



## COUNTRY SECTION: Nepal

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## OVERVIEW OF THE LEGAL SYSTEM OF NEPAL

Nepal is a party to numerous international treaties which provide for women's rights and has passed many progressive laws in response to these international commitments. A number of national institutions have mandates that promote gender equality and human rights and the Interim Constitution of Nepal (2007) includes provisions that support gender equality and social inclusion.

Whilst the existence of these laws puts Nepal ahead of its South Asian counterparts, awareness and implementation remains poor, and impunity still presents a major challenge. Lack of appropriate laws and efficient mechanisms for their implementation has led to a failure of the state to deal with human rights violations (both past and present) and to hold the perpetrators accountable. This situation has been aggravated by a lack of will from the political parties to address violations of women's rights.

## THE POLITICAL CONTEXT

On 21 November 2006, the decade-long armed conflict in Nepal officially concluded with the signing of the Comprehensive Peace Accord. However, the majority of women were excluded from participating in this historic step due to the failure of the parties to actively consult with their constituents over language and areas of redress.

On 15 January 2007, the Interim Constitution of Nepal, which repealed the Constitution of the Kingdom of Nepal 1990, was approved to provide for transitional government.

The United Nations Mission in Nepal (UNMIN) was established by Resolution 1740 (2007) of the UN Security Council, with the mandate to support the peace process. UNMIN left Nepal on 15 January 2011 and its monitoring role has been taken forward by a special committee formed under the Constitution for the supervision and rehabilitation of the Maoist army combatants.

Elections to the Constituent Assembly were held on 10 April 2008. The CA consists of 601 members, out of whom 240 were elected through a first-past-the-post electoral system, 325 through a proportional electoral system, and 26 were nominated by the Council of Ministers. Almost a third of its members are women. The CA also serves as the Legislature-Parliament. It ended the 239-year old monarchy and declared Nepal a Federal Democratic Republic on 28 May 2008. Now, the President is the head of state and the Prime Minister is the head of Government.

## **INTERNATIONAL INSTRUMENTS**

### **Convention on the Elimination of All Forms of Discrimination Against Women 1979 (CEDAW)**

CEDAW is an international treaty that requires states to eliminate all forms of discrimination against women. Nepal ratified CEDAW in April 1991 and its Optional Protocol in June 2007.

Countries that have ratified or acceded to the Convention are legally bound to put its provisions into practice. They are also committed to submit national reports to the CEDAW Committee, at least every four years, on measures they have taken to comply with their treaty obligations. Nepal submitted its initial report to the CEDAW Committee in 1999, combined second and third periodic reports in 2004, and combined fourth and fifth periodic report at the 49th Session of the CEDAW Committee held in New York in July 2011. The National CEDAW Committee (NCC) led by the Secretary of Ministry of Women, Children and Social Welfare (MoWCSW) has formulated a National Plan of Action (NPA) on CEDAW. The NPA outlines various programmes for the advancement and empowerment of women through awareness campaigns, training, publications and dissemination.

### **Universal Declaration of Human Rights 1948 (UDHR)**

The Universal Declaration of Human Rights recognises the inherent dignity and the equal and inalienable rights of all human beings regardless of sex, race, colour, language, religion or distinction of any kind. It was formulated shortly after the establishment of the United Nations. Nepal entered the United Nations as a member state in 1955.

### **International Covenant on Civil and Political Rights 1966 (ICCPR)**

The ICCPR deals in detail with the rights outlined in the Universal Declaration of Human rights and guarantees basic civil and political rights to all persons, “without distinction of any kind, such as race, colour, [or] sex...” [Article 2(1)]. These rights include, amongst others, the right to life, freedom of movement, equality before the law, right to privacy, freedom of religion and the right to participate in public affairs including the right to vote. Enforcement of the ICCPR is monitored by the UN’s Human Rights Committee, which can request reports from states at any time. Reports are typically submitted every four years. Nepal acceded to the ICCPR and to its first Optional Protocol on 14 May 1991, and the second Optional Protocol on abolition of the death penalty on 4 March 1998. Nepal submitted the initial report under the ICCPR in 1994 and a report combining the second, third and fourth periodic reports (covering the period 1995 to 2010) in December 2010.

## **International Covenant on Economic, Social and Cultural Rights 1966 (ICESCR)**

The ICESCR articulates important rights including the right to work and the right to fair wages and equal pay for equal work for women, the right to an adequate standard of living including adequate food, clothing and housing, the right to enjoyment of the highest standard of health and the right to education. Enforcement of the ICESCR is monitored by the UN Committee on Economic, Social and Cultural Rights, a body of 18 individual experts and state parties are obliged to submit regular reports. Nepal acceded to the Covenant in May 1991. Nepal submitted its second periodic report under the ICESCR on 30 June 2006 and its third periodic report (covering the period June 2006 to February 2011) in 2011.

## **The Beijing Platform for Action 1995 (BPfA)**

The Beijing Conference of 1995 identified 12 critical areas of concern that were impacting negatively on the ability of women to fully access their human rights. The Beijing Declaration and Platform for Action set out specific objectives and urgent priority actions in response to the identified critical areas. The Platform also calls upon governments to develop strategies or national plans of action to implement the Platform locally and improve the situation of women in their country. Nepal has committed to the Platform for Action.

## **Declaration on the Elimination of Violence Against Women of 1993 (The Declaration)**

The Declaration, adopted by the United Nations General Assembly, defines violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women”. Article 4 requires states to “condemn violence against women and...not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination”. In addition, article 4(d) states, “women who are subjected to violence should be provided with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm that they have suffered; States should also inform women of their rights in seeking redress through such mechanisms”.

## **Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984 (CAT)**

The CAT is an international human rights instrument which aims to prevent torture around the world and requires states to take effective measures to prevent torture within their borders. Rape as an act of torture has been affirmed by successive U.N. Special Rapporteurs on Torture. Nepal acceded to the Convention in May 1991 but has

not signed the Optional Protocol.

### **Convention on the Rights of the Child 1989 (CRC)**

The CRC applies to all children and prohibits discrimination against girls. Nepal ratified the CRC in September 1990 and ratified the Optional Protocol on the involvement of children in armed conflict in January 2007 and the Optional Protocol on child prostitution and pornography in January 2006. Nepal submitted its second periodic report on the CRC in 2005. Nepal will be submitting its initial report under the Optional Protocol on the sale of children, child prostitution and child pornography in 2012.

### **International instruments on women and conflict**

The UN Security Council Resolution 1325 (UNSCR 1325) on Women, Peace and Security was unanimously adopted in 2000 and is binding upon all UN member states, including Nepal. The resolution calls for women's full and equal participation in the achievement of peace and security, including women's equal participation in decision-making processes for the prevention, management and resolution of conflict. It also highlights the need for measures to protect women and girls from sexual violence in the context of armed conflict. The Nepali National Plan of Action on UNSCR 1325 and 1820 was launched on 1 February 2011. It presents the contextual framework and analysis of the peace and security situation in Nepal, as well as providing insight into the impact of conflict on Nepali women. It is structured around five pillars; Participation, Protection and Prevention, Promotion, Relief and Recovery and Resource Management and Monitoring and Evaluation, each with a corresponding objective.

### **Other international instruments**

Nepal acceded to the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) in 1971 and ratified the International Convention on the Rights of Persons with Disabilities and its Optional Protocol in May 2010.

Nepal has been repeatedly urged to accede to the 1951 Convention Relating to Status of Refugee (the Refugee Convention) and its 1967 protocol, and to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance, the Rome Statute of the International Criminal Court and the Optional Protocol to CERD. The Government of Nepal has agreed to examine these Conventions.

Nepal is also obliged to take into account the Declarations and Guidelines issued by the International Community such as the UN Declaration on Human Rights Defenders.

## REGIONAL INSTRUMENTS

The South Asian Association for Regional Cooperation (SAARC) is an economic and political organisation of eight countries in South Asia. The regional secretariat is based in Kathmandu, Nepal. Whilst SAARC has been established as a prominent regional mechanism it has largely failed to respond effectively to women's rights issues. It has, however, managed to table issues relating to women in its agenda and some of its key strategies to advocate for women's rights are as follows:

### SAARC Committees

SAARC established a series of committees which have included women in their mandate. The first of these was **The Technical Committee on Women in Development** which was created under the previous Integrated Programme of Action in 1986. This resulted in the formulation of a Regional Plan of Action on Women. In January 2000, under the SAARC Integrated Programme of Action (SIPA), this Committee was replaced by the **Technical Committee on Social Development**. The Technical Committee on Social Development ceased to function with the creation of a new **Technical Committee on Women, Youth and Children** under the revised Regional Integrated Programme of Action (RIPA) in January 2004.<sup>1</sup>

### Regional Convention on Combating the Crime of Trafficking in Women and Children for Prostitution (2002)

After rigorous campaigning by civil society members, SAARC adopted this Convention in 2002. The Convention calls for cooperation amongst Member States in dealing with various aspects of prevention and suppression of the trafficking of women and children for prostitution, and repatriation and rehabilitation of victims of trafficking. It also calls for the prevention of use of women and children in international prostitution networks, particularly where countries of the region are the countries of origin, transit and destination. SAARC has formed a Regional Task Force to monitor and assess the implementation of various provisions of the Convention.<sup>2</sup>

### SAARC Gender Database

In 2001, SAARC signed a Memorandum of Understanding with the

<sup>1</sup> [http://www.saarc-sec.org/areaofcooperation/detail.php?activity\\_id=10](http://www.saarc-sec.org/areaofcooperation/detail.php?activity_id=10)

<sup>2</sup> <http://www.saarc-sec.org/userfiles/conv-trafficking.pdf>

and identified ten themes around which member States are to take action. The goal of the Decade is to promote gender equality based on the empowerment approach. The memorandum led to the development of the SAARC Gender Database: Mapping Progress of Women in the South Asia Region.

### **SAARC Autonomous Women's Advocacy Group (SAWAG)**

The SAARC Autonomous Women's Advocacy Group (SAWAG) was formed to advocate for gender mainstreaming and to make recommendations on gender related issues and programmes in the region. The group commissioned a study incorporating issues such as women's citizenship, women's political representation, trafficking and sexual exploitation, gender and HIV/AIDS, female education and literacy, legal rights and economic empowerment and the impact of globalisation on women.

### **Charter on Widows**

In October 2008, Nepal proposed a SAARC *Charter on Widows* in line with the directive of the Fifteenth SAARC Summit.

## **DOMESTIC LAWS AND POLICIES**

Nepal has passed many progressive laws for the realisation of the rights of women in response to international commitments. However awareness and implementation of these laws remains poor. In addition, the legal mechanisms have ignored the rights of transgender people and lesbian women.

### **The Interim Constitution**

The Interim Constitution of Nepal (2007) has recognised various fundamental rights of women including the right to equality, right to reproductive health, right to employment and equal remuneration, and an equal right to property.

- **Article 20** of the Interim Constitution guarantees the "rights of women" as a fundamental right and clearly states that "no woman shall be discriminated against in any way on the basis of gender".
- **Article 13 (3)** of the Constitution explicitly states: "...making of special provisions by law for the protection, empowerment or advancement of the interests of women..." This provision provides a guideline for the implementation of the rights of women as guaranteed under Article 20 of the Constitution.
- **Article 8** recognises that Nepalese women can transfer their citizenship to their children and children can obtain citizenship in the name of either of their parents.

- **Article 29** guarantees the “right against exploitation” and clearly prohibits human trafficking, slavery or bonded labour and exploitation in the name of custom, tradition and practice or in any other manner. This provision provides full constitutional guarantee against the trafficking of women in all circumstances.
- **Article 63** requires all political parties to nominate women as 33 per cent of their candidates in the Constituent Assembly (CA) through both the First Past the Post (FPTP) and Proportional Representation (PR) electoral systems.
- **Article 142 (3)(c)** of the Constitution, in order to ensure women’s participation in the decision-making bodies of the respective political parties, requires that any political party, in order to obtain recognition as a political party has to register with the Election Commission by fulfilling conditions prescribed in this article. One condition states that there should be a provision of inclusion of women in different levels of Executive Committees. However, this is currently not reflected in the current make-up of the existing executive committees.

## Gender Equality

### **Act to Amend some Nepalese Acts to Maintain Gender Equality, 2006**

A large number of discriminatory laws, such as in relation to rape and marriage, have been amended and numerous legal provisions in the Muluki Ain (Country Code) and other laws have been amended or repealed by this Act.

### **National Human Rights Action Plan (2011-2013)**

This Action Plan contains a separate chapter on women focusing on women’s rights and social justice.

### **Special Resolution 2006 and amendments to the Civil Service Act**

In 2006, the Nepal Parliament passed a special resolution to ensure 33% women’s participation in all state structures. The second amendment (Aug. 2007) to the Civil Service Act, 1993 (2049 BS) and changes in the Civil Service Regulation, 1994 (2050 BS), also include special inclusive measures in the recruitment process. Under this, 45% of seats are reserved for women, indigenous and ethnic communities, Madhesis, Dalits, persons with disability and marginalised groups. Out of this 45%, 20% are solely reserved for women.

### **Three Year Plan (2011-2013)**

The Government formulated the Three Year Plan (2011-2013) under the National Planning Commission with the broad objective of building a prosperous, modern and just Nepal. It has incorporated special

programmes for women and disadvantaged groups. Under the heading of “Gender Mainstreaming and Inclusion”, the three year plan includes programmes relating to the “empowerment of women and gender equality”.

## **Employment Rights**

### **The Foreign Employment Act, 2007**

This Act ensures the rights of workers in general and women workers in particular. It has provisions for the establishment of a Foreign Employment Fund which is also intended to be used to compensate women migrant workers such as for pre-departure orientation costs, the establishment and management of day-care centres for the children of women migrant workers, awareness programmes on foreign employment, programmes for the benefit of the families of migrant workers and to create employment opportunities for the returnees.<sup>3</sup>

## **Violence against Women**

### **Domestic Violence (Crime and Punishment) Act, 2009**

This Act was passed in an attempt to put an end to domestic violence. However, whilst the act recognises domestic violence as a crime, implementation has been challenging as these criminal cases are being mediated by the Police, which frequently results in the victims being forced to return home to their abusive spouse.<sup>4</sup>

### **Human Trafficking and Transportation (Control) Act, 2007**

This Act defines ‘exploitation’ as ‘an act of keeping a human being as a slave’. It has broadened the scope of reporting, investigation, prosecution and adjudication and incorporated important provisions to provide justice, taking into account the victims’ perspectives (such as providing compensation for victims).

### **Human Trafficking and Transportation (Control) Regulation, 2008**

This regulation has also been adopted in order to ensure the effective enforcement of provisions made under the Human Trafficking and Transportation (Control) Act. The regulation provides for the formation of committees at national and district levels. The Government has also formulated a national plan of action against the trafficking of women and children for sexual and labour exploitation (2008).<sup>5</sup>

3 Please refer to <http://www.lawcommission.gov.np/en/documents/prevaling-laws/prevaling-acts/func-startdown/10/>

4 Please refer at; <http://www.lawcommission.gov.np/en/documents/prevaling-laws/prevaling-acts/Prevaling-Laws/Statues---Acts/English/Domestic-Violence-%28Crime-and-Punishment%29-Act-2066-%282009%29/>

5 Please refer to <http://www.lawcommission.gov.np/en/documents/prevaling-laws/prevaling-acts/Prevaling-Laws/Statues---Acts/English/Human-Trafficking-and-Transportation-%28Control%29-Act-2064-%282007%29/>

## **Amendments to the Criminal Code**

Several amendments have criminalised a number of discriminatory practices against women, such as making accusations of witchcraft, sex selective abortion, sexual harassment and marital Parliamentary Process: rape. Amendments have also legalised abortion within the first 12 weeks of pregnancy and expanded the definition of “rape” so that different levels of punishment are mandated according to the gravity of the crime which takes into account factors such as the victim’s age and physical and mental health. Additional punishment for the crime of rape of women by persons with HIV/AIDS or while in custody/prison is also mentioned in the criminal code. There are also provisions for compensation for victims/survivors and witness protection mechanisms such as ensuring camera trials for the victims of rape and trafficking.

## **Marriage and Family**

### **Gender Equality Act, 2006**

This Act further advanced the property rights of women. It removed and amended discriminatory language and provisions. It entitles women to use property freely without the consent of male family members (as was previously required) and includes daughters within the definition of family under the Act related to land.

### **Citizenship Act, 2006**

This Act gives the right to a Nepalese mother to transmit her citizenship to her child in conformity with article 9 of CEDAW.<sup>6</sup>

## **OVERVIEW OF GENDER MACHINERY**

A number of institutions are in place to promote gender equality and women’s empowerment. However, at all levels (ministry, department, and district), effectiveness is constrained by inadequate resources and weak capacity. The main issue is that the key agencies are not adequately equipped to operate across the three different areas in their mandate - gender equality, children and social welfare.

### **The Ministry of Women, Children and Social Welfare (MoWCSW)**

This Ministry works as the Gender Focal Agency at the central level. Established in September 1995, the Ministry is the major outcome of Nepal’s commitment to the Beijing Platform for Action, being the highest national level machinery for the advancement of women’s rights. It plays an important role in drafting laws and undertaking other activities for

<sup>6</sup> Please refer to <http://www.lawcommission.gov.np/en/documents/prevaling-laws/prevaling-acts/Prevaling-Laws/Statues---Acts/English/Citizenship-Act-2063-%282006%29/>

elimination of all forms of discrimination and violence against women in partnership with more than 40 NGOs, INGOs and United Nations agencies. The MoWCSW also coordinates other line ministries to incorporate more gender-focused activities in their programmes through their designated gender focal persons. However, it currently lacks the financial and human resources to carry out its mandate.

### **The Department of Women Development**

This Department sits under the MoWCSW and undertakes women's and children's programmes which it implements through its Women Development Offices (WDOs). WDOs are the key gender focal points in the districts and have been established in all 75 districts. WDOs concentrate on social mobilisation and economic empowerment through women cooperatives in an attempt to empower poor and marginalised rural women through economic and social development programmes. The women-targeted programmes of the Department of Women Development and the Women Development Offices have been criticised for not adequately addressing issues of diversity among women, although there is increasing awareness of the need to do so.

### **Ministry of Local Development**

The Ministry of Local Development (MoLD) also plays an important role in strengthening gender mainstreaming, inclusion and empowerment programmes. The Local Self-Governance Act (LSGA) provides for the advancement and empowerment of women and other social groups and for the adoption of procedural and financial guidelines. By using the mandate provided by the LSGA, the MoLD has adopted a number of "operational guidelines" in order to implement the National Plan of Action and Gender Budget Auditing (GBA).

### **Gender Equality and Social Inclusion Units**

These units have been formed in the Ministries of Health and Population, Agriculture and Cooperatives, Education and, more recently, the Ministry of Local Development.

### **National Women's Commission**

Another potential key actor in promoting and protecting women's rights is the National Women's Commission, which was established by statute in 2007. Although the Commission is in principle an autonomous body, it has been highly politicised since its formulation. Other problems include an unclear mandate, overlapping of responsibilities with the ministry, and limited resources.

## **Other National Human Rights Mechanisms**

At the national level, the National Human Rights Commission (NHRC), National Rapporteur on Trafficking in Women (NRTW), National Dalit Commission (NDC) and National Foundation for Development of Indigenous Nationalities (NFDIN) have been established for the protection, promotion and monitoring of human rights.

## **Gender-based Violence Unit**

The Office of Prime Minister and Council of Members (OPMCM) has established a separate Gender-based Violence Unit to deal with complaints specific to gender-based violence cases. Existence of a central level Complaint Management Unit in the OPMCM is being established so that immediate action can be taken in cases where agencies refuse to register complaints or when they are unresponsive. The Complaint Management Unit will be the highest level of request for assistance for the victims outside of the judicial system and will direct the concerned agency to immediately respond to the victims.

## **Initiatives within the Police**

The government has created women's cells in police offices and has established separate Women and Children Unit at District police offices and Ward/Area police offices to respond to cases of Gender-based violence.

## **EXPERIENCE OF WOMEN'S ORGANISATIONS IN NEPAL**

For centuries, Nepalese women have been discriminated against and ostracised from decision-making at all levels. Discrimination on the basis of age, caste, class, education, ethnicity, gender, geography, and sexual orientation have served either singularly or in combination to reinforce unequal power relations, exercised through tradition, social norms, values and practices. For centuries, women have been resisting these practices and more recently, women have been coming together to form groups at the community, district and national levels, to challenge structures that deny women's fundamental freedoms and basic human rights. These groups have made concerted efforts to join as a movement, to demand that the state both amend discriminatory laws and policies, and develop laws that protect women from human rights violations.

In April 2008, the constituent assembly elections created hope that long standing issues of human rights violations would be addressed and that a space would be created for equality and representative governance. Women in Nepal, without invitation, seized the opportunity to demand that their voices be heard and that their rights be incorporated into the

drafting of the new constitution.

However, as the peace process falters, a rise in threats, intimidation, killings and extortion has been attributed to the emergence of armed groups demanding their own autonomous federal states. Concepts of nationhood and federalism have left little or no room for an equality agenda. Without the necessary support mechanisms for victims of human rights violations, women are bearing the brunt of this ethnic violence.

Although the need to address violence against women (VAW) has been recognised by previous Prime Ministers in Nepal, concrete actions have failed to materialise due to the instability of the Government. Violence in the personal sphere has yet to become part of the public agenda or a matter for the criminal justice system. The Domestic Violence and Punishment Act (2009) was an attempt to address this, however, the inclusion of mediation under this law (in a society that enforces rigid gender roles) is having a negative impact on its implementation ensuring the 'culture of silence' around VAW continues.

Grassroots women activists are beginning to gather evidence of human rights violations in order to demand redress. Unfortunately, these women have little influence over court proceedings that generally re-victimise women and have limited impact on the legal framework or those that interpret and enforce the law or the political parties that continue to protect perpetrators.

However, even in the face of these challenges and insecurity, women and women's organisations continue to campaign for justice and rights for women. The two case studies below offer examples of how advocacy has been used by civil society to push for change to protect the rights of women in Nepal.

### **Example** Security and Protection of Women Human Rights Defenders

In 2009, WOREC Nepal filed a case (Writ Number: 0187) in the Supreme Court against the Government of Nepal for failure to ensure security and protection of women human rights defenders. In its decision on this case, the Supreme Court issued a directive to the Government of Nepal to provide security to women human rights defenders. The court also directed the Government to investigate past human rights violations of women human rights defenders and take action against the perpetrators. This decision of the Supreme Court is an outcome of wider advocacy by the nation-wide women's

movement in Nepal. However, despite the directives of the Court, women human rights defenders continue to be targeted and to date the government has not initiated any action to investigate past human rights violations.

### **Example** **Mission 50-50**

The campaign “Mission 50-50” was a successful attempt to change the national policy (Interim Constitution 2007) to incorporate 50% proportionate representation of women in all state agencies. In 2007, when the interim constitution was agreed, a core agenda of the women’s movement was to demand at least 33% representation of women or 50% of proportionate representation of women at all levels of state mechanisms. Several women’s groups launched creative and collective campaigns. Amongst these the most successful campaign was “Mission 50-50” launched by Women Alliance for Peace, Power, Democracy and the Constituent Assembly (WAPPDCA) in 2007 and Inter Party Women’s Alliance (IPWA) in 2009. The campaign demanded equal and meaningful representation of women in all state level structures, and organised several innovative drives to persuade the government to meet this demand. Besides capacity building, their activities included street demonstrations, banners, distributing pamphlets, handing over petitions, and a nation-wide signature campaign from the grassroots to the national level. This campaign was particularly significant because it included the representation and involvement of women members of different political parties as IWPA. As a result of this advocacy by women’s groups, the interim constitution of Nepal now guarantees 33% representation of women within the Constituent Assembly.

## **CONCLUSION**

Nepal has passed many progressive laws for the realisation of rights of women in response to international commitments, and the Interim Constitution of Nepal includes provisions that support gender equality and social inclusion. However, awareness and implementation of these laws remains limited and impunity still presents a major challenge. While a number of institutions are in place to promote gender equality and women’s empowerment, their effectiveness is constrained by inadequate resources and weak capacity.

Moreover, there is a lack of political will to address women’s rights violations and grassroots activists have little or no influence over the political parties that continue to protect perpetrators. The threat or reality of violence and insecurity also impacts on the extent to which

women can work to bring about change in both the political and legal systems.

Women who do have access to the political parties and the legal systems are invariably from privileged classes and castes, who can reinforce patriarchal values and attitudes excluding women whose caste and class they deem to be inferior. Bridging the gap between those at the top and those at the so-called 'bottom' remains one of the major challenges to the promotion of women's human rights in Nepal.