



# SAFE COMMUNITIES

FREE FROM VIOLENCE AGAINST WOMEN AND GIRLS





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## ACRONYMS

BPfA	: Beijing Platform for Action
CDC	: Center for Disease Control and Prevention
CEDAW	: Convention on the Elimination of All Forms of Discrimination against Women
CRC	: Convention on the Rights of the Child
CSW	: Commission on the Status of Women
FIRs	: First Information Reports
GBV	: Gender Based Violence
MoF	: Ministry of Finance
MoHP	: Ministry of Health and Population
OSCC	: One-Stop Crisis Centre
STDs	: Sexually Transmitted Diseases
UN	: United Nations
UNSCR	: UN Security Council Resolution
VAW	: Violence against Women
VAW/G	: Violence against Women and Girls
VAWIP	: Violence against Women in Politics
VDC	: Village Development Committee
WHO	: World Health Organisation
WICI	: Women in Cities International
WSA	: Women's Safety Audit



## EXECUTIVE SUMMARY

Violence against women has been acknowledged as a major barrier to sustainable human development and a serious impediment to achieving gender equality. It imposes a tremendous economic cost to the countries in the form of absenteeism from productive work, increased health care expenditures, and taxing public services – police, courts, and social welfare. At the same time, it dehumanizes the perpetrators unleashing a cycle of violence that erodes the core of their well-being.

According to the World Health Organisation (WHO), between 12 percent and 25 percent of women around the world have experienced sexual violence at some point of time in their lives. Over the years increasing attention has been paid to the elimination of violence against women. The UN General Assembly Resolution 48/104 of 1993 Declaration on Elimination of Violence Against Women, the 1995 Beijing Platform for Action (BPfA) to the 2005 World Summit on Millennium Development Goals, UN Security Council Resolution 1325 etc and as most recently the 57th session (4- 15, March 2013) of the Commission on Status of Women (CSW) have established the inextricable linkages between women’s safety and freedom from violence against women. The UN General Assembly Resolution 48/104 of 1993 Declaration on Elimination of Violence Against Women 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, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”.

All the countries of South Asia are committed to ending violence against women and children and are signatories to CEDAW and the Convention on the Rights of the Child (CRC). Violence against women remains one of the region’s most pervasive human rights challenges. It is estimated that one in every two women in South Asia faces violence in her home<sup>1</sup> as compared to the world average of one in three.

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1. Oxfam 2005

Some of the issues that impinge on women's safety are:

- **Women's safety and poverty:** Poverty can endanger women's safety. There are plenty of evidences showing abused women sometimes stay in abusive relationships because they know that leaving will plunge themselves and their children into poverty .<sup>2</sup>
- **Women's safety and economy:** Violence against women lowers economic productivity, drains resources from public services in the form of increased health care expenditures, police, courts and social welfare and employers, and reduces human capital formation.
- **Women's safety and health:** The impact of violence on women and girls has far reaching consequences resulting in physical and psychological trauma, disability, long-term health problems- sexual and reproductive - and in extreme cases death. It also puts the victims at risk of unwanted pregnancies, sexually transmitted diseases (STDs) and HIV/AIDs.
- **Women's safety and education:** Evidence suggests that among all levels of education, secondary and higher levels of education have the greatest payoff for women's empowerment in terms of increased income-earning potential, ability to deal with violence in the home and work-place, bargain for resources within and outside of the household, decision-making autonomy, control over their own fertility, and participation in public life.
- **Women's safety and participation in public life:** It has been acknowledged that participation of women in politics have positive impacts on political process as women parliamentarians bring in new perspectives and legislative priorities to the political debate; are more likely to introduce bills related to women's and children's rights and reduction in corruption.
- **Women's Safety and Gender Justice:** Recourse to the criminal justice system is seen as a last resort by women and when they do it takes over their lives completely as the protracted process of the legal system on one hand and the expenses involved in getting justice dissuade many women who do not have the means to fend for themselves. Yet, when justice has been meted out, it has helped to ensure women's safety and dignity.

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2. Monica Townson, Canadian Centre for Policy Alternatives, Canadian women on their own are poorest of the poor, Sept. 8, 2009

- **Women's Safety and Environment, Energy and Climate Change:** : In poor communities, women and girls walk long distances that expose them to risks to sexual harassment and assault that are often deserted. Climate change impacts are not gender-neutral and the differential impacts of climate change are evident in greater proportion of women victims in cyclones, floods and other climate change related natural disasters.
- **Women's safety and gender responsive budget:** Access to social services, legal remedies, medical resources, places of refuge by VAW/G victims and survivors is limited despite the efforts of numerous national and international actors as most of the time protection and support services are inadequate and project driven with a limited time-frame to make any substantial impact on behavioral and attitudinal change. Longer term investments through gender responsive budget allocations would contribute in bringing about the desired change in making homes and communities violence free.

In Nepal, the issue of safety of women in public places has not been examined or addressed as a serious issue. In other parts of the world, women's safety has been addressed as an issues of women's rights and empowerment. The women's safety audit (WSA) has been one important tool to understand the nature and causes of lack of safety in public places. Building on the learning from around the world, DidiBahini, in partnership with UN women has carried out the WSA in one selected VDC each of six different districts in Nepal namely Bara, Parsa, Kanchanpur, Kailali, Banke and Bardiya to assess the state of women's safety in public places in the villages of Prastoka, Sirsiya, Daiji, Belodevipur, Bankatawa, and Sanoshree VDCs respectively.

## FINDINGS

The range and depth of information and data gathered from the WSA provides empirical evidence on women's safety issues in rural areas of Nepal. Many members of the community defined safety as freedom from various forms of violence; ability to move alone without fear; and equality between male and female. The research also showed that many of the male respondents showed attitudes such as victim blaming which held women responsible for inviting violence upon themselves.

78% women and girl respondents did not feel safe either at home or in public spaces thus deconstructing notions about women's safety in villages. Safety was also influenced by the timings and seasons. 70% of girl respondents felt

that early mornings and evenings were unsafe and 90% women felt unsafe to venture outside of their home after 5 p.m. Even among men 57% men felt unsafe in the evenings for fear of being looted. Most men were aware of the facilities and services available in the VDCs while 66% women lacked information and access to services and facilities available to them including awareness on laws and policies protecting their rights. Problems were also faced by more than 92% women while accessing services and facilities owing to discriminatory practices towards older women and women belonging to lower castes. The “trust deficit” of institutions charged with service delivery owing to discriminatory practices and inadequacy of gender responsiveness including gender friendly infrastructure was expressed by VAW/G victims and survivors. Only 5% of women respondents said that they would seek assistance from the police.

The findings demonstrate how the cultural determinism upheld by patriarchy shapes the misogynist values and sexist attitudes towards women and girls. This has the effect of denying women their fundamental rights to live in safe environment and one that is free from violence.

## RECOMMENDATIONS

- **Using WSA as a tool for narrowing the gap in policy and implementation:** The WSA has produced information that can be built on and used for further research. It is recommended that the WSA tool be adopted by the government countrywide to peel the layers of assumptions and risks that exacerbate the conditions of VAW/G. Doing so will contribute to informing policies and plans that are based on empirical evidence and one that actually responds to the obtaining VAW/G situation in villages and put into motion safety measures for addressing VAW/G.
- **Enhancing access to quality services:** Increasing the presence of police in places identified as unsafe by the community is critical as a safety measure to ensure a safe neighbourhood. Particularly services such as health, counseling, skill building, legal aid and shelters for addressing VAW/G should be a central feature of public services in the form of One-Stop Crisis Centres (OSCC) so that victims/ survivors do not have to run from pillar to post to secure services and justice.
- **Gender responsive budgets and policy dialogues with girls and women to mainstream VAW/G issues in national and local plans:** Gender responsive budget allocation at national and local levels for women’s safety must be needs based and address both the practical needs and

strategic interests for transforming practices and attitudes that perpetuate VAW/G which should be followed by gender budget audits of expenditures. It is further recommended that a costing exercise be undertaken of the National Plan of Action against Gender-based Violence 2010 to quantify the resources needed to deliver an integrated, multi-disciplinary package of services for women and girls subjected to violence.

- **Capacity building of service providers for addressing VAW/G:** An iterative capacity development programme that focuses on eliminating gender stereotypes and enhancing gender responsiveness towards VAW/G victims and survivors is the first step towards ensuring quality service being provided to them. Another important element is building capacity for zero tolerance and inclusion of gender sensitivity in recruitment and performance of health service providers, police personnel and judges for promotion.
- **Improving public infrastructure designs and plans to ensure women's safety:** The government must take into account the external environment that pose risks for VAW/G and improve its infrastructure designs and plans by making provisions for well-lit streets, strategic placements of police and phone booths, public transport terminals, bus stops and shops that can contribute to discouraging incidences of VAW/G in public places. Government agencies should attempt to set an example for other institutions by maintaining separate toilets for men and women.
- **Review of Policies, legislation and programmes addressing VAWG:** It is important to undertake a review including judicial review of all polices and laws to make amendments so that all forms of VAW/G are addressed in one single policy to rule out any confusion or excuse for inaction. For example, the 35 day statute of limitation has done injustice to thousands of rape victims/ survivors as they cannot invoke the law once the statute of limitation has expired. Similarly, the Military Court does not conduct trials of its personnel for committing sexual violence which prevent many human rights violations from being prosecuted.

The WSA also reveals that owing to inadequate water and sanitation facilities at home and public places, women walk long distances to collect water and are forced to defecate in open areas. There is an urgent need for the government to put the 'one toilet per household' programme along the concept of "Sulabh Toilet Programme" into effect. Separate sanitation facilities for girls and boys in schools increases girls' school attendance.

Policies, laws, and programmes including campaigns need to re-focus on ending VAW/G in both the private and public spaces.

- **Data-base on VAW/G:** Data on crime against women plays a vital role in measuring trends and prevalence of VAW/G which can inform planning and budget allocation for instituting remedial measures and advocacy for highlighting the urgency of the issue. Such data can be fed into a data base for sharing information on the trends and patterns of VAW/G, apprehending offenders and repeat offenders who are at large. Availability of data will also facilitate scientific research that can be used for policy reforms and designing of appropriate responses.
- **Promotion of zero tolerance in schools:** Though school curricula include health education as a subject, findings from the WSA reveal that teachers are reluctant to teach sex education. Training of teachers to encourage dialogue and discussion on sensitive issues is necessary to offset negative attitudes that devalue girls and women and objectify them to be treated as commodities.
- **Limitations of the study:** Nepal has 3,913 VDCs. Owing to time and financial constraints the study was carried out in one selected VDC each of six districts of Nepal covering the three development regions from the Far West to Mid-West and the Central. The study, therefore, represents a microcosm of the prevailing safety situation for women and girls.

## **STRENGTHS OF THE STUDY**

The study was carried out by the community members, who had been trained as researchers thus minimizing the possibilities of manipulation of information.

*Safety measures for girls and women in public places benefit all citizens regardless of gender orientation, caste, class, ethnicity and creed. Everyone will feel safe in public places.*

# CHAPTER ■ 1

## CONTEXT

### **VIOLENCE AGAINST WOMEN: GLOBAL AND REGIONAL PERSPECTIVES**

Violence against women has been acknowledged as a major barrier to sustainable human development and a serious impediment to achieving gender equality. Violence against women not only impairs girls and women's abilities to negotiate a better life for themselves but also impacts negatively on the health of the survivors- emotional, psychological and physical; security; and, self-esteem. At the same time, it dehumanises the perpetrators unleashing a cycle of violence that erodes the core of their well-being. It imposes a tremendous economic cost to the countries in the form of absenteeism from productive work, increased health care expenditures and taxing public services – police, courts and social welfare. It is one of the most pervasive forms of violation of women's human rights. Violence against women is often compared to an epidemic – global in its scale, spread and impact across countries and cultures regardless of income, caste, class, race or ethnicity.

According to the World Health Organisation, between 12 percent and 25 percent of women around the world have experienced sexual violence at some point of

time in their lives ranging from domestic violence, rape, honour killings<sup>3</sup>, trafficking in girls and women, dowry deaths, acid burning, female genital mutilation, denial of reproductive rights among other forms of discrimination. Worldwide, domestic violence is a significant cause of death and incapacitation of women in the reproductive age group than cancer.<sup>4</sup>

Over the years increasing attention has been paid to the elimination of violence against women. The UN General Assembly Resolution 48/104 of 1993 Declaration on Elimination of Violence Against Women, the 1995 Beijing Platform for Action (BPfA) to the 2005 World Summit on Millennium Development Goals and as most recently the 57th session (4- 15, March 2013) of the Commission on Status of Women (CSW) have established the inextricable linkages between women's safety and freedom from violence against women as key prerogatives to ending discrimination against women, gender-based violence, and violations of human rights. The CEDAW General Recommendation No. 19 declares that violence against women is prohibited.

The UN General Assembly Resolution 48/104 of 1993 Declaration on Elimination of Violence Against Women 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, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”. It emphasises that violence against women is a gross violation of women's basic rights and freedoms.

However, in 2003, when the CSW took up the issue of violence against women and human rights, Member States were unable to reach agreement. Nonetheless, the 57th session in 2013 provided once in a decade opportunity to assert, “Women's Right to be Free from Violence and the Right to be protected from Violence.” The CSW Outcome Document agreed to by the Member States declares that all forms of VAW are inadmissible; rules out cultural relativism; and that ending VAW is predicated on three conceptual pillars of: Safety, Voice, and Choice. The Commission expressed “deep concern about violence against women and girls in public spaces, including sexual harassment, especially when it is being used to intimidate women and girls who are exercising any of their human rights and fundamental freedoms. Under section B of the Outcome Document dealing with structural and underlying causes and risk factors so as to prevent violence against women and girls, the Commission called upon member states to, “Improve the

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3. The traditional practice in some countries of killing a family member who is believed to have brought shame on the family <http://www.merriam-webster.com/dictionary/honor%20killing>
  4. WHO Multi-country Study on Women's Health and Domestic Violence against Women, 2005.



safety of girls at and on the way to and from school, including by establishing a safe and violence free environment by improving infrastructure such as transportation, providing separate and adequate sanitation facilities, improved lighting, playgrounds and safe environments; adopting national policies to prohibit, prevent and address violence against children, especially girls, including sexual harassment and bullying and other forms of violence, through measures such as conducting violence prevention activities in schools and communities, and establishing and enforcing penalties for violence against girls” and “Increase measures to protect women and girls from violence and harassment, including sexual harassment and bullying, in both public and private spaces, to address security and safety, through awareness-raising, involvement of local communities, crime prevention laws, policies, programmes such as the “Safe Cities for Women and Children” initiative, improved urban planning, infrastructures, public transport and street lighting, and also through social and interactive media”.

Progress in the development of international legal norms, standards, and policies has not been accompanied by comparable progress in their implementation at the national level, which remains insufficient and inconsistent in all parts of the world. Similarly, while data on the nature, prevalence, and incidence of all forms of violence against women has increased significantly in recent years, information is not yet comprehensive. Efforts to halt incidents of violence against women are often frustrated in the face of a climate of impunity that characterises particularly many post-conflict and emergency situations.

Thus, the UN Security Council Resolution (UNSCR)1325 and subsequent resolutions 1820, 1888, 1960 and 2106 call on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict and to end impunity.

All the countries of South Asia are committed to ending violence against women and children and are signatories to CEDAW and the Convention on the Rights of the Child (CRC). Violence against women remains one of the region’s most pervasive human rights challenges even if progress towards its elimination has been palpable over the past two decades. Significant advances have been made, as governments have adopted laws, instituted policies and expanded social service networks to better assist survivors of violence. Civil society organisations, especially women’s organisations, have been the most instrumental in pushing for change.<sup>5</sup> The women’s movement has been at the forefront and has succeeded in

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5. UNESCAP High-level Intergovernmental Meeting to Review Regional Implementation of the Beijing Platform for Action and Its Regional and Global Outcomes 16-18 November 2009, Regional Campaign to End Violence Against Women, E/ESCAP/BPA/2009/INF/5

raising the visibility of the issue – making it a public concern and one of the most compelling issues in the region.

It is estimated that one in every two women in South Asia faces violence in her home<sup>6</sup> as compared to the world average of one in three. The life-cycle of violence faced by women in South Asia begins even before she is born. As a result 79 million girls are missing owing to the cultural preference for sons who are seen as the mainstay of the family in old age and the bearer of the family lineage. In India alone, one million girls are missing as a result of gender-biased sex selection and one incident of violence translates into the women losing seven working days.<sup>7</sup> Instance of acid attacks on women is also rampant in Bangladesh where an estimated 3184 cases of acid attacks on women have been reported between 1999-2013.<sup>8</sup> Reports from Pakistan also paint a grim picture. According to The Aurat Foundation around 432 were killed in incidents of honour killing were reported in 2012.

Women continue to suffer violence inside and outside their homes with devastating consequences. Violence and the fear of violence keep women from asserting their rights and freedoms; curtail their access to education, health, and employment opportunities; prevent them from entering public spaces and participating in public processes.

## ISSUES

- **Women's safety and poverty:** VAW/G is structural as it is systematically utilised to deny opportunities, choices and freedoms at multiple levels, undermining not only women's dignity and self-respect, but also the means to uplift themselves out of poverty. Poverty can endanger women's safety. There are plenty of evidences showing abused women sometimes stay in abusive relationships because they know that leaving will plunge themselves and their children into poverty.<sup>9</sup> They are thus dependent on the male members of the family and continue to live in violent relationships rather than walk out of one and face the insecurities of being homeless and destitute which expose them to more risk of being violated.

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6. Oxfam 2005

7. UN Women 2007

8. <http://www.acidsurvivors.org/statistics.html>

9. Monica Townson, Canadian Centre for Policy Alternatives, *Canadian women on their own are poorest of the poor*, Sept. 8, 2009

- Women's safety and economy:** Women work longer days than men, earn lower wages, have less access to resources, and are often responsible for meeting household needs. Moreover, gender inequality affects economic variables such as productivity and economic growth. Violence against women lowers economic productivity, drains resources from public services in the form of increased health care expenditures, police, courts and social welfare and employers, and reduces human capital formation. The cost of violence against women both direct and indirect costs are enormous. Direct costs include those of services to treat and support abused women and their children and to bring the perpetrators to justice. The indirect costs include lost employment and productivity, and the cost in human pain and suffering. In India women lose an average of seven working days for each incidence of violence.<sup>10</sup> The 2003 report by the US Center for Disease Control and Prevention (CDC) estimates that the costs of intimate partner violence in the United States alone exceed US\$5.8 billion per year: US\$4.1 billion are for direct medical and health care services, while productivity losses account for nearly US\$1.8 billion. Annual costs of intimate partner violence have been calculated at GBP 22.9 billion in England and Wales in 2004.<sup>11</sup> A 2009 study in Australia estimated the cost of violence against women and children at AUD 13.6 billion per year.<sup>12</sup>
- Women's safety and health:** Women's safety and health is one of the most critical elements in the empowerment of women and for achieving gender equality. Nevertheless, it has been established that the home which is regarded as a safe haven for women and girls is the site where most of the violence is perpetrated by so-called loved ones – husbands and partners. Women with disabilities experience a higher incidence of abuse - physical, emotional, and sexual both at home, work and public spaces. A review of nearly 50 population based survey from around the world found that between 10 -50% of women reported being hit or physically abused by an intimate male partners at some point in time.<sup>13</sup> The impact of violence on women and girls has far reaching consequences resulting in physical and psychological trauma, disability, long-term health problems- sexual and reproductive - and in extreme cases death. It also puts the victims at risk of unwanted

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10. International Trade Union – March 2001

11. S. Walby, Women and Equality Unit and University of Leeds, Leeds, *The Costs of Domestic Violence*, 2004, p. 12.

12. The National Council to Reduce Violence against Women and their Children, 2009, Canberra, Commonwealth of Australia, *The Cost of Violence against Women and their Children*, p. 4.

13. World Health Organisation, *Addressing violence against women and achieving MDGs*, 2005 p.15

pregnancies, sexually transmitted diseases (STDs) and HIV/AIDs. There is also a co-relation between risk-taking behaviours among women who have experienced childhood sexual abuse later on in life which increases their risk for HIV, STDs and unwanted pregnancies.<sup>14</sup> A WHO Study strongly support other research which has found strong associations between violence and both physical and mental symptoms of ill-health.

- **Women's safety and education:** The unequal gender relations in which women are assigned the primary task of looking after the household chores which are unpaid means women have less time to earn money, engage in politics or other social causes, learn to read or acquire new skills, fulfill other domestic responsibilities or simply rest. Girls are denied school education as they are seen as a transient member of the maternal family and priority is given for them to graduate in housekeeping for becoming better wives and mothers or home-makers. Evidence suggests that among all levels of education, secondary and higher levels of education have the greatest payoff for women's empowerment: increased income-earning potential, ability to bargain for resources within and outside of the household, decision-making autonomy, control over their own fertility, and participation in public life. It is also about their increased ability to deal with domestic violence and violence in the work place as they would be in a better position to access information and services and support structures.
- **Women's safety and participation in public life:** Women's safety is a pre-condition to their participation in public life as this depends on their safe mobility and ability to navigate public spaces without fear of being assaulted or violated. Although women comprise more than 50 % of the population the gender roles and responsibilities assigned to them has confined them to their hearth and homes and excluded them from taking up formal jobs/employment and engaging in politics and the political process. However, over the years with increasing access to education, awareness chiefly brought about by the women's movement and international conferences on gender equality women have taken on roles in public life. However, they have had to pay a price to their bodily integrity and encounter sexual harassment in public transport system or the workplace. Insinuations and character assassinations have also been leveled at women aspiring to make it to the greasy pole of high politics. It has been acknowledged that participation

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14. Ibid, p. 21

of women in politics have positive impacts on political process as women parliamentarians bring in new perspectives and legislative priorities to the political debate. They are more likely to introduce bills related to women's rights and to support laws that benefit women, children and families. Studies have shown a positive correlation between women's participation in public life and reduction in corruption.

- **Women's Safety and Gender Justice:** VAW remains one of the world's most widely under-reported crime primarily because it is still considered a private affair wherein the woman is seen as the bringing "shame and dishonor" to the family and society for exposing cases of domestic violence. Recourse to the criminal justice system is seen as a last resort by women and when they do it takes over their lives completely as the protracted process of the legal system on one hand and the expenses involved in getting justice dissuade many women who do not have the means to fend for themselves. Over the years many governments have enacted legislation to combat VAW/G but they still fall short of elevating the status of women in a culture where violence is seen as a normal phenomenon as a result of which they are thrown back into their violent environment and become "revictimised" In other cases, the laws contain technical clauses that make it impossible to seek justice in the first place e.g. in Nepal the 35 day statute limitation for reporting cases of crime prohibit such cases from proceeding to the court in the first place as women are not aware of such provisions. This has denied justice to many survivors of sexual violence in conflict in Nepal as it has provided amnesty to the perpetrators who are now in positions of power. Yet, when justice has been meted out, it has helped to ensure women's safety and dignity albeit a bit too late as was seen in the gang-rape and tragic death of Nirbhaya a 23 year medical student in Delhi in December 2012. The case was taken up in a fast track court and the four accused were sentenced to death by hanging. The fifth adult took his life in prison by hanging himself and the juvenile involved was given the maximum sentence of three years' imprisonment in a reform facility.
- **Women's Safety and Environment, Energy and Climate Change:** In the majority of countries, women do not have legal rights to land and property and therefore unable to have access to credit, decent work and an assured income, that ownership would bring even when they are the primary investors of labour and management and/or are the most dependent on land resources for their livelihoods. As such, women are overlooked as managers of water resources and household energy resources. They are excluded from the decision-making and allocation of funds regarding natural

resources. Women also face a disadvantage when it comes to control over natural resources. In poor communities, women and girls are responsible for collecting water, fodder for animals and traditional fuels for cooking. This entails having to walk long distances that expose them to risks to sexual harassment and assault that are often deserted. Climate change impacts are not gender-neutral and the differential impacts of climate change are evident in greater proportion of women victims in cyclones, floods and other climate change related natural disasters. Women's vulnerability is higher in the short-term owing to recurring climatic events and in the long term due to socially constructed gender differences in roles that affect their mobility, social networks and access to information, services and local institutions, as well as access to control and ownership of assets.

- **Women's safety and gender responsive budget:** Access to social services, legal remedies, medical resources, places of refuge by VAW/G victims and survivors is limited despite the efforts of numerous national and international actors as most of the time protection and support services are inadequate. Interventions by the UN agencies, bilateral agencies, governments, women's and civil society organisations have focused on both prevention and response strategies ranging from campaigns to raise awareness on the extent and forms of violence against women, advocacy for enhanced policy and legal frameworks, justice and security sectors reforms, and capacity building, to community based interventions for providing safe spaces, legal and health services to survivors of VAW/G , engaging faith based organisations and working with men and boys for attitudinal and behaviour change. However, mostly these are project driven with a limited time-frame to make any substantial impact on behavioral and attitudinal change. Longer term investments in preventing VAW/G and safety of girls and women would bring about the desired change in making homes and communities violence free. Such investments can come about through a gender responsive budgeting approach that analyses budget allocations under various heading and suggests changes to make them more equitable that conform to international commitments.

*When women will be equal at home they will be equal in public life.*

## CHAPTER ■ 2

# EVIDENCE : PREVALENCE OF VIOLENCE

Since the 1970s, the movement for global safe cities for women to reclaim women's rights to cities has been spearheaded by groups of women in many different cities. Three International Conferences on Women's Safety resulting in Montreal Declaration 2002, Bogota Declaration 2004 and Delhi Declaration 2010 have highlighted the need for a holistic approach upheld by good governance in preventing VAW/G as VAW/G cannot be viewed as solely being women's issue. Such an approach encompasses not only gender sensitive polices and legislation, but also sensitivity in infrastructure planning that takes into account women's strategic and practical gender needs for them to navigate public spaces and services safely, transforming practices and process for mainstreaming gender across all sectors, promote security of land tenure, housing and property including rigorous monitoring and evaluation for measuring progress on eliminating VAW/G.

Organisations such as Women in Cities International (WICI), Women and Habitat Network Latin America, the Huairou Commission, Jagori, UN-HABITAT, UN Women and Action Aid have been working on the issue of creating safe cities for women and girls. Their main area of work has concentrated on research

for gathering empirical evidence on factors that put women and girls at risk for violence in public spaces. Through such evidence they have initiated campaigns for safe mobility and safety of women to assert their rights to public spaces and facilities.

The 2009/2010 research<sup>15</sup> carried out by JAGORI in collaboration with Women in Cities International in the urban areas of Delhi, India identifies factors such as poverty, discrimination, exclusion, and lack of gendered indicators in urban development and planning, leading to spaces and infrastructures especially clean and safe public toilets for women, well-lit streets, proper pavements which puts women and poor vulnerable groups at risk of gender based violence. It also reaffirms the male-dominated nature of public spaces particularly after dark and how women often have to ‘manufacture’ ‘legitimate reasons to ‘hang around’ movements in these spaces are controlled by perceptions of safety and societal norms. The research reveals that women and girls face various forms of harassment – from staring and leering to stalking and sexual assault. Staring and other forms of visual harassment were most common, followed by passing comments, flashing and stalking. The use of public transport was found to expose women to high risk of harassment and violence. The research also points to women’s increasing awareness of their rights, with a large number reporting that they had tried to confront the harassers or perpetrators of violence. The level of trust in the police was found to be low and very few women reported any incident of sexual harassment, though the majority agreed that the police had an important role to play in creating a safer city. Below are some of the findings from the Action Aid study on Women and the city I: Examining the gender impacts of violence and urbanisation conducted in 2011.<sup>16</sup>



In **Brazil**, the presence of drug trafficking and related violence had aggravated the perpetual fear and insecurity of poor women who lived in informal settlements restricting their opportunities for livelihood, education and recreation. Inadequate infrastructure and public services, inaction by police and public sector officials were key issues. Rape and fear of rape was very common.

Adult women in the study were most vulnerable in public, urban spaces when they were alone. Harassment and violence were normalised, and women were blamed for their occurrence. Other issues identified included: negative effects of large projects such as the construction being done for the Programme for the

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15. JAGORI/WICI/UN Trust Fund to End VAW: Understanding Women’s Safety: Towards a Gender Inclusive City, Research Findings, 2009-2010 p 1-2.

16. Action Aid International, Women and The City II: Combating violence against women and girls in urban public spaces – the role of public services, February, 2013, p 15



Acceleration of Growth the Olympics and the World Cup; increasing incidence of teenage pregnancy; sexual abuse of children and teenagers; more young women being involved in sex work; the spread of sexually transmitted infections; and drug use.



In **Cambodia**, a safety audit done with women garment workers revealed that services to ensure women's sexual and reproductive health and other health needs, as well as services to address rape, were inadequate and were considered a priority for change by the women. Most garment workers are poor women who have migrated from their provinces because of rural poverty. Garment workers not only face problem of short-term contracts and low wages but also have to make do with poor facilities. Inadequate policing, overcrowding in rental areas, poor hygiene and sanitation, poor lighting and distance between rental rooms and toilets increase women's risk of violence, including rape.



In **Ethiopia** the findings revealed some key issues faced by women who worked as small-scale vendors in urban areas in and around Addis Ababa were: the lack of a safe marketplace; robbery, theft and homicide; housing problems; and transport. Perpetrators of violence and harassment saw women vendors as easy targets for robbery, bribes and sexual favours. Violence and harassment affected women's earnings and the sustainability of their small businesses, thus having an impact on their empowerment.



In **Liberia** female university students faced widespread sexual violence, including rape, which persists as a legacy of civil war. Changes needed at the university level included sexual and reproductive health services, counseling, improved campus security, and student organisations and peer groups that raise awareness about violence and advocate its elimination. University authorities and national and local governments must be held accountable for violence that takes place on campus.



In **Nepal**, squatter women and women who worked in the informal sector in Kathmandu, faced harassment and violence on buses, micro-buses and other forms of transport on isolated routes. Most of these women had migrated to Kathmandu Valley for better economic opportunities. Crowdedness, time of day, and even the seasons affected women's experiences. However, cultural norms encouraged women to remain silent, protect family prestige, and not to report incidents. The women sometimes preferred or were told to travel with elders, husbands, or companions, regardless of how urgently they needed to travel.

*Teach your sons to take action in ending  
violence against girls and women*

## CHAPTER ■ 3

# WOMEN'S SAFETY AUDIT (WSA): THE NEPAL EXPERIENCE

### WHAT IS WSA?

WSA is a participatory research tool that analyses the safety situation of women, explores their perceptions of safety, the practices and safety measures women adopt for their protection.<sup>17</sup> It looks into how men and women use public spaces that impact on the safety of girls and women. It also audits government policies and plans designed to protect the rights of women to identify gaps and weaknesses in rhetoric and action on the ground to ensure women's right to live a life free from violence and to be protected from violence. This also entails looking into infrastructure plans and designs especially in public places that promote girls and

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17. JAGORI 2010, Understanding women's safety. Towards a gender inclusive city. Research findings, Delhi, 2009-10: 29

women's safe mobility as men and women use spaces differently. The WSA adopts a collective and inclusive approach as opposed to an extractive one, whereby all stakeholders are involved and special attention is paid to the safety issues perceived and experienced by women in the community to improve infrastructure and access to services by women. For example, since public spaces are normally more used by men, women and girls may feel inhibited to stroll through a park for fear of being victims of sexual harassment. Again if women have to walk through a group of men to access a public toilet, women may hesitate to use it in anticipation of lewd remarks. Government agencies are also invited to take a walk through a public space and note down issues that have the potential or threaten the safety of girls and women so that improvements can be made in public infrastructure to promote safety of women in public places

The Metropolitan Action Committee on Public Violence against Women and Children, based in Toronto, Canada developed the WSA in 1989. It defines WSA, "as a method, to evaluate the environment from the standpoint of those who feel vulnerable and make changes that reduce opportunities for assault".<sup>18</sup>

## WOMEN AND THE PUBLIC SPACE IN NEPAL

Traditionally, women have kept a distance from public places normally deemed the territory of men. Over the decades, with feminist movements propagating strong demands for women's freedom to mobility, restrictions on women's mobility has decreased. Moreover, the issue of women's participation in public life and gender equality gained momentum in Nepal through the decade long conflict which advocated women's empowerment as a major agenda for transformation. The Maoists were able to mobilise women in large numbers at the grassroots level, 30% per cent of their combatants comprising of women.<sup>19</sup> This too contributed in changing the often patronizing images of women from mere care-givers inside the private space who are dependent and require protection to resourceful human capital in the public space at par with men. The net effect of drafting women combatants into the Maoist militia also propelled the State to recruit women into the then Royal Nepal Army to replace their already depleting resources in the frontlines of the armed conflict to combat the Maoists.

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18. JAGORI/WICI, A Handbook on Women's Safety Audit in Low-Income Urban Neighbourhoods: A Focus on Essential Services, November 2010, p. 13

19. [http://reliefweb.int/sites/reliefweb.int/files/resources/4DF98D25D63E5852852577CA00683717-Full\\_Report.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/4DF98D25D63E5852852577CA00683717-Full_Report.pdf)

The cumulative effect of revolutions, globalisation, conflict, and efforts of various development and government agencies has emboldened women to come out of their homes and assert their rights to education, employment and participation in public life. The interim Constitution promulgated in the wake of the cessation of the armed conflict in February 2006 has been one of the most progressive. It provided for 33% reservation for women in decision-making and accorded women citizenship rights to pass on their children. Consequently, women's representation in the first Constituent Assembly amounted to at a little over 33%. In the current Constituent Assembly following the November 2013 general elections, women's representation stands at 31%. However, this figure lags behind in women's representation in various political parties with women 1.6-3.5% executive committee at little less than 4% and 10-12%. Women's participation in civil service stands at 14%; 1.78% in the judiciary; 5.65% in Nepal Police 1.19% in Armed Police Force and 1.2% in Nepalese Army.<sup>20</sup>

In the absence of safety and security measures that could have been adopted by the government women have had to encounter barriers to full enjoyment of their rights. A recent regional research on Violence against Women in Politics carried out by DB for the Nepal component on behalf of Centre for Social Research, New Delhi and UN Women reveals women in politics, especially those who are first generation politicians, face violence of multiple types and dimensions and at all levels. Navigating public places have exposed women to the risk of being harassed or violated by men. The increase in women's freedom to mobility has not resulted in proportionate changes in attitudes and behaviors towards women. Women are objectified and viewed as commodities rather than partners in the country's development and progress. This bears testimony to the fact that while the sanctuary of the home does little to afford them security from domestic violence they are also not able to escape sexual harassment and violence in public places by men.

## SAFETY IN PUBLIC SPACES IN THE NEPALI CONTEXT

In Nepal, the issue of safety of women in public places has not gained traction to make it to the development or political agenda. It appears to be a much neglected aspect of VAW as incidences of violence are only reported (if reported) in severe cases of rape or death. The internalisation of the notions of male superiority and the fear of stigma and ostracisation act as inhibiting factors for girls and women to

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20. <http://www.everestuncensored.org/status-of-women-in-nepal/>

talk about their experiences or to reach out for help. Furthermore, the absence of support systems and lack of knowledge and access to information exacerbate their vulnerabilities to VAW. When they do seek redress more violence is unleashed to silence them which at many times prove fatal.

In recent years, however, in general there has been an increase in reporting of incidents of sexual violence. According to the Nepal Police Report for 2012/2013 domestic violence (55%) is widespread, followed by rape (21%) and polygamy (11%). Attempt to rape is also being increasingly reported (8%) and so is trafficking (4%), abortion (1%)<sup>21</sup> and child marriage (.5%). This increase in reporting can be attributed to increase in awareness raising, media campaigns and capacity building of police, NGOs, and service providers.

### Conducting WSA's in Nepali context

WSAs have been conducted in cities and more urban spaces of Canada, Australia, the Netherlands, United Kingdom, United States of America, Tanzania, Brazil and Cambodia to name a few. They have helped to deconstruct certain notions related to women's safety that pertain to cities. It is generally surmised that public places in cities are safe spaces owing to the density of people and hence perceived availability of help in case of an emergency. However, WSA results have shown that public places in cities are unsafe for women, sometimes even during rush hour – when the city is at its busiest and equally after dark owing to improper lighting, inadequacy of service providers and information for seeking services. This is further compounded by the low trust deficit in the criminal justice system to provide protection, initiate timely action through FIRs and deliver gender justice.

If such is the case in cities then a WSA of rural places would shed light on the comparative safety situation of girls and women where acceptable notions of gender roles and responsibilities are more ingrained in the psyche of both the sexes. Given this context, DB collaborated with UN Women to conduct WSAs in one selected VDC each of six different districts in Nepal namely Kailali, Kanchanpur, Banke, Bardiya, Bara and Parsa to assess the state of women's safety in public places in the villages of Nepal.

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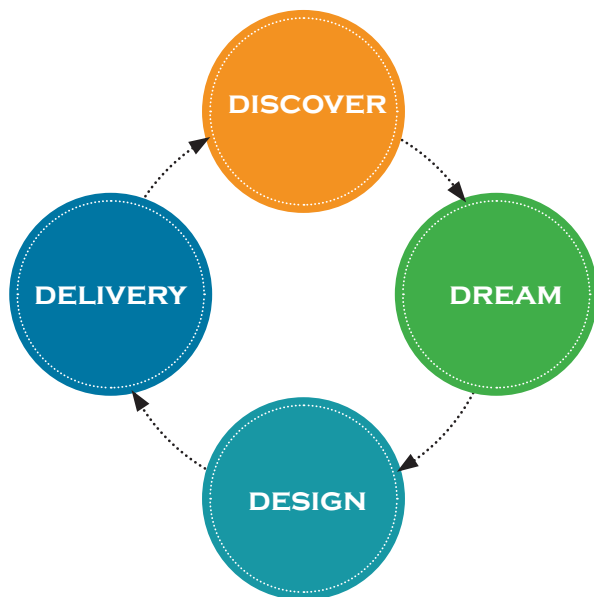
21. Following the 11th Amendment to Women's Rights under the MulikiAin, abortion is legal under special circumstances. The definition making abortion as a crime being used by the police is not clear.

## OBJECTIVES OF WSA

- To analyse the location of six VDCs in the light of the main principles of safe spaces.
- To conduct a critical assessment of the risks of assault and violence that may be present in the selected locations.
- To identify and discern positive factors (related to assault and violence prevention) and negative factors (related to assault and risk of violence).
- To explore the current trends in women's access to the police and other service providers responsible for safeguarding their rights.
- To determine how women respond to harassment and lack of safety.
- To gain insight into and analyse the perception of men on women's safety.
- To enhance the capacity of government local bodies and line agencies in the areas of gender sensitisation, gender responsive planning, implementation and monitoring, as well as WSA.
- To recommend measures to enhance safety and ensure an inclusive environment for women based on the WSA findings.
- To share findings collected from WSA including the recommendations for wider dissemination and translation into practice.

## METHODOLOGY

The **Appreciative Inquiry** method was adopted for the WSA. This approach represents a radical shift from the orthodox approach on problem solving that predominantly highlights flaws and failures and instead focuses on achievements, strengths, and innovations. Such an approach enabled the assessment of the environment that creates violence to understand both the good and bad practices followed by the community and women in keeping women safe. At the same time, it contributed towards depersonalising the issue and became non-threatening thus allowing the participants to volunteer information and their respective perspectives on safety and VAW/G.



*Fig 1: 4 D cycle analysis, Appreciative Inquiry Approach*

**Purposive sampling** method was used to select participants. Information and data were also collected during the process of training. Village profiles by demographic composition, literacy rate and stakeholders were undertaken to determine the sample size. The sample was extracted from every ward of each VDC.

- **Focus Group Discussion**

FGD is carried out in groups of male and female of different age groups separately to gather information on particular issues and follows the process of sharing experiences. In focus group discussions, teams identified vulnerable groups who were then separately interviewed to gain in-depth accounts of violence and harassment.

- **Semi Structured Interview**

Semi-structured interviews were carried out on vulnerable groups (vulnerable groups here refers to girls between the ages of 13 and 20 who have faced violence or experiences close to violence).

**Table 1. Respondent of Research**

Gender	Age Group	Number
Female	51-60	5
Female	41-50	5
Female	31-40	5
Female	20-30	5
Female	13-20	5
Male	13-20	5
Male stakeholders (teachers, Ward citizen forum members, police, VDC secretariat, health assistant, political leaders, community leaders etc)	Different age groups	10
Each VDC	Total number of respondents in each VDC	1*9*40= 360
Six districts	Total number of respondents in six districts	360*6=2160



» Safety Walk conducted in Prastoka VDC, Bara District

A **safety walk** in each VDC was undertaken by the facilitators and participants from the community, tracing places in the village where women felt especially unsafe and insecure. The route was planned by the community members. The group discussions at every unsafe site throughout the walk helped to verify information and spread

awareness among other members of community, encouraging their involvement and participation. In each VDC 100 people participated in the safety walk bringing the total number to 600.



**Appropriate Participatory Rural Appraisal (PRA) technique** was used in the entire WSA like Mapping, Venn diagram, Transect ( Safety Walk) , Semi Structured Interviews, Historical timelines etc .

Participatory tools not only enables participation of the stakeholders as a process it also facilitates everyone to walk together to reflect, explore, identify and address community issues. Therefore it is an inclusive, informative, empowering process which promotes collective participation, reflection, and ownership in development interventions.

- **Mapping**



» Community drawing VDC map to denote safe and unsafe public spaces, Daiji VDC, Kanchanpur District

Safety Mapping was used for collectively identifying and visually displaying social cultural composition, physical infrastructures, demographic settlements, resource, and service available in the village with the perspectives of safety for women and girls. The tool facilitated to explore and reveal following information:

- » Physical and cultural infrastructures (houses, bridges, temples, mosques, light poles, market, roads, public transports, schools , sports grounds, health posts , market, police posts, pasture lands etc)
- » Socio cultural set up of the settlements
- » Available Natural resources (forest, water, land etc)
- » Services available (VDC office, health service, police service, irrigation, drinking water, toilets)
- » Safe and unsafe places/ areas in the village
- » Incidents and cases on violence



» Participants of training discussing their ward map indicating the safe and unsafe public space, Bankatuwa VDC, Banke District

This exercise was conducted in each cluster and ward of the VDCs under study which was finally consolidated into a big VDC map by the researchers upon triangulation with a wider range of stakeholders.

• **Venn Diagram: Stakeholder Mapping**

This tool was used for stakeholder analysis mainly to map the existence, role and dynamics of different services in the community. As the exercise was collectively carried out with diagrams it was unanimously accepted and owned by everyone participated in this research.



Fig 2: Rapid Analysis of the service providers presented in the Venn diagram by the participants in the training

**Triangulation of Data** was conducted by organising meetings with service providers from different government agencies such as health posts, village development committees, the police and post offices to share and validate information collected and maps traced by the community through research and safety walk.

**Training** was one of the most important aspects of the WSA and followed a simple but innovative methodology designed by a group of experts with extensive experience in training and research at the grassroots level.



» Participants actively participating in the activities during the training, Prastoka VDC, Bara District

A brief session on international and national instruments on women's rights namely CEDAW; Beijing Platform for Action; UNSCRs 1325 and 1825 including various national laws dealing with violence against women in public and the private spheres. This was followed by an introductory session on the WSA and its significance in preventing VAW/G.

The participants were then divided into four groups for a group activity in which they were instructed to prepare a presentation on how to ensure the safety of women in their village. After a round of presentations from participants in the plenary, the facilitator summarised idea of a 'safe village'. Solutions for building a Safe Village were facilitated through presentation of a paper entitled, "Peace



क्र.सं.	गा.वि.सं.	गा.वि.सं.	गा.वि.सं.	गा.वि.सं.	गा.वि.सं.	गा.वि.सं.	गा.वि.सं.
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» Participants presenting the VDC action plan for safe and secure village during the training, Sirsiya VDC, Parsa District

and Security Plans” by DB. The conclusions of the discussions contributed towards the development of an action plan. In each VDC, a working committee of participants was formed, representing members from all nine wards of the village. This committee was tasked with the implementation of plans and would be granted a revolving fund for their execution.

Participants of training were drawn from the local level keeping in mind the objectives, sustainability, and sensitivity of the programme. Men, women, girls and boys affiliated with the Ward Citizen Forum (Nagarik Wada Manch) from different wards were selected including Social Mobilisers, individuals representing colleges, schools and Paralegal Committees.

The training helped deconstruct myths about the villages’ safety situation. Most participants who had started off identifying public spots around their village as safe were surprised to find through the discussion and research that these public sites were in fact threatening for women.

*Real men don't violate women!*

## CHAPTER ■ 4

# FINDINGS

### COMMUNITY PERCEPTIONS OF SAFETY

As defined by the community, violence is not only sexual harassment, rape and verbal attack, but also poverty and economic dependency visual and physical harassment. Owing to the subordinate position of women in the society they face different kinds of discrimination. Thus, safety for them implied equality between male and female where women are respected and their voices are heard. Protection of rights of women, freedom from various forms of violence, ability to move alone without fear and economic independence were also defined as the meaning of women's safety.

### UNSAFE PLACES

Almost 78% of women and girl respondents shared that there was not a single safe site in the village and that they felt unsafe leaving their homes. More alarming was the discovery that 58% of women and girl respondents felt unsafe even inside their homes. On the other hand, 90 % of men and boys felt safe everywhere around the village and only 10% of men and boys felt unsafe.

Women and girls identified places around the villages such as the bridge area, areas surrounded by bushes and bamboo, temples, playgrounds, places selling alcohol, crossroads, fields, and quiet spaces as unsafe locations. Other places identified included VDC, schools, and health posts.

## REASONS BEHIND WOMEN'S FEELINGS OF INSECURITY

Most places around which women had faced or seen harassment/violence or had heard cases of violence occur were perceived as unsafe. In all target VDCs, women felt unsafe in quiet places and bushy areas because of the fear of being harassed or violated without access to help. With regard to forests, women felt more unsafe because of the presence of army personnel. Places like temples, VDC offices, and health posts were perceived as unsafe because of the gathering of men, drunkards, gamblers and drug addicts. Some schools were seen as unsafe because lafanga (hooligans) boys generally sit outside school premises and tease girls or throw stones at them inside the classrooms during class hours; school boys are found to taunt and harass girls even within school premises. Among the respondents, 11% were found to be direct victims of violence; 38% had heard of incidents of violence; 11% felt unsafe in anticipation of violence; and ,40% feared the threat from deviant groups.

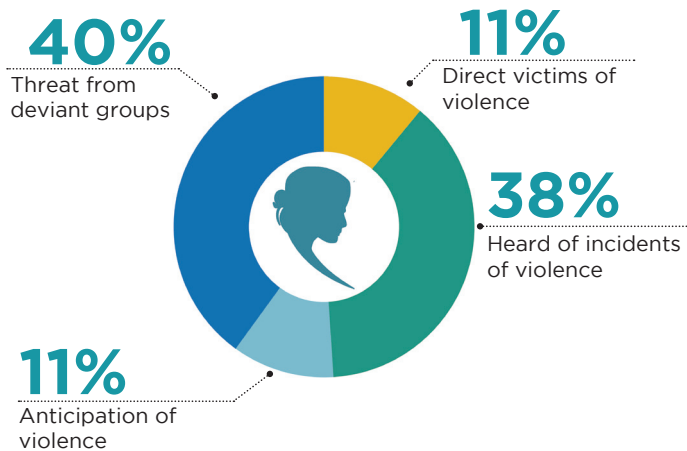


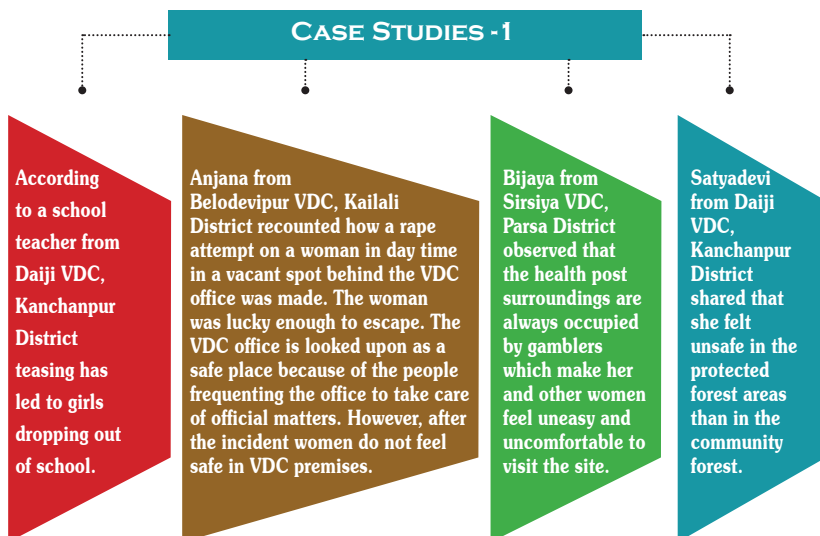
Fig 4: Reasons behind women's feeling of insecurity

## IN GROUP LOYALTY: BEHAVIOR REINFORCED BY PEER CULTURE

The WSA has indicated that girls are frequently harassed by groups of boys. The groups that these boys belong to have shared values and attitudes towards girls/women and how they ought to be treated, that are prejudiced and unfavorable (such as women are weak, submissive, and controllable). By teasing or harassing girls, boys are showing allegiance to the group they belong to and the norms followed by that group. The in group favouritism (towards peers) and out group hostility (towards girls) accords them a high status and power among friends.

If the culture of shaming women is reinforced and perpetuated through norms between peers, the same group can turn these prejudices around by transforming shared norms and values, by encouraging egalitarian norms. Thus, the same social set up that gave high regard to shaming women would then start looking down on sexist behavior, thereby forcing members to inculcate egalitarian practices if they still want to identify with their group of friends. A significant step en route to transforming group norms and perceptions would be to stop sexist jokes by protesting when one is being made or stopping other group members from eve teasing a girl on the street.

**Question: Why are we afraid to challenge the accepted culture in our peer group? Is sense of belonging to a social group really more important than being just or fair?**



## UNSAFE TIMINGS

About 70% of female respondents felt that early mornings and evenings were unsafe times. In the morning, girls are generally harassed (teasing, verbal attack, blocking route and stalking) when headed to schools and colleges. Likewise, women farmers heading towards the market to sell vegetables also faced similar kinds of harassment. Male respondents shared that they never felt unsafe in the mornings. About 90% women said they felt insecure after 5 p.m. They shared that they encountered drunkards and *lafangas* (hooligans) while traveling. Even among men, 67% shared that they felt insecure after 5 p.m. owing to the fear of being looted.

Safe and unsafe timings for women to be in public places also depended on the seasons. Generally in villages individuals return to their homes by 7 p.m. and so people scarcely leave their homes after 7 p.m. Both in winter and summer, early mornings and evenings were considered unsafe times for women and girls. But in the summer, even mid-days were felt to be unsafe for women to travel to work. In the summer time, owing to the lack of commuters during the afternoons women were even more prone to harassment.

The tentative time frames which were deemed unsafe are presented in the diagram below:



Fig 5: Diagram showing unsafe hours during summer season

Fig 6: Diagram showing unsafe hours during winter season



## CASE STUDIES - 2

Reema from Belodevipur VDC, Kailali District recounts her experience of sexual harassment in this manner: "We get teased by a group of boys on our way to school in the morning; sometimes they block the way and stop our bicycle."

According to Milan from Belodevipur VDC, Kailali District women farmers who commute to the market to sell vegetables early in the morning, encounter different kinds of people who harass them.

Mina from Daiji VDC, Kanchanpur District shared her experience of public harassment: "It was about 5.30 p.m. once when I was coming back home. I could not cross the bridge because boys started to whistle when they saw me. I waited to cross the bridge until a group of women came by so that I could get back home safely."

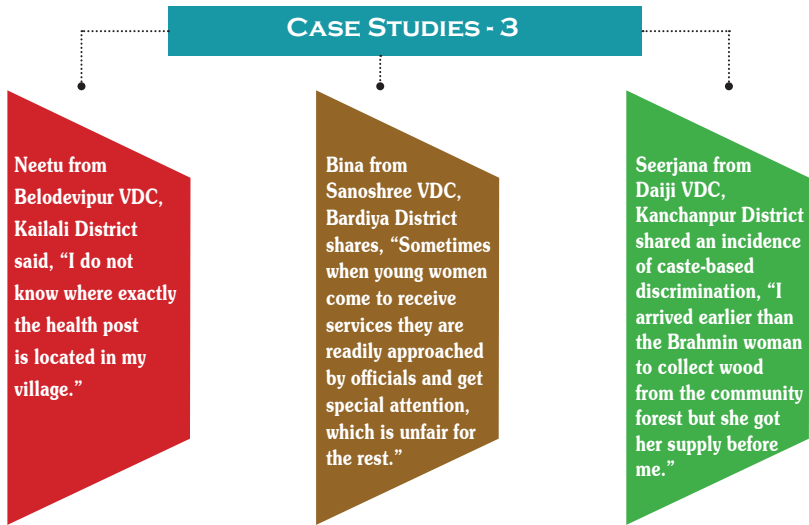
Ritu from Belodevipur VDC, Kailali District shares that in the summer it is difficult to walk or move out of the home as men only dressed half way down can be spotted on the way who indulge in flashing and make vulgar gestures to women.

## LEVEL OF AWARENESS ABOUT AVAILABILITY AND ACCESS OF FACILITIES AND PUBLIC SERVICES AND LAWS, POLICIES AND PROGRAMMES FOR WOMEN

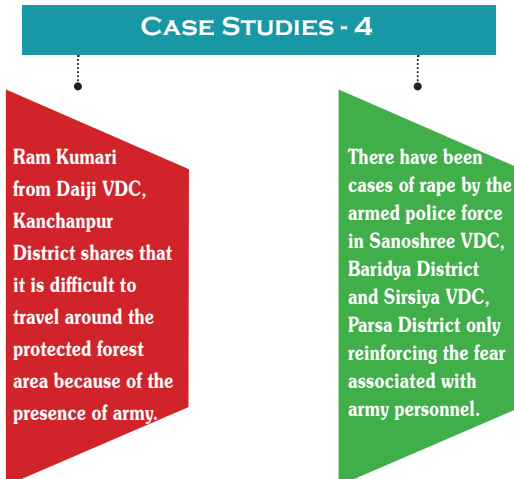
Most men were aware of the facilities and services available in the village. Only 33% of the women had some information on the facilities and services available. Women have experienced discrimination in the process of receiving facilities from different service providers. About 92% said they had been discriminated while accessing available facilities and services. More than 90% of the respondents agreed that young women received more attention and priority because they were perceived as being attractive or beautiful. 78% of women expressed that when they approached the service providers they were made to wait for long periods of time than men who received the services much faster.

Women were discriminated further with regard to the class and caste they belonged to. Caste-based discrimination particularly in the form of 'untouchability' in the villages is deeply entrenched in social practices. This was apparent during the training period where some women and men did not eat food cooked or touched by individuals from a lower caste namely Dalits. This in spite of a very strong Caste-Based Discrimination and Untouchability (Crime and Offences) Act 2011 which prohibits such discriminatory practice against Dalits. The law bans untouchability in both public and private spheres. It provides for harsher

punishment for public officials breaching it and requires perpetrators to provide compensation to victims. Almost all women respondents had no information about the laws and policies on VAW.



Cases of violence by government agencies and security forces perpetrated on women have created fear of security forces.



## CULTURE OF VERBAL ABUSE/GAALI

Most foul or swear words used across languages in Nepal ridicule different aspects of a woman's sexuality. Used as a mechanism of subjugation this culture of verbal abuse reveals the extent of sexuality based oppression. Verbal aggression towards women was found to be commonplace throughout the target VDCs. A lot of the women felt that a little change in the way men talked to them would go a long way in transformation gender discrimination.

**Question: Think about the swear words you have heard being used in casual daily conversation. What connotation do they have for social realities such as gender discrimination? Are they really as harmless as we think?**

## PERCEPTIONS AND REASONING OF MEN ABOUT WOMEN'S SAFETY AND VAW

79.99% of men felt the village was safe for both men and women and the remaining 20.11% felt there are some places in the village which are unsafe for women. 55.5% of male respondents held patriarchy responsible for VAW/G. Other factors were attributed to discrimination against men and women, subordinate position of women in the society, economic dependence of women on men and weak implementation of laws. 45.5% of men blamed women for the violence perpetrated on them. This approach to explaining women's safety and VAW steers the issue away from the perpetrator and focuses on the victim's choices, whether of her clothing style, the places she visits or the people she associates with. Such perceptions were articulated by men in socially responsible positions such as teachers, VDC officials and the police.

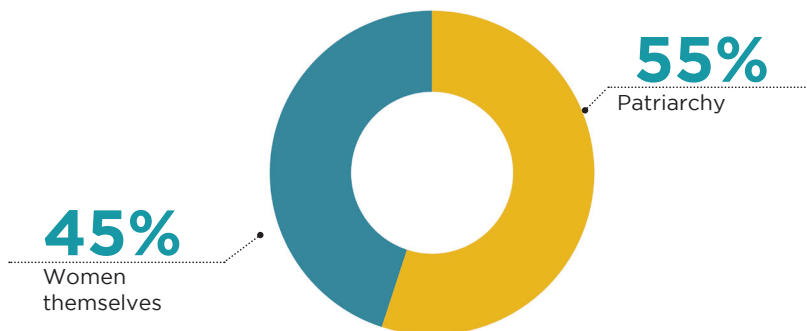


Fig 7: Perceptions and reasoning of men about women's safety and VAW

## CASE STUDIES - 5

A teacher from Daiji VDC, Kanchanpur District stated, "One of the reasons behind sexual harassment is the attire of women. Nowadays, girls wear short clothes and so subject themselves to different types of harassment."

A male police from Sanoshree VDC, Bardiya District justified a rape case as having occurred because of victim's 'provocative' clothing.

### MEDIA AND PORN

Harassment of women in public places usually has a sexual undertone. It is important to think about the source from which boys get these perceptions about women that objectify them. With easy access to mobile phones and cyber cafes, unhealthy images about sex are reaching boys even in the villages, wherein boys imagine sex to be an exploitative act used to control women and assert power.

**Question: How do we spread healthier ideas about sex among adolescents (especially boys)?**

### CURRENT PRACTICE IN WOMEN'S ACCESS TO THE POLICE AND OTHER SERVICE PROVIDERS

97.89% of women respondents said their problems are usually left unheard or are ignored. Security personnel do not respond to women's complaints. Only 5% of women respondents said they would approach the police when faced with harassment of any form. 20% of women would ask for help from family members and friends. Others responded that they would confront the perpetrators themselves.

Moreover, when a case is given attention, the police attempt to reconcile parties rather than ensure justice to those wronged. Women are usually forced to settle or agree to a compromise because of pressure from home: rape comes with a social stigma that labels families as dishonorable, often forcing women to settle the case quickly. Many a times, for the same reasons, rape cases are not reported at all.

Among the six target VDCs, Daiji VDC of Kanchanpur District and Bankatawa VDC of Banke district did not have police stations. Other VDCs lacked the human and financial resources to operate. It was observed that the police do not reach the site at time when incidents are reported nor do they patrol the village during the nighttime.

Women are subjected to sexual harassment while queuing up for receiving services owing to a lapse in logistical arrangement such as separate queues for men and women.

Government policies related to health services do emphasise the right to privacy and adolescent friendly services but the health posts lack the infrastructure for it. There are no separate rooms for men and women. Between 100-200 patients health checkups take place in the same room on a daily basis. This is an uncomfortable situation for women, who often suffer from gynecological health problems.

Most health assistants in health posts are male, again restricting women from freely sharing their health woes, especially those related to sensitive conditions such as STDs and pelvic inflammatory diseases.

*According to a health assistant from one of the target VDCs, women do not have health seeking behavior. They usually seek medical help when their health condition is critical.*

Health posts only provide primary treatment of disease and there is no treatment for diseases that have progressed beyond the primary stage. Health posts are not well resourced and medication is usually out of stock. In case of child delivery, there is facility for one case (one bed) and no equipment or medicine to control heavy bleeding. Sometimes there are 6-7 cases of delivery at the same time which stretches the ability of health posts to provide quality service. This is further compounded by the absence of skilled birth attendants to deal effectively with those cases.

## CASE STUDIES - 6

Reema from Bankatawa VDC, Banke District was raped but to save the family's "honour" the case was not reported to the police nor did the family approach other agencies for help. Reema ended up committing suicide.

Neetu from Belodevipur VDC, Kailali District shared, "A friend of mine and I were on our way to school, and a tractor driver passing by tried to grab our hands. I called my brother and he immediately came to the site and reprimanded the man on our behalf."

Seema from Daiji VDC, Kanchanpur District laments that her husband always beats her but her complaints to the police are not responded to because she is a woman and police do not take women's complains seriously. Women from other villages also had similar stories to share.

Vina from Daiji VDC, Kanchanpur District shared "I was collecting grass from the jungle with a friend when two men came extremely close to us and tried to grab our hands. We threw away all the grass and ran way."

*When women and girls are safe then the society will be safe and civilized.*

## CHAPTER ■ 5

# CONCLUSION AND RECOMMENDATIONS

### CONCLUSION

The range and depth of information and data gathered from the WSA provides empirical evidence about the lived realities of girls and women to enjoy a life free from violence and the right to be protected from violence. This WSA has provided insightful findings that reflect the real conditions of women, girls, boys, and men including their perceptions and attitudes towards girls and women and VAW/G. It has helped to deconstruct notions about women's safety in villages. It has also helped to identify and define standards and pre-conditions for women's safety as girls and women do not feel safe either within the four walls of their homes and in public places which exposes them to greater risk of encountering violence by strangers.

Although the community defined safety as meaning freedom from various forms of violence, ability to move alone without fear and equality between male and female, the victim blaming syndrome was omnipresent. Most men harbored regressive notions of VAW/G which held women responsible for inviting violence

upon themselves. This negative perception of women is one of the root causes of insecurity and the resultant VAW in the private and public spheres.

Women lacked information and access to services and facilities available to them including awareness on laws and policies protecting their rights. There was a fair amount of mistrust of government institutions charged with service delivery owing to discriminatory practices and inadequacy of gender responsiveness including gender friendly infrastructure.

The findings demonstrate how the cultural determinism upheld by patriarchy shapes the misogynist values and sexist attitudes towards women and girls. This has the effect of denying women their fundamental rights to live in safe environment and one that is free from violence.

## RECOMMENDATIONS

- **Using WSA as a tool for narrowing the gap in policy and implementation:** The government of Nepal has demonstrated its commitment to advancing gender equality and women's empowerment by being a state party to various international and regional declarations and treaties such as CEDAW, BPfA, UNSCRs 1325, 1820 etc. Such commitments have been translated into various National Action Plans. However, when it comes to implementation there is policy evaporation that renders such commitments futile only to be activated when submitting country status reports to various UN bodies. This participatory WSA was carried out in one selected VDC each of six districts of Nepal. There are 3,913 VDCs and 75 districts that have different demographic profiles and cultural contexts and are at uneven stages of development. In order to narrow the gap in policy and implementation it is recommended that the WSA tool be adopted by the government countrywide to peel the layers of assumptions and risks that exacerbate the conditions of VAW/G. Doing so will contribute to informing policies and plans that are based on empirical evidence and one that actually responds to the obtaining VAW/G situation in villages and put into motion safety measures for addressing VAW/G. Such safety measures will not only benefit women and girls but also benefit all members of the society by protecting them from criminal elements and becoming victims of crimes.
- **Enhancing access to quality services:** Access to quality and basic services that are affordable such as drinking water, electricity, education, health, housing, sanitation, roads and public transport including information are not the privilege of a select few but fundamental human rights of all.



Denial of basic services impoverishes citizens and incapacitates them to lift themselves out of poverty. This also puts them at a disadvantage which impact girls and women disproportionately whether they seek information, medical care and services from health posts, police stations, schools, institutions of higher learning, administration, and markets. Increasing the presence of police in places identified as unsafe by the community is critical as a safety measure to ensure a safe neighbourhood. Particularly services such as health, counseling, skill building, legal aid and shelters for addressing VAW/G should be a central feature of public services in the form of one-stop crisis centres (OSCC) so that victims/ survivors do not have to run from pillar to post to secure services and justice. The Ministry of Health and Population (MoHP) has established OSCC in 15 districts which is a worthwhile and positive government-led initiative. However, insufficient and inadequate horizontal coordination and collaboration at both central and district levels do not allow the provision of fully integrated services (medical, security, legal, shelter, and skills training) for survivors.<sup>22</sup> Such anomalies need to be addressed urgently by the government so that girls and women survivors of VAW are able to pick up the thread of their lives and go forward in security and with the hope of a better future.

- **Gender responsive budgets and policy dialogues with girls and women to mainstream VAW/G issues in national and local plans:**

Nepal is considered a leader in practicing gender responsive budget. It has institutionalised this practice by establishing a Gender Responsive Budget (GRB) Committee in the Ministry of Finance (MoF). It's record shows that over the years there has been a steady increase in direct allocation of national budget for gender equality and women's empowerment. It has developed criteria for ensuring GRB such as:

- » Women's participation in programme formulation and implementation;
- » Benefit incidence of public expenditures;
- » Support to women's empowerment and income generation;
- » Positive impact on women's time use and care work; and,
- » Budget for women's capacity development.

These are laudable efforts of the government of Nepal. However, it is not clear how much of this is being allocated for eliminating VAW/G. Action, therefore, needs to be taken to ensure that budget allocation for women's safety are

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22. Ministry of Health and Population, An assessment of the One -Stop Crisis Management Centres, October 2013.

needs based and address both the practical needs and strategic interests for transforming practices and attitudes that perpetuate VAW/G. Likewise, the allocated budget for women at the VDC level should be prioritised for women's safety programme and eliminating VAW/G. It is further recommended that a costing exercise be undertaken of the National Strategy and Plan of Action against Gender-based Violence and Gender Empowerment 2012 to quantify the resources needed to deliver an integrated, multi-disciplinary package of services for women and girls subjected to violence. This should be followed by a gender audit of expenditures. Women's organisations and VAW/G survivors should be involved throughout the process to ensure that such allocations and expenditures conform to national policies, laws and action plans to eliminate VAW/G in line with international commitments.

- **Capacity building of service providers for addressing VAW/G:** Health service providers and the police are the first point of contact in cases of VAW/G. There are a few guidelines for service providers in place and these could be adapted in the development of protocols and guidelines on OSCCs and multi-agency guidelines for providing a range of services from free legal service, counseling and information. As has been established by the WSA, the victim blaming syndrome and trend by the perpetrators and the male members of the society which absolves them of the guilt of the crime and instead focuses on the victim's choices, whether of her clothing style, the places she visits or the people she associates with is also present in the criminal justice system and is reflected in the laws as well. There have also been reports of reluctance by the police to register first information reports (FIRs) in cases of sexual violence and this prevents the cases from going to the courts which are tantamount to a denial of justice. Ultimately, this results in a 'trust deficit' of government institutions that corrodes accountability of those who are entrusted to protect the rights of the citizens. An iterative capacity development programme that focuses on eliminating gender stereotypes and enhancing gender responsiveness towards VAW/G victims and survivors is the first step towards ensuring quality service being provided to them. Another important element is building capacity for zero tolerance and inclusion of gender sensitivity in recruitment and performance of health service providers, police personnel and judges for promotion. Such measures will not only contribute to VAW/G survivors benefiting from such critical services but lead to institutionalisation of gender sensitive practices in organisations.
- **Improving public infrastructure designs and plans to ensure women's safety:** The government's priority in infrastructure development

is focused on connecting village and towns for better market access and mobility. While this is important for enhancing the flow of goods and services that contribute to the growth of nation, negligence of users needs particularly women who also utilize public infrastructure will not result in equitable growth and sustainable development. While poverty alleviation and economic growth have direct bearing on each other this does not necessarily result in safe environments for ensuring unhindered and safe mobility of women. The government must, therefore, take into account the external environment that pose risks for VAW/G and improve its infrastructure designs and plans by making provisions for well-lit streets, strategic placements of police and phone booths, public transport terminals, bus stops and shops that can contribute to discouraging incidences of VAW/G in public places. The findings of the study show that even government offices at the VDC level do not have toilets and even if they do, there are no separate toilets for men and women. Some toilets did not have proper locks or water to maintain hygienic conditions and cleanliness. Hence most of the toilets are unusable with the open spaces being freely used by men impacting not only on the sensitivities of those around but also having adverse health impacts. Government agencies should attempt to set an example for other institutions by maintaining separate toilets for men and women.

- **Review of Policies, legislation and programmes addressing VAWG:** The government has enacted several policies and laws to deal with violence against women including those pertaining to violence public places. However, such policies and laws depend on the comprehension and willingness of the individuals and institutions mandated to implement them. Additionally, the public and least of all the women are not aware of them as has been amply demonstrated by this WSA. It is, therefore, important to undertake a review including judicial review of all polices and laws to make amendments so that all forms of VAW/G are addressed in one single policy and law to rule out any confusion or excuse for inaction. For example, the 35 day statute of limitation has done injustice to thousands of rape victims/ survivors as they cannot invoke the law once the statute of limitation has expired. FIRs can only be filed for crimes listed in Schedule 1 of the State Cases Act, 1992 which includes rape, but not other forms of sexual violence.<sup>23</sup> Similarly, the Military Court does not conduct trials of its personnel for committing sexual violence. Such matters are referred to the Civil Courts. The Nepali Army Act

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23. TRIAL and HimRights, Written Information for the follow-up to the Concluding Observations of the CEDAW Committee with regard to Nepal's Combined 4th& 5th Periodic Reports, August 2013, p. 11

of 2006 also prevents many human rights violations from being prosecuted.

The WSA also reveals that owing to inadequate water and sanitation facilities at home and public places, women walk long distances to collect water and are forced to defecate in open areas. This can only take place during the wee hours of the morning or after dark which not only makes them vulnerable to sexual assault but also affects their health system. The “Sulabh Toilet Programme” initiated by the NGO sector has proved successful in spreading awareness for maintaining a healthy environment in curtailing communicable diseases which also ensure the safety of those vulnerable at the same time. There is an urgent need for the government to put the ‘one toilet per household’ programme into effect. Improving water and sanitation services closer to home means having to spend less time in hauling water that allows more time for productive activities, education and leisure and lesser risk for sexual harassment and assault. Separate sanitation facilities for girls and boys in schools increases girls’ school attendance. Policies, laws and programmes including campaigns need to re-focus on ending VAW/G in both the private and public spaces.

- **Data-base on VAW/G:** Data on crime against women plays a vital role in measuring trends and prevalence of VAW/G which can inform planning and budget allocation for instituting remedial measures and advocacy for highlighting the urgency of the issue. As is well known VAW/G cases are underreported because most of the times, victims are forced to remain silent for it brings disgrace to the family or victims lack of trust in the police mechanism and social stigma deters the victims from registering such cases in the first place. Often VAW/G the cases do not proceed to court as the police either focus more on striking a compromise between the aggrieved party and the aggressor or capitulate to political pressure for not registering the case. Most of the official data gathered are from police sources which may not portray the extent and nature of different forms of VAW/G. Another source of data can be OSCCs and service provision centres that provide health services for VAW/G victims/survivors. Guidelines and training on registering FIRs and cases in other service centres must be made available to relevant institutions. Such data can be fed into a data base for sharing information on the trends and patterns of VAW/G, apprehending offenders and repeat offenders who are at large. Availability of data will also facilitate scientific research that can be used for policy reforms and designing of appropriate responses. This calls for a uniform methodology and definition of various forms of violence so that the data collected by various agencies can be housed into a common data base.

- **Promotion of zero tolerance in schools:** School education form an important part of character development that lasts a lifetime. Schools should not only be a place of learning in graduating for future careers but should be looked upon as institutions that impart human values for developing social capital. This is where the values of equality, respect and zero tolerance against VAW/G that are instilled at an early age will go a long way in transforming sexist attitudes and behaviours towards girls and women. Just saying NO to violence is not enough if girls and women are not empowered to reject violence and boys and men are not sensitised to shun violence. Though school curricula include health education as a subject, findings from the WSA reveal that teachers are reluctant to teach sex education. Training of teachers to encourage dialogue and discussion on sensitive issues is necessary to offset negative attitudes that devalue girls and women and objectify them to be treated as commodities. A review of school and college curriculum should be conducted to incorporate VAW/G and women's safety issues.

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