid-Western and Far Western Region.

This study, therefore, is focused on enhancing women's participation, representation and inclusion. In this regards, this study is in the process of identifying actual disaggregated data of number of women who are representing. The study report and findings will be a strong tool to advocate and lobby for women's participation and representation in four state organs.

The present study has special significance because of its usefulness for the political parties, government, donor agencies and other stakeholder organizations to formulate and implement policies, programs and movements for raising women's participation & representation.

Status of Representation

- Women's representation in state organs and political parties is equally dismal. The percentage of women's representation in the Cabinets formed following the elections in 1991, 1994, 1999, and 2008 is 8.6 percent, 9.1 percent, 23 percent, and 17.4 percent respectively (WDN and RSN 2009). This has again decreased to 12 percent and five percent in the present government (2013-2014).
- Women's representation in Civil Service is only 17 percent and even lower in key decision-making positions.
- The percentage of female staff in civil service is on the rise. However, at the policy/decision making level, their presence is still very low i.e. No one in special class and 5.10% in first class. At II and III class officer level, the ratio is around 4.88% and 9.80% respectively.
- Women representation in civil service from far-western region is still very low at only 4.0%. Despite the state's effort to narrow down geographical exclusion in the state organs (executive) the situation is not in good path.
- Women's participation in the judiciary is only 3.64 percent, and at present, there are no women judges in the district court. In the judiciary, in all the courts of the country women judges account for only 3.08 % of the total number of judges, whereas the Supreme Court has only one women and 10 men justice.
- Women's representation in constitutional bodies is very low. No woman has ever headed a constitutional body until the present (2013). There is only one woman in the National Human Rights Commission and Election; however, there were no women in the Commission on Abuse and Authority until now.
- Women were represented in the parliamentary elections held in 1991, 1994, and 1999 but never gained more than six percent of the seats in parliament. The first time the number of women increased was in 2006 in the Interim Parliament, and women's participation increased to 17 percent due to the Maoist inclusion of 40 percent women in their part. The first time it went up to 33% was in 2008.
- Women's participation in political parties is only 10-12 percent, it is lower in central committees. On average, it is 6% and 9% respectively in the district level of political parties. Thus, in the major political decision-making process, women are excluded.
- Women's participation is minimal in the journalism sector in Nepal and those who join the profession are not able to give it long-term continuity. There are only about 16% women working in journalism sector and, among these, only a negligent number occupy decision-making positions.

- Similarly, there is negligible representation of women in the security forces, such as the Nepal Police and Army of Nepal. This situation reflects the bitter fact that women from marginalized backgrounds hardly have access in any state mechanisms or bodies.
- Women's representation in security agencies is even more worrisome, table 3.14 shows that there are only 3.41% percent women in Nepal's army, 5.01% percent in the armed police force and 6.57 percent in the regular police force.

Issues, Concern and Conclusions

- It seems to be very challenging for the political parties to have progress in the present status to ensure at least 33% women's representation. The parties have yet to reform their Constitutions, Bylaws, Directives and other policy documents to make them gender and inclusion friendly. The state laws such as that related to citizenship and foreign employment are still discriminatory with regard to women's representation.
- The study has pointed out main reasons of women's low representation in political parties as follows: lack of political awareness, lack of capacity, party policies, and non-cooperation from male leadership, financial problems, non-cooperation from state, and social and family problems. These factors have played roles not only in women's political participation but in their activism and continuity in politics also.
- Political parties have yet to be inclusive. There is extreme need of special policies, programmes and campaigns for this within the parties.
- It seems that we should wait longer to accept the women's existence in a patriarchal society like ours. One of the greatest challenges is developing the culture of co-work and collaboration between men and women, initiated by men themselves, to ensure women's meaningful representation in politics and the state mechanisms.
- Enforcement of laws and regulations was identified as a priority across all women groups. General lack of operational guidelines and enforcement mechanisms for various laws, regulations and development strategies are of major concern.
- Similar plans are required for enforcing the equal property rights of women, mainstreaming gender and inclusion in development plans and programs, and making civil service more gender sensitive and inclusive.
- Women consulted for this report stressed the critical need for capacity building of political representatives as a priority. Especially the Janajati Dalt women felt that efforts to empower marginalized women economically were still inadequate.
- Comprehensive gender and inclusion sensitization plans for: (a) all party statutes, regulations, policies, programs and structures, with special provision for financing women for party-related activities.
- Special scholarships for girls and women for higher education were also demanded by all women for bridging the gender and inter-ethnicity/caste gaps in professional attainments. Currently such scholarships are available on a large scale only for the school education.

Specific Recommendations; For States

- Ensure that the condition and position of women with multiple disabilities such as migrant worker, poor women, LGBT women, victims of trafficking, women with disabilities etc

should improve and to take all measures, including bi and multi-lateral cooperative efforts with other states to facilitate the elimination of discrimination against these women.

- Establish monitoring mechanism to ensure enforcement of legislation on elimination of discrimination women is enforced.
- Ensure that all laws relating to work, violence against women and family and succession laws are free from discrimination and that there are no restrictions on the full enjoyment, for women of their human rights.
- Ensure that women have enough social and welfare benefits so that there is a reasonable and fair re-distribution of child rearing and household work in society.
- Ensure that all conflict is managed in an atmosphere where impunity is investigated and there is a chance for healing and reparation.
- Development of comprehensive data compilation methodology and include relevant sex-disaggregated statistics so as to be able to assess trends and impact of programs on country's female population, related to the participation of women in public and political life, in particular in local and rural areas.
- Guarantee that women obtain an adequate legal remedy when their right to participate in public and political life free from every form of discrimination is violated.

For Political Parties

Provide statistical data disaggregated by sex, such as the number of women and men among candidates, elected representatives, party members and in governance and leadership structures.

Suggestion

Representation and Participation

- The state should immediately proceed to make provisions of women's proportionate representation in laws and policies related to education, law, health, employment and so on. Discriminatory laws and policies should also be immediately amended. Political parties should play leading role in these processes. The state should ensure the effective implementation of such laws.
- The state should make provisions of seat reservation and/or special rights for women and other deprived communities through positive discrimination policy to enhance their participation and access to the leadership positions.
- The political parties and leading women politicians should immediately move ahead with clear and specific policies and programs to fulfill the challenging target of at least 33% women's participation in each party unit. For this, political parties and their women departments and women organizations should conduct campaigns related to increasing women membership, ensuring women's access to leadership positions and women empowerment up to grassroots level in collaboration with the inter-party networks.
- Women's capacity building through effective empowerment programs is needed to reform in women's participation in political parties. Massive social, political and gender awareness programs are also extremely necessary to eliminate the prevailing traditional vision, customs and values.
- The political parties should proceed with political orientation campaigns at a massive level and in regular basis collaborating with other organizations and partners.

Empowerment

- Women's positions should be reserved in leadership positions of the organs and institutions of the state at different levels.
- Necessary work should be initiated from households, society and the political parties to improve in women's leadership status. Activities related to social awareness, women empowerment, lobby and advocacy, workshops, seminars, training etc. should be made regular.
- Women's economic rights should be ensured through women's ownership in patriarchal property, their access to financial resources and various ways of income generation. For this, the political parties should play roles in special coordination with the state and the government.
- Additional organizational strengthening programs should be conducted to make the women departments and women's organizations of the political parties more efficient and effective.

Inclusion

- The laws and policies of the state should be made inclusive and special attention should be given towards their effective implementation.
- The political parties should create favourable environment to enhance participation and leadership opportunities for the women from among the minority and marginalized communities. The parties should formulate and implement specific and time-bound action plans. For this, special provisions should be made.

CHAPTER ONE

INTRODUCTION

The position and status of women in any society are among the main indicators of a society's level of progress. Advanced societies give women the opportunity to play their complete role in building society. No society can claim to be advanced or moving towards progress when half of it is marginalized or non-productive, whatever the reasons or the factors involved. The participation of women in various political, social, economic, cultural and intellectual aspects of the life of a country is vital for the growth of a balanced society that will be able to keep up with the requirements of modern life and human progress in the 21st century.

Women population makes up half of the national population of Nepal. Women have been playing important roles in the economic, social, political and other domains of national development. However, the state has not been able to do proper evaluation and recognition of their contributions. Women's representation in decision-making processes within the context of current socio-economic and political transformations, examining the linkages between women's presence in decision-making and their impact on the mainstreaming of a gender perspective into policies and programs has hit low pointing least developed countries along with Nepal.

Many studies emphasize that the issue of women's participation in decision-making in Nepal continue to be of serious concern. Women around the world seem to experience something similar when they break into male dominated sectors such as politics, Judiciary and Journalism.

Discrimination between man and woman has prevailed glaringly in the Nepalese society due to the male-dominated social structures. This adverse situation has affected the women's access to resources and their leading role in different sectors of society. They have also been deprived of equal rights as men. So, national efforts are needed to provide women with equal rights and empowerment opportunities for their greater participation and access to resources.

1.1 Context of the Study

Gender discrimination and social exclusion in Nepal has been one of the most debated issues in the last two decades. Government as well as civil society and activists have recognized the inevitable and critical role women can and should play in the development process of the country. The decade long conflict and political insurgency brought about significant changes in perceptions by challenging many gender stereotyped norms, values and attitudes existing both at socio cultural and structural levels. As a result, there has been tremendous increment in women's participation in politics.

The number of women in the House of Representatives, which was 3.4 per cent in 1991 and 5.8 per cent in 1999, took a dramatic leap reaching about 33 per cent in the 2008 Constituent Assembly (CA) followed by 30 per cent in the current 2013 CA. Similarly, the representation of women is also increasing in the government services. Overall, 7 per cent and 10 per cent female were in the officer and non-officer level, respectively in 2012. However, their presence at the policy and decision making level is yet very low with only 2.4 per cent of the total civil servant (as of 2012).

In addition, women's participation has sharply increased even in the erstwhile nontraditional sectors such as national army, public transport, foreign employment etc. Nevertheless, women from the disadvantaged castes, the poor, rural and ethnic communities experience relatively higher levels of gender disparities, particularly in political participation as well as government services.

There is a dire need of special policies and programs for equal representation of women in the state structures, opportunities and rights. Women's maximum access to decision-making level is necessary in this regard. The political parties have major roles in the policy making and governance. Therefore, proper representation of women in political parties and meaningful positions is the strategic need of the day.

1.2 Importance of the Study

The need of women's representation in politics and various state organs has been realized since 1956 A.D. However, the issues of women's participation, empowerment and inclusion have been prioritized only after the people's movement-I of 1999 A.D.

The people's movement-II of 2006 A.D. has more strongly highlighted the issues of women's participation, empowerment and inclusion in politics and government mechanisms. For example: the reinstated House of Representatives has passed a proposal to ensure at least 33% women's representation in every state structure. However, the effective role of the state in these issues depends firstly on how effectively the leading political parties deal with these issues within their own party system and structures.

Women's participation and representation in decision-making bodies involves their enhanced presence as well as their empowerment through such participation. Previous studies emphasized that women's political leadership and accountability are key cross-cutting issues. On one hand, women's political leadership allows them to set agendas and on the other hand, it is in such roles that they are made responsive to constituencies and publics. This accountability becomes the cornerstone for not only numerical enhancement of women's presence but also their ability to transform outcomes, the content and the ways in which policy actors make public policy.

In this context, it is required to give voice, genuine space, dignity and respect to Nepali women in the new constitution and in the making of Nepal. Dedication is found low to ensure women's equal opportunity in the state making process irrespective of caste, ethnicity, religion, language, occupation, or degree of physical ability. It is necessary that for inclusive and equal representation of women, all has been working towards movement building and promoting women's rights in Nepal. In the above context, there is lack of detailed study and research from the various agencies (parties, government, research, educational, institution etc.) on women's participation, representation and inclusion in four state organs i.e. Legislative, Executive, Judiciary, and Journalism issues thereof.

This study, therefore, is focused on enhancing women's participation, representation and inclusion. In this regards, this study is in the process of identifying actual disaggregated data of number of women who are representing. The study report and findings will be a strong tool to advocate and lobby for women's participation and representation in four state organs.

The present study has special significance because of its usefulness for the political parties, government, donor agencies and other stakeholder organizations to formulate and implement policies, programs and movements for raising women's participation & representation.

1.3 Objective of Study

The main objectives of the study are to propose essential recommendations to increase the access of woman in important decision making positions along with the increment of women participation and representation in four state organs to enhance the inclusion of the minority and marginal groups by analyzing the status of women participation, inclusion and empowerment in the four state organs i.e. Legislative, Executive, Judiciary, and Journalism.

This study aims to identify the gender gaps and the intensity of the barriers in terms of their role in preventing women from gaining empowerment and influence in state organs in Nepal. It also seeks to pinpoint the sources of these barriers/hindrances, in order to recommend target policy and programs interventions to reduce and remove them.

Moreover, the study seeks to access the civil services from gender perspective and report on gender gaps in the overall public service commission, entrance exam management, curriculum, and other support process as well as gender based discrimination.

The other specific objectives of the study are as follows:

- To prepare the database and information about the participation, representation and inclusion of women from different caste and region of the civil services.
- To analyse the framework, policy and plans related with the enhancement of women's participation at the leadership level of various political parties.
- To study and analyse the subject matters based on the views and opinions, experiences, status and recommendations of the women participation.
- To help in constituting the governmental policy and programs related with the enhancement of participation of woman and marginal groups in the meaningful positions and all organs of the state structures in a planned way, and to facilitate for creating a positive environment for their effective implementation.

1.4 Scope of the Study

The study is based on the analysis of following three major subject areas:

Role: Changing role of women within household, community and social activities

Violence against Women: Improvement in violence against women and wage discrimination at household and community level

Gender and Social Inclusion Sensitivity: In all four Organs (Legislation, Administration, Justices and Journalism)

During the study, data/information were collected and interview and discussion were carried out in the following locations and sectors;

Justice Sector - Supreme Court, Appellate Court, Special Court, District Court, Office of the Attorney General

Security Sector - Nepal Army, Armed Police, Nepal Police

Legislative Sector - Constitution Assembly, Public Service Commission, Nepal Human Right Commission, National Women Commission

Journalism Sector - Federation of Nepali Journalists, Media Advocacy Group, Nepal Television

Executive Sector - Ministry of Agricultural Development, Ministry of General Administration, Ministry of Health & Population, Department of Roads, Department of Irrigation, Department of Women and Children, Department of Water Supply and Sewerage, Department of Urban Development & Building Construction, Department of Education, Department of Health Service, National Indigenous & Janajati Academy, Remote Area Development Committee under Ministry of Federal Affairs and Local Development.

1.5 Methodology, Duration, Management and Organization of the Study

1.5.1 Study Methodology

The study is based on both primary and secondary information and a mix of qualitative and quantitative methods. Secondary data were collected using quantitative methods. These were validated by qualitative methods such as in-depth interviews and discussion with the key informants.

The study also included a review of the legal and political framework related to gender in Nepal, including gender and social inclusion policies, and an extensive review of the literature. During the study, the following procedures and methods were adopted to accomplish the study:

- **Desk Review:** First of all, the study team will carry out desk review of relevant literatures policy documents and regulatory provisions of the government including theoretical bases like theory of changes, social research methods, conceptual framework of women participation, leadership development model. Likewise, empirical studies reports produced by UNDP/ SANKALPA are the second round of desk review which includes participation model, Gender and Social Inclusion Policy of Nepal Government, assessment of professional women numbers and database of women in state organs.
- **Collection of primary opinion and views:** by the research associate by filling up the 'Key Informants Interview Questionnaires' from different sectors available respondents using stratified random sampling method while selecting, ensured the representation of Dalit, Janajati, Madheshi (where available) and minority groups giving priority.
- **Interaction, interview and discussion:** with relevant high level government officials, women activist, political leaders, journalists and collected their views and opinion
- Supplementary data collection: from policy documents (constitution, bylaws, decision etc.) of the political parties, Interim Constitution, various Acts, Regulations, etc. and their analysis.
- **Visit of government and semi-government organizations:** and collection of data from different sources and analysis of the available data;
- Preparation of checklists: for interactions with participants of Round-Table Discussion
- Conduct Round-Table Discussion program for gathering more worthy and rich views as well as highlighting the issues for discussion and resolution.
- Interaction with (subject matter) specialists: inside and outside the sector;
- Preparation of the draft report
- Arrangement of interaction/meeting with stakeholders to share the findings
- Preparation of the final report

1.5.2 Duration

The study started last week of July 2015 and was completed in September 2015 (2.5 months (10 weeks). This study was carried out in the following four consecutive phases:

1.	Collection and updating the Information and data	: 3 weeks
2.	Interview and Interaction	: 2 weeks
3.	Data Analysis and Management	: 3weeks
4.	Report Writing	: 2 weeks

1.5.3 Management of the Study

Community Worker Society-Nepal (CWS) located in Kathmandu and others freelancer expert and associate researcher were directly involved in the study. In the course of the study, a team of 10 professionals including Project Director, Project Coordinator, Team Leader /Experts, Associate Researcher and Data Management Assistants were involved.

1.5.4 Organization of the Study Report

The study report is divided into five chapters. The first chapter introduces the study. Theoretical and policy frameworks related to the study are placed in the second chapter. Similarly, there is an analysis of the status of women's participation, access to meaningful positions and inclusions in state organs in the third chapter. Observation, suggestions have been analyzed in the fourth chapter based on the views of discussion program participants. Conclusions and recommendations of the report are placed in the fifth chapter.

The study report is prepared in consultation with Sankalpa and government officials of different ministries, departments and the experts concerned.

1.6 Limitations of the Study

This study analyses the status of women's participation, representation and inclusion in state four organs based on the information published by the political parties, national women commission, Sankalpa's previous study and the records obtained from the Civil Service Record Management Department (Nijamati Kitab Khana) and Key informants questionnaires/ checklists.

This study is based on secondary information. However, due to lack of consistency in data management and record keeping system in different organizations, it was difficult to get reliable data for trend analysis. It is, therefore, primarily based on the data available at the Civil Service Record Management Department (Nijamati Kitab Khana). There is no system within the department to publish annual report and the available data provides information on the status of a particular day with no past information on the changes made in earlier dates.

The study team disaggregated civil servants from the total list that was made available to them. The disaggregation is based on the counting of different caste groups in the hierarchy of government service structure. This process did not allow the computing of exact number of government employees due to similar surnames belonging to different caste groups. However, it was considered enough to assess the trend of inclusiveness in civil service.

Some limitations during the study include:

- It is very difficult to update the changes of civil service staff numbers. Hence, the analysis is carried out based on the information collected during the study.
- Some of the sector institutions did not provide information owing to the reason of secrecy. Due to which, some information are not fully representative.
- The contact offices and persons of some organization were not available during the data and information collection. In such cases, the research associate was unable to collect the staff lists and carry out interview.

Despite the above limitations, the study results are accurate because of coverage of all sectors and also due to the lack of any alternative database system.

Nepal underwent a violent Maoist conflict between February 13, 1996 and November 21, 2006. During this period, 10297 men and 1013 women lost their lives, according to INSEC, a Nepali human rights organization. Tens of thousands were orphaned, wounded, handicapped, tortured, displaced, abducted, and made homeless by the Maoist conflict. There was widespread destruction of property. Sexual violence against women was perpetrated by both Maoists and State security forces to "teach" the other side a lesson.

The conflict ended after the signing of Comprehensive Peace Accord (CPA) in November 2006 and, Nepal entered into an era of conflict transformation. However, residual effects of conflict are still prevalent, and lives of those women and children who lost their family members are still miserable. Victims of GBV during the conflict continue to suffer from stigmatization and physical and mental ailments. Further, mutual suspicion, fear, anxiety, terror and sense of revenge were prevalent at the time of conflict, and could still be in a latent state in many communities.

CHAPTER TWO

POLICY REVIEW

2.1 Historical Background of Women Participation

2.1.1 Background

Women's participation and contribution has been remarkable in all the democratic movements in Nepal. Women's political movement started in Nepal with agitation against Rana regime in the name of 'women education' by Women Committee formed in Siraha in 1975 B.S. The need of women's representation in politics and various state organs has been realized ever since 1956 A.D. However, the issues of women's participation, empowerment and inclusion have been prioritized only after the people's movement-I of 1990 A.D.

After the restoration of democracy in April 1990, an attempt was made for the first time to address the needs and interests of excluded groups by considering them as equal citizens of the country irrespective of their religion, race, gender, caste, tribe or ideology. However, the unitary state structure failed to address the issues of exclusion adequately.

The Constitution of 1990, drafted after Jana Andolan I (People's Democratic Movement), tried to address existing diversity in Nepalese society. Special provisions were made in the constitution to enact necessary acts and regulations to improve the socio-economic condition of the deprived communities and ethnic groups by increasing their access to national mainstream and engaging them in development and decision making processes. However, it never materialized.

In 1991, a high level seventeen member Administrative Reform Commission was formed under the chairmanship of the then democratically elected prime minister. It recommended more than hundred measures to reform administrative structures, processes and policies. The Commission did not address any exclusionary issues and overlooked to make any recommendations to make the Nepalese public service more inclusive and gender friendly.

The Periodic development plans after 1990 were more forward looking and advanced in accommodating global changes in the area of the people-centered sustainable and inclusive development. These plans recognized social, economic, cultural, ethnic, linguistic, geographical and other diversity in Nepalese society. These plans ensured the incorporation of different development initiatives to address the concerns of deprived groups such as women, Dalit and Adibasi/Janjati and people living in remote regions.

During the period, institutional arrangements were made to form Women Ministry, Women Commission, Committees for Dalit and oppressed groups as well as the Janjati academy so as to address their concerns. The National Foundations for Development of Indigenous Nationalities (NFDIN) classified Adibasi/Janjati into 59 different groups and categorized them according to the status of their deprivation. Similarly the Ministry of Local Development and other researchers have also classified Dalits into different categories.

Moreover, the existing discriminatory acts and policies were amended with the introduction of new legal frameworks and promotional programs to address the concerns of all deprived groups and people living in remote regions based upon different socio-cultural mappings and statistics. The census of 2001 (for the first time) classified most of the deprived groups and presented existing diversity, based on language, ethnicity, cast, creed, and regional disparities. A NLSS survey has identified poverty and its link with ethnicity, caste, gender and regional disparity.

A High Level Reservations Committee was formed under the chairpersonship of the then Finance Minister in December 2004. The committee was mandated to prepare a report and make recommendations on affirmative action for the inclusive development of women, Dalits and Adibasi/Janjati. During the time the Ministry of General Administration (MoGA) was also preparing an affirmative action plan for the civil service with a proposal of reservation in bureaucracy. The draft proposal made a recommendation to allocate 35 per cent of the total government positions for reservation with 20 per cent for women, 10 per cent for Janajati and 5 per cent for Dalits. The political instability and frequent change of government did not allow High Level Reservations Committee to accomplish its task. (Benet, 2006)

The people's movement-II of 2006 A.D. has more strongly highlighted the issues of women's participation, empowerment and inclusion in politics and government mechanisms. For example: the reinstated House of Representatives has passed a proposal to ensure at least 33 per cent women's representation in every state structure. However, the effective role of the state in these issues depends firstly on how effectively the leading political parties deal with these issues within their own party system and structures.

Almost all the political parties have now been convinced for at least 33 per cent women's representation in their various levels. Similarly, women politicians have addressed the demand of proportionate representation. But, the political parties of Nepal have yet to proceed with clear agenda for women's meaningful participation in politics.

Without peace human development is not possible and without human development peace is not sustainable. Both require inclusion and participation (NHDR 2009) With the realization of such inter linkages between peace, human development, inclusion and participation, the CPA was signed between the then seven party alliance and CPN (M) after Janandolan II in 2006, to bring the peace process to a logical end. Inclusion emerged as a national mandate for development, recognition and social justice.

The Interim Constitution of Nepal 2007 incorporates the provisions of the CPA and provides for the amendment of existing legal provisions to make them inclusion friendly. The first sting of the reinstated parliament declared and assured that 33 per cent of women will be represented in every sphere of decision-making. The Constitution Assembly (CA) formed after the election of 2064 (2008) was remarkably inclusive in the sense that 33 per cent of women were represented in the Assembly. Similarly, the representation of other excluded groups was fairly high.

The second amendment to Civil Service Act 1993 was an important move to address inclusion and make the public service more representative. The Act has made a provision of fixed quota for women and other excluded groups including those from remote regions of the country. This was a major policy shift aimed at addressing the issues of diversity in the public service as well as in the security services. The government has adhered to the provisions made in the Act with relation to the public service, while also adopting flexibility according to the nature of work in the organizations concerned.

2.1.2 Women's Participation in Politics

The 'Women's Committee (NariSamiti)' had conducted a campaign in the name of 'women's education' against Rana regime at Siraha in 1971. This was the first endeavor for women's advancement in Nepal. This Committee was formed in the initiation of women leaders Yog Maya Devi and Divya Devi Koirala. There was an active participation of women during the labor movement of Biratnagar in 1947. Many were arrested by the then Rana regime at that time.

Nepal Women's Association was formed in 1947 to work for women rights and freedom by women leaders close to different political parties. Mangala Devi Singh, Kamaksha Devi, Shreemaya Devi, Rajani Champa and Sadhana Pradhan were members of the first executive committee of the Association. Afterwards, women leaders affiliated to various political parties formed and conducted

their own women organizations (Majupuria, 2007). Moti Devi Shrestha was one of the five founding members of Nepal Communist Party established in 1949.

The pace of campaign of women's political participation was interrupted due to the establishment of unitary Panchayati System by the then King Mahendra in 1960. This time, the parliamentary system was revoked and the popular government lead by B.P. Koirala was toppled by the King.

During the 12 years period after success of popular movement of 1990, advocacy on women's issues continued at the national level. In this connection, voice was raised for gender equality and public consent was developed in favor of social, economic and political reformation.

There was significant participation of women in the street agitation against the King's action of 4th October 2002. The endorsement of inclusive democracy is seen in the Detailed Peace Accord between seven political parties and Communist Party of Nepal (Maoist) and the Interim Constitution of Nepal, 2063. This is the recognition of women's contribution in the democratic movements.

The system enabling adequate representation of women by initiating to develop equitable society through the democracy of inclusive and participatory nature has been approved by all spheres. Women leaders have collectively addressed the need that all the responsible political parties should be serious for democratization of political changes.

2.1.3 International Policy Framework

The Fourth World Conference on Women, held in Beijing in 1995, drew attention to the persisting inequality between men and women in decision-making. The Beijing Platform for Action reaffirmed that women's persistent exclusion from formal politics, in particular, raises a number of specific questions regarding the achievement of effective democratic transformations in practice. It undermines the concept of democracy by its nature assumes that the right to vote and to be elected should be equally applied to all citizens, both women and men. The absence of women from political decision-making has a negative impact on the entire process of democratization.

In addition, democratic institutions, including parliament, do not automatically achieve gender equality in terms of representation, or in terms of policy agenda setting and accountability.

The Beijing Platform for Action emphasized that "women's equal participation in decision-making is not only a demand for justice or democracy, but can also be seen as a necessary condition for women's interests to be taken into account. Without the perspective of women at all levels of decision-making, the goals of equality, development and peace cannot be achieved." (Para 181)

The Beijing Platform for Action defined two strategic objectives in its critical area of concern on women in power and decision-making:

- To ensure women's equal access to and full participation in power structures and decision-making
- To increase women's capacity to participate in decision-making and leadership

The following measures were recommended by the Beijing Platform for Action for the implementation of the first strategic objective: to achieve gender-balanced composition in governmental bodies and committees, as well as in public administration and in Judiciary, including through setting specific targets and, if necessary, establishing a positive action policy; to integrate women into elective positions in political parties; to promote and protect women's political rights; and to reconcile work and family responsibilities for both men and women.

2.1.4 International Treaties and Agreements

While looking at the efforts regarding women's rights in the international level, the demand of getting equal opportunity to participate in every sector of the national life has been risen only in the twentieth century. The campaign of women's rights seems to have begun at the international level institutionally since the celebration of first International Women's Day on 8th March 1910 A.D along with demands from women for equal educational, social, economic and political rights.

The UN Charter states the norm that the world community should respect the human rights and equality between men and women. The UN had formed the Commission on the Status of Women in 1946 with the objectives of improving women's political, social and economic status.

The UN Declaration of Human Rights, 1948 has emphasized on the protection of human rights.

In 1951, the ILO passed the Convention on Equal Wages. The Convention on the Political Rights of Women, 1952 was passed to assure the political rights of women. This Convention guaranteed women's right to vote. Similarly, the ILO passed the Convention on the Elimination of Discrimination against Women in Occupation and Employment.

The International Women's Year, 1975, International Women's Conference of the same year and International Women's Decade (1976-1985) have brought the new dimensions in women's development.

In 1979, the UN General Assembly passed the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) to manage and institutionalize women's rights. This Convention has been proved to be the milestone for the gender equity and equality. The party nations of this Convention have to submit the initial report after one year of approval and the periodic reports in every four years.

The Second International Women's Conference was held in 1980 in Copenhagen of Denmark followed by the Third in Nairobi of Kenya in 1985 and Fourth in Beijing of China in 1995.

The United National Conference on Environment and Development (UNCED) held in 1992 in Rio De Janeiro of Brazil has emphasized to combine the issues of women with the environment. Similarly, the International Conference on Population and Development (ICPD) held in 1994 in Cairo of Egypt has addressed the need of strengthening women in economic, social and political sectors.

All the International Women's Conferences, started in 1975 and the latest held in 1995 in Beijing, have stressed the need of women's access to decision making level of the politics. However, the achievements in this regard are not so satisfactory. The Second Asia Pacific Ministerial Conference on Women held in 1994 in Jakarta, Indonesia has concluded that women's participation in the decision making levels of the state is very low although some women have gained the leadership positions of the state and the government with help of their family relationships in the Asia Pacific Region (Bhusal, 2064).

Various human rights instruments have preserved many rights of women including the right to indiscrimination, right to equality, right to short -term special measures, right to change in inferiority complex, traditional role and attitudes, right against exploitation, right to health, right to equality in citizenship, equality in employment, equality in education, equality before law, equality in marriage and social life, right to equality in rural women, and right to participation in public and political life and so on. The responsibility to preserve these rights remains in the hand of the nation.

All the three organs of the state are responsible for this. The state is responsible to reform the constitution, laws, tradition or institutional structures if they are discriminatory. The door is open to seek justice from even the international level in case of failure from the state to recognize and

manage these rights at the national level. In this situation, the fact that how to transfer the standards determined by these human rights instruments into the constitution that is being formulated through the Constituent Assembly is utmost important for all of us (Malla: 2064).

2.2 State Policies, Programme and Efforts

2.2.1 Theoretical Concept and Policy Framework

The equality between men and women on issues such as representation in various state structures, access to property and resources, participation in policy making has yet to be achieved. Due to the patriarchal thought rooted in our society, women's every activity has been controlled by men. This has affected woman's advancement and creativity as well.

While talking about the campaigns on gender equality, basically, only after the people's revolution-II of 2006, the issue of women's participation, empowerment and inclusion has become a subject of extensive discussion in Nepal. The Interim Parliament has passed a resolution on 30th May 2007 to ensure at least 33% women's representation in all the state structures. This has been possible due to the pressures created by women leaders and rights activists.

Concept of Social Inclusion

Any group of population or community feels to be included in mainstream of society and state is the social inclusion. (Population Report, 2011) .The concept of people centered sustainable development seeks maximum participation of people in the decision making process irrespective of their gender, culture, caste, ethnicity, language, religion and inhabitation. Thus, in order to attain sustainability in development it is equally important to have the inclusive involvement of people in all spheres of decision making and development.

Social inclusion is often defined as socio-economic and political empowerment of the communities who need special attention of the state to enable them to participate in the mainstream of development activities. Therefore, social inclusion is considered as process of promoting equitable access to both economic and social benefits including access to state institutions and administrative structures without any discrimination on the grounds of caste, descent, gender, religion, ethnicity, or other matters. Inclusion for this purpose is aimed at equal participation of the marginalized groups in development activities with proportional representation in decision making processes, while also promoting their access to social and economic opportunities with social justice.

Social Inclusion is the joint effort of institutional reform to remove existing institutional barriers and capacity enhancement of diverse individuals and groups to increase their access to development opportunities. It is used to describe the complementary approach that seeks to bring about system level and policy change to remove inequities in the external environment. Further it is the removal of institutional barriers and the enhancement of incentives to increase the access of diverse individuals and groups to development opportunities. (Deuba Arzu 2006).

Inclusion is aimed at equal participation and representation of marginalized, ethnic and other caste groups in development activities, public service organizational structures at all levels. The objective is also to increase the access of these groups to social and economic spheres as well the administrative structures, while also creating opportunities in line with proportional representation in decision making processes and guaranteeing recognition, identity and social justice for them.

The following steps of social inclusion, method of policy design and delivery are aimed to:

- Analyse the nature and causes of the factors that force people to be disadvantaged and excluded
- Identify the groups at risk of exclusion;

- Strengthen protective factors and reduce risk factors;
- Coordinate and work with other agencies (government and non-governmental sectors) to consolidate efforts in this regard
- (Re) design delivery systems and promote changes in culture, and
- Establish a clear implementation plan and monitor delivery system

2.2.2 Policies, Strategies, Institutions and Programmes for Promotion of Women's Participation

Gender Policy Review

The country has adopted a gender development perspective in national development activities with focus on women for their socio-economic development since the beginning of the Sixth Plan (1980-85). The government incorporated women development program basically for two reasons: (i) to implement the provisions included in the declaration of the International Women Year 1975, and (ii) incorporate the recommendations made in a CEDAW study report on "Status of women in Nepal". The government, in the meantime, is under obligation to implement women targeted programs so as to respond to the commitments made in the national plan and also to meet the commitments made in international forums and conventions.

The Ministry of Local Development (MoLD) has set up a Women Development Section with the objective of implementing the targeted programs in rural areas in order to improve the conditions of women living below the poverty line. The Section was eventually upgraded as Women Development Division under MoLD, which is now a fully-fledged department under the Ministry of Women, Children and Social Welfare. In the meantime, women development program has extended to all 75 districts under the leadership of WDO with women subordinate workers. With an amendment to the Civil Service Act, the government has made legal provisions to take these staff members in regular civil service.

Globally, while the voices were gaining momentum against exclusion, the movement also supported the mainstreaming of gender, ethnic groups and deprived communities in national development processes through equal access to resources and ensuring their participation in decision making. Following the restoration of democracy in 1990, the government of Nepal also formally recognized the issues and causes of multiple exclusions (cultural, linguistic, regional and caste/ethnicity related) in the country.

The national plan and policies adopted by the state were more focused to poverty alleviation through gender equality and equity. Nepal ratified CEDAW in 1991, to eliminate all kinds of discriminatory policies against gender to avoid legal or institutional barriers.

Nepal is also committed to translate the 12 critical areas of concern expressed during the Beijing conference through its plans, programs and actions. Moreover, the country is mainstreaming gender issues in all government plans and programs by focusing on gender responsive budget and audit mechanism at all levels.

The Interim Constitution promulgated after Janandolan (people's movement) II in 2007 has recognized exclusion as the major cause of social discrimination that has resulted in inequity, injustice and poverty. The provisions of the Interim Constitution are aimed at (i) improving governance through state restructuring from unitary to a federal system (ii) eliminating all kinds of discriminations (gender, caste, ethnic, religious, and regional), and (iii) adopting forward looking policies and legal provisions.

The second amendment to Civil Service Act 1993 has made a provision of reservation and positive discrimination so as to encourage more women to join the civil service. The provisions include:

- Allocation of 33% reserved seats out of a total of 45% reserved seats (when taken as 100%)
- Five years relaxation on age bar for entrance i.e. 40 years for women candidates as against 35 years for men.
- Relaxation on probation period by six months (it is one year for men)
- Relaxation in promotion period by one year (i.e. four years for women whereas it is five years for men)
- Provision of obsequies leave for women employees according to their religious/cultural practices.
- Working couple will have the opportunity to work in the same district if the position is vacant.
- In order to encourage more women to join civil service, PSC has made a special provision of waiving pre-qualification examination for candidates who are eligible to apply for the reserved seats/posts.

Constitutional Provisions:

The Constitution of Nepal, 1990

The constitution of 1990 (made after Janandolan I) vested the sovereign power to the people of Nepal. It guaranteed fundamental and human rights and reestablished in the country a multi-party democratic political system based on equity, equality and social justice. The directive principles of the constitution mentions that the social objective of the State shall be to establish and develop, on the foundation of justice and morality, healthy social life by eliminating all types of economic and social inequalities and by establishing harmony amongst the various castes, tribes, religions, languages, races and communities (Article 25(3)).

Part three of the Constitution (Fundamental Rights - article 11) has the following provisions of right to equality:

- All citizens shall be equal before law. No person shall be denied equal protection of law.
- No discrimination shall be made against any citizen in the application of general laws on the grounds of religion, race, sex, caste, tribe or ideological conviction or any of these.
- The State shall not discriminate among citizens on the grounds of religion, race, sex, caste, tribe, or ideological conviction or any of these provided that special provisions is made by law for the protection and advancement of the interests of women, children, the aged or those who are physically or mentally incapacitated or those who belong to a class which is economically, socially or educationally backward.
- No person shall, on the basis of caste, be discriminated against as an untouchable, or be denied access to any public place, or be deprived of the use of public utilities. Any contravention of this provision shall be punishable by law.
- No discrimination shall be made between men and women in regard to remuneration for the same work.

The constitution further made special provisions that may be made by law for the protection and advancement of the interests of women, children, the aged or those who are physically or mentally incapacitated or those who belong to a class which is economically, socially or educationally backward.

The State adopted policy to maintain the cultural diversity of the country by strengthening the national unity and promoting healthy and cordial social relations amongst the various religions, castes, tribes, communities and linguistic groups (Article 26(2)). Further, the state expressed its commitment to pursue a policy which will promote the interests of the economically and socially backward groups and communities by making special provisions with regard to their education, health, and employment. (Article 26(10)).

The Interim Constitution of Nepal 2007

The Interim Constitution of Nepal, 2006 has made the positive provisions of some fundamental rights under the women's right such as no discrimination to be made only because of being women, the right to reproductive health to be placed as the fundamental right, equal right of both daughter and son in the paternal property etc. In addition to this, the Constitution has made provision that the acts of violence of physical, mental or other nature shall be punishable by laws.

Similarly, Article 20 of the Constitution has made provision of right against discrimination in the name of custom, tradition or culture. The fundamental right to proportional participation has been assured. Women's 33% candidacy in the Constituent Assembly is ensured. Besides, special provision for women has been made in the sections of state responsibility and directive principles.

The Interim Constitution of Nepal, 2006 has made the positive provisions of some fundamental rights under the women's right such as no discrimination to be made only because of being women, the right to reproductive health to be placed as the fundamental right, equal right of both daughter and son in the paternal property etc.

In addition to this, the Constitution has made provision that the acts of violence of physical, mental or other nature shall be punishable by laws. Similarly, Article 20 of the Constitution has made provision of right against discrimination in the name of custom, tradition or culture.

Article 21 of the Interim Constitution has made a provision according to which women, Dalit, indigenous ethnic groups Adibasi, Madhesi communities, oppressed groups, the poor farmers and laborers who are economically, socially or educationally backward, shall have the right to participate in state structures on the basis of the principle of proportional inclusion.

Article 35 mention that the state shall adopt a policy of providing women an access to education, healthcare and employment opportunities, and make special social security arrangements for the protection and advancement of widows, orphans, the aged, the disabled, and those minority groups that are on the verge of disappearance.

Article 138 of the same Constitution has made a provision of restructuring of the state by bringing an end to discrimination based on class, caste, language, gender, culture, religion, and region. It is also aimed at ending the centralized and unitary form of the state and making it inclusive and a progressive, democratic federal system.

The first CA was made highly representative by providing ample space for the representation of all caste, class, ethnicity, gender, regions and weaker sections of the society. The mixed electoral system increased the range of representation with a total of 240 from FPTP and 335 members from the PR. The remaining 26 were nominated. Inclusion was considered at every stage of fielding candidates for FPTP and during nomination under the PR.

The Constitution of Nepal 2015

Nepal has so far promulgated seven constitutions which are unique in terms of promulgation process and its concern. The constitution - making became unique in terms of its process and given situations. The last CA was the most inclusive CA the world has ever seen, with a significant presence of women, representatives of various regions, caste and religions. The new constitution was drafted

by holding discussions at various level and took suggestions from Nepali people living within and outside the country and from constitutional bodies, including Supreme Court, and others prominent organizations. In terms of content, republican set-up, federalism and secularism are completely new things in the constitution of Nepal.

The Constitution of Nepal, 2015 had given an opportunity to strengthen unity in diversity and end discrimination and inequalities. Silent features of the new constitution in regarding to the representation and inclusive are as followings:

- Ensuring inclusion through mixed election system and provision of reservation for underprivileged groups in state bodies.
- President and vice president to be from different gender or community
- Speaker and deputy speaker has to be women and the two posts should be allocated to different parties.
- Inclusive cabinet with maximum of 25 members
- Separate commissions on national resources and finance, women, Madheshis, Dalits, Tharus, Musilims and indigenous nationalities
- Flexible provision on citizenship: Citizenship by recognizing three genders and in the name of fathers and mothers
- Separate fundamental rights: Right to health , right to food, right to housing, right to women, right to children, rights of Dalits, rights of senior citizens, right to social security, right to social justice

2.2.3 Gender and Social Inclusion in Development Plans:

The Eighth Plan (1992-97)

Being the first plan formulated by an elected government in 1992, the Eighth Plan (1992-97) introduced poverty alleviation as one of its three objectives. The plan apprehended for the first time that the government services in the past were not reaching out to the socially and economically marginalized groups, and expressed its obligation to support these disadvantaged groups with regard to poverty alleviation.

According to the poverty alleviation policy, the Eighth Plan states about developing a legal framework to eliminate all kinds of social bad practices and exploitation. The document also made a commitment to conduct special programs for excluded groups such as women, Dalits and Adibashi/janajati to improve their socio economic conditions and bring them in the mainstream of development. Special programs under gender and development were introduced in the plan document with the objective of mainstreaming gender concerns and provisions of ongoing programs of the state.

The Ninth Plan (1997-2002)

The Ninth National Plan, for the first time, had a separate chapter for indigenous peoples and ethnic groups with regard to their long-term development and integration in the society. The concept states that "social inequality, unemployment and poverty from the country will be alleviated by creating a favorable environment for moving indigenous people and ethnic groups further as an active partner and capable to co-work of development together with other communities of the country". (Plan document 1997)

It adopted the policy of eradicating social imbalance, enhance capacity, increase their access to national resources and improve the overall status of indigenous peoples and ethnic groups. The Plan envisaged the formation of an autonomous Janajati council at the district level, and the allocation of VDC and DDC grants for the implementation of the programs identified by them.

The Plan also introduced a separate section for gender and development with the objective of incorporating the commitment made in the Beijing Conference.

Moreover, it categorically incorporated twelve critical areas of concern related to empowerment, mainstreaming and securing equity and equality by eliminating all kinds of discriminations against women. It aims institutional development to narrow down social discriminations, exploitation and harassment including the domestic violence. For the first time the plan document mentioned about offering employment opportunities to 20 percent women candidates in the public sector.

TheTenth Plan (2002-07)

Poverty alleviation as one of the main components of the plan underlined that lower level of social development and differences in human development indices among different socio-economic groups had severe impact on existing inequality in Nepal. Its targeted and non-targeted programs are developed and directed at achieving the single goal of poverty alleviation.

The objective of the plan is aimed at empowering women, indigenous and ethnic groups, Dalit as well as other excluded communities on the basis of equality and making their participation inclusive with an increased access to development efforts. The plan envisions special legal provisions to bring these groups to the mainstream of national development on basis of equality.

A numbers of institutions such as NEFIN, Women Commission, Dalit Commission, were also established during this plan period. The basic objectives of these institutions were to advocate and address the concerns of targeted groups through policies, programs and reform measures.

The discriminatory clauses of different Acts were amended to provide for legal bases to guarantee rights, promote empowerment, and increase access to resources and opportunities during this plan period.

The Three-Year Interim Plan (2007 - 2010)

The first periodic plan following Janandolan II, is focused more on reconstruction, rehabilitation and reintegration. It also aims to translate into action the policies and principles adopted by the Interim Constitution of Nepal, 2063 (2007) and the provisions made in CPA. This plan gives recognition to the existing relations between conflict, poverty and exclusion. In order to achieve its objectives the plan visualized equal rights to all citizens independent of their social, cultural, lingual, religious, caste, gender, physical and geographical areas where they live and provide equal opportunities to enable them to use their potential in social and economic development of the country.

The plan's inclusive strategy is aimed at developing institutional structures and programs with a focus on excluded groups such as Adibasi/janajati, Dalits, Madhesi, women, the poor, people with disabilities and those below the poverty line inhabiting in remote geographical areas. While adopting the inclusive development process, the document also envisaged the participation of excluded groups in development investment and the outcomes.

The plan includes the excluded groups already identified by the Interim Constitution and has set quantitative target to improve the economic, social, human and cultural status of the communities by mainstreaming them in the country's development endeavor. In addition to pointing out the policy and legal reforms, the document also states about taking other necessary measures to ensure at least 33 percent representation of women at the policy and decision making processes at all levels. The plan is aimed at increasing HDI, HEI and GEI of excluded communities and women by 10 percent during the plan period.

The plan adopted the strategy of ensuring proportional representation of excluded communities in all decision-making processes and structures of the State, while adopting the policy of positive discrimination in economic, education and health sectors to ensure economic and social security of the weaker sections and communities among the excluded groups.

The long term vision of the plan under the promotion of good governance is "to make public, judicial, and development administration more competitive, participatory, transparent, service oriented, result oriented, accountable, inclusive, disabled friendly and gender equity oriented." (Plan document 2008)

The Three-Year Plan (2010-2013)

Continuing providing priority to the issues of inclusion, the current Three Years Plan (2010-13) also has adopted strategy to include people from identified excluded communities in the main stream of development, to allow them to represent in national structures, to empower them and reform necessary legislation and institutional provisions for their access to decision making processes.

It has reiterated the vision and strategies of previous TYIP. Under the good governance strategy it has expressed its firm commitment to promote inclusion in public services by providing equal opportunities to all competent and interested people representing different classes and communities.

2.2.4 Acts, Regulation and Legal Provision;

Civil Service Act 1993

The constitution of 1990 has specifically made a provision of legal framework under the fundamental rights (Right to Equality) to encourage people from previously excluded groups to participate in nation building. However, no legal frameworks were enacted for reservation in civil service due to the lack of government initiative and commitment to make the service more inclusive. No Civil Service Act was amended to adopt the principles of inclusion until Janandolan II and the promulgation of the Interim Constitution, 2007.

Legal provisions for the inclusion of deprived and excluded groups were framed only after the promulgation of the Interim Constitution of Nepal 2007. In line with the spirit of the constitutional provision of making the civil service inclusive, the second amendment to the Civil Service Act 1993, was made to encourage women, Adibasi/janjati, Madhesi, Dalit, disabled and people from remote areas to join the civil service. This measure is considered to be a milestone in making the civil service inclusive.

According to the provision made in the act forty-five percent of the posts to be filled through open competition was to be set aside for women, Adibasi/janjati, Madhesi, Dalit, disabled (differently abled) and candidates from remote areas. A separate provision for open competition has been made to fill these reserved positions. The second amendment to the Civil Service Act 1993, allocated

the aforementioned seats for each category in the following way (so as to convert the allocated 45 percent into cent percent):

Category	Percent
(a) Women	33%
(b) Adibasi/janjati	27%
(c) Madhesi	22%
(d) Dalit	9%
(e) Disabled (differently able)	5%
(f) Backward Area	4%

This Act also made an arrangement of reviewing the impact of the above provision in a period of ten years. Moreover, the Act has fixed 40 years as the age bar for women candidates to enter in the civil service, whereas the maximum age for entry into the service is 35 years. The government of Nepal has, through a notification in The Nepal Gazete, specified the positions for which only women candidates could compete owing to the specific nature of the work involved.

Civil servants who fall under the above category (Women, Adibasi/janjati, Madhesi, Dalit, Differently abled, and those who have been permanently residing in remote areas) have a grace period of one year for being the potential candidates for promotion.

Police Regulations, 1991

The 12th amendment to rule 11 of the regulation states that "In fulfilling the posts through open competition pursuant to make the Police Service inclusive, 45 percent of the posts to be fulfilled by open competition shall be set aside and be filled up by having separate competition between the following candidates only, by considering the percentage into cent percent:

Category	Percent
(a) Women	20%
(b) Adibasi/janjati	32%
(c) Madhesi	28%
(d) Dalit	15%
(e) Remote areas	5%

Similar arrangement of reservations was made in Rule 6 of Armed Police Force Regulations, 2003 through the fourth amendment in 2007.

Likewise, in 2011 Nepal Army issued a separate working procedure for recruiting personnel in line with the aforementioned provision of reservation.

And, all the three security wings have adhered to the allocated percentage of reservation as provided for in the regulations concerned.

The government has issued directives to all public enterprises including universities and financial institutions to adopt the inclusive policy according to the provisions made in the Civil Service Act. It has been noticed that these entries have accordingly endorsed the directives in their personnel by-laws.

The second amendment to Civil Service Act 1993 has made a provision of reservation and positive discrimination so as to encourage more women to join the civil service. The provisions include:

- a) Allocation of 33% reserved seats out of a total of 45% reserved seats (when taken as 100%)
- b) Five years relaxation on age bar for entrance i.e. 40 years for women candidates as against 35 years for men
- c) Relaxation on probation period by six months (it is one year for men)
- d) Relaxation in promotion period by one year (i.e. four years for women whereas it is five years for men)
- e) Provision of obsequies leave for women employees according to their religious/cultural practices
- f) Working couple will have the opportunity to work in the same district if the position is vacant
- g) In order to encourage more women to join civil service, PSC has made a special provision of waiving pre-qualification examination for candidates who are eligible to apply for the reserved seats/posts

Legal Provisions

The residues of discriminatory laws made and being enforced for a long time to determine special social, financial and individual roles of women still prevail in Nepalese legal system. A study of 2006 shows that there are 173 provisions in 83 laws which discriminate men and women. Such laws are mostly related to citizenship, employment, health, property rights, and education and court procedures (Malla: 2064).

Many discriminatory laws have been amended by the Some Laws Amendment Act, 2063 even after eleventh amendment in the Civil Code. Some of these include: priority to the widows in case hearing, deletion of the insulting words, annulment of discriminatory bases for divorce, first right to guardianship to mother, women's complete right to property, acceptance of unmarried daughter as heir, recognition of women as household head, provision of punishment in abortion after identifying the sex, inclusion of sexual harassment as crime, broadness in definition and punishment of rape, recognition of marital rape as crime, uniformity in age for marriage, women's capacity to inform about birth of child, etc.

The National Women's Commission Act, 2063 has been formulated with the objective of establishing the Commission to proceed women's issues with relevant policies and protection. The Act has envisaged the Commission to be an independent and autonomous organization. In this way, there have been provisions of institutional and legal support for the enforcement of the rights.

The Constituent Assembly Elections Act, 2063 has made some special provisions for women's participation in the CA.

The Human Trafficking and Transfer Control Act, 2064 has been formulated as the first detailed law in Asia. This has broadened the definition of trafficking and paid some attention towards victim justice system as well.

Likewise, the Military Act, 2063 has removed the provisions resisting women's entry to the military services. The amendment in the Nepal Citizenship Act, 2063 has protected the right of citizenship from mother's name partially. Foreign Employment Act, 2064 has removed the provision that prohibited women from foreign employment and also has made some special provisions for women.

Similarly, the amendment of 2064 in the Civil Service Act has made special provisions of positive discrimination for women to come into the civil service. Women's participation is ensured by making provision that there should be 33% women from among the 45% candidates under category of inclusion while fulfill in the gazetted third class and non-gazetted posts by open competition (Malla: 2064).

2.2.5 Inclusion Policy Analysis

The Positive Aspects of Inclusion in Public Service

The following points generally favor reservation for the promotion of inclusive public service:

- Proportional representation of all caste/ethnic groups and communities in state structures
- Identification of the excluded groups from different caste, sex, and class groups as well as people living in remote areas
- Increment, access, and empowerment of deprived classes, communities and areas
- Elimination of all types of political, economic, social, cultural, religious discriminations and imbalances
- Mainstreaming of all citizens in development activities
- Proper management of social, cultural and geographical diversities
- Institutionalization of inclusive, participatory democratic system
- Promotion of social justice
- Establishment of justice and equity based society

The Negative Aspects of Inclusion: The following matters may distort the concept of inclusion if they are not addressed properly:

- If inclusion is implemented on an ad hoc basis without conducting a detailed study and research, it may create complications
- The absence of a long-term vision may distort the essence of inclusion
- Over politicization of inclusion without a firm rationale may disillusion ordinary people with social and economic development
- Inclusion without enhanced quality assurance may create doubts over meaningful participation and results
- If inclusion is limited to a certain class and fails to reach out to the targeted groups, it may disturb social harmony e.g. caste imbalance, psychological conflict, negative effect on meritocracy etc.
- If reservation is not categorized properly as a tool of inclusion, it may continue to be under the domination of a limited elite group even within the excluded groups.

CHAPTER THREE

STATUS OF WOMEN'S PARTICIPAION, REPRESENDATION AND INCLUSION

3.1 Women in Civil Services

3.1.1 Existing Gender Disaggregated Situation in Government Services

The following table provides comparative status of women in administrative service at different levels. Status of women in administrative service at different levels is in increasing trend (54 women civil servant in 1991, 6,675 in 2015) but they are yet to be represented in special class. Until 15 July 2015, women composed only 17 per cent of the civil service and only 2 per cent women are serving in the post of Secretary.

Table 3.1:
Number of Women Civil Servants in Civil (administrative)
Service (1991/92 to 16 July 2015)

Description	1991		2004		2008		2011		2012		2015	
Class	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Special Class	NA	0	2	4.6	1	2.4	4	5.2	2	3.5	NA	0
First Class	2	1	24	4.0	15	4.5	9	1.8	12	2.3	27	5.1
Second Class	21	4	113	4.8	67	3.4	97	3.5	98	3.4	161	4.8
Third Class	31	1	348	5.3	348	5.6	680	7.7	817	8.3	1023	9.8
Total officer	54		487		431		790		929		1,211	
Total Non-Gazetted Class	NA		5045	9.7	6776	14.7	NA		3285	11.3	3965	13.9
Non Class	NA		2476	7.7	1553	6.3	NA		1533	7.2	1499	7.6
Total	54		8008		8760		790		5747		6675	

Source: *Women in Nepal, Some Statistical Facts, NPCS, Civil service Journal (Darpan) 2004, (2061BS), Monitoring Report UNSC, Nijamati KitabKhana, PLS, September 1, 2015*

The table shows that the presence of women staff at policy level is still very low. However, there is an increased trend of more and more women joining at the administrative and support levels. The latest figure of women staff in administrative service is also not satisfactory in spite of the states' commitment and effort to increase their number to a certain level (which includes filling in 15 percent of the reserved seats).

The table depicts that the percentage of female staff in civil service is on the rise. However, at the policy/decision making level, their presence is still very low i.e. No one in special class and 5.10% in class I. At class II and III officer level, the ratio is around 4.88% and 9.80%, respectively. These figures do not include employees in the health service. The percentage of positions for Health service is 16.44%, 12.37% and 22.17% respectively for eleventh, tenth and ninth level officer. Despite the state's effort to narrow down gender gap in the administrative service the situation is still not very encouraging.

Table 3.2:
Class/Level Wise number of Women Civil Servants

S.N	Class/Level	No. and % of Male /Female					
		Male	Female	Total	Male %	Female %	Total%
1	Total Civil Servant	55584	6675	62259	89.28	10.72	76.52
1	Gazetted	13111	1211	14322	91.54	8.46	23.00
1.1	Upper first Class	54	0	54	100.00	0.00	0.52
1.2	Gazetted First Class	502	27	529	94.90	5.10	5.07
1.3	Gazetted Second Class	3139	161	3300	95.12	4.88	31.62
1.4	Gazetted Third Class	9415	1023	10438	90.20	9.80	100.00
2	Non-gazetted	24402	3965	28367	86.02	13.98	45.56
2.1	Non-gazetted First Class	13554	1939	15493	87.48	12.52	6428.63
2.2	Non-gazetted Second Class	9467	1894	11361	83.33	16.67	4714.11
2.3	Non-gazettedThird Class	1132	128	1260	89.84	10.16	522.82
2.4	Non-gazettedFourth Class	235	6	241	97.51	2.49	100.00
2.5	Non-gazettedFifth Class	14	0	14	100.00	0.00	5.81
3	Class less	18071	1499	19570	92.34	7.66	8120.33
2	Health Service	11385	7717	19102	59.60	40.40	23.48
1	Officer Level	4418	1273	5691	23.13	6.66	29.79
1.1	Twelveth Level officer	1	0	1	0.01	0.00	0.00
1.2	Eleventh Level officer	61	12	73	83.56	16.44	35.96
1.3	Tenth Level officer	85	12	97	87.63	12.37	47.78
1.4	Ninth Level officer	158	45	203	77.83	22.17	100.00
1.5	Eighth Level officer	252	75	327	77.06	22.94	161.08
1.6	Seventh Level officer	737	133	870	84.71	15.29	428.57
1.7	Sixth Level officer	3124	996	4120	75.83	24.17	2029.56
2	Non Officer Level	6968	6443	13411	36.48	33.73	70.21
2.1	Fifth Level senior	277	294	571	48.51	51.49	281.28
2.2	Fifth level assistant	3350	2274	5624	59.57	40.43	2770.44
2.3	Second level assistant	7	49	56	12.50	87.50	27.59
2.4	Third level assistant	604	1205	1809	33.39	66.61	891.13
2.5	Fourth level assistant	2730	2621	5351	51.02	48.98	2635.96
	Total	66969	14392	81361	82.31	17.69	100.00

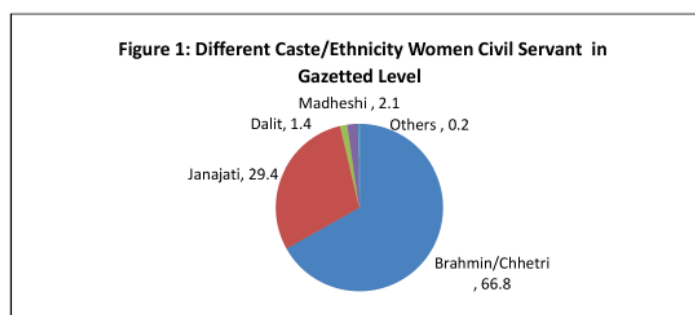
Source: Nijamati Kitab Khana, PIS Section, September, 2015

Based on the study and compilation of secondary data result as shown in table 3.3, majority of the women civil servant were Brahmin/Chhetri 68%, 25.5% from Janajati, 3.1% of Dalit, 2.9 % comes from Madheshi and 0.4 % of others in the gazette level. It is observed from the study that around 70 % female civil servants were Brahmin/chhetri, only 30% comes from others ethnicity/caste. Women's of Brahmin/Chhetri community has been mostly benefited from civil service.

Table 3.3:
Status of Women Civil Servant by Caste/Ethnicity in different Class/Level

S.N	Class/Level	Total Female	Caste/Ethnicity of Women Civil Servant				
			Brahmin/Chhetri	Janajati	Dalit	Madheshi	Others
1	Total Women Civil Servant	6675	68.0	25.5	3.1	2.9	0.4
1	Gazetted	1211	66.8	29.4	1.4	2.1	0.2
1.1	GazettedFirst Class	27	70.4	29.6	0	0	0
1.2	GazettedSecond Class	161	56.5	40.4	1.2	0.6	1.2
1.3	GazettedThird Class	1023	68.3	27.7	1.5	2.4	0.1
2	Ungazetted	3965	74.7	20.6	1.6	2.7	0.5
2.1	UngazettedFirst Class	1939	74.3	21.7	1.4	2.2	0.5
2.2	Ungazetted Second Class	1894	76.3	19.1	1.7	2.5	0.4
2.3	Ungazetted Third Class	128	55.5	26.6	3.9	13.3	0.8
2.4	Ungazetted Fourth Class	6	66.7	0	16.7	16.7	0
3	Class less	1499	51.6	35.6	8.5	4.2	0.3
2	Level (Health)	7717	60.5	27.5	3	8	1.2
1	Officer Level	1273	61.3	32.9	1.7	4.0	0.1
1.1	Eleventh Level officer	12	41.7	50	0	8.3	0
1.2	Tenth Level officer	12	33.3	66.7	0	0	0
1.3	Ninth Level officer	45	48.9	46.7	0	4.4	0
1.4	Eighth Level officer	75	46.7	42.7	0	10.7	0
1.5	Seventh Level officer	133	48.1	43.6	0	8.3	0
1.6	Sixth Level officer	996	65.3	29.5	2.2	2.9	0.1
2	Non Officer Level	6443	60.3	26.4	3.2	8.7	1.4
2.1	Fifth Level senior	294	71.8	21.8	2	4.1	0.3
2.2	Fifth level assistant	2274	63.9	26.6	3	5.8	0.6
2.3	Second level assistant	49	44.9	22.4	2	28.6	2
2.4	Third level assistant	1205	59.4	24.8	1.7	12.3	1.8
2.5	Fourth level assistant	2621	56.6	27.5	4.2	9.8	1.9
	Total	14392	64	26.6	3	5.6	0.8

Source: Nijamati Kitab Khana, PIS Section, September, 2015



The table 3.4 shows that that the percentage of female staff in civil service is on the basis of regions. Women representation in civil service from far-western region is still very low i.e. 4.0 %, similarly women representation from mid-western region is in low trend i.e., 10.0%. At civil service women representation from eastern, western and central region is 19.4%, 20.5% and 23.6%, respectively. Despite the state's effort to narrow down geographical exclusion in the state organs (executive) the situation is still not very encouraging.

Table 3.4:
Region Wise Representation of Women Civil Servant in different class/level

S.N	Class/Level	Total Female	Region				
			Eastern	Central	Western	Mid-Western	Far Western
1	Total Women in Civil Servants	6675	19.4	23.6	20.5	10.0	4.0
1	Gazetted	1211	20.9	44.5	25.5	6.1	3.0
1.1	Gazetted First Class	27	29.6	48.1	14.8	3.7	3.7
1.2	Gazetted Second Class	161	17.4	48.4	27.3	4.3	2.5
1.3	Gazetted Third Class	1023	21.2	43.8	25.5	6.5	3.0
2	Ungazetted	3965	26.3	26.2	26.7	15.0	5.9
2.1	Ungazetted First Class	1939	27.7	26.9	27.1	13.7	4.6
2.2	Ungazetted Second Class	1894	25.4	24.8	26.8	16.5	6.5
2.3	Ungazetted Third Class	128	18.0	35.9	17.2	11.7	17.2
2.4	Ungazetted Fourth Class	6	16.7	50.0	33.3	0.0	0.0
3	Class less	1499	0.0	0.0	0.0	0.0	0.0

Contd..

S.N	Class/Level	Total Female	Region				
			Eastern	Central	Western	Mid-Western	Far Western
2	Level(Health)	7717	23.0	29.1	24.9	17.7	5.4
1	Officer Level	1273	17.8	39.9	27.7	12.4	2.1
1.1	Twelfth Level officer	1	0.0	200.0	0.0	0.0	0.0
1.2	Eleventh Level officer	12	16.7	58.3	8.3	16.7	0.0
1.3	Tenth Level officer	12	25.0	50.0	25.0	0.0	0.0
1.4	Ninth Level officer	45	15.6	68.9	6.7	6.7	2.2
1.5	Eighth Level officer	75	4.0	68.0	25.3	0.0	2.7
1.6	Seventh Level officer	133	15.8	54.9	21.8	6.8	0.8
1.7	Sixth Level officer	996	19.2	34.1	29.9	14.5	2.3
2	Non Officer Level	6443	24.0	26.9	24.4	18.7	6.1
2.1	Fifth Level senior	294	24.5	26.9	29.9	14.3	4.4
2.2	Fifth level assistant	2274	31.0	21.9	20.3	20.2	6.5
2.3	Second level assistant	49	8.2	57.1	8.2	14.3	12.2
2.4	Third level assistant	1205	15.0	31.1	26.3	20.5	7.1
2.5	Fourth level assistant	2621	22.2	28.7	26.6	17.2	5.3
	Total	14392	21.3	26.5	22.8	14.1	4.8

Source: Nijamati Kitabkhana, PIS Section, September, 2015

3.2 Women in Legislative Sector

3.2.1 Representation in Political Institutions

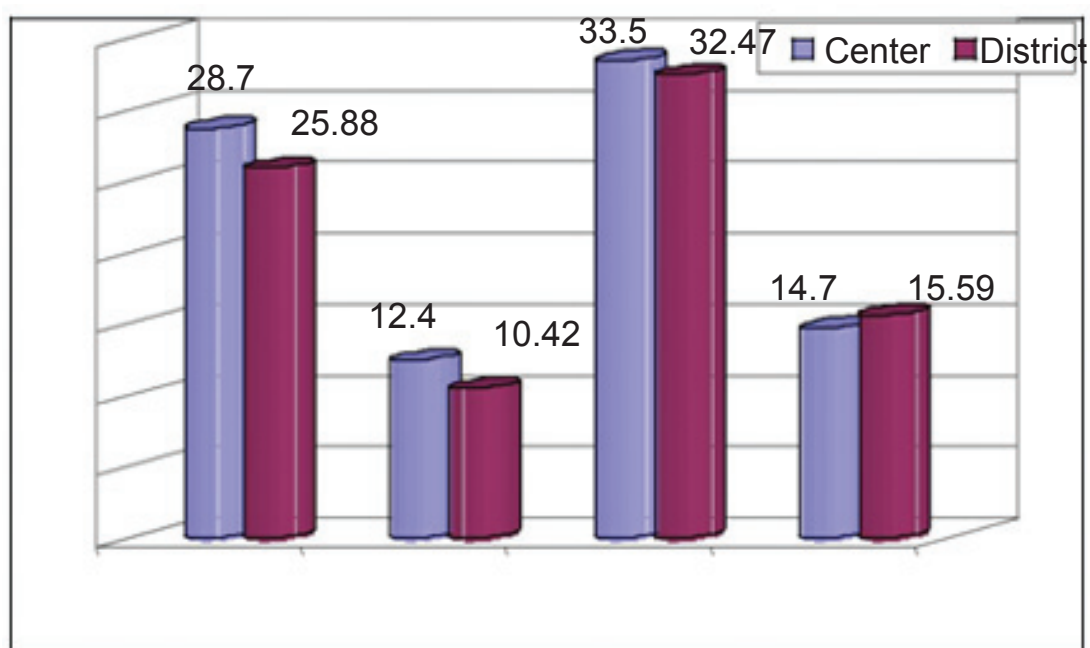
The Political Parties

Women in the political parties have been able to increase their representation in the political party central and district executives to a varying degree and able get parties to have special reservations at various party organs. Overall, women's representation in the central committees of the political parties represented in the CA/Parliament has improved to 14 percent from mere 8 percent in 2003. The three major parties UCPN (Maoists), CPN (UML) ad NC have made special commitments to develop women's leadership, although they are yet to be implemented.

During the study, it is found that the political parties themselves have no actual, detailed and well-arranged description of their leaders and cadres from basic to central level. So, this study has tried to present the realistic picture of women's participation at central and district level units of the political parties.

This section presents women's participation ratio in central and district level working committees and sister organizations of the political parties. The Figure 3.1 below shows the overall women's participation ratio, participation in working committees, sister organizations and sister organizations other than women's.

Figure 3.1: Women's Participation in Various Units of Political Parties (%)



Overall Working Committee Sister Org. SOs Other than Women's

Table: 3.5 A- Descriptions of Working Committee Members of Political Parties and Their Sister Organizations

Working Committee								Sister Organizations						Grand
SN	Political Party	Central Level			District Level			Central Level			District Level			
		F	M	Total	F	M	Total	F	M	Total	F	M	Total	
1	UML	6	62	68	251	1,824	2,075	116	282	398	2,088	4,537	6,625	9,166
2	NC	5	40	45	113	1,669	1,782	72	103	175	1,383	3,443	4,826	6,828
3	NC(D)	3	25	28	106	1,436	1,542	37	96	133	843	1,703	2,546	4,249
4	Maoist				108	485	593	96	194	290	519	1,054	1,573	2,456
5	PFN	12	49	61	94	485	579	6	19	25	495	652	1,147	1,812
6	RPP	2	31	33	31	367	398	33	103	136	141	371	512	1,079
7	NPF	3	35	38	25	267	292	25	33	58	222	444	666	1,054
8	Unified	9	40	49	24	148	172	57	90	147	218	298	516	884
9	NSP(A)	7	43	50	29	230	259				108	215	323	632
10	ML				17	120	137	25	22	47	108	108	216	400
11	RJP	5	36	41	30	145	175				45	69	114	330
12	NWPP				5	76	81				52	120	172	253
13	SMB	2	15	17	4	41	45	27	35	62	27	30	57	181
14	Marxist	1	12	13	3	14	17	16	37	53				83
15	RJMP				7	30	37				12		12	49
16	Samata				2	11	13				16	8	24	37
17	SP				10	19	29							29
18	RPP-Nepal				1	23	24							24
	Total	55	388	443	860	7,390	8,250	510	1,014	1,524	6,277	13,052	19,329	29,546

Source: RSN (Inventory/Survey Questionnaires, 2007)

The participation rates by categories as shown in the above figure are described in following sections.

Participation at the Central Working Committee and Sister Organization

The overall participation of women in the party committees at central level is found to be 28.7%. Table 3.5 below provides participation ratios of women in central working committees (CWC), sister organizations (SOs), overall committees and sister organizations except women's organizations for 12 major political parties.

Table 3.5 B
Women's Participation in CWCs and SOs by Parties

SN	Political Party	Total		Women's Participation (%)		
		Coverage	Overall	CWC	Sister Orgs.	Sister Orgs. other than Women's
1	Nepali Congress	220	35.0	11.1	41.1	8.8
2	CPN (UML)	466	26.2	8.8	29.1	17.5
3	CPN (Maoist)	290	32.8	-	32.8	21.1
4	CPN (Unified)	196	33.0	16.3	38.8	5.3
5	RastriyaPrajatantra Party	169	20.7	6.1	24.3	8.8
6	Nepali Congress (D)	161	24.8	10.7	27.8	8.6
7	National People's Front	96	29.2	7.9	43.1	10.8
8	CPN (ML)	88	34.1	12.2	53.2	21.4
9	National People's Front	86	18.6	18.0	20.0	20.0
10	CPN (United Marxist)	79	36.7	11.8	43.5	20.5
11	CPN (Marxist)	66	25.8	7.7	30.2	7.5
12	NSP(A)	50	14.0	14.0	-	-
	Total (Average)	1,967	28.7	12.4	33.5	14.7

Source: RSN (Inventory/Survey)

Table: 3.5 C: Women's Participation at District Level

SN	Political Parties	Total Coverage	Women's Participation (%)			
			Overall	DWC	Sister Orgs.	Sister Orgs. other than Women's
1	Nepali Congress	6608	22.64	6.34	28.7	12.9
2	CPN (UML)	8700	26.89	12.1	31.5	17.5
3	Nepali Congress (D)	4088	23.21	6.87	33.1	16.1
4	CPN (Maoist)	2166	28.95	18.21	33	12.2
5	People's Front Nepal	1726	34.13	16.23	43.2	23
6	National People's Front	958	25.78	8.56	33.3	14.5
7	RastriyaPrajatantra Party	910	18.9	7.79	27.5	7.3
8	CPN (Unified)	688	35.17	13.95	42.2	24.4
9	NSP (A)	582	23.54	11.2	33.4	4.9
10	CPN (ML)	353	35.41	12.41	50	20.6
11	RastriyaJanashakti Party	289	25.95	17.14	39.5	15.9
12	NWPP	253	22.53	6.17	30.2	7
13	CPN (United Marxist)	102	30.39	8.89	47.4	6.3
14	Janamukti Party	49	38.78	18.92	-	-
15	Samata Party	37	48.65	15.38	66.7	38.5
16	SP	29	-	34.48	-	-
17	RPP-Nepal	24	-	4.17	-	-
18	CPN (Marxist)	17	-	17.65	-	-
	Total (Average)	27,579	25.88	10.42	32.47	15.59

Source: RSN (Inventory/Survey)

Above table shows that women's representation at the central level of political parties and their sister organizations (including women's organizations also) is near to the party commitments (33%). However, in CWC and SOs other than women's organizations, this representation rate is less than half compare to the overall representation. This rate of women's participation is low especially in the context of demands by women activists for proportionate representation (50% or more) and commitments from the parliament, government and the parties themselves for at least 33% women's representation.

Therefore, it is extremely necessary for the political parties to proceed with specific policies and programs to address the present commitments.

Women's Representation in Executive Posts of Political Parties

The real participation of women in political parties and state structures counts only when there will be such participation in decision making positions. This is also true in case of inclusion of minority/marginalized women's groups. Such participation has been termed as "Empowerment" in this heading.

Although, women's overall participation is increasing, there is lack of proper access to decision-making positions both in the parties and the state structures. This study has revealed that only one among 11 (9.1%) party chiefs is women at central level and six among 394 (1.5%) at district level. In political parties, it is very rare for women in Nepal to make it to senior decision making positions.

Although political parties are obliged to have a women's wing as part of their organizational structure, their role is limited to women's capacity building activities. Political parties are usually reluctant to select women candidates and if this occurs, women generally find they are given unwinnable spots on the party ticket. Table 3.6 below presents women's representation rates in executive committee positions of political parties.

Table: 3.6

Women's Access to Meaningful Executive Positions of Political Parties

Position	Central Level			District Level		
	Total No.	Women	%	Total No.	Women	%
President/Chief	11	1	9.1	394	6	1.5
Vice-President/ Deputy Chief	20	0	0.0	331	14	4.2
Secretary	16	0	0.0	273	5	1.8
Joint-Secretary	8	0	0.0	164	6	3.7
Treasurer	6	0	0.0	228	18	7.9
Member	382	54	14.1	6,860	811	11.8
Total	443	55	12.4	8,250	860	10.4

3.2.2 The Constitutional Assembly/ Parliament

Frist Constitutional Assembly (CA) 2008

Women's representation in the legislature increased from less than six per cent in the parliament that was restored in April 2006 to 17 per cent in the Interim Parliament, and 33 per cent in the CA/ Parliament. This was a direct consequence of the united demands of women for inclusion in the Interim Constitution Drafting Committee and reservations for women for the CA election. Moreover this representation is much more proportionately distributed among various caste and ethnicity, geographic groups (Madhesi-Pahadi), age groups etc.

Of the 197 women in the CA, 24 are Dalits, 70 are from Adivasi/Janajati groups, 36 belong to Other Madhesi Castes (including Madhesi Brahmins and Chhetris) besides Dalits and five are Muslims (religious minority). The remaining women members belong to other caste and religious groups including the formerly dominant Hill Brahmins and Chhetris.

Last Constitutional Assembly (CA) 2013

Nepal has a proportional representation system whereby some 33 per cent of CA members need to be women. Some 29 women have been elected directly to the CA, whereas 161 women won their seats through the proportional representation and six women were nominated by the government. Despite the current level of women's representation in the Constituent Assembly, women are not substantially represented in other sectors even though the scenario is slightly improved. Table 3.2.2 describe the details of women representation in CA 2013, where it is found that 39.83% is represented through First-Past-The-Post (FPTP), 55.80 % comes from Proportional Representation (PR) and 4.37 % is Nominated.

Table 3.7:
Women Representation in CA 2013

S.N	Constituent Assembly	Women Representation in CA 2013					
		Male	Female	Total	Male %	Female %	Total%
1	First-Past-The-Post (FPTP)	226	11	237	95.36	4.64	39.83
2	Proportional Representation (PR)	170	162	332	51.20	48.80	55.80
3	Nominate	19	7	26	73.08	26.92	4.37
Total		415	180	595	69.75	30.25	100.00

Gender quotas and other affirmative action have improved women's participation. Because of quotas, women with little or minimal formal education have still achieved high levels of political participation. The women participation in the parliaments of Nepal can be found in the table below:

Table 3.8
Women's Participation in the Parliaments of Nepal

Name of Parliament	Percent of Women	# of women/Total # of seats	Last Election
Sansad	29.91%	172/575	November 19, 2013

Women in Constitutional Committees

Women head four of 14 Constitutional Committees – including those on fundamental rights, resource distribution, cultural solidarity and citizen relations. Their representation in the various committees ranges from 14 percent in that on the committee for "Distribution of natural resources, financial rights and public revenue (between center and states)" to 46 percent in the committee on cultural and social solidarity.

Women are also well represented in the Parliamentary Committees. Women head four of the 10 committees. Their representation in the committees ranges from 22 per cent in the security committee to 62 per cent in the one on women, children and social welfare – an indication of the mindset that women are still seen as most "fit" for welfare rolls rather than equal partners in all state affairs. This is also evident from the fact that women members had to lobby intensively for the position of either chief whips or deputy chiefs in the parliament. Only after this, the major parties have appointed women deputy whips. Some smaller parties also have women as chief whips.

3.2.3 Women in the Cabinet and Constitutional Bodies

The April 2006 changes brought about changes in the representation of women in government and constitutional bodies. The cabinet of 44 members appointed in May 2009 had five women – still short of requirement of 33 per cent but some women ministers did occupy important positions of defense and foreign affairs. Of the two Deputy Prime-Ministers one was a woman.

Before 2006 the cabinets usually had a woman minister handling the women's ministry. Occasionally there were two – but never more than that even when the cabinet had 45 members. This is an important gain and needs to be safeguarded.

The recent cabinet (2013) of 25 members appointed in January 2014 had 3 women (12%) - still short of requirement of 33 per cent.

Table 3.9 Women in the Cabinet

Cabinet	Male – Female Numbers and %					
	Male	Female	Total	Male %	Female %	Total%
Prime Minister	1	0	1	100.00	0.00	4.00
Full Minister	19	3	22	86.36	13.64	88.00
State Minister	2	0	2	100.00	0.00	8.00
Total	22	3	25	88.00	12.00	100.00

Women in Constitutional Bodies

The government has also begun appointing at least a woman member to the National Planning Commission (NPC), constitutional bodies and other agencies. The table below shows that women representation in the constitutional bodies is in increasing trends but no woman ever headed a constitutional body until the present (2013) and in the Public Service Commission.

There is only one woman in the National Human Rights Commission, National Planning Commission, Public Service Commission and Election; recently, there was one woman in the Commission on Abuse and Authority for the first time. As the constitution says, one woman is encouraged, and politicians do not appoint beyond that, and where there is no mention of such provision, there is resistance in appointing women. The assumption that women do not have the capacity is yet to change.

Table 3.10 Women's Representation in Constitutional Bodies

Constitutional Bodies	Women's Representation					
	Male	Female	Total	Male %	Female %	Total%
Commission for Investigation of Abuse of Authority	6	1	7	85.71	14.29	13.46
Election Commission	2	1	3	0.00	0.00	5.77
National Human Rights Commission	4	1	5	80.00	20.00	9.62
Public Service Commission	6	1	7	85.71	14.29	13.46
National Planning commission	8	1	9	88.89	11.11	17.31
National Women Commission	0	5	5	0.00	100.00	9.62
National Dalit Commission	14	2	16	0.00	0.00	30.77
Total	40	12	52	76.92	23.08	100.00

3.3 Women in Security Sector

Women's participation within the security sector remains significantly low. It is even lower at the decision making level, and raises concerns about their ability to raise voice on women's issues and needs in these sectors.

Women's representation in security agencies is even more worrisome, table 3.14 shows that there are only 3.41% percent women in Nepal's army, 5.01% percent in the armed police force and 6.57 percent in the regular police force.

Table 3.11
Participation of Women within Security Sectors

S.N	Security Sector	Total Number	Total Officers	Total Male Officers	Total Female Officers	Total Female in Security Force
1.	Nepal Army	90,226 (Male: 89,156; Female: 1,070, 1.2% representation of women in total army strength)	3785	3545	240 (6.34%)	1,070
2.	Nepal Police	60,076 (Male: 56,622; Female: 3454 - 5.74%)	1123	1083	40 (3.56%)	3454
3.	Armed Police	31,265 (Male: 30,276; Female: 989 - 3.16%)	1104	1088	16 (1.44%)	989
	Total	181507				5513 (3.0%)

www.nepalarmy.mil.np/wia.php, www.nepalarmy.mil.np/inclusiveness.php

Source: Army Headquarter, Armed Police Force Headquarter, Human Resource Development Department, Police Headquarter.

Table 3.12
Women Representation in Different Positions/Rank in Nepalese Army

SN	Rank / Level	No. of Women Representation
1	Chief of the Army Staff	0
2	Lieutenant General	0
3	Major General	0
4	Brigadier General	1
5	Colonel	4
6	Lieutenant Colonel	26
7	Major	51
8	Captain	192
9	Lieutenant	52
10	Second Lieutenant	5
11	Subedar Major	0
12	Warrant Officer First Class	143

13	Warrant Officer Second Class	82
14	Sergeant	199
15	Corporal	206
16	Lance Corporal	65
17	Private, Followers	2270
	Total	3296
	Percent of women representation	3.41%

Source: Brig Gen Jagdish Chandra Pokhrel, Military Spokesperson, Bhadra 6, 2072

Table 3.13

Women Representation from Caste/Ethnic Groups in Nepalese Army

SN	Caste/Ethnic group	No. of Women Representation
1	Brahmin/Chhetri	1,893
2	Janajati	1,140
3	Dalit	181
4	Madheshi	29
5	Others	53
	Total	3,296

Source: Brig Gen Jagdish Chandra Pokhrel, Military Spokesperson, Bhadra 6, 2072

Table 3.14

Women Representation in Different Positions/Rank of Nepal Police

SN	Position/Rank	No. of Women Representation
1	Inspector General of Police	0
2	Additional Inspector General of Police	0
3	Deputy Inspector General of Police	1
4	Senior Superintendent of Police	2
5	Superintendent of Police	7
6	Deputy Superintendent of Police	13
7	Inspector of Police	53
8	Sub Inspector of Police	196
9	Assistant Sub Inspector of Police	275
10	Police Head Constable	491
11	Police Constable	3,197
12	Police Followers	201
	Total	4,436
	Percent of women representation	6.57%

Table 3.15
Women Representation in Different Positions/Rank of Armed Police Force

SN	Rank /Positions	Male	Female	Total
1	Inspector General - IG	1	0	1
2	Additional Inspector General - AIG	6	0	6
3	Deputy Inspector General - DIG	18	0	18
4	Senior Superintendent - SSP	27	0	27
5	Superintendent - SP	92	0	92
6	Deputy Superintendent - DSP	366	6	372
7	Inspector - INS	1,008	34	1,042
8	Senior Sub Inspector - SSI	40	0	40
9	Sub Inspector - SI	1,269	34	1,303
10	Assistant Sub Inspector - ASI	1,648	9	1,657
11	Senior Head Constable - SHC	2,809	1	2,810
12	Head Constable - HC	3,515	3	3,518
13	Assistant Head Constable - AHC	5,914	195	6,109
14	Constable	16,396	1,390	17,786
15	Follower	1,808	169	1,977
	Total	34,917	1,841	36,758
	Percent of women representation		5.01%	

3.4 Women in Judicial Sector

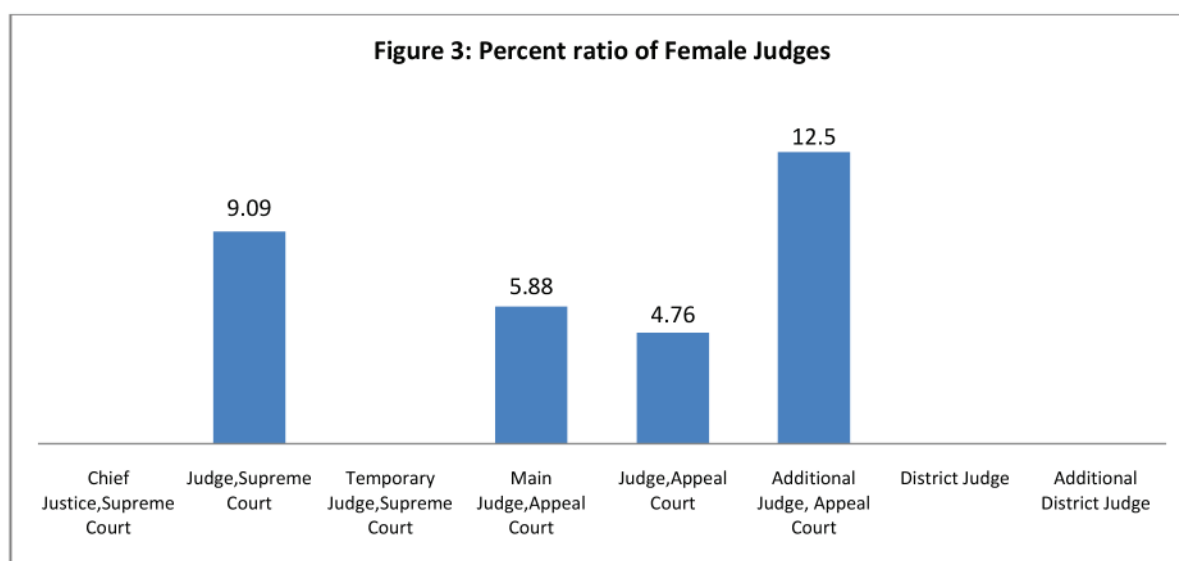
In the judiciary, in all the courts of the country women judges account for only 3.08 % of the total number of judges, whereas the Supreme Court has only one women and 10 men justices. There are no women judges in districts court till date.

The table 3.16 shows that women's participation in Nepal's judiciary stands at an average of 3.08 percent, with 9.09 percent of women in the Supreme Court, 23.14 percent in the appellate courts and none in the district courts.

Table 3.16
Female Representation in Judiciary Sector

	Female Representation in Judiciary Sector					
	Male	Female	Total	Male %	Female %	Total%
Chief Justice, Supreme Court	1	0	1	100.00	0.00	0.31
Judge, Supreme Court	10	1	11	90.91	9.09	3.38
Temporary Judge, Supreme Court	0	0	0			
Main Judge,Appeal Court	16	1	17	94.12	5.88	5.23
Judge,Appeal Court	80	4	84	95.24	4.76	25.85
Additional Judge, Appeal Court	28	4	32	87.50	12.50	9.85
District Judge	180	0	180	100.00	0.00	55.38
Additional District Judge	0	0	0			
Total	315	10	325	96.92	3.08	100

The figure 3 has described the percent ration of Female Judge in different court.



3.5 Women in Journalism Sector

The journalism sector does not represent women adequately or in a balanced way. Journalism in Nepal is a male dominated occupation. Few women are attracted to the media due to women's role in Nepali society. Due to the convergence of new media technologies and entry of private media organizations in the last decade has increased the number of women working in both print and electronic media. However, women have not gained parity with men in terms of participation and decision making. Top management is still entirely male dominated and patriarchal with only a negligible number of women holding senior positions.

Although women have become more visible particularly in radio and television as presenters, announcers and reporters, the gender division of labor is highly pronounced in production, creative and technical departments, which are male dominated.

Similarly, according to a research conducted by Sancharika Samuha on "Status of Women Journalists in Nepalese Media" in 2005, there are only about 12% women working in media. Among these, only a negligent number occupy decision-making positions. The research report further states: "Women's participation is minimal in the journalism sector in Nepal and those who join the profession are not able to give it long-term continuity.

The reason for this is that journalism is not considered a suitable profession for women, as the mobility of most Nepali women is very restricted. Data shows that, amongst the total participants (124) involved in the research, 65 percent of women journalists are working with FM radios. The second high percentage of women is in television sector. Very few women are associated with "New Media" or "Online Journalism"

Table 3.17
Female Representation in Judiciary Sector

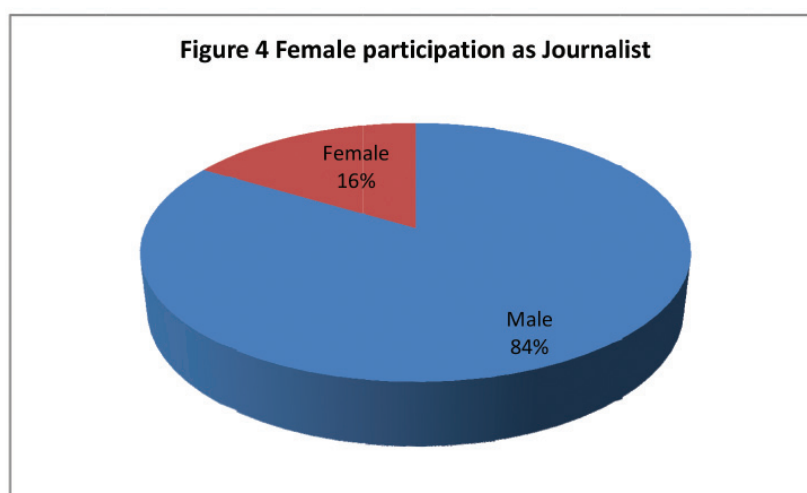
Member of Journalism	Women representation in Journalism					
	Male	Female	Total	Male %	Female %	Total%
Eastern Region	1,198	246	1,444	82.96	17.04	14.69
Central Region	1,320	267	1,587	83.18	16.82	16.15
Western Region	1,170	232	1,402	83.45	16.55	14.27
Midwestern Region	1,143	217	1,360	84.04	15.96	13.84
Far western Region	586	80	666	87.99	12.01	6.78
Corporate Branches	1,159	271	1,430	81.05	18.95	14.55
The Kathmandu Valley	1,182	256	1,438	82.20	17.80	22.09
Associate Organizations	456	44	500	91.20	8.80	5.09
Total	8,214	1,613	9,827	83.59	16.41	100.00

Table 3.18
Caste/Ethnicity Representation in Journalism

Member of Journalism	Total No. of Female	Caste/Ethnicity of Female Journalist				
		Brahmin/ Chhetri	Janajati	Dalit	Madheshi	Others
Eastern Region	146	46.6	47.9	1.4	3.4	0.7
Central Region	167	77.2	15.0	1.8	6.0	0.0
Western Region	173	80.9	13.9	4.0	0.0	1.2
Midwestern Region	150	81.3	16.7	2.0	0.0	0.0
Far western Region	48	79.2	16.7	4.2	0.0	0.0
Corporate Branches	262	69.8	26.3	0.8	3.1	0.0
The Kathmandu Valley	182	66.5	28.0	4.4	1.1	0.0
Associate Organizations	38	78.9	18.4	0.0	2.6	0.0
Total	1166	71.3	23.9	2.3	2.2	0.3

Source: Federation of Journalism, 2068

The figure 4 shows that the female journalists are only 16%.



It is clear from the research presented by Sancharika that women journalists are discriminated. There exist lots of problems and challenges for female journalists in Nepal. Increasing number of Media houses around the country has definitely increased the number of women in radio but their sustainability in the profession is not very fine. Lack of gender friendly environment, family and social barriers, high expectation but less achievements, more economical benefits and high position in any other profession rather than journalism has discouraged female journalists.

Except few, many journalists including female journalists of Nepal are not able to become financially stable. No regular remuneration and lack of job security has made the journalists difficult to sustain in the field of journalism. Due to the high percentage of male in the decision making level of media, role of female journalists remain in the shadow. On the other hand, literacy rate of female in Nepal is less as well.

Due to the social and family barriers, female journalists are compelled to hold double responsibility. Responsibility of family and children make the female journalists difficult to manage time for reporting.

Female journalists working in some areas of the Nepal are facing increasing danger because of their profession. There have been many incidents of female journalists receiving threats because of stories they have written or interviews they have done. In some cases, armed gangs, often affiliated with political parties, are responsible for the intimidation.

According to Ms. Manju Thapa- a women rights activist of Nepal, "Despite a significantly altered socio-political scenario, much of Nepali media continues to present women in gender-stereotyped roles. They are confined to household work while the men are individuals with specific expertise and professional skills. There is an obvious hesitation in introducing new role models for women.

CHAPTER FOUR

OBSERVATIONS AND FINDINGS

Observations

As such, gender discrimination is not only the problem of Nepal. It is a worldwide reality. Nevertheless, it may vary from nation to nation. Women are facing different kinds of discrimination and violence in different places and are taken as a commodity and often treated negligently in the society. Women are not allowed to participate in public activities even though such activities may be related with women. In some communities, women are strictly prohibited to take part in any local or national activities. Women are not only discriminated at home affairs but are widely discriminated by the law as well.

The discrimination and violence against women seems even more in context of Nepal. Nepal, where the majority of the total population is of women, it is very much influenced by the traditional attitude, customs and religious culture. Also the society is patriarchal in structure and men are the main dominant figure in the society. Men dominate in taking decisions both within the household and outside.

The Constitution of Nepal, 1990, realized the importance of inclusion and envisioned separate legal measures for women and other disadvantaged groups to enable them to stand on equal footing with other privileged groups of the country. No legal provisions of inclusion were made until 2007. However, the plan documents developed after 1990 addressed the issues of exclusion and developed it as a cross cutting theme of national development. The Tenth Plan, for the first time, recognized exclusion as one of the major causes of poverty and deprivation.

Despite government obligations to international gender equality agreements in the last 15 years, no country has achieved the equality conditions necessary for women to live there fully, freely and securely.

Women in Nepal have negligible representation in state mechanisms and other decision making bodies, and whenever they are present, their role generally relates to gender and children's issues.

In political parties, it is very rare for women in Nepal to make it to senior decision making positions. Although political parties are obliged to have a women's wing as part of their organizational structure, their role is limited to women's capacity building activities. Political parties are usually reluctant to select women candidates and if this occurs, women generally find they are given unwinnable spots on the party ticket.

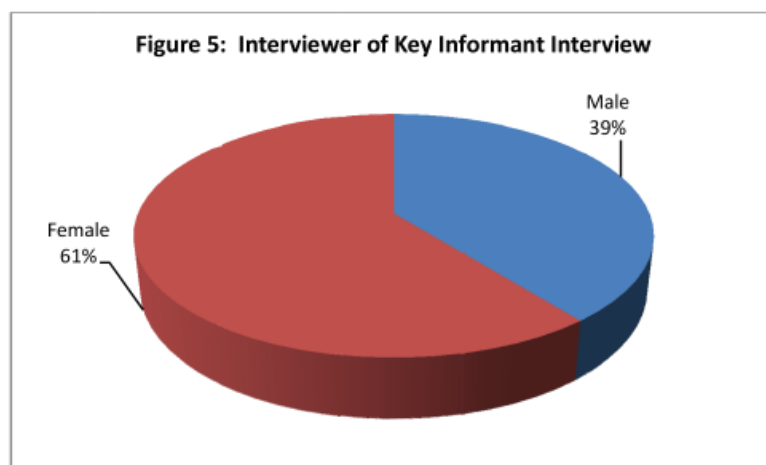
It is important to explore why women are not considered to be suitable decision makers. This may be the result of a society that is led by men. Politics, government, Judiciary, security, civil services and other areas are run by men in Nepal. This situation reflects the bitter fact that women from marginalized backgrounds hardly have access in any state mechanisms or bodies.

In addition to these the effective participation of women in every state's mechanism including media sector should be the priority concern of the government and the private sector as well.

4.1 Findings of Key Informant Interviews (KIIs)

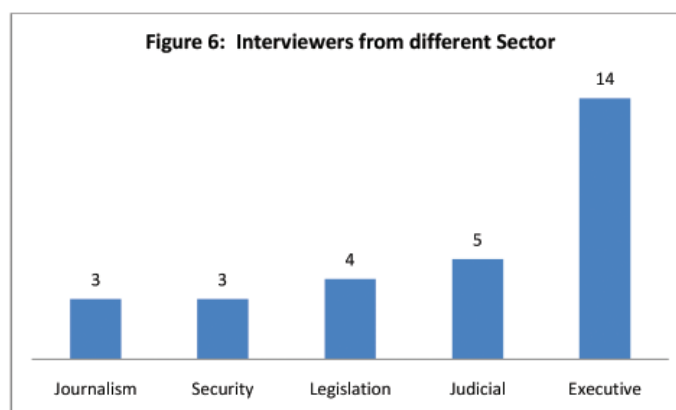
In order to give a wider shape to the study, the study team members conducted 34 Interview with key informants through structures and semi – structured questionnaire and checklists.

These interviews are being conducted as part of a wider research. All key informants should specify whether they wish to respond on an anonymous basis, or whether their names the names of their organizations may be cited in the study report. Since some key informants did not give permission to be named, all the interviews conducted in different ministry and departments are presented on an anonymous basis.



The above figure 4.1 shows that the interviewer of key informant interview, male is 39% and female is 61%.

Conducting the Interviews: Between 2nd August and 15 September 2015, a total of 34 (from the initial list of 40) key informant interviews were conducted, for a response rate of 91%. (See Annex-3 for a table showing the initial list of 40 potential key informants by category of sectors.) The figure 6: shows the interviewers from different sector, i.e., 3 interviewers from journalism, and security sectors, 4 from legislation, 5 from judicial, and 13 from executive respectively. 7 interviews were conducted with key informants of semi-government and women's organizations.



The responses documented here are perspectives of the respondents and in many theme / issues barriers can be generalized across all four sectors. However, in some cases very different perceptions are provided on the same question. Additionally, numerous recommendations for study were gathered as a result of these discussions.

The chart below provides a combined summary of the responses.

What are the root cause of women's low participation in Civil services?

Issues/Questions	Responses
Reasons of women's low participation and representation	<ul style="list-style-type: none"> • Lack of policy and environment • Lack of access to information of education • Differential on education of skill due to poverty and remoteness • Lack of confidence of women due to low academic qualification • Lack of proper awareness and knowledge • Social discrimination • Over burden on household works • Early marriage • Patriarchy attitudes • Lack of proper orientation and training for enhance skill and competency of women • Limited networks and support

How could we increase the number of female staffs in civil service and journalism sector?

Issues/Questions	Responses(Multiple) from Informants
Suggestions to increase the number of female staffs	<ul style="list-style-type: none"> • Increasing access to education and information • Changing the education policy by state • Spreading information to target group • Skill development program • Social awareness activities • Women's need to bepro-active herself

Is there enough to increase the number of female staff through existing policy and law of state? If it is not enough what kind of policies, law and procedure are required to ensure that the number of female staff could be increased?

Issues/Questions	Responses(Multiple) from Informants
Required policies, law and procedure to ensure that the number of female staff could be increased	<ul style="list-style-type: none"> • Preparation class for public service exam should be in region/district wise • Change in the existing policy and legal policy • Should establish an institution structure • Gender friendly policy should be in place • Enhancing to education access • More position to women • Separate education act for massive promotion of women /girls education • Spreading information to target group • Creating gender friendly women environment • Support women to stay in civil service

What do you think about the implementation status of reservation system (33%) to different category? What are the reasons for the poor implementation of reservation system?

Issues/Questions	Responses(Multiple) from Informants
Reasons for the poor implementation of reservation system	<ul style="list-style-type: none"> • Women have not got adequate opportunities • Low priority at the policy making level , limited only to interactions and discussion • Policy and legal provision is not fully inclusive as well as weak mechanisms • Lack of academic qualification on women as reservation system • State does not take initiation • Doesn't accept the women's existence in patriarchy society like ours • There is no culture of co-working and collaboration between men and women

Is existing reservation system sufficient in terms of inclusion for women's, dalit, janajati, madheshi, muslims and persons with disability? If not enough what is lacking in making the system more inclusive?

Issues/Questions	Responses(Multiple) from Informants
Gap to make the system more inclusive	<ul style="list-style-type: none"> • No provision of women's proportionate representation in laws and policies related to education, laws and policies related to education and employment • Discriminatory laws and policies still remain • Faulty/error on determination of reservation category and quota • Lack of gender equality in practice • Lack of planned activities • Lack of awareness and access to information • Poverty-lack of income sources and financial management skills

What were the challenges to make the civil services more inclusive?

Issues/Questions	Responses(Multiple) from Informants
Challenges to make the Civil Services more inclusive	<ul style="list-style-type: none"> • Lack of suitable environment and low access on information. • Lack of encouragement from family, society and co-worker, underestimating women's capacity and unitary decision making practices. • Difficulties on implementation of existing law as well as no dedication/will power to implement the law and policy. • Gender equality friendly system has yet to be in place, patriarchal attitude and behaviour. • Education and training are not tailored to the women and marginalized group as such their employability. • Discouraging attitude on the women herself. • Serious lack of political commitment to implement the quota for women. • No attraction for competent women outside bureaucracy to join high level civil service position as provision through thoroughly laterally entry system as providing the Act. • Inadequate reorientation on gender friendly terminology and lack of working environment for female trainers and cadets in the security sectors. • Security sectors job demands strong physical strength, particularly in the infantry. • Lack of gender friendly infrastructure e.g barracks, toilets.

What do you think of male colleagues and non-reserved competition recruited staff's acceptance of reservation/quota system?

Issues/Questions	Responses(Multiple) from Informants
Opinion of who were recruited from non-reserved competition to reserved category owning	<ul style="list-style-type: none"> • Lack of confidence. • Not able/Weak. • Not enough competence. • Undermines the ability of women's.

What is your opinion about the capacity and competence of women taking and leading the decision making posts without reservation system? If they are not able to take position what were the causes?

Issues/Questions	Responses(Multiple) from Informants
If they are not able to take that position, what were the causes?	<ul style="list-style-type: none"> • Patriarchal character. • Lack of proper state policies. • Lack of encouragement by guardians and husband. • Lack of self-confidence in women. • Lack of commitment for active leadership. • Lack of economic access. • Cultural barriers- Gumto system, tradition and customs. • Male dominated society and pattern. • Reproductive/nutritional roles and higher household responsibilities. • Lack of women's access in higher education. • Geographical remoteness.

Do you think the Public Service Commission (PSC) of Nepal and its civil service exam process and procedure is gender sensitive and inclusive?

Issues/Questions	Responses(Multiple) from Informants
Public Service Commission(PSC) exam process & procedure is gender sensitive & inclusive	<p>Present curriculum prescribed by the PSC is suitable to certain academic disciplines. Candidates from other disciplines find the prescribed syllables get difficult.</p> <p>Lack of easy access for candidate from remote areas to appear in the examination.</p> <p>Competent candidates being recommended for others position.</p> <p>Gap between the educational system, PSC curriculum, and the organizational requirements.</p> <p>Positive discrimination measures have not been work out for candidates who came from highly marginalized communities, dalit (from both hills and terai) and the communities that are on the verge of disappearance.</p> <p>Believes on merit.</p>

Are there any policy, procedure and arrangement necessary to ensure the PSC as inclusive institution?

Issues/Questions	Responses(Multiple) from Informants
Necessary policy, procedure and arrangement necessary to ensure that the PSC is inclusive institution	<ul style="list-style-type: none"> • Should create favourable environment to enhance participation opportunities for the women from among the minority and marginalized communities • Should formulate and implement specific time-bound action plans • Special provision like simplification selection and recruitment process should be made in the policies and programs at the state organs • Information should be publicized at the massive level and effective implementation of reservation/ quota should be ensured • Special programmes such as special orientation, gender and social awareness development, skill development etc. should be conducted for the empowerment of women from among the minority and marginalized communities • Proportionate ratio of representation should be determined on the basis of percentage of population

Are there any policy, procedure and arrangement necessary to ensure that the civil service is gender balance?

Issues/Questions	Responses(Multiple) from Informants
Necessary policy, procedure and arrangement necessary to ensure that the civil service is gender balance	<ul style="list-style-type: none"> • Women's position should be reserved in leadership position of the political parties and the state at different level • Gender awareness program should be initiated from households and society to improve in the participation and representation • Ensuring the women's economic right through women's ownership in patriarchies property their access to financial resources and various ways of income generation • Activities related to social awareness, women empowerment, lobby of advocacy, workshop, seminars, training etc. should be made regularly. • Capacity development programs should be conducted to make them capable for any type of competition

Any more suggestion for enhancing and strengthen of women's participation?

Issues/Questions	Responses(Multiple) from Informants
Suggestion for enhancing women's participation	<ul style="list-style-type: none"> • Extremely necessary to address women's issues and matters. • Prevailing laws discriminatory with regard to gender and inclusion should be reformed and new laws should be formulated. • Effective monitoring and evaluation system and mechanism should be developed to ensure effective implementation of the gender and inclusion related policies and program of the state. • Changes are necessary in thinking and behaviour of women herself. • Ending the discrimination abolishing social mal practices and discrimination. • Training and skill for leadership development and self-confidence. • Awareness programme by institutions for rural women. • Formulation and revision of women rights related laws and policies. • Free education and facilities. • Inclusion based on geography also. • Pressurizing the state for proper implementation of inclusion policies. • Access to policy making and implementation level positions. • Mass publicity of inclusion policies, gender and social orientation and awareness at grass root levels.

Any suggestion for making the organs of state gender sensitive and inclusive?

Issues/Questions	Responses(Multiple) from Informants
Suggestion for making the organs of state gender sensitive and inclusive	<ul style="list-style-type: none"> • Training, orientation and enhancing leadership skill development to women and disadvantage groups for empowerment. • Increasing opportunity of awareness, opportunities of access to decisive posts, programmes to increase financial capacity, opportunities of academic improvement. • Programmes on knowledge of inclusive policies and changing social thinking. • Give special focus on women empowerment also for creating adequate pressure in the issues of women's rights and leadership and to conducting the campaign of gender sensitize social inclusion and advocacy. • State need to allocate enough budgets in women's favour and social prosperity. • Availability access of information. • Arrangement for women's participation in workshops, seminars and exposure visit in country and outside. • Creating environment for freedom from family barriers. • Motivating and mobilizing women.

4.2 Findings of Round-Table Discussion Program

A round table discussion on "Women Participation, Representation and Inclusion on State Organs of Nepal" was organized on 25 September, 2015 at the Union House, Anamnagar, and Kathmandu. The Sankalpa- Alliance for Democracy and Peace with the Community Worker Society-CWS Nepal to organize the round table discussion. The panelists were: Ms. Surya Badana Pandit, Under Secretary, Ministry of General Administration, Ms. Dil Kumari Devkota, Under Secretary, Ministry of Education, Ms. Sanu Maya Shrestha, Under Secretary, Department of Irrigation, Ms. Shanti Laxmi Shakya, Deputy Executive Director, Nepal Electricity Authority, Ms. Sangita Khadka, Central Member of Nepal Journalists Associations, Ms. Sunita Regmi, Advocate, Mr. Surya Sapkota, Section Officer/ Representative of Public Service Commission, Mr. Dipak Majhi, Section Officer/ Representative of Disable Civil Servant, Ms. Pratima Gautam, Young Politician (Nepali Congress), Ms. Durga Shob, Women Right Activists/ Chairperson, Feminist Dalit Organization, Ms. Chanda Devi Shrestha Rai- Executive Director, Sankalpa, Ms. Bijaya K.C, Program Coordinator, Sankalpa, Mr. Salil Devkota, Environmental Management Expert/ Representative of Nepal Engineering Association, Mr. Kamal Dumre, Sociologist, Community Irrigation Project/DOLIDAR, Ms. Savitri Sharma, Chairperson, Community Worker Society, Ms. Dikchya Pokheral Devkota, Project Director, Community Worker Society, Ms. Gita Adhikari, National Consultant Gender and Social Development and Mr. Ashwasthama Pokhrel, Research Coordinator, Community Worker Society, Nepal and Mr. Shring Rishi Kafle, Mr. Anil Khanal, Ms. Sunita Neupane and Ms. Seema Dhital, Research Officer. The discussion attracted more than 30 participants, including students (Gender and Development) and research associate youths; it is remarkable that female participants were represented in a number larger than usual.

In the round table discussion, the guiding questions/issues on different theme were dealt with through interactive panel discussions with invited speakers and participants.

The round-table discussion was started on the theme "**What are the barriers to participating &**

representing of Women's in public and political life" panelist Ms. Sanu Maya Shrestha, expressed her views that gender equality is a question of mentality and stereotype. Women who were influenced by traditional stereotypes will convey these stereotypes to their daughters. Therefore it is good to convey gender equality thinking to our next generation for the benefit of society. For Nepal a legal framework exists which is quite gender equal, however, in reality it is not as equal as promised in the legal framework, Ms. Sunita Regmi continued with Ms. Shrestha's opinion; according to Ms. Sanu Maya stereotyping is the causes.

The round-table discussion considered the importance of gender equality not only in decision-making arenas, but also the interplay between the political and economic empowerment of women. That is, how more women in positions of power can influence policies and strategies for enhancing women's economic opportunities and how, in turn, the related enhancement of women's economic status can provide better conditions for accessing and ensuring effective participation in decision-making institutions of state.

The sectors experts who participated in the round-table discussion program agreed that women's participation and representation in decision-making bodies involves their enhanced presence as well as their empowerment through such participation. They emphasized that women's political leadership and accountability are key cross-cutting issues.

The guiding question at the round-table discussion that seemed to be so provocative was "on the one hand, women's political leadership allows them to set agendas and, on the other hand, it is in such roles that they are made responsive to constituencies and publics. This accountability becomes the cornerstone for not only numerical enhancement of women's presence but also their ability to transform outcomes, the content and the ways in which policy actors make public policy.

Peace Justice & Democracy

The participants of discussion program also emphasized in order to achieve women's full participation and representation at all levels, the establishment of mechanisms to promote women's presence in public office is of crucial importance. In addition, to fully achieve women's representation in political life, there must be gender equality across a full range of decision-making levels:

- the four organs of state – the Legislature, Executive, Judiciary and Journalism at all levels including women's policy machineries;
- non-state contexts such as trade unions, political parties, interest groups, professional associations, and businesses/private sector;
- Beyond national governance, women need to have a decision-making presence in regional, sub-regional and international organizations;
- transnational social movements;

Women are more under-represented in high-level decision-making positions, including as heads of state and government, and in cabinet positions. Furthermore, women continue to struggle to obtain decision-making positions within political parties. The participants expressed and pointed that there are a number of factors that can impede, or support, women's participation in decision-making.

The participants agreed that *electoral systems* had a direct impact on women's participation in decision-making bodies. Research consistently shows that women's representation is highest in countries using proportional representation (PR) systems. PR systems lead parties to balance their electoral tickets which often results in women's demands for greater equality in decision-making being heard.

The discussion program concluded that the structure and organization of *political parties* can be an obstacle to the participation of women. The impact of different types of party organizations and their internal culture.

The group discussed in detail the application of *quotas* and the conditions under which they lead to the increased representation of women as a key factor in increasing women's representation in decision-making. It was noted that quotas have been an effective tool to increase women's access to decision-making.

Mechanisms for increasing women's participation, representation and leadership: Sectors experts considered the various mechanisms to increase women's presence in legislatures, and discussed the impact of electoral quotas. They noted that in general, *political parties* may develop incentives to attract women to the party such as providing funding to run an election campaign, providing access to networks, training and skills development for women candidates to stand for election, or setting targets within the party for a certain number of executive positions to be held by women.

Women Right Organization (WRO)/Civil Society Organization (CSO) and its structures plays an important role in placing pressure on politicians and institutions to support women's entry in decision-making positions. WRO/CSO also plays the role in supporting the advancement of a gender equality agenda in policy making arenas. Civil society also contributes greatly to developing a cultural environment that is favorable to gender equality.

The possibilities for women to participate in this way increase when there is executive support for civil society involvement in politics. One good example is participatory budgeting processes, where the local people participate in deciding how the local budget should be spent. A parallel process has been the institution of gender-sensitive budgeting, which aim to ensure that policy commitments are matched by resource allocations.

Impact on Gender Equality Policy: Discussion program agreed that women's participation in decision-making has implications for promoting gender equality. The participants pointed that women play a key role in formulating and implementing gender equality policies and mainstreaming gender perspectives, particularly through alliances between national policy machineries, women's movement groups and women in civil service or through the triangle of empowerment.

Key Measure for Ensuring Equal Participation: The round – table discussion concluded that a key measure for ensuring equal participation of women is gender friendly policy and changes in the legal framework. The link between economic and political empowerment is key to enhancing the equal participation of women in decision-making – economic and political resources must be accessible to women in order to address inequalities between them. In order to achieve the empowerment of women, various measures can be employed to ensure that states do indeed meet their developmental goals. One such measure is gender-responsive budgeting. If addressing gender imbalances is a priority, its importance should be reflected in resource allocation and inclusion in the design of policies and strategies aimed at improving participation for women.

Ms.Durga Sob chairperson of discussion session as a closing remark: at present, women activists are not in a position to advocate and lobby for women and disadvantage groups participation and representation in the state organs. There is need of networking and alliance building between women and disadvantage groups, women civil servant, experts, legal advocate for equal rights. In addition, the surrounding atmosphere, the society, as well as the legal framework and policies are not very supportive for women. Nepali society still does not yet accept that women can perform a profession different from traditional profession. We need to organize more round-table discussion/ awareness workshops for policy makers and implementers to increase women's participation and representation.

CHAPTER FIVE

CONCLUSION AND RECOMMENDATION

5.1 Conclusion

Women's representation in state organs and political parties is dismal. The percentage of women's representation in the Cabinets formed following the elections in 1991, 1994, 1999, and 2008 is 8.6 percent, 9.1 percent, 23 percent, and 17.4 percent respectively (WDN and RSN 2009). This has again decreased to 12 percent and five percent in the present government (2013-2014).

Women's representation in Civil Service is only 17 per cent and even lower in key decision-making positions.

Women constitute 51.44 per cent of the population while men constitute 48.56 percent of the population in the country. There is a huge disparity between men and women's participation in public and political life. Although reservations have been introduced in civil service (33 per cent out of 45 per cent), no special measures have been introduced when it comes to the senior level.

Women's representation in constitutional bodies is very low. No woman ever headed a constitutional body until the present (2013). There is only one woman in the National Human Rights Commission and Election. However, there were no women in the Commission on Abuse and Authority until now. As the constitution says, one woman is encouraged, and politicians do not appoint beyond that, and where there is no mention of such provision, there is resistance in appointing women. The assumption that women do not have the capacity is yet to change.

Women were represented in the parliamentary elections held in 1991, 1994, and 1999 but never gained more than six per cent of the seats in parliament. The first time the number of women increased was in 2006 in the Interim Parliament, and women's participation increased to 17 per cent due to the Maoist inclusion of 40 per cent women in their part. The first time it went up to 33 per cent was in 2008.

As a result, Nepal had the highest number of women parliamentarians in Asia. This increased ratio is the result of a commitment to inclusion as well as the constitutional provision that guaranteed affirmative action. The provision outlines 33 per cent reservations regarding candidacy for CA and a legal provision for a proportional election system that reserved 50 per cent candidacy with a closed list.² However, the percentage of women has decreased to 29.5 per cent in the 2013 election.

Women's participation in political parties is only 10-12 per cent. When it comes to the central committees, it is even lower. On average, it is 6 per cent and 9 per cent respectively in the district level of political parties. Thus, in the major political decision-making process, women are excluded. Despite political parties' commitment to inclusion, they do not want proportional representation in the parties. However, women's participation has been on the rise in recent years, women are still invisible in political structure. Social and cultural barriers to ensure participation in political life have yet to be addressed.

The percentage of female staff in civil service is on the rise. However, at the policy/decision making level, their presence is still very low i.e. None in special class and 5.10 per cent in first class. At II and III class officer level, the ratio is around 4.88 per cent and 9.80 per cent respectively.

2 Constituent Assembly Election Act

Despite the state's effort to narrow down gender gap in the administrative service the situation is still not very encouraging.

Women representation in civil service from far-western region is still very low at only 4.0 per cent. Despite the state's effort to narrow down geographical exclusion in the state organs (executive) the situation is not in good path.

Women's participation in the judiciary is only 3.64 per cent, and at present, there are no women judges in the district court. In the judiciary, in all the courts of the country women judges account for only 3.08 per cent of the total number of judges, whereas the Supreme Court has only one women and 10 men justices. Till date there are no women judges in districts court.

Although there is a constitutional provision for the direct appointment in the district court in the interim parliament, there are no laws enacted for this. Since there is no affirmative action in the judiciary, participation in the judiciary is quite low.

Women's participation is minimal in the journalism sector in Nepal and those who join the profession are not able to give it long-term continuity. There are only about 16 per cent women working in journalism sector and, among these, only a negligent number occupy decision-making positions.

Increasing number of Media houses around the country has definitely increased the number of women in radio but their sustainability in the profession is not very fine. Lack of gender friendly environment, family and social barriers, high expectation but less achievements, more economical benefits and high position in any other profession rather than journalism has discouraged the female journalists.

Similarly, there is negligible representation of women in the security forces, such as the Nepal Police and Army of Nepal. This situation reflects the bitter fact that women from marginalized backgrounds hardly have access in any state mechanisms or bodies.

Gender equality and social inclusive policy has been implemented since 2010 by the Nepalese Government. Additionally, the 30 per cent seat policy has ensured for women's representation in community-based government organizations, like the consumer committee and other committees.

Education is key to prepare for political and social life and to have adequate strategies for achieving equal results in education and women's economic empowerment. Due to the development of media, communication and technology, women have started activities outside of their home. As the result, the opportunities for women have increased.

In order to empower women and to increase participation and representation in state organs of the country, a lot of effort is needed. To end the discrimination and ensure equality and the transformation of society, it is important to improve our legal framework and social and political system.

The figure and data shows that the situation and representation of women in the state organs is not so good. Women's perspectives are not taken into account in decision-making as much as they should. Increasing women's influence in politics is a crucial step towards achieving gender equality and empowering women. It can help pave the way for a more just and equal society where women's interests and rights are better protected.

33 per cent is still a distance away from reaching equal representation (as women in Nepal make up 52 percent of the population, not 33).It is indeed important that continuous efforts are made to strengthen the capacities of potential female candidates through training and mentorship, while constantly engaging women in the political debate. Political parties should play a crucial role in this movement.

5.2 Recommendations

The findings of this study clearly indicate that there are strong barriers to women's participation and representation and inclusion in the organs of the state. This barrier is multifaceted and multidimensional in nature and undermines the ability of women in politics and public life in Nepal to reach their full potential. According to the census of 2011, 51.44 per cent of the total population is women. It is indeed a misfortune for Nepal that such a huge percentage of human resources is not being represented. An increase in women's participation is possible only through use of an appropriate quota, since this has been proven in the CA election.

Also, political parties could use proportional representation for their internal processes in order to achieve higher numbers of women in the national domain. There have been different voices in the women's movement calling for reservations of either 33 per cent or 50 per cent for women in all the state mechanisms and bodies. However, the Constitution of Nepal 2015 has included the principle of inclusive proportional representation.

A planned development approach was initiated in Nepal since 1956. However, the first seven periodic plans did not pay much attention to address the social, cultural, ethnic, linguistic and geographical diversity of the country. As a result of which a large section of the population remained outside the mainstream of development while a handful of people closer to certain affluent elites enjoyed power and access to resources.

The recommendations contained in this chapter attempt to address the key gaps and issues outline in this study which is realistic and implementable. Finally, the study team came up with the recommendations to increase participation and representation of women in the following state organs.

The Study recommends that government actors should:

- Ensure that in addition to national laws, relevant international instruments relating to full **political rights for women**, such as the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the Convention on the Political Rights of Women are ratified, integrated into national law and implemented.
- Review the existing constitutional, political, legislative, and regulatory frameworks, particularly in regarding to the **Constitution of Nepal, 2015**, for provisions that may hinder women's equal participation.
- Develop appropriate mechanisms for the **Post 2015 Development Agenda** to be truly transformed the lives of women by positioning gender equality at the core of development priorities.
- Develop and promote gender-sensitive curriculum and training on civic education for men and women.
- Gender awareness program should be initiated from households and society to improve the participation and representation.
- Ensuring the women's economic right through women's ownership in patriarchies property their access to financial resources and various ways of income generation.
- Activities related to social awareness, women empowerment, lobby of advocacy, workshop, seminars, training etc. should be made regularly.
- Capacity development programs should be conducted to make the capable for any type of competition

- Design appropriate programmes and mechanisms to develop and strengthen culture of ethics in public service.
- Ensure that public service information and voter education campaigns use gender-sensitive language and avoid negative portrayals of women.

The Study recommends that political parties should:

- Adopt clear and transparent rules to ensure internal democracy with specific attention to gender equality.
- Consider special measures to ensure women's participation in decision-making positions within political parties with the aim of achieving parity at all levels.
- Adopt clear rules for candidate selection that would mandatory 33% female candidacy to provide meaningful input into the process of selecting candidates.
- Implement effective gender quotas with the aim of achieving equitable representation of women candidates in elected positions, including party placement mandates in winnable positions.
- Promote women's candidacies through the adoption of special training programmes, recruitment drives and financial incentives, especially in majoritarian electoral systems where women may face greater challenges in getting nominated.
- Provide statistical data disaggregated by sex, such as the number of women and men among candidates, elected representatives, party members and in governance and leadership structures.
- Political parties should commit to gender equality by formulating internal gender policies, implementing the mandatory proportional representation of women at all levels of political organization and giving women leadership roles within the political parties.
- Allocate a percentage of public 'non-campaign related' funding to activities related to promoting gender equality and the empowerment of women, including training and capacity building.

The study recommends that election commission /electoral management bodies should:

- Put in place appropriate structures: The Election Commission of Nepal should put appropriate structures (although lean) in place for the effective implementation of its Gender and Inclusion Policy at the national, regional and local levels.
- Ensure that women are included in key decision-making positions within electoral management and that in electoral processes and administration due consideration is given to issues of gender equality and empowerment of women.
- Raise awareness about the electoral justice mechanism: The Election Commission should make a conscious effort to raise the awareness of all politicians, particularly women in politics, of the electoral justice mechanism and how it works.

The study recommends that international actors/development partners should:

- Provide resources for training of potential women candidates across party lines in the skills necessary to engage in political campaigning and interact effectively with the media.
- Support and promote public awareness-raising campaigns to combat negative stereotypes, emphasize the legitimate role of women in decision-making processes at all levels and encourage women's participation in decision-making.

- Facilitate research about the conditions under which women's participation and representation is increased and enhanced in political parties, government and parliaments, including through the adoption of different political reforms, and disseminate the examples of "good practices".

The study recommends that civil society/ right based actors should:

- Hold government, legislatures and political parties accountable for progress in increasing women's participation and representation.
- Facilitate linkages between women in decision-making positions and those working for the empowerment of women at the grassroots, in the community and in civil society organizations.
- Monitor the media's coverage of women and gender equality issues, and identify and report on gender bias particularly with respect to women in decision-making.
- Strengthen civic and citizenship awareness programme /training in community and ensure its gender responsiveness.
- Strengthen advocacy on the issues of gender equality and empowerment of women among the general public with special emphasis on activists, ward citizen group, local social leader, member of women/youth groups and teachers.

Recommendations for enhancing the impact of increased presence of women in decision-making

The study recommends that government actors at all levels (national, provincial and municipal/ district) should:

- Support the work of national mechanisms on gender equality and empowerment of women on gender mainstreaming, including through establishing and properly supporting inter-ministerial committees.
- Ensure that women are equally represented in all government policy making bodies covering all areas, especially those that have remained the domains of men, for example the areas of economic policy, budgets and defense.
- Generate and disseminate sex-disaggregated statistics and indicators on all aspects of government activity, including policy development and budget allocations and expenditure.
- Develop and implement training programs on gender mainstreaming in governmental bodies in order to undertake gender analysis in all legislative and policy areas, including budget allocations.
- Ensure that national and sub-national mechanisms on gender equality and empowerment of women are provided with all the necessary resources for implementing their mandates.
- Ensure efficient collaboration and consultation among national mechanisms NGOs and women's groups in the process of the formulation and implementation of policies.
- Disseminate national periodic CEDAW reports to the Committee on the Elimination of All Forms of Discrimination for discussion by parliament and civil society prior to their official submission to the Committee.
- Promote decentralization that is conducive to women's equal participation in decision-making processes at the local level and empower local bodies to implement effective gender mainstreaming and gender-sensitive budgeting.

- Promote additional spaces for civil society participation in effective governance and policy formulation, for example participatory budgeting.
- Encourage men in decision-making positions to support women to enter arenas of power, and encourage and support alliances between women and men to pursue a gender equality agenda.
- Promote gender mainstreaming as the main strategy recommended by the Beijing Platform of Action for achieving the goal of gender equality and empowerment of women and consistently link this with the implementation of CEDAW, focusing in particular on monitoring of the impact of gender mainstreaming.

The study recommends that parliaments should

- Establish standing or ad hoc committees and other statutory bodies on gender equality and empowerment of women, with cross-party representation, to monitor the review and the implementation of existing laws and constitutional provisions, budgets and policies from a gender perspective, as well as recommendations from CEDAW, the Beijing Platform for Action and other relevant documents.
- Ensure that parliamentary bodies provide institutional support to the established or existing women's cross-party alliances and caucuses, including infrastructure, budget and institutional recognition.
- Ensure efficient collaboration between parliamentary bodies on gender equality, including standing committees and women's caucuses, and national mechanisms on gender equality and the empowerment of women.
- Ensure that all standing and ad hoc committees in legislatures at all levels guarantee the adequate representation of women as members and leaders.
- Ensure that all presiding bodies in constitution at all levels guarantee the adequate representation of women as members and leaders.
- Ensure that women are equally represented in all constitutional drafting or reform bodies, including those that are involved in revising legal codes, and that all those bodies maintain efficient and comprehensive consultations with civil society.
- Ensure that women in decision-making bodies receive sufficient administrative support, guidance, and adequate financial resources to do their job effectively, and ensure that there is no gender bias in allocation of these resources.
- Ensure that the institutions and practices of parliament are gender-sensitive, and take due consideration of gender issues, such as domestic and family responsibilities, including through measures aimed at reconciliation of family and professional responsibilities.

The study recommends that civil society/right based actors should

- Collaborate with women parliamentarians, statutory bodies on gender equality and national mechanisms in the process of articulation and implementation of common gender equality agendas.

The study recommends that all actors should

- Encourage women to seek greater involvement in the decision-making processes at all levels and to provide a systematic significant influence on decision-making processes and policy outcomes.

Specific Recommendations; For States

- Ensure that the condition and position of women with multiple disabilities such as migrant worker, poor women, LGBT women, victims of trafficking, women with disabilities etc. improve and to take all measures, including bi and multi-lateral cooperative efforts with other states to facilitate the elimination of discrimination against these women.
- Establish monitoring mechanism to ensure enforcement of legislation on elimination of discrimination women is enforced.
- Ensure that all laws relating to work, violence against women and family and succession laws are free from discrimination and that there are no restrictions on the full enjoyment of human rights for women.
- Ensure that women have enough social and welfare benefits so that there is a reasonable and fair re-distribution of child rearing and household work in society.
- Ensure that all conflict is managed in an atmosphere where impunity is investigated and there is a chance for healing and reparation.
- Development of comprehensive data compilation methodology and include relevant sex-disaggregated statistics so as to be able to assess trends and impact of programs on country's female population, related to the participation of women in public and political life, in particular in local and rural areas.
- Guarantee that women obtain an adequate legal remedy when their right to participate in public and political life free from every form of discrimination is violated.

For Political Parties

- Provide statistical data disaggregated by sex, such as the number of women and men among candidates, elected representatives, party members and in governance and leadership structures.

SUGGESTION:

Representation and Participation

- The state should immediately proceed to make provisions of women's proportionate representation in laws and policies related to education, law, health, employment and so on. Discriminatory laws and policies should also be immediately amended. Political parties should play leading role in these processes. The state should ensure the effective implementation of such laws.
- The state should make provisions of seat reservation and special rights for women and other deprived communities through positive discrimination policy to enhance their participation and access to the leadership positions.
- The political parties and leading women politicians should immediately move ahead with clear and specific policies and programs to fulfill the challenging target of at least 33% women's participation in each party unit. For this, political parties and their women departments and women organizations should conduct campaigns related to increasing women membership, ensuring women's access to leadership positions and women empowerment up to grassroots level in collaboration with the inter-party networks.
- Women's capacity building through effective empowerment programs is needed to reform in

women's participation in political parties. Massive social, political and gender awareness programs are also extremely necessary to eliminate the prevailing traditional vision, customs and values.

- The political parties should proceed with political orientation campaigns at a massive level and in regular basis collaborating with other organizations and partners.

Empowerment

- Women's positions should be reserved in leadership positions of the organs and institutions of the state at different levels.
- Necessary work should be initiated from households, society and the political parties to improve in women's leadership status. Activities related to social awareness, women empowerment, lobby and advocacy, workshops, seminars, training etc. should be made regular.
- Women's economic rights should be ensured through women's ownership in patriarchal property, their access to financial resources and various ways of income generation. For this, the political parties should play roles in special coordination with the state and the government.
- Additional organizational strengthening programs should be conducted to make the women departments and women's organizations of the political parties more efficient and effective.

Inclusion

- The laws and policies of the state should be made inclusive and special attention should be given towards their effective implementation.
- The political parties should create favorable environment to enhance participation and leadership opportunities for the women from among the minority and marginalized communities. The parties should formulate and implement specific and time-bound action plans. For this, special provisions should be made in the policies and programs of the parties. Moreover, such efforts should be publicized at the massive level and effective implementation should be ensured.
- Various programs such as special orientation, training, awareness development, skill development etc. should be conducted for the empowerment of women from among the minority and marginalized communities.

Overall

- The political parties should immediately make their constitutions, bylaws, directives and other policy documents gender and inclusion friendly. For this, the parties should take necessary steps by obtaining suggestions through adequate interactions from women's organizations, networks, women leaders and other women rights activists.
- It is extremely necessary to address women's issues and matters in The Constitution of Nepal 2015. Similarly, prevailing laws discriminatory with regard to gender and inclusions should be reformed and new laws should be formulated with provincial structure.
- The government should allocate resources and budgets to the local government bodies and the political parties at for their managerial strengthening by defining specific criteria for making meaningful participation of women in the state organs. Effective monitoring and evaluation system and mechanism should be developed to ensure effective implementation of the gender and inclusion related policies and programs of the parties and the state.

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DeeptiKhakurel, Women and Constitution Building Coordinator, International IDEA

ANNEXES

Annex 1 **Guiding Questions for Key Informant Interview**

1. What are the root causes of women's low participation in Civil services?
2. How could we increase the number of female staffs in civil service and journalism sector?
3. Is there enough to increase the number of female staff through existing policy and law of state? If it is not enough what kind of policies, law and procedure are required to ensure that the number of female staff could be increased?
4. What do you think about the implementation status of reservation system (33%) to different category? What are the reasons for the poor implementation of reservation system?
5. Is existing reservation system sufficient in terms of inclusion for women's, dalit, janajati, madheshi, muslims and persons with disability? If not enough what is lacking in making the system more inclusive?
6. What were the challenges to make the civil services more inclusive?
7. What do you think of male colleagues and non-reserved competition recruited staff's acceptance of reservation/quota system?
8. What is your opinion about the capacity and competence of women taking and leading the decision making posts without reservation system? If they are not able to take position what were the causes?
9. Do you think the Public Service Commission (PSC) of Nepal and its civil service exam process and procedure is gender sensitive and inclusive?
10. Are there any policy, procedure and arrangement necessary to ensure the PSC as inclusive institution?
11. Are there any policy, procedure and arrangement necessary to ensure that the civil service is gender balance?
12. Any more suggestion for enhancing and strengthen of women's participation?
13. Any suggestion for making the organs of state gender sensitive and inclusive?

Annex 2

Guiding Question for Round –Table Discussion

1. What are the barriers to participating & representing of Women's in public and political life?
2. Given that Women's are 50 percent of the population and growing, how can they participate and represent meaningfully on institutions of the State?
3. Women are underrepresented; they rarely hold a managing position, what were the reasons? How could it be improved?
4. What is the current implementation status of "affirmative actions" "reservation" and "Quotas" in the Institutions and Organs of the State?
5. Does Nepal need a PR system in order to have a significant number of women representatives in Government?
6. Women can choose and have self-confident to perform their deserved profession particularly in security and journalism sectors?
7. In the present context, surrounding atmosphere with a society, the legal framework and its policies are supporting for increasing women's participation and leadership?
8. Equitable participation of women in politics and government is essential to building and sustaining democracy?
9. What are the challenges facing women and disadvantage group in public and political life and their progress as a decision makers?
10. Can women's rights be realized when the resources and positions are limited?
11. What do you think there are some arguments for and against the adoption of gender quotas?
12. What other measures can be taken to increase the number of women participating in the organs of State?

Annex 3

List of Key Informant Interview & Round Table Discussion Participants

Key Informant Interview Participants

S. No	Name	Sectors/ Organization	Position / Members
1	Ms. Aarati Chatuta	Nepal Television	Senior Program Producer
2	Ms. Astha Laxmi Shakya	Member of CA	
3	Ms. Babita Basnet	Media Advocacy Group	Chairperson
4	Ms. Bidhya Pandey	Ministry of Agriculture	Sr, Agriculture Officer/ Gender Focal Person
5	Ms. Bijaya Mahato	Department of Roads	Senior Divisional Engineer
6	Mr. Deepak Subedi	Department of Health	Section Officer
7	Mr. Dhaneshowr Poudel	Supreme Court	District Judge
8	Mr. Dipak Majhi	Department of Education	Section Officer
9	Ms. Gita Humaghain	Public Service Commission	Under Secretary
10	Mr. Hari Shankar Gyawali	Special Government Advocate Office Kathmandu	
11	Mr Kamal Singh Bam	Nepal Police HQ	Spokesman
12	Mr. Krishna Prasad Gautam	Ministry of Health and Population	Under Secretary
13	Dr. Mahendra Bista	Journalism Association of Nepal	Chairperson
14	Mr. Mani Ram Gelal	DUDBC	Project Director/ Joint Secretary
15	Ms. Manu Humaigain K.C	National Women Commission	Member
16	Ms. Mina Shrestha	Department of Water Supply & Sewerage	Engineer(First Class)
17	Ms. Mohona Ansari	National Human Right Commission	Member
18	Ms. Nira Adhikary	Department of Women and Children	Section officer
19	Ms. Nirmala Sharma Subedi	Special Government Advocate Office Kathmandu	Deputy Attorney
20	Mr Prakash Acharya	National Investigation Department	Investigation Officer
21	Ms. Pushpa Koirala	Appeal Court	Judge
22	Mr. Ram Maden	NFDIN	Section Officer
23	Dr. SabitriThapa Gurung		Member
24	Ms. Sanu Maiya Shrestha	Department of Irrigation	Senior Agri-economist
25	Ms. Shubha Shrestha	Department of Road	Sociologist/Gender Focal Person
26	Ms. Suryabadna Pandit	Ministry of General Administration	Under Secretary
27	Ms. Urmila Thapa	Arm y Police Force APF,HQ	Police Inspector
28	Mr. Yogendra Neupane		

Round –Table Discussion Participants

S. No	Name	Organization	Position / Members
1	Ms. Surya Badana Pandit	Ministry of General Administration	Under Secretary
2	Ms. Dil Kumari Devkota	Ministry of Education	Under Secretary
3	Ms. Sanu Maya Shrestha	Department of Irrigation	Sr. Agri-economist
4	Ms. Shanti Laxmi Shakya	Nepal Electricity Authority	Deputy Executive Director,
5	Ms. Sangita Khadka	Nepal Journalists Associations	Central Member
6	Ms. Sunita Regmi	Nepal Law Society	Advocate
7	Mr. Surya Sapkota	Public Service Commission	Section Officer
8	Mr. Dipak Majh	Department of Education	Section Officer
9	Ms. Pratima Gautam, Nepali Congress	Nepali Congress	Young Politician
10	Ms. Durga Shob	Feminist Dalit Organization	Women Right Activists/ Chairperson
11	Ms. Chanda Devi Shrestha Rai	Sankalpa	Executive Director
12	Ms. Bijaya K.C	Sankalpa	Program Coordinator
13	Mr. Salil Devkota	Nepal Engineering Association	Environmental Management Expert
14	Mr. Kamal Dumre	Community Irrigation Project/DOLIDAR	Sociologist
15	Mr. Shring Rishi Kafle		Advocate

Annex 4

List of Castes/Ethnicity under Different Groups

Dalit	Hill Janajati	TeraiJanajati	Other Minorities
Kami, Damai/	Magar, Tamang, Rai, Gurung,	Tharu, Dhanuk,	Muslim,
Dholi, Sarki,	Limbu, Sherpa, Gharti/ Bhujel,	Rajbansi, Santhal/	Churaute,
Chamar/ Harijan/	Kumal, Sunuwar, Majhi,	Satar, Jhangad/	Panjabi/
Ram, Musahar,	Danuwar, Chepang (Praj),	Dhangad, Gangai,	Sikh,
Dusadh/ Paswan/	Thami, Bhote, Yakkha, Darai,	Dhimal, Tajpuriya,	Unidentified
Pasi, Tatma,	Thakali, Pahari, Chhantyal,	Meche, Kisan,	Dalit,
Khatwe, Dhobi,	Bote, Brahm/ Baramu, Jirel,	Koche, Munda,	Unidentified
Bantar, Chidimar,	Aadibasi/Janajati, Dura, Lepcha,	Kusbadiya/	Castes (5)
Dom, Gaine, Badi	Rajani, Byansi, Hayu, Walung,	Pattharkatwa and	
and Halkhor (15)	Raute and Yalmo (31)	Kusunda (14)	

Source: CBS, 2011



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