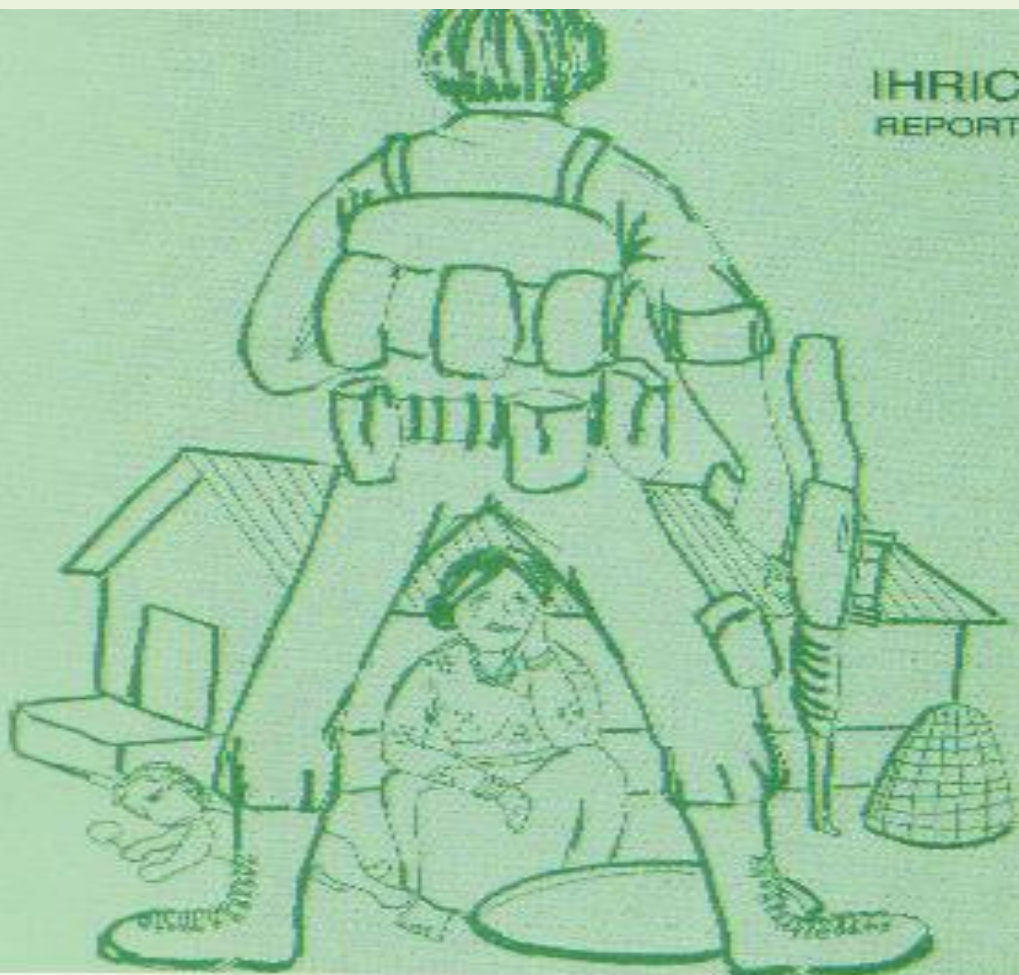


IHRICON
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Sexual Violence in the “People’s War”

THE IMPACT OF ARMED CONFLICT
ON WOMEN AND GIRLS IN NEPAL



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This publication is a result of one of IHRICON's action oriented research projects, offered to the immediate stakeholders and others, to increase awareness on, Gender Based Violence during the conflict in Nepal, and to share the information to all.

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Shobha Gautam

President

Institute of Human Right Communications Nepal (IHRICON)

Acronyms

AIDS	Acquired Immune Deficiency Syndrome
BPA	Beijing Platform for Action
CA	Constituent Assembly
CPA	Comprehensive Peace Agreement
CPN-M	Communist Party of Nepal (Maoist)
FORUM –ASIA	Asian Forum for Human Rights and Development
FPAN	Family Planning Association of Nepal
ICC	International Criminal Court
IDP	Internally Displaced Person
IG	Interim Government
INGO	International Non-Government Organization
IHRICON	Institute of Human Rights Communication in Nepal
NGO	Non-Government Organization
NHRC	National Human Rights Commission
RNA	Royal Nepalese Army (“The Army”)
SCR 1325	Security Council Resolution 1325 on <i>Women, Peace and Security</i>
SGBV	Sexual and Gender Based Violence
UNMIN	United Nations Mission in Nepal
VAW	Violence against Women
VDC	Village District Committee
WOREC	Women’s Rehabilitation Centre

PREFACE

Sexual abuse is defined as any activity in which some body uses a child or adult in a sexual way. This ranges from relatively milder forms such as touching, fondling, using vulgar or offensive words to severe forms like rape. It has been found that any type of conflict increases women and girls' vulnerability to sexual abuse and violence and armed conflict particularly increases more vulnerability.

The major objective of this research was to identify the magnitude of sexual violence against girls and women during armed conflict in Nepal and the impact of the sexual violence on women and girls. Information has been collected on a sample basis from 5 heavily conflict-affected districts through individual interview with the abused girls and women and also through discussion with their friends, family as well as community members.

This study has identified that during people's war, women's and girls' human rights have been gravely violated by abusing them sexually, physically and psychologically. Instances of child marriage had increased; false marriage and forced marriages had taken place; different forms of sexual abuse such as verbal, touching/fondling and rape cases had taken place as a consequence of militarization in the country. Such crimes were committed by both warring parties but more cases were found to be committed by the security forces. As a result, an irreparable damage has been caused to the women and girls especially to their social and psychological aspects.

As such, from this study, I have expected that both the warring parties will be aware of the findings of this study and take precautions in the days to come. Similarly, the human rights organizations will also gain from the findings of this study and prioritize their interventions towards prevention of such abuse. The community people will also be aware of their responsibility to protect their women and girls from such abuse and also protect them from possible stigma and discrimination due to abuse.

Thank you

Sita Ghimire
Team Leader - Child Protection
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Executive Summary

Peace accord after the April uprising last year made all of us forget the atrocities and hardships the people of Nepal burdened all these years. As we know that previous studies, researches in the conflict areas around the world has produced the fact about the trend of high intensity of sexual violence against women during the war. After completing this research we can say that it's also similar here in Nepal. Districts were selected on the basis of presence and nearness of security barracks and Maoists camps and movement around the village to conduct the research. The facts and data along with the case studies was quite expected. The war was very much involved in the lifestyle of villagers as shown by number of case studies and they have normalized the situation in their own way. In many villages people were still accepting the atrocities whereas some villagers showed the courage and defy the hardships regarding sexual violence. Grouping of girls for such cause supported by their mother in the village of western Nepal as mentioned in this report was eye opening fact of the collective effort of women to save themselves from arms and army men.

Before the research it was a proven fact that in war time the level of impunity is always high. But the incidents and patterns of sexual violence with this impunity level in the Nepali soil was never expected. There were many cases where the culprits known to all the local people has been released without taking any action and the trend was same among both the warring parties.

The report described the level and cases of gender based sexual violence during the armed conflict and proved that both the warring parties were involved in such heinous acts. It also showed the lethargic mindset of the government, society and civil society through out the country that were silent on those cases as the culprits and perpetrators are roaming around quite freely till today. Health status, mental pressure and internal displacement can be regarded as the major issues that are projected by different versions of sexual violence against women during the war.

IHRICON strongly recommend acting against those who were culprits of sexual violence and a committee should be established to identify those who were the agents and victims of this violence. People from rural villages affected by the sexual violence should be compensated by government either through monetary benefits or through the provisions for better life in the villages.

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Introduction

This report aims to identify the incidence of rape and sexual violence amongst young women and girls in Nepal in the vicinity of Maoist and security forces barracks and assess its consequences. It is based on action research undertaken in Banke, Bardiya, Jumla, Rolpa, and Accham Districts during September and November 2006, in the villages and schools where the security forces of both parties were based, or continue to be based.

The primary objective of this action research, conducted through focus group discussions and individual interviews with victims, is to identify the incidence of sexual violence during the armed conflict and the impacts this has had on women and girls. During the period of this research, research was undertaken with various groups including community leaders and respected village elders of the village, women's groups in the community, girls and youth groups and child clubs, teachers, families of victims and the victims themselves.

This report is being produced with a view to generate information for developing and strengthening IHRICON and other organisations' programs to address these issues of sexual violence.

The increasing international importance ascribed to recognising Violence Against Women (VAW), including sexual violence during armed conflict, was most powerfully demonstrated by the United Nations in establishing the theme of International Women's Day in 2007 as 'Ending Impunity of Violence Against Women'. This action research and the findings presented here are thus timely.

The Maoist conflict has been characterized by consistent patterns of impunity for serious human rights abuses (UN, 2007: 2). Such abuses have been committed on both sides of the fighting - from the Maoists and government security forces. Despite the recent signing of the CPA, the wounds of the conflict remain fresh and many of its victims continue to suffer. At this important of complex transition to a 'New Nepal', it is essential that human rights abuses against women and young girls are documented, analysed and that the ongoing impacts of sexual violence and the militarization of the lives of women and their communities are addressed.

Background

The “People’s War”

The "People's War" was launched by the Communist Party of Nepal (Maoist) (CPN-Maoist) in 1996 with the aim of overthrowing the constitutional monarchy and establishing a socialist republic. The signing of the Comprehensive Peace Agreement (CPA) between the Government of Nepal and the Communist Party of Nepal (Maoist) in November 2006 marked the official end of the 10 year long bloody armed conflict between the Maoist rebels and Royal Nepalese Army. The armed conflict claimed over 13,000 lives (INSEC, 2006a) and while the number of people displaced is unknown, it is estimated that 150,000 to 200,000 people become internally displaced as a result of the conflict (Terre Des Hommes, 2006).

Constituent Assembly (CA) elections to be held in 2007 are recognised by all parties as the foundation for building a more inclusive democratic system which is able to address the country’s persistent problems of social exclusion. In February 2007, the UN Political Mission in Nepal (UNMIN) was mandated to deliver assistance to the peace process through overseeing a process of arms registration in seven Maoist Cantonment areas and to monitor the planning of CA elections.

Yet despite these ‘positive developments’ in the peace process, violence and human rights violations continue. In April 2007, the NHRC (2007) reported that since the signing of the CPA, 640 incidents of human rights violations occurred from October 2006 to February 2007. These included killings, abductions, disappearances, threats, confiscation of property and bomb explosions. The Security forces caused a further 86 deaths, while the Maoists killed 30 people.

The militarization of women’s lives

Militarization describes the state of a country or society where the decision-making and other mechanisms of functioning are founded on the basis of military interest and implemented through the use of force. In societies embroiled in armed conflict, militarization is manifest at many levels; political, economic and social and cultural. Since late 2001, Kumar (2003) argues that the process of militarisation in Nepal has been draining resources away from developmental activities into the military budget and proving detrimental to an ‘already bleak’ development path. Furthermore, a recent World Bank (2006) report suggests that the process of militarization has adversely affected the situation for women and children in the worst affected areas of the conflict and has created terror and forced thousands to be displaced.

Women and girls in the People’s War

Women in armed conflict ‘may be both victims and agents of change - though they often have no effective choice in these matters’.

Haleh Afshar, 2003: 149.

Women as both active agents and victims

During armed conflicts around the world, women are involved as active agents and perpetrators of violence, while also suffering as victims in many ways. In Nepal, many women and girls in Nepal have joined the Maoist army as combatants and other support functions, and comprised up to an estimated 40 per cent of combatants (UN, 2007). A number of potential positive changes resulting from the conflict for women have also been identified. These include greater decision making power of women in terms of greater numbers of female headed households in many rural areas (UNIFEM, 2006). Furthermore, the aftermath of the conflict has also argued to have ‘increased women’s visibility’ through enabling women taking on more leadership roles at the village-level and across civil society (UN, 2007). IN instances where women have been compelled to engage in activities

traditionally performed by men, this may contribute to a change in the traditional role of women in society and thus challenge traditional and cultural barriers (UNIFEM, 2006).

The armed conflict has also brought the needs of marginalised groups, including women, indigenous and ethnic groups and Dalits, as a central issue moving towards an inclusive democracy. The conflict has also opened up 'intended and unintended spaces for empowering women, effecting structural social transformations and producing new social, economic and political realities that redefine gender and caste hierarchies' (Manchanda, 2004: 7). Despite this assertion, Rita Manchanda also suggests that during the conflict Nepali women have made some 'ambiguous gains' (2005: 4739). Whether these new spaces are maintained in the post-conflict period remains a significant issue and warrants further exploration during the transition into the Constituent Assembly Election period and beyond.

Despite the creation of new spaces or 'potential gains' from the conflict, women have overwhelmingly been caught in the middle of Maoist and security forces in a different position than men and have suffered from increasing insecurity, fear and deepening poverty (Bennett, 2003: 2; CSW, 2004; Gautam, 2001; NWC, 2004; Thapa, 2004). Internal displacement resulting from the conflict has fallen heavily on women and children (Kernot, 2003; UN, 2007). Women have often been forced to undertake risky employment including prostitution or the trafficking of weapons and drugs. Furthermore, many women and girls have also been made more vulnerable and subjected to sexual exploitation (UN, 2007).

Impacts of the conflict on women and girls

'The impact of the conflict has fallen heavily on women and girls as a result of gender specific violence and many inequalities which have been exacerbated by the conflict.'

Rapid Scan of Organisations working on Women and Peace, UNIFEM Nepal, 2006: p9.

During armed conflict, women are killed, wounded, tortured, experience sexualized violence including rape, forced prostitution, are imprisoned, separated from their families, internally displaced or driven into exile and face significant psychological impacts. These impacts have been observed in Nepal at different levels and in varying degrees depending on class, caste and the status of women. Women in Nepal have suffered from years of social marginalization, physical discrimination and economic exclusion by the state (Gautam, 2001). The conflict has served to exacerbate many of these processes which have heavily impacted upon women and girls on many levels including as widows, the displaced, on health and education, and significantly in terms of sexual violence.

As a result of husbands or male relatives joining security forces, fleeing or migrating in search of work, women were often left alone to deal with the police which resulted in many reported cases of police entering houses during the night and sexually abusing local women (Gautam, 2001). In addition, women have often carried greater household burdens in these cases and holding families and communities together by playing key roles in food production, caring for children, the elderly and the sick, as well as performing economic functions. A large number of widows, as well as orphans, have been created by the conflict which has made them more vulnerable as a result of discriminatory property laws leaving many without land or a source of income (UNIFEM, 2006: 9).

Despite the government of Nepal making a one-off compensation package available, 'Maoist' and 'Civilian' widows have not received monetary compensation (Neupane and Sharma, 2007 *forthcoming*). Furthermore, when forced to leave their homes, employment opportunities have remained difficult for many women who were often forced to work in exploitative conditions and subjected to abuse or trauma (UNIFEM, 2006: 9). Many women and girls have also been forced into the sex trade (Singh et al, 2005).

Sexual violence and armed conflict

The armed conflict has served to worsen the protection of women and girls who have become vulnerable to all forms of violence, particularly sexual violence and exploitation, including torture, rape and trafficking (UNIFEM, 2006: 9). Sexual violence has been used as a tool to punish women for their alleged connection with either side of the conflict. In addition, increasing numbers of girls were trafficked out of conflict-affected areas for sexual and domestic slavery to other areas of Nepal and India. While records and reports on SGBV in Nepal are scattered and relatively scarce, there are numerous indications that SGBV against women in Nepal has occurred frequently and often systematically and lacks adequate attention (Sarup, 2005; UNIFEM, 2006).

Sexual Violence and Social Exclusion in Nepal

During conflict, women are killed, wounded, tortured, raped, imprisoned, separated from their families, internally displaced or driven into exile. These impacts are observed in Nepal at different levels and in varying degrees depending on class, caste and status of women (Neupane and Sharma, 2007, *forthcoming*).

Sexual Violence and Dalits in Nepal

The Maoist conflict has created the basis for new patterns of discrimination. In fact, the Dalits became the target of abuses by both the security forces and the Maoist militia. Sexual violence against Dalit women by both sides increased.

CHRGJ, 2005 - The Missing Piece of the Puzzle: Caste Discrimination and the Conflict in Nepal.)

Rationale

Sexual violence against women and girls during armed conflict is widely recognised as a grave human rights abuse. During times of conflict, many women and girls are threatened by rape, sexual and other physical violence, sexual harassment, exploitation, humiliation and trafficking and sexual humiliation (UNICEF, 2005; 2006). These tactics are tools of war, instruments of terror designed to hurt and punish women, wrench communities apart, and force women and girls to flee their homes. Sexual violence has been reported in ongoing conflicts in Sudan, Iraq, Democratic Republic of Congo, Sierra Leone, and well documented from conflicts in Rwanda, Kosovo, and Bosnia and Herzegovina and Colombia. In these cases, there have been reports of brutal rapes, sexual assaults, sexual slavery, and mutilation committed by male combatants. Those who survived the attacks have suffered from psychological trauma, permanent physical injury, and long-term health risks including HIV/AIDS.

In Nepal's armed conflict, rape and other forms of sexual violence became a strategy in war for both sides of the conflict. Yet there remains a lack of research and documentation on the incidence of rape and sexual violence which has rendered these issues largely 'hidden' and unaddressed. In 2006, a Report by UNIFEM Nepal which analysed those organisations working on women and peace made a specific recommendation to conduct studies on the kinds of violence perpetrated on women and girls during the conflict and its impact on them. Indeed, the infrastructure required to deal with sexual violence has not been developed at district or national levels and there remains a lack of concrete victim support programs and services (UNICEF, 2005: 155). This report thus aims to fill this gap by providing documentation, analysis and recommendations to address these issues.

“Although violence against women is established as a political problem worldwide, it still fails to be recognized as a political issue in Nepal because violence against women primarily centers around patriarchal socio-cultural norms and practices, and hence is suppressed in the private sphere. The personal is yet to become political in Nepal. This suppression brings the 'culture of silence' into effect, which has been further reinforced by the present militarization of Nepal due to the ongoing armed conflict. The silence that women are forced to exercise makes VAW invisible in the public sphere. This in turn makes it difficult to gather evidence of such violations, which during armed conflict increases considerably.”

Asian Forum for Human Rights and Development (FORUM-ASIA) and WOREC Nepal, at 62nd session of the Commission on Human Rights to the situation of violence against women (VAW) and the deteriorating human rights situation of women in Nepal in the context of escalating internal armed conflict, Item 12: Integration of human rights of women and a gender perspective, Violence against Women in Nepal.

Objective

The primary objective of this action research is to identify the incidence of sexual violence during the armed conflict and its consequences for women and girls. Specific objectives of the research are as follows:

- Identify, by means of interviewing, the incidence of rape and sexual violence committed against young women and children in the vicinity of Maoists and security forces barracks.
- Identify the reasons for, and the consequences of, sexual violence.
- Identify the incidence and level of HIV/AIDS resulting from this violence.
- Allow victims of sexual violence to be referred to the bar council at the local level.
- Analyse the results of this study in order to establish necessary interventions, such as health education, in collaboration with other local organizations working in these areas.
- Establish and organize an initial media campaign for the socialization of the victims of rape and sexual violence.

Study Design and Methodology

Methodology

The IHRICON team in Nepal took the following steps in preparing this research.

Pre-fieldwork

In the first instance, IHRICON contacted local NGO's and INGO's working in the 5 districts in order to establish what research and data was currently available on young women and child victims of sexual violence which has occurred as a result of living in close vicinity to the security forces of both parties. Local district administrative offices and other relevant local offices were contacted in advance of field visits. In addition, IHRICON contacted all the community leaders and respected village elders of the scheduled districts, informing them of the objectives of the research as well as organizing for focus group discussions in villages close to the security forces barracks and Maoist areas. A list of organisations working in these areas on issues of sexual violence is provided in Appendix A.

A semi-structured Baseline questionnaire was designed in IHRICON's Kathmandu head office which focused on the incidence of sexual abuses, socio-economic conditions, health related issues and violence related issues. This baseline questionnaire was sent to the field in advance of this current action research and was completed by those in affected areas around army barracks (see Appendix B).

A desk study and literature review of the existing international and national context of sexual violence during armed conflict, human rights issues and international legal instruments was also completed.

Fieldwork

In each study area, focus groups discussions were used as a basis to begin education on basic human rights principles for young women and children. The different groups which were organised for this purpose were as follows:

- Community leaders and respected village elders of the village
- Women's groups in the community
- Girls/youth groups and child clubs
- Teachers
- Victims families

Following from focus group discussions, those women identified as being victims of sexual violence were sensitively interviewed and their claims established and verified through interview and observations made by the research team. The number of individuals to be interviewed was then established following from the focus groups.

Referral of claims

The results of this research will also be aimed towards protecting and rescuing victims and the worst cases referred to the local bar council for immediate legal redress.

Study Sites and Sample

This research was conducted in five districts which were heavily impacted by the conflict when fighting escalated during the emergency periods. These Districts were drawn from the mid western region of Nepal and are as follows: Banke, Bardiya, Doti, Accham and Rolpa. Within each district, sites for study were chosen based on the presence of an army barrack as well as those areas in villages and schools where the security forces of both parties are based.

Banke

Banke district lies in the Mid-Western Terai region and borders with Bardiya, Dang and Salyan with the estimated area of 2337 sq km. The total population of this district is 385,840, among which approximately 58 per cent are literate. Women's literacy is approximately 49 per cent and it has the highest population growth rate amongst the districts in Mid- Western Nepal. It also has lowest percentage of arable land among the terai district of this Mid-Western region.

Bardiya

Bardiya District is also situated in the Mid-Western Terai region and borders with Kailali, Surkhet, Salyan and Banke. Its overall area is 2025 sq km and has total population of 382,649. Half of the population are Tharu. Close to 70 per cent of the population depends on agriculture and it is the district with maximum number of Chidimar. Within the Mid-Western region, Bardiya District has the highest population density (189 people per sq km).

Doti

Bordering with Baitadi, Dadeldhura, Kailali, Surkhet, Acham and Bajhang, Doti District is situated in the hilly area of Far-Western Region. It has a total population of 2025 sq km. In terms of literacy, approximately 26 per cent of females and 61 per cent of males are literate among a total population of 207,066. In addition, around 52 per cent of the population in Doti is kshetris.

Accham

Accham District in the Far-Western hilly region has a total population of 231,285 and a total area comprising 1,680 sq km. While 99 per cent of the population are Hindu, approximately 53 per cent are kshetris. Over 91 per cent of the population depends upon agriculture for their livelihood.

Rolpa

Rolpa District lies in the Mid-Western hilly region of Nepal with total area of 1,879 sq km. The total population of the district is 210,004 and approximately 85 per cent of them are children below 14 years of age. The literacy rate of the district is approximately 23 per cent. While 75 per cent of the population are Hindu, around 44 per cent are from the Magar caste. Around 80 per cent of the population depends upon the agriculture and there remains an absence of any large scaled industries.

Research Instruments and Interviewing Strategy

Qualitative and quantitative methods

In order to obtain appropriate and current data on sexual violence and its impacts, as well as assessing the needs of the target group, a complementary use of qualitative and quantitative methods were used to allow a depth of understanding of the complex and sensitive issues of gender, sexual violence and the extent of militarization and resulting sexual violence in the study areas.

Qualitative data was collected through informal interviews, focus group discussions, personal discussions and observation of family relations. Informal discussions and focus group discussions were conducted by female field researchers from IHRICON which was held to provide an environment conducive for women to feel more comfortable about talking of their experiences.

Measures were taken to ensure that fieldwork was inclusive of all groups perspectives, such as conducting focus groups with women and men separately, as well as together, to ensure all of those interviewed were able to speak freely and openly.

Constraints and Limitations

The difficulties found in this study, as in similar studies in other countries, are mainly related to the challenges faced in documenting women's human rights abuses. Often the main challenge in these cases is to overcome the reluctance and intimidation on the part of victims to feel free to talk about their experiences in a situation of trust. This is most understandable given the impact that many abuses have had on the lives of many women and girls and the social contexts within which they have been dealing with, or hiding, their experiences. Often there are prevailing community perceptions or approaches to dealing with these issues which discourage the reporting of incidents of abuse. This can serve to maintain the prevalence and incidence of such abuses and also serve to weaken state response mechanisms. For these reasons, the findings of this study take on a greater significance.

Research findings and discussion:

This section of the report describes the incidence and patterns of abuses and the impacts which these have had on the victims, their families and the community at large. The many case studies and experiences presented in this report may be representative of the many silenced and unheard voices of women and girls all over Nepal whose human rights have been abused and violated during the period of 10 year bloody conflict. These report documents cases of rape and other forms of sexual violence committed against women and girls of 5 different districts of Nepal. Interviews and stories of women and girls during the field research encouraged them to break their silence and encouraged them to remove the stigma long associated with expressing the realities of the incidence of rape other forms of sexual violence.

Both warring parties crossed the lines as perpetrators and are neither have been brought to account for these acts. This report also sheds light on the prevailing impunity for these acts committed during the conflict which remain unaddressed.

Chapter 1: Sexual Violence:

Women and girls in the armed conflict

CAPTER: 1

Sexual Violence against women and girls in conflict

Sexual and Gender Based Violence (SGBV)

Gender based violence (GBV) is an umbrella term for any harm that is perpetrated against a person's will that is the result of power imbalances that exploit distinctions between males and females, amongst males, and amongst females.

Violence may be physical (trafficking), **sexual**, **psychological** (abuse, humiliation, confinement), socio-economic (discrimination, social and exclusion/ostracism based on sexual orientation), or **socio-cultural** (early marriage, honour killing).

International context of Sexual Violence

Sexual violence is often a weapon of war, which includes rape, mutilation, forced prostitution, exploitation and abuse (UNICEF, 2005). Sexual violence is often systematic for the purposes of destabilizing populations and destroying bonds within communities and families, advancing ethnic-cleansing, expressing hatred for an enemy, or supplying combatants with sexual services. Adolescent girls are frequently singled out for various reasons, such as them being relatively defenceless or being perceived as being less likely to be infected with HIV. Young girls are also often abducted or forced into sexual slavery by militias or rebel groups (UNICEF, 2005).

Violence against women intensifies during armed conflict as legal and justice systems break down along with systems of social and community support (UNIFEM Statement on International Women's Day, 8 March 2007). Furthermore, the disintegration of family networks and forced displacement during conflict often increase the vulnerability of young girls to sexual violence.

Rape and other sexual attacks as a deliberate and systematic strategy in war have been experienced by women worldwide near military camps, in refugee camps or shelters (Nikolic-Ristanovic, 1996), and in prisons and in detention camps (Lorentzen and Turin, 1998). The sexual abuse of women in war also includes sexual threats, sexual harassment and forced prostitution (Nikolic-Ristanovic, 1996). Milillo (2006:200) argues that the systematic nature of rape as a tactic of war results from power imbalances rather than from sexual motives and reflects on gender roles, sexuality, patriarchy and cultural notions of purity and honor of women. Furthermore, Yuval-Davis (1997) argues the notion of women embodying cultural and national identity also contributes to them being targets of politicised sexual violence during conflict.

Evidence suggests that the use of rape as a weapon of war has increased dramatically in recent years in conflict areas. Rape has been documented in many armed conflicts including those in Bangladesh, Cambodia, Cyprus, Haiti, Liberia, Somalia and Uganda. In the conflicts in Bosnia and Herzegovina, Croatia and Rwanda in the early 1990s, it was a deliberate policy to rape teenage girls and women to force them to bear the child. For instance, investigative reports following the 1994 genocide in Rwanda concluded that nearly every female over 12 years old who survived the genocide had been raped (UNICEF, 2006). Furthermore, in more recent conflicts in the DRC, Liberia, Sierra Leone and Sudan, the use of sexual violence as a deliberate policy has been widespread (UNICEF, 2005).

The official end to an armed conflict often does not signal the end of violations against women. In the post-conflict period, many women confront discrimination in reconstruction programs, sexual and domestic violence in camps for refugees or internally displaced, or when returning to their homes. In Afghanistan, for example, cases have been cited where women continue to face serious threats to their physical safety in daily life which denies them the opportunity to exercise their basic human rights to participate fully and effectively in rebuilding their country. Furthermore, in Iraq, insecurity and fear of sexual violence and abduction are keeping women in their homes and out of schools or away from work.

Since the end of the armed conflict in Nepal, many harmful activities of the security forces has lessened, yet many people still suggest that their day to day lives would be easier if army barracks were removed. Despite this, ongoing fear and long term impacts of sexual violence on individuals, families, on local communities including schools and the society at large.

Before the end of the armed conflict, the Army came here frequently. Sometimes the presence of the army restricted our movement in the village. After the end of armed conflict, it is much easier for us. It would be much easier for us if the barrack was removed from here.
Uditola Municipality Ward no.13, Doti – 3M/F Group Discussion

Sexual violence and Rape in Nepal

In Nepal, rape and other sexual violence committed by security officials during operations, in custody and at check-points were often been reported during the armed conflict. For example, in Kalikot district, two female teachers were gang raped by members of the security forces in suspicion of being Maoist (Gautam, 2002). On the other side of the conflict, it has also been reported that Maoists rebels have used rape on a number of occasions such as in the *Kantipur Daily* report (August 23, 2005) which highlighted an incident where over two-dozen women were raped at gunpoint in a Dalit settlement in Saptari district.

Despite a reluctance to speak openly about such experiences, a number of rape cases were reported during this study. In Bardiya, for instance, a 17 year old girl living in a slum area reported her ordeal who was raped the Security forces.

Sexual Violence and the Army

Do you know of any examples of sexual violence by Maoist or security forces?

“We haven’t seen them directly but according to the rumors, the security forces are more involved in such acts than Maoists.”

Group discussion in displaced community, Rolpa District

In settlement areas surrounding army barracks, army men were found to be those who committed many negative acts and were often protected by from punishment of their wrongdoings by their high ranking officers. As demonstrated by the much publicized cases in Rautahat where two muslim girls were raped and tortured by a Major, high ranking army officers were also involved in the cases of rape. In many cases, girls in these villages who were either raped and sexually abused were first threatened or blamed as being a Maoist.

While sleeping in her own home, a 13 year old girl from Doti District was taken away by the security forces when no one else was present. The young girl was raped and later released the following day. Despite local organizations reporting this case, it was dismissed by the security forces who gave an amount of money to the poor family. The issue became accepted in the society afterwards and the matter did not proceed any further (*Dipayal, Doti District*).

A house maid, *Bimala*, aged 25 years old, was sexually exploited by her owner on a continual basis. The Security forces also had sex with her forcefully. They even had sex with her when she was in the jungle for fodder collection. In these instances, the house owner used an injection to prevent pregnancy. HIV was not reported in this case (*Safebagar, Accham District*).

In many instances, interviews and discussions with staff from local NGOs working in certain areas revealed a depth of information not available through individual or focus group discussions. This may well have been due to a fear of talking openly, as well as a lack of awareness about the broader community or incidents in the society, which NGOs were more aware as a result of their work in various communities.

An example from Doti district demonstrated this where local NGO staff had a deeper awareness of the prevailing situation in relation to sexual violence in the community due to their large outreach. In an interview with a local NGO in Silgudi in Doti District, it was reported that after the army presence increased in the district headquarters, the incidence of torture and rape cases had also increased. We were told that they used to hide in the areas of soil harvesting, fodder collection and abuse young girls, such as through touching sensitive body parts. The Army were also involved in the looting of private properties and all levels of army personnel were involved in those acts. It was reported that 'people are not safe here', and women and children were mostly affected. It was reported that all levels of army personnel are involved in the act. When the NGO tried to respond to these incidents, they were waned no to tell and received death threats.

Sexual violence on both sides of the conflict

“Problems from both warring sides”

Group Discussion in Accham (Males and females)

We had problems from both warring sides.

The Security forces used to treat us badly in the name of Maoists. Many young girls were afraid of being raped by the security forces. Army men used to misbehave and tease girls also in the name of Maoist. When one girl retaliated in response to such behaviour, she was taken by army and her status is unknown till date.

In comparison to the security forces, we don't fear the Maoists. However, the Maoists have forcefully taken children away from school. A girl was also killed in one of the Maoist operations.

Suggestions made by the community:

- There should be rules and regulations to govern a system of punishment.
- The Army has its own rules and regulations which they should adhere to.
- There should be awareness programs on these issues.

Sexual Violence and the Maoists

The findings of this research suggest that in the study areas the cases of rape and sexual violence committed on the part of the Maoists were much less than that of the security forces. Many reasons may be posited for such an outcome, however it is difficult to understand the complexities of this finding without further investigation.

This is not to suggest that in Nepal, Maoists were not involved in the same activities as security forces during the armed conflict, who were regularly reported as intimidating and forcefully recruiting young girls and children into their militia. Indeed, there are reported cases where Maoist cadres have shown arms and had forced sexual relations through intimidation with single women. Furthermore, many reports suggested that girls were also used as 'comfort women' or sexual slaves to commanders in the Maoist militia. In the context of this research and other similar studies, it is important to keep in mind that a great deal of information and incidence of sexual violence may well remain hidden at present as a result of continuing fear which prevails in the minds of many Nepalis. The researchers in this study continued to witness a lack of freedom for women and girls to speak of their experiences based on the fear in their own hearts and minds which must be taken into consideration.

“Maoists behave normally. They have punished the culprit involved in rape cases.”
Group discussion (6F, 4M) in Ghadi Community of 38 households, Dipayal Airport area near police station, Doti District

During the conflict, some media reports cited examples of women suffering torture by Maoists if they were unwilling for physical contact with commanders or guerillas, being sexually exploited after being forced to join the insurgency as well as being beaten and raped (Sarup, 2005). In addition, a study conducted by the National Women's Commission reported that women Maoist cadres were sexually harassed and exploited by their male comrades. This was confirmed by a number of cases found in the course of this research. Forced sexual *relations* during the conflict may have been more common in Maoist army due to the prohibition of marriage.

A Maoist in a responsible post had sexual relations with a lady and made her pregnant when her husband was working in an Arab country. The lady became pregnant and was receiving discipline by the Maoist Party for having immoral relations.
Rolpa District

A Maoist cadre made a lady pregnant and left her. That lady later gave birth and killed her baby. The Maoist Party took action against her on the proposed crime. *Rolpa District*

Understanding sexual violence

In trying to understand the causes of sexual violence, one reason posited may be due to the separation of army personnel from their families and longing had propelled armies from both sides to be involved in such acts. It was also reported during the course of the research that the protection of culprits by their respective forces served to reinforce such patterns of behaviour which also bred a culture of impunity.

What are the reasons behind sexual abuse by the Security Forces?

“Poverty, lack of education and age old social concept”.
Group discussion in Ghadi Community, Dipayal Airport area, Doti District

Case study: Firewood Collection and Sexual Violence

In a group discussion conducted in Doti District, security forces were noted to have misbehaved while women were out collecting firewood. This same example was raised a number of times during this research in different locations, and raised an important site where women became particularly at risk. Many of the women in the group in Doti often felt helpless and suffered from a fear of speaking out. One particular example from Doti was given where, in a Ghadi Community, a well educated lady went to the jungle for firewood collection, and survived an attempted rape by the security forces with the help of weapon in her hand.

A 15 year old girl was raped by army when she was in jungle for fodder collection and now married to another person. When a complaint was lodged in the barracks they told that he was already punished.
Rolpa

According to a local NGO, a lady was returning from her uncle's home through the Uditola community forest. Two army personnel took her to the jungle and she became missing after that event. A local organization reported this issue and filed a report on this issue. While the army chief has assured that they would investigate the issue, her status remains unknown. *Silgudi/Doti*

Psychological Violence:

Intimidation and Verbal Abuse

CAPTER:2

Intimidation and verbal abuse

The most common found incidents reported in the research of the 5 Districts in relation to the behaviour of security forces and Maoists, was that of intimidation, verbal abuse and harassment of women and girls. Army personnel were found to be engaged in this type of 'psychological violence' to a greater degree than were Maoists.

"They once sent letter to our sisters and we told them no to go to army area. The Army later called them into the barrack and beat them accusing them of a Maoist."
Bardiya

In the areas surrounding army barracks, the incidence of such abuse and harassment was the greatest. For instance, schools and check posts were a site of much of this behaviour and girls were often afraid to go through check posts alone in fear of their behaviour. Market places and schools were also the other places where army men used to abuse girls. The most common 'tactics' used by army personnel to harass girls was to visit them in school, send them 'love letters', persuade them to marry, keep girls in the check post for longer period, borrow water from girls while in the market, not stop the bus in the bus stop, touch their body parts while talking and follow girls when they are in jungle for fodder collection.

Intimidation of girls - From both Maoists and Security Forces

"Security forces come to the village normally for water and shopping. They talked to women in the village and flirt with them also. The Security forces flirt with us, talk to us, ask our name, what village we live in and what class we are studying in. Some of the girls talk to them some just walk away from them. They treat the girls who don't talk to them quite badly. They dearly want to talk to us. Such activities were very common before the end of the armed conflict and have lessened nowadays.

The Maoists are also in the village after the end of the armed conflict, but they have not kidnapped anyone. Maoists also come here asking for food and to prepare meals but they don't abuse us. They don't flirt though they asked for food. We have relatives in both the army and in the Maoists. A brother of one of our sisters who is in the Maoists persuaded her to tell her husband not to be in the army. They haven't tortured us but we do fear them."

Group discussion, Banke District

Armed forces, Maoists and Indian forces in Bardiya

The Armed Forces seldom come here and when they are here ask for water and don't treat us badly. Their behavior is good after the end of the armed conflict.

But Indian forces treat us badly and girls beyond the border come here to introduce them to us.

Maoist used to come here and asked to prepare food but they never abuses us though we fear to see their dress. But it's normal now.

17 year old girl, Bardiya

A male perspective on verbal abuse towards girls

"Army personnel are often involved in directing verbal abuse towards our daughters and sisters. Even if a brother and sister are together they treated us badly thinking us to be a couple. In those instances, we feel bad and angry sometimes, but we could not retaliate."

In these cases, the males responded that: “Girls and women themselves have to provoke the issue because it helps us to come at front.”

Male and Female joint Group Discussions: Majhi Community, Airport Area, Doti District

Girls traveling on their own, in comparison to a group of girls, were more prone to much more of this abuse and harassment. Many communities decided to ensure that groups of girls traveled together and ensured they remained together in order to protect themselves and showed positive results in those areas.

Security forces normally went into village areas but entered the houses of those whom they were acquainted with. They normally befriend girls through our friends. They don't touch us but they use abusive language, tease us and try to talk to us all the time. They try to persuade us by following us for up to 10-15 days. Some girls of the age 14-15 studying in the class 6-7 have left with them but I don't know what they do and how they treated after that. They sometimes return to village and they seem ok.

Secondary School student, Perani, Banke District

With school going girls, the Army often sent letters to them. Once they sent letters to our sisters also and we warned them no to go to army area. The Army later called them in the barrack and beat them accusing them of being Maoists. During the SLC exam when all the girls are in the centers to sit for their exams, the army came to the area and provided them with information on the exams in order to get closer to them.

Group Discussion with boys, Accham District

Socio-cultural violence:

Conflict Wives and Child Marriages

CAPTER: 3

Conflict Wives

In a submission to the 62nd session of the Commission on Human rights, on the deteriorating human rights situation of women in Nepal in 2006, FORUM-ASIA and WOREC Nepal raised the issue of the increasing prevalence of “conflict wives” - of State security forces keeping "wives" around barracks and leaving them to fend for themselves once the contingent gets a new assignment. This study confirmed the prevalence of ‘conflict wives’, particularly around barrack areas. Moreover, the main issues found in this study was the issues of child marriage, where young girls were married to army men in barrack areas and most often were left once those personnel were transferred or left that posting.

Child marriage to security forces

Instances of young girls marrying security personnel were well documented in this study. It was found that girls between the ages of 14-17 were often the most vulnerable group, and more likely to marry to army personnel if their homes were nearby to the barrack area. Many of these marriages were ended soon after by army personnel after they have been transferred from the area. In many cases, girls from lower stratas of society were found to become more attracted to the army men as a result of the stability of their employment and their dreams of living a stable and relatively more wealthy life with them. In fact, over half of the documented cases of sexual abuse found during this field research involved a promise of marriage on the part of the security forces personnel. In deed, the promise of marriage was often used as a means of persuasion to engage in sexual relations.

“Many of our friends between the ages of 15-16 have married to them” (security forces).
Security forces do tease the girls in village, but they don’t come to school.
*Aishwarya Paneru(15 yrs)/Lila Paneru(16 yrs) Individual Questionnaires, Airport Area,
Majhi Community, Doti District.*

Consensual Marriage

This research found many of those persons interviewed to report that most marriages they knew of had been ‘consensual’. For instance, amongst a group of females working in road construction in Doti, many girls and women aged between 10 and 21 years had been married by the security forces. It was reported they had been well treated to date. It was also reported that a number of girls aged between 13 and 15 had married security force personnel of their own accord (On a bridge near Seti Dwari Khola, Doti District).

The different perspectives provided by men and women in some areas, however, also showed an interesting point of view of how to determine whether a marriage was in fact, ‘consensual’. For example, during an all male group discussion in Bardiya, the group had commented that ‘marriage only comes after consensus – we are not aware of marriage by other sorts of influence or girls fleeing from the school. In the same areas, discussion with local females demonstrated different finding with some girls reporting of girls being persuaded to marry under ‘false pretences’. The research suggests that girls in classes 8, 9 and 10 are most likely to become part of this marrying trend.

Girls “left behind”

“While there were not reported cases of rape, there were many instances of marrying young girls, enticing them to a ‘better life’ and leaving the afterwards. It was common that armed police would leave girls once they were transferred from their post”.

Groups discussion with teachers in Secondary School, Perani, Banke District

Leaving girls stranded

The Army tended to misbehave, use abusive language, call beautiful girls to their barracks and if they don't go, they then accused them of being a Maoist. Normally they married the girls aged 15-16 years old. Many events suggest that there is persuasion to marry. It was common that the girls later found the army men were already married. In these situations, girls were stranded. Around 25-30 policemen have married here. There are approximately 1000 households in this village.

Sanfe, Accham District

A displaced lady was married to a security man. He got transferred when she was pregnant and married another girl when he went home. She is lonely these days with her baby. Rolpa District.

Understanding child marriages

Families in many of these poorer areas have been attracted to marry their daughter to a member of the security forces primarily due to the financial security that such a marriage would provide. Cases were reported where the family may consent to the marriage without the consent of the girl herself and in this way is forced to marry. In other cases, the opposite may be the case where a young girl may flee her family in order to marry, in the absence of consent from her family.

"He persuaded me to marry him which I did not agree. He then came to my home and asked my parents to marry me. They accepted the offer and I got married with that police man"

In an interview in Accham district, it was identified that rural families are often attracted towards the service of the army and inclined towards the stability it may provide for their daughter. Girls also attracted towards their attitude and money and have faith in them. Some army men are good and kept promises but some of them go away without anyone noticing, and status of those men are not known.

‘Security forces often left the girls while they were transferred from the area. Girls were found to be easily persuaded by army. This might have been due to the attraction towards army men, their service life, the personality of army and because of the poverty of girls. Even the families of those girls were lured by the money factor and thought of better life ahead.

Shri Shiva Shakti Sec School, Perani Banke District (Group Discussion, Teachers)

Marriage Law in Nepal

The marriage law of Nepal strictly prohibits any form of marriage under the age of 18. With the consent of both parents, both partners may marry when they reach the age of 18. Without parental consent, both partners have to reach the age of 20. Despite these legal restrictions, child marriage is a common practice. Being an accepted practice, neither law enforcement officials nor the community want to bring such incidents to the courts of law (UNHCR, 2005: 4).

Social Impacts

Of sexual and other forms of violence

CAPTER: 4

The incidents of intimidation, verbal abuse, child marriages, sexual violence and rape have many and complex long term impacts on the individual victims, on their families, on their local community and for society. In addition to having experienced trauma, many victims may also have to face strong familial, community or social reactions responses to their situation.

Impacts on the individual - Women's Silence

“The women victims in rural areas remain silent due to fear from perpetrators who often are powerful people or are associated with political elite”

Neupane and Sharma, 2007 forthcoming.

During times of armed conflict, many women are often silenced by the stigma attached to sexual violence. A fear of social stigma often makes women remain silent about their ordeal and feel reluctant to use forums and opportunities to voice the truth of their victimisation because of wider personal and political implications (Bennett et al. 1995: 9). This not only contributes to maintaining a gender status quo, but it also affects in women's healing process embedding trauma and pain. Furthermore, cultural norms also influence the ability of women to speak about their experiences.

‘There are also instances where the army men have left their wives after they have given birth. Due to the culture, young girls were often unable to discuss these issues of abuse in front of their teacher or parents.’

Sosari Village, Bardiya District

In one group discussion in a Ghadi Community in Doti District, women were talking on the security forces taking away girls between the ages of 15-16. IN these cases, many girls and their families reported that they could not talk about the situation at the time or prevent it from happening as a result of their fear. While they did want to speak and act against this behaviour, they felt they were unable to. An interesting recommendation was provided by the community in this instance, that they would welcome being trained on how to be able to speak out in such circumstances and how to raise the issues.

Impacts on the family

As previously highlighted, the role of the family in the marriage of their girls is important. This is particularly the case when girls have been married to army personnel and have been ‘left’ by their new husbands; either as a single women, with an unwanted pregnancy or as a single mother. Whether the family accepts the girl back will have a huge impact in the short term as well as in the long term in terms of her being accepted back into her local community and as well as future educational and life opportunities.

A member of the Armed Police of the area took away a 12-13 year old girl who was studying in Class 6. The girl left school and it was later found that the man already had a wife. The girl became stranded and now lives with her parents.

Sosari village ward no 16 Gulariya municipality Bardiya (BS2059 event)

Family response to forced Sexual Relations

“I am from Okhaldhunga. My elder brother is in the armed police force and I am studying in Class 10. The Security Forces did not come in our village. I married a policeman from the armed forces when I was in the school in the year of 2059 BS without my family's consent. I did not know that man earlier and his friend's wife had convinced me that I should marry him. Before marriage he appeared handsome and lovable and had promised to treat me well. This the reasons why I married him. But after leaving this village until now, he has not returned (Bhadra 2063). I had sex with him. I feel pain in my lower abdomen these days and there's nothing other than that. I was hurt and did not know where to go. I returned to my parents' home but they scolded me and beat me. I feel terrible and want to commit suicide but they soothe me afterward and tell me to forget everything that had happened and I started to go to school again.

I was treated badly by that armed policeman who left me stranded. I had visions of a good life but he betrayed me. I also heard that he had another wife somewhere else. Before the end of the armed conflict, Maoists had never been in the village or come inside my house. I have not told any of these things to anyone before. I feel that all those people that have betrayed me, should be punished. I can't get help even from my family after that incident though they behave well afterwards.”

Ramkumari Kunwar, 18 years old, Mahadevguri-7

Impacts on the Community

‘Women’s virginity is valued as a symbol of purity, prestige and pride for unmarried Hindu women, her family and community. The use of rape as an instrument of repression in the case of Nepal makes women culturally impure, unfit for marriage and thus shaming the whole family or community’ *Neupane and Sharma, 2007, forthcoming*

The sexual violation of women often elicits a strong communal reaction and may even erode the fabric of the community. There is also the potential for rejection of victims by family members and their communities (Amnesty, 2006). In this study, however, there were also cases noted where the community response to girls being ‘left behind’ was positive. In a Ghadi Community in Doti District, for instance, it was reported that society provided help for the “left women” and there were “no examples of social hatred towards them.”

Impacts on the society

Nepali society has been influenced in many diverse ways as a result of the decade long conflict. In many places, social norms and customs have also been influenced and many have accepted such changes now as a part of life. For instance, the prevalence of unmarried mothers and single women and much more common these days than prior to the conflict.

Unmarried mothers

Girls and women who have been the victims of rape and forced sexual relations have become a new sector of the society. These women are vulnerable in many ways and their attempts to establish themselves in the society remains a difficult task for them. A young, single and unmarried mother often cannot rely on her family to support her, and without this, there remains little means of assistance for her in the society.

Single women

Many girls dreamt of marrying army men whilst daydreaming in their classrooms. But many of those girls who have been left by their new husbands are now stranded without a place to turn to and without support. Those girls who married with consent from their families may be able to return their home, as documented in the research.

Social instability

Many social, health and educational issues have been created as a result of sexual violence and abuse during the war, which may have contributed to greater social instability. A demise in moral and social values as a result of rape and violence by army, as well as intimidation and terrorization by Maoists, contribute to these effects.

Educational dropout

In many cases, girls who have suffered from sexual abuse may not attend school as a result of hesitation and fear of social stigma. In many cases it was found that army men would often visit schools and enter classrooms in order to befriend and flirt with girls, sending them letters, calling them and later inviting them to their barracks.

In many villages, students had to go catch the bus through check points in order to reach their schools. Army men at the check posts, as well as along the route, would often verbally abuse the young girls. Such regular mental torture and verbal abuse often compelled girls to stop going school. Moreover, child marriage invariably leads to school drop out. Research suggested that many girls in classes 8, 9 and 10 were married and had left school. In these cases, it was very rare to find these girls reentering school after they have been married.

In a Group discussion of males and females in Uditola Municipality in Doti District, the issue of army men abusing school going girls was raised. While the group responded they weren't totally aware of that issue and were unaware of the status of marriage to army personnel in the army, they suggested that many girls didn't prefer to go to school. On this issue, one participant responded that army men 'can't do anything to educated girls but uneducated girls are prone to their influence and normally marry army men.' This would suggest a link between educational attainment and child marriage to army personnel.

Security forces in School grounds

"The security forces went to the school premises providing different excuses, such as come to play volleyball with us. They used to come frequently before the end of the armed conflict and used to stay in the school gate. Sometimes they would hang out with the school boys after drinking and come to the girls group afterwards and misbehave. We felt bad in those instances and questions regarding such abuses arouse inside of us. It also influenced us not to go to school. We hadn't told all these things to our teacher rather we had complained against the entrance of army inside school and class room since we got disturbed in those instances. Boys from the class also followed the army acts and started misbehaving with us. Amongst the group we have been teased many times and we feel terrible. We think of retaliation when we are in group and fear from the army lessens in such situation"

Group discussions of school going girls, Banke District

The Army and school-going girls, Banke District

During the armed conflict, there were some instances of verbal abuse, harassment and marrying of girls between the ages of 8-15 yrs by the Army. Among all the students in the school, 50per cent are girls. Approximately 90per cent of the girls in Class 6-10 have been affected during the conflict period in one way or another, and 15per cent of them have been abused severely during the war.

Students have also faced danger from the Maoists side after their involvement in meetings and suffering from different mental torture. After such incidents, many students left school. However, the situation has improved nowadays.

3 years ago, when there was an Army Barrack in the village near the school, there were common instances of verbal abuse, teasing, harassment, letter writing to girls, maintaining

relations and taking away girls from low caste families. In accordance with the responsibility of the Principal of the school, the cases were filed in the administrative unit in the District Headquarters. Although the barrack has now been removed, it has had a longer term impact and continues to influence students. For example, the phone in the school was used to ask for the girls in the schools in phone, which affected all in the school community. Today the situation has improved and the number of calls has decreased.

The Army men have not coerced anyone to marry them. The age of the girls in the school, and the attraction to army men due to their financial position, has attracted many girls to marry them.

In order to address this issue, a program was organized two years ago by bringing mothers and daughters together to discuss these issues. Examples were provided to them about the ill effects and instances of bad behaviour. All these events have had a long lasting impact on us.

Based on Group Discussions with Headmaster, Teacher and Child Welfare Committee, School Management Committeem Secondary School, Khairapur

‘Most of the girls here leave school early and we do have practice of early marriage. Girls are not treated equally here since they are expected to accept negative behaviour.’

Group discussion, Bardiya District

Girls not attending school

“Many girls were not interested in going to school. This damages their total life opportunities, but still we can't speak against their decisions. The Army used to come inside the school premises and asked to see the students. We were afraid of death by both the Maoists and the Army. Even college students were afraid of the situation and did not go to first class of the morning college. After the launch of the Children and Peace Program in the school, such activities were not as common. After the end of the conflict, it is much easier for us now and such activities are not occurring anymore. In the past, there were many instances of impunity when parents complained about abusive behavior of the Army to high ranking officers. Yet the parents were often threatened by the Army that they would report them as a Maoist cadre if they raised the issue any further.”

Sosari village, Bardiya District

Physical and Health Impacts

Of sexual violence

CAPTER: 5

"I had sex with him. I feel pain in my lower abdomen these days and there's nothing other than that. I was hurt and did not know where to go."

18 year old girl, Bardiya District

Unwanted pregnancies

Firstly, the incidence of rape has led to forced pregnancies as well as abortions. Yet at the same time, many women falling pregnant as a result of rape have had little recourse to safe abortion or other reproductive health services. This may also lead to other reproductive health issues including infertility. More irregular health services with the destruction of health posts also exacerbated these problems (UNIFEM, 2006). Furthermore, the movement of IDPs and military units, as well as the breakdown of health facilities and public education, can further compound these effects. In various cases from Rolpa District from this study, it was found that many displaced girls were compelled to become unmarried mothers after sexual violence. Furthermore, many girls who had been raped had died while giving birth to their child.

When unmarried mothers and single women are not accepted by their families or society, they may be compelled to enter prostitution as a means to support themselves which was witnessed in some areas in the course of the conflict. This has been further complicated by the continuous rise in internally displaced women, who, without any economic security, become vulnerable to coerced sex work and trafficking.

HIV/AIDS

Sexual violence and HIV/AIDS

Many studies show the increasing links between violence against women and HIV and demonstrate that HIV-infected women are more likely to have experienced violence, and that victims of violence are at higher risk of HIV infection.

(Secretary-General's in-depth study on violence against women, 2006).

There is often a greater a risk and vulnerability of contracting a Sexually Transmitted Disease (STD) or HIV/AIDS transmission which accompanies sexual violence against women and girls. Yet general awareness of HIV/AIDS is remains extremely limited. This research identified that among the total respondents only 6 per cent of young girls demonstrated awareness about AIDS. This is problematic, particularly as these younger girls are at a higher risk of infection. Only around 25 per cent of the women showed an understanding of HIV/AIDS. Even if some respondents had heard of HIV/AIDS, the understanding of transmission, treatment and management of the condition remains limited in these areas and social stigma still surrounds the issue.

In Silgudhi, Doti District, amongst those tested for HIV, 47% were found to be HIV positive (Interview with Office of Social welfare Nepal).

Mental health and trauma

The personal consequences of sexual violence for victims of armed conflict are likely to effect women for the rest of their lives. The rape and sexual violence experienced by the girls and women from different villages during war has a profound effects on their mental health and emotional well being. At the same time, they may also face rejection and stigmatization by their families or their communities. Many of the stories document the anguish and intense mental trauma which the women who have survived rape and sexual abuses live with everyday.

Yet the needs of women who are experiencing significant psychological trauma remain largely unaddressed. Indeed, they lack both access to legal redress for the crimes, and to crisis and health support. Furthermore, ongoing terror and fear experienced by victims is also likely to require long-term psychological rehabilitation, for civilian victims as well as for ex-combatants, which may often be neglected in the absence of health services.

"I came to my parents' home but they scolded me and beat me. I feel terrible and want to commit suicide. I thought of good life but he betrayed me and I heard that he had another wife somewhere else. All those, who are like a person that betrayed me, should be punished."

A lady aged 16-17 years old from Khungri was in love with a man from Malla family. That lady gives birth to a child from that relation which was denied by that man after the incident. The lady lost her mind after the rejection and she is a daily victim of security forces these days. The child has been in care of CWIN Nepal.

Gokarna Pun: - Children welfare committee, Libang: Gokarna Pun, Kasi Pun, Rolpa District

While selling her belongings in the Chisapani market, a young girl was persuaded by army men to accompany them to the barracks. Whilst in the barracks, 4-5 army men raped the young girl and then released her. The girl later committed suicide and she was found in Karnali river after drowning.

Internal displacement

And sexual violence

CAPTER: 6

It is estimated that up to 200,000 people become internally displaced as a result of the armed conflict (Terre Des Hommes, 2006). Issues of abuse, harassment and sexual violence can be especially harmful for displaced people in an already precarious situation. Despite the fact that in 1998 the UN produced guiding principles on the protection of displaced populations, there is still no UN agency specifically mandated with their care and protection. More often, the responsibility falls primarily to national governments, whose resources are likely to be drained or diverted by the conflict (IRIN, 2007). This is particularly the case in the current context of Nepal.

What do you think about the peace dialogue between Maoist and government of Nepal?

They don't mention anything about the displaced families during the peace talk and after the end of the armed conflict. So the environment should be created for us to return home with dignity and with our money as soon as possible.

Group Discussion amongst displaced community, Rolpa District

In a displaced community in Rolpa District, 1310 individuals of 335 families from 42 VDCs were being housed. In a group discussion, many issues were raised particularly that of the difficulty for females caused by the security forces. Many of the women suggested that due to their illiteracy, they were unable to describe their grievances. They also noted that when Maoists have returned to the villages, they also didn't behave well to them and asked them to return home whilst often taking some of their belongings.

Case study: Internal Displacement and Sexual Violence in Rolpa

- Both warring sides have committed acts of sexual violence.
- The Security Forces have been involved in the abuse of women from displaced families.
- Maoists have also tortured and committed acts of sexual violence towards weaker people in the villages.
- Maoist told us to support them and work with them if we want to return to our home. Thus IDPs in more vulnerable position.
- There are many examples of such incidents in the villages. There are 15-20 cases of rape in the villages.

What is needed to prevent all these?

- Training should be provided to security forces.
- Young girls should be aware about the consequences and health issues related to sexual violence
- Both parties should accept responsibility for acts they have committed
- Income generation program would be useful

Based on discussions with Conflict-related organization, Rolpa District

Sexual Violence in the context of

Of International Law

CAPTER: 7

"Violence against women has yet to receive the priority attention and resources needed at all levels to tackle it with the seriousness and visibility necessary."

Secretary-General's in-depth study on violence against women, 2006.

International context

In recent years, there has been an evolution of international law which now recognizes various forms of sexual violence (including rape, forced pregnancy, sexual slavery, etc.) as war crimes and crimes against humanity. These developments build upon many protocols and agreements which have evolved over the past few decades. First and foremost, women's human rights are monitored and upheld by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) enacted in 1979, The United Nations Declaration on the Elimination of Violence against Women, and the International Covenant on Economic, Social and Cultural Rights enacted in 1966.

The Beijing Declaration 1995

Article 8 of the Beijing Declaration states that 'the equal rights and inherent human dignity of women and men and other purposes and principles enshrined in the Charter of the United Nations, to the Universal Declaration of Human Rights and other international human rights instruments, in particular the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, as well as the Declaration on the Elimination of Violence against Women and the Declaration on the Right to Development'.

Beijing Platform for Action (BPFA)

Some strategies mentioned in the Beijing Platform for Action:

- Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflict or under foreign occupation.
- Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations
- Promote women's contribution to fostering a culture of peace
- Provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women.

The International Criminal Court and Rome Statute

The creation of the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, and the International Criminal Court hold out some hope that women in war-torn countries might finally gain greater access to justice for crimes of sexual violence. For instance, the Rome Statute of the International Criminal Court includes as rape those situations where the victim is deprived of her ability to consent to sex, including providing sex to avoid harm or to obtain basic necessities. Since 1998, these tribunals have convicted individuals of rape as an instrument of genocide, a form of torture, and a crime against humanity. The Rome Statute has also enumerated sexual slavery and trafficking, enforced prostitution, forced pregnancy, enforced sterilisation and other forms of

sexual violence and persecution as crimes against humanity and as war crimes. The ICC is initiating investigation into cases from several conflict-affected countries (IRIN, 2007).

Rome Statute of International Criminal Court (1998)

Ms. Fatou Bensouda, Deputy Prosecutor of the International Criminal Court, hailed the inclusion of sexual and gender-based violence in the 1998 *Rome Statute* as one of its most important achievements, noting that impunity “legitimizes violence and perpetuates discrimination.” She pointed out that the most recent ICC indictment for war crimes and crimes against humanity in Sudan includes eight counts of rape, outrage upon personal dignity, and gender-based persecution. She observed that although gender-based violence has always occurred in armed conflict, it was not until the *Akayesu* decision of the International Criminal Tribunal for Rwanda in 1998, that rape was recognized as an instrument of genocide and a crime against humanity.

Excerpt from Expert debate held on 5 March 2007 at UN Headquarters, New York.

United Nations Security Council Resolution 1325 (2000)

The UN SCR 1325 on *Women, Peace and Security* was adopted by the Security Council on 31 October 2000. It also reaffirms the important role of women in the prevention and resolution of conflicts and in peace-building, stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution. It also reaffirms the need to implement fully international humanitarian and human rights that protect the rights of women and girls during and after conflicts. The Resolution 1325 has also recognized the impact of armed conflict on women and girls and the need for effective institutional arrangements to guarantee their protection and full participation in the peace process that can significantly contribute to the maintenance and promotion of international peace and security. Furthermore, the Resolution also brought the issue of sexual and gender-based violence in armed conflict and post-conflict situations, and the importance of protecting women and girls in those circumstances, into the heart of the global discourse on peace and security.

‘United Nations Action Against Sexual Violence in Conflict’

A new cooperative initiative launched in March 2007 has united ten UN agencies (UNHCR, DPKO, OCHA, OHCHR, UNDP, UNFPA, UNICEF, UNIFEM, WFP and WHO) and is working to curb the use of sexual violence as a weapon of warfare. The initiative, UN Action Against Sexual Violence in Conflict, will engage with national Governments and NGO partners to increase public awareness about sexual violence as a weapon of war and identify ways to prevent it, end impunity for perpetrators, and improve services for survivors. It also aims to counter-act the long-term impacts sexual violence has on communities and on national development.

See < www.stoprapienow.org >.

Nepalese context

As a Member of the United Nations and a State party to the BPA, CEDAW (Ratified in 1991) and UN SCR 1325, Nepal is obligated to implement the commitments made in these and other international conventions concerning human rights. Nepal has shown its commitment to protecting the human rights of women by acceding to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1991 and the Convention on Political Rights of Women in 1966, as well as recently adopting national legislation in relation to abortion and women's property rights. Nepal is also a party to the Convention on the Rights of the Child (CRC) and has enacted a national Children's Act. Nevertheless, discrimination of women at all levels continues and Nepali women are still in an inferior position compared to men in political, social, economic and legal means (Thapaliya, 2001; Strestha, 2001).

International Conventions ratified by the Nepalese Government (Year ratified)

International Convention on the Prevention and Punishment of the Crime of Genocide, 1948 (1969)	●
International Convention on Political Rights of Women (1952) (1966)	●
International Convention on the Elimination of All Forms of Racial Discrimination, 1965 (1971)	●
International Covenant on Civil and Political Rights, 1966 (1991)	●
International Covenant on Economic, Social and Cultural Rights, 1966 (1991)	●
Convention on the Elimination of All Forms of Discrimination Against Women, 1979 (1991)	●
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984 (1991)	●
Convention on the Rights of the Child, 1989 (1990)	●

Source: INSEC, 2006b.

While Nepal is signatory to eight different types of conventions, protocols and agreements related to the rights of women and children, these instruments have been of little use in promoting women's voices. Thus sexual violence remains widespread in conflict-affected areas with little means for women and girls to voice their concerns.

Programs and Plans of the Nepalese Government

National Human Rights Action Plan

The National Human Rights Action Plan (HMG, 2004) aims to protect and promote the inalienable rights of the citizens and guarantee human rights according to international agreements entered into by the nation through appropriate policy formulation and program implementation. Its specific objective is to establish peace in the nation and to protect human resource and safety of Nepali people. It also aims to rehabilitate and resettle the victim of conflict and rebuild the conflict damaged physical infrastructure. However, it does not have specific policies and programme on women.

Tenth Plan (2002-2007)

The Tenth Plan includes a policy to develop programs to provide services to victims of all forms of violence including rehabilitation and re-integration, to provide security to displaced women (single women) and initiate income-generating programs.

Relief Programs for Conflict Affected Persons

The Relief Programs for conflict affected persons include the provision of financial compensation to families of those killed in the armed conflict, relief allowances to the handicapped, injured, elderly and orphans, educational allowances, providing opportunities

for foreign employment to a family members who has been affected by the death of the sole income-earner of the family, as well as holding skills based trainings for conflict affected women.

Comprehensive Peace Agreement (CPA)

The Comprehensive Peace Agreement (CPA) signed in November 2006 between the Government of Nepal and the Communist Part of Nepal (Maoist) contained a specific provision on the rights of women and children that relates directly to the prevention of violence against women.

7.6. Rights of Women and Children

- 7.6.1. Both sides fully agree to special protection of the rights of women and children, to immediately stop all types of violence against women and children, including child labour as well as sexual exploitation and abuse, and not to conscript or use children who are aged 18 or below in the armed force. (*Comprehensive Peace Agreement, 2006: 11*).

Seeking legal remedies for Sexual violence and harassment in Nepal

In terms of seeking legal remedies, sexual abuse and harassment are amongst the most difficult cases to pursue in Nepal. Since Nepalese law does not define sexual abuse and harassment, seeking legal remedy in these cases is often futile (UNHCR, 2005). Nepalese law has a provision called “intention to rape” but this legal provision does not provide effective remedy mechanisms and intention to rape is dealt with as a civil case. There is, however, a provision in the law which provides protection for women against sexual harassment in public places (a public offence) but this cannot give legal remedy to a women harassed in the privacy of her own home (UNHCR, 2005: 3). Furthermore, the 1963 Nepal Country Code sets a 35-day limit to prosecute an alleged perpetrator of rape or attempted rape which severely hampers the ability to prosecute cases which are reported with delay (UNHCR, 2005: 8).

Women’s lack of faith in legal system

“Ms. Sapana Pradhan Malla, Director of the Forum for Women, Law and Development (Nepal), added to the discussion striking examples of women’s lack of faith in the legal system due to violations by police and security forces, cultural connotations of shame, lack of judicially acceptable evidence, and cases in which women were denied justice. She emphasized the need to end impunity for violations committed by both State and non-State actors, calling for universal ratification of the *Rome Statute*.”

Excerpt from Expert debate held on 5 March 2007 at UN Headquarters, New York.

Nepalese Army in mediation – Further limiting the voices of women

This excerpt from the joint Asian Forum for Human Rights and Development (FORUM-ASIA) and WOREC submission to the 62nd Session of the *Commission on Human Rights to the situation of violence against women (VAW)* in 2006 clearly demonstrates the impacts on women of the process of militarisation in Nepal and the limited avenues for women to access justice following acts of sexual violence or abuse.

‘Involvement of the Royal Nepalese Army in mediating cases of domestic violence through their barracks that exist in districts is on the rise. This involvement indicates a rapid militarization of Nepali communities. With all the state machineries being dysfunctional, the Royal Nepalese Army has been the sole protector who is engaged in establishing a monopoly through abuse of power in the community. This raises serious concerns about addressing violations committed by the army when they themselves have become the mediators. This clearly makes their violations invisible since there is no authority to question. Women face a double bind because with no State mechanisms working, they are compelled to approach the army, which can increase their exploitation.’

Asian Forum for Human Rights and Development (FORUM-ASIA) and WOREC Nepal, at 62nd session of the Commission on Human Rights to the situation of violence against women (VAW) and the deteriorating human rights situation of women in Nepal in the context of escalating internal armed conflict.

Limited avenues to tackle gender discrimination and exploitation

Earlier I was in school but now I am not. I spend time with others here in the home. They don't want me to go to school and they beat me. When I was young, my grandmother sold me. They kept me for 4 years there and treated me well, but then sold me for Rs 6000 to the landlord who I currently work for. The first year with this landlord was smooth but afterwards he began to torture me. I am now staying with my Uncle. But the landlord sometimes beats me here in my Uncle's home also. He used to spit on my food.

I filed a case against him. The Police first took him into custody, but later released him. I enjoy studying, and I would like to return to school.

Padma Thapa, 14/15 years old, Finished Class 4, Bardiya (Border Area).

Ending Impunity for Sexual Violence

Seeking post-conflict Justice

CAPTER:8

‘While many states have largely accepted the international normative framework aimed at preventing, tackling and punishing discrimination and violence against women, many have not matched this progress in international law with implementation, policy and practice.’

*Louise Arbour, High Commissioner for Human Rights, 8 March 2007,
Statement on International Women’s Day .*

The Maoist conflict has been characterized by consistent patterns of impunity for serious human rights abuses (UN, 2007: 2).

UN Report of the Secretary General on the request of Nepal for United Nations assistance in support of its peace process (UN, 2007: 2).

Nepalese context – No access to justice

In terms of sexual violence, existing laws in Nepal are inadequate to deal with such offences and the process of militarisation has served to weaken the remaining democratic institutions of the country (World Bank, 2006). Indeed, flawed national legislation and investigation practices related to SGBV frequently inhibit successful prosecution despite recently increased punitive measures for rape. To date there has been no accountability for the thousands of crimes of sexual violence or other appalling human rights abuses committed during the Maoists war in Nepal (Sarup, 2005). Furthermore, a recent FPAN (2007) survey identified that the rate of violence against women had been increasing in various forms as the state lacked clear-cut provision of punishing the guilty. Punya Prasad Neupane, secretary at the Ministry of Women, Children and Social Welfare, recently stated that the Ministry would raise the voice in the cabinet to make clear provision in the policies to punish the guilty (*The Rising Nepal*, 7 March 2007).

“Grave problems with impunity persist in virtually every conflict-affected setting around the globe. International tribunals can only prosecute a fraction of cases, and many national governments do not have the resources or the commitment to pursue sexual crimes against women” (IRIN, 2007, 31).

In a recent report in April 2007 by the National Human Rights Council (NHRC) of Nepal, concern was raised about the failure to constitute a Truth and Reconciliation Commission or a National Peace and Rehabilitation Commission. Furthermore, the NHRC have demanded that the government ratify the Rome Statute concerning the ICC to ensure that no people who perpetrated human rights violations are spared.

In many instances in this study, when cases of sexual violence or rape were reported to any level of authority, actions were rarely taken, those who lodged a complaint were given a small amount of money to ‘keep quiet’, or they told to inquire at a later time about the issue. Yet in the majority of cases it was found that a real investigation of any of these cases was not undertaken.

"A 13 year old girl, sleeping in the house, was taken away by the security forces when there was no one in the home and raped her after that. They released her next day. Local organizations filed the case but the case was dismissed by the security forces giving money to the poor family. The Whole society accepts the fact afterwards".

In some cases, armed personnel have threatened victims not to tell anyone about particular incidents. In any case, authorities were not in a position to punish any of those held responsible. In a number of cases, security forces had abducted the girls and have raped them and there is still no idea as to the girls' whereabouts and no action has been taken against those men who committed the crimes.

"A lady was returning from her uncle's home through the Uditola community forest. Two army personnel took her to the jungle and she missed after that. Local organization filed the case in the same issue and army warned me to gun down because of that. Her status is still unknown though army chief has assured to investigate the issue."

There were a number of cases where those accused were said to have been punished, yet the means of 'punishment' was transferring those personnel to another army post. Research has revealed that all levels of army personnel have been involved in acts of sexual violence and have created a situation where lower ranking offenders are almost never punished. Some cases were shown to demonstrate some commitment for the Maoists trying to resolve some cases. Despite these reports, however, being a rebel force with a law unto their own, the crimes they have committed went largely unreported and unpunished.

'The frustrating reality for many survivors of sexual crimes in conflict-affected settings around the world is that there are no systems to ensure basic protection to survivors, let alone access to justice. Such impunity both reflects and reinforces the widespread cultural norms that acquiesce to the inevitability of violence against women and girls whether in times of peace or of war' (IRIN, 2007: 31).

Conclusions

Post conflict status of our country raised the hope of common us for better future with equal value and importance of all the citizens without any discriminations. In the midst of all these we should not forget the intimidation and violence against the common people especially women during the war. Gender based sexual violence is not the only the issue related to war but can also be seen in the peace. That's why it should be regarded as a regular affair to deal by the government and related agencies and institutions.

Further research and documentation of the victims and agents of sexual violence during the war should be initiated by the government involving the human right organizations and civil society for the justice of the victimized people. Study and documentation should aim the identification of the people involved in such acts along with the prerequisites for the government to respond through immediate support measures for victims. Similarly social, legal and structural advocacy is urgent in global, national and local level to stop the social exclusion, gender based discrimination, deeply rooted negative social structures and belief systems.

Since all the declarations, conventions, meetings decided to act for the discriminated group of people, we should make sure of their right to live with equal involvement. Unless there is single culprit who is unpunished by the state, it can't be regarded as the support of human right. It's now, that's why the need of all the stakeholders of national and international presence to make sure of the elimination of all kind of gender based discrimination and violence through the establishments of common approach and agenda.

Recommendations

Recommendations made by Communities:

Community recommendations to combat Sexual violence and rape

Are there any events of security forces, abusing your daughter?

“Yes. They have raped and left our girls stranded after marrying them. Maoists are not involved in such events. Looting has increased and army men abused our girls since the village road is inside the barrack area.”

Community suggestions on what can be done to prevent such abuse:

- Meetings should be conducted keeping both victims and agents together
- The more senior-ranked Army posts should order the lower-ranked army men to end such behaviour and should direct strong discipline
- Culprits from the barracks should be punished in front of the local people rather than transferring them to other post and hiding their sins.
- Awareness programs should be arranged for the children

Proposed programs suggested by community:

- Training on Programs for behaviour of security personnel
- Training of Army men
- Community awareness-raising

Groups Discussion, Sewak Nepal, Sanfe, Accham District

Recommendations for conflict wives

There were many cases and events of army having torture wives after marriage, many of them had fled with the army men. A suggestion to deal with the issue was to conduct “trainings related to income generation and skill development which would be useful for those women.”

Individual Questionnaires, Majhi Community, Doti District

Traveling in groups

“Up to 10 girls from the village were married to security forces when there was check post here 3 years ago. We complained to them because they used to tease girls while patrolling the area. After complaining they stopped to tease girls directly but the phone in the school was used after that as a tool to flirt with the girls. The school administration provoked us to hold an informal meeting between mothers and daughters which showed some positive results and the environment in the area improved. Maoists had no connection with any of these issues.

Many times we feared for our daughters. After the we organised a meeting between mothers and daughters, the girls used to walk and travel together in groups. During school time, school administration would look after them and when they were in their homes, family used to take care of them. When groups of girls are out of the check post we used to feel safe.”

Sosari Village Ward No 16 Gulariya Municipality, Bardiya District

Recommendations against Harassment and verbal abuse

Recommendations from teachers:

“Even nowadays, army in civilian dress used to come here and look inside the class window. They were here earlier today and we told them no to show such behavior, which they agreed. We should aware parents; educate them about the positive and negative affects of such activities to stop such behavior by security forces. Girls should be aware about own family status responsibilities and the issue of human rights. There should be a program addressing these issues along with the sex education”.

Groups discussion with teachers, Shri Shiva Shakti Sec School, Perani Banke District

Recommendations from local NGOs:

Suggestions for effective programs:

- Army should be kept in isolation
- Mentality of army should be changed
- Self employment of the locals is needed
- Survival to the victims
- Awareness campaigning programs on adolescents sexual health and rights
- Training to the teachers on the subject of youth rights,
- Awareness campaigning to the lower level security forces to respect women and child rights.

APPENDICES

A. Organisations working on issues of sexual violence

AATWIN (Alliance Against Trafficking in Women and Children)
 ASMITA
 CARE Nepal
 CCO
 CIVICT (Center for Victims of Torture)
 DidiBahini
 FWLD (Forum for Women, Law and Development)
 INSEC (Informal Sector Service Center)
 LWF (Lutheran World Foundation)
 Maiti Nepal
 MGER (Mainstreaming Gender Equity Program)
 NNAGT (National Network against Girl Trafficking)
 Sancharika Samuha
 Save the Children Norway
 TEWA
 UNFPA (United Nations Population Fund)
 UNIFEM (United Nations Development Fund for Women)
 WOREC (Women's Rehabilitation Center)
 ABCN Nepal
 Nagarik Aawaj

B. Statistics on research

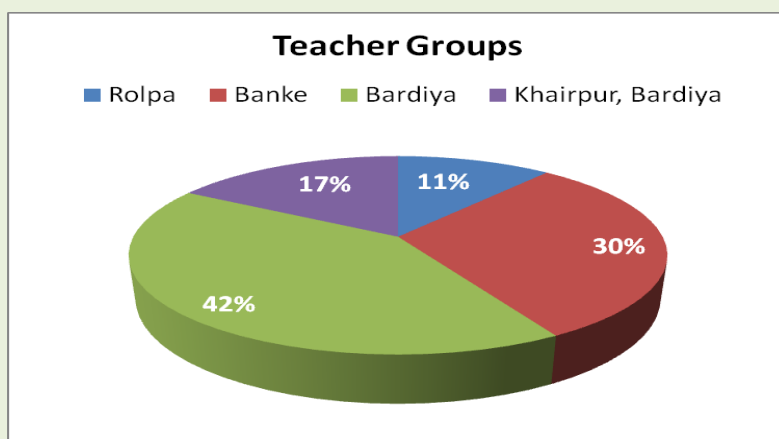
1. Total respondents from Banke, Bardiya, Doti, Accham and Rolpa Districts

Districts	Teacher's Group	Students' Group (Girls)	Men's Group	Women's Group	Individuals	Total
Rolpa	4	20	3			27
Banke	17	14	3	6		40
Bardiya	15	9	8	15		47
Doti			8	25		33
Accham			10	25		35
Kailali			5	1		6
Total	36	43	37	72	10	188

2. Number of participants interviewed

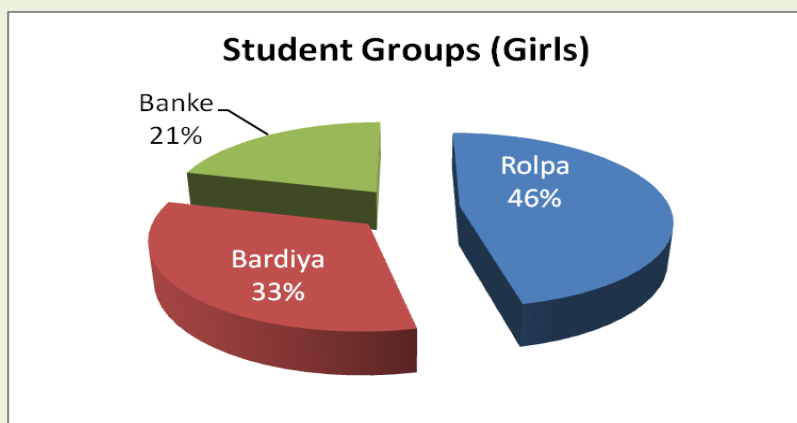
Teacher Groups

District	Number of participants
Rolpa	4
Banke	11
Bardiya	15
Khairpur, Bardiya	6



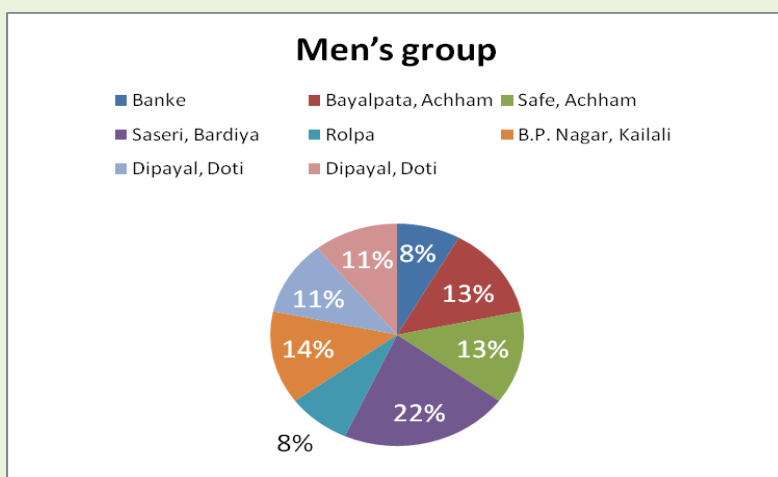
Student Groups (Girls)

District	Number of participants
Rolpa	20
Bardiya	14
Banke	9



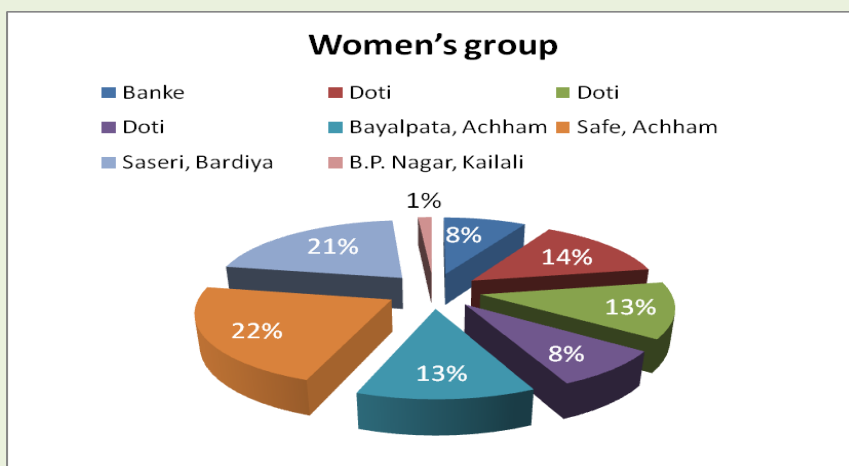
Men's group

District	Number of participants
Banke	3
Bayalpata, Achham	5
Safe, Achham	5
Saseri, Bardiya	8
Rolpa	3
B.P. Nagar, Kailali	5
Dipayal, Doti	4
Dipayal, Doti	4



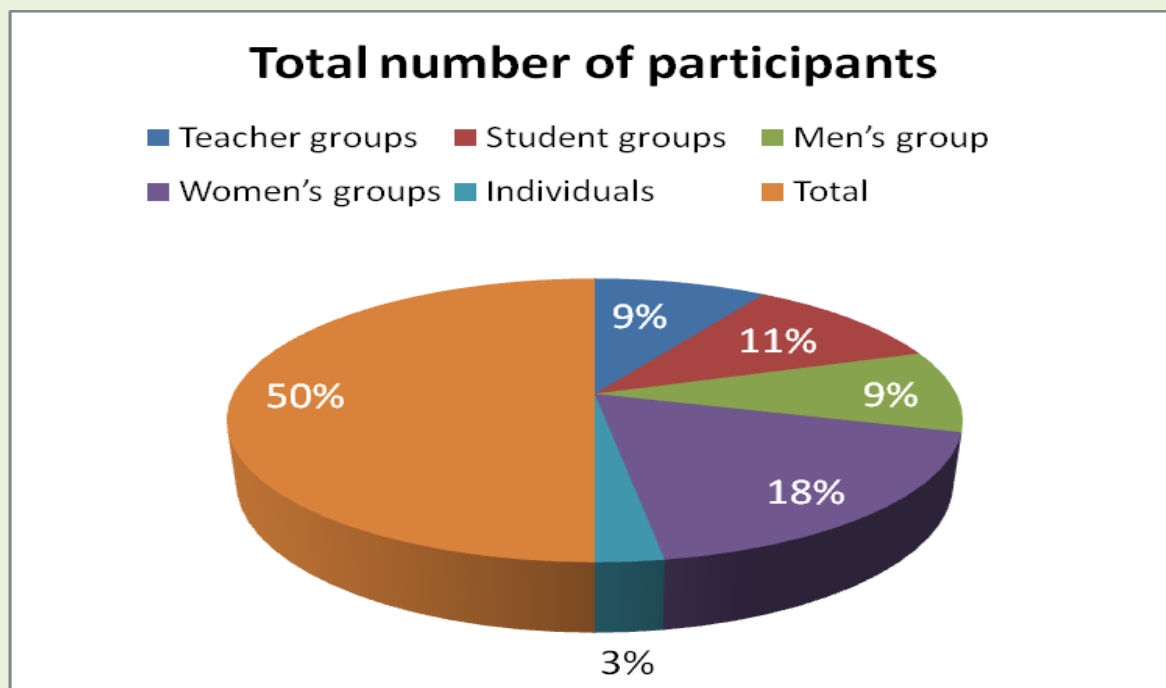
Women's group

District	Number of participants
Banke	6
Doti	10
Doti	9
Doti	6
Bayalpata, Achham	9
Safe, Achham	16
Saseri, Bardiya	15
B.P. Nagar, Kailali	1



Total number of participants

Teacher groups	36
Student groups	43
Men's group	37
Women's groups	72
Individuals	10
Total	198

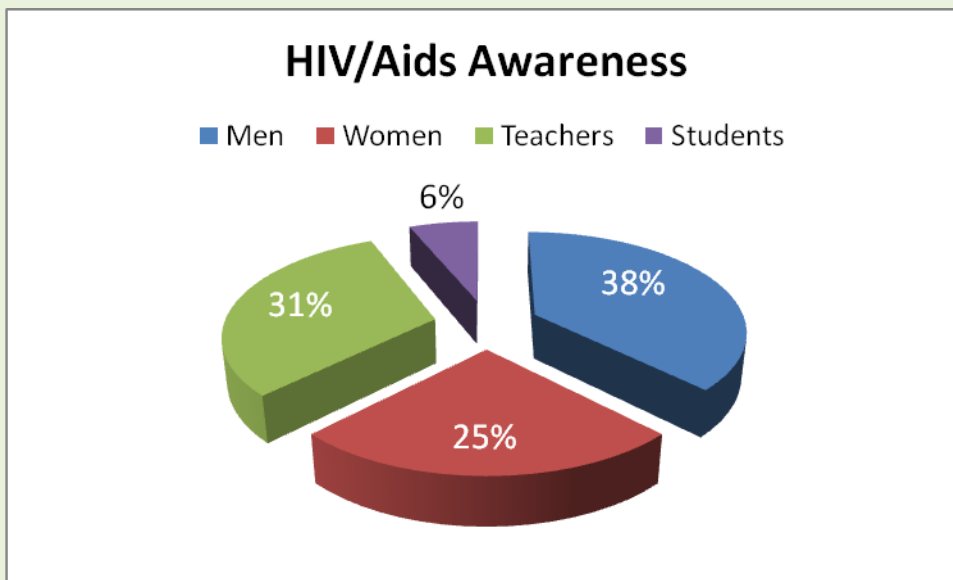


3. Forms of intimidation

Forms of intimidation	Respondents				Total
	Men	Students	Teachers	Women	
Promises to Marry	4	2	4	5	15
Threats of Maoist involvement	3	1	4	3	11
Attraction	5	1	3	5	14
Threat of Weapons	5	1	2	3	11
Other threats	1	1	1	1	4
Total	18	6	14	17	55

4. Awareness level of people on HIV/Aids

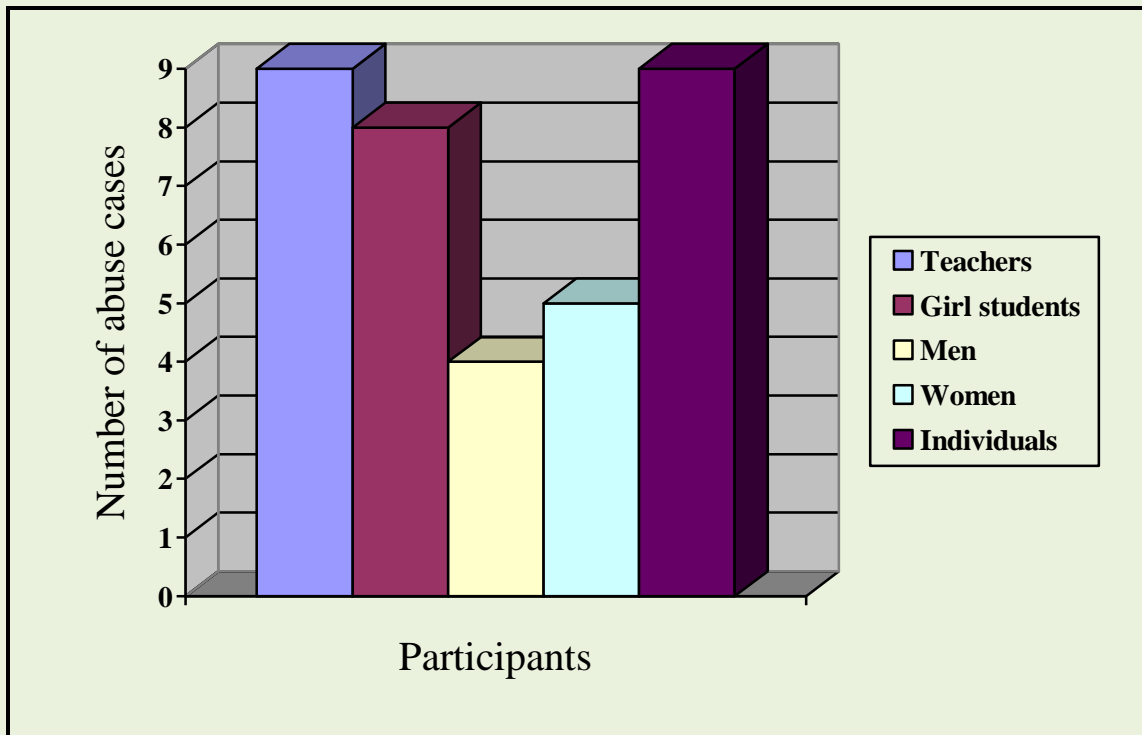
Respondents	Confirmed awareness of HIV/ Aids
Men	6
Women	4
Teachers	5
Students	1
Total	16



5. Cases of abuse reported during research

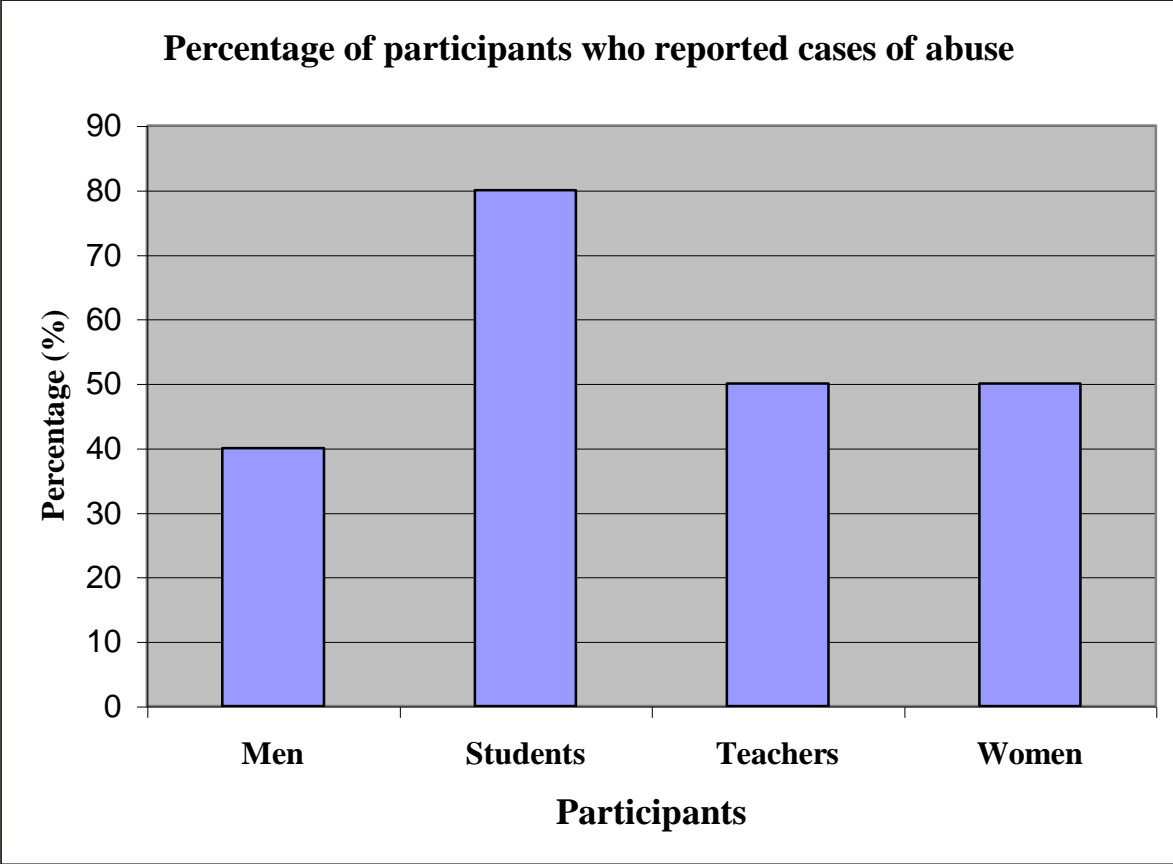
Participants	Number of cases reported
Teachers	9
Girl students	8
Men	4
Women	5
Individuals	9
Total	35

Cases of abuse reported by participants



6. Percentage of participants reporting cases of abuse

Participants	Percentage of participants who reported cases of abuse (%)
Men	40
Women	50
Teachers	50
Students	80



C. Questionnaires

SURVEY QUESTIONNAIRE

A questionnaire to highlight sexual violence and rape cases in Banke, Bardiya, Rolpa, Achham and Humla district on young women and children during the conflict.

1. Name (Confidential)..... Address:
2. Number of family members Age.....
3. Caste.....
4. Whether any family members are engaged with either the security or Maoist side? If yes..... Where /which side.....
5. Are you a student or did you drop out.....
6. If you are a student, in which class are you studying.....
7. If you dropped out then why?
8. Whether security forces will come in your villages?
a) Some times..... b) Everyday c) Never.....
9. Whether they enter inside your houses?
a) Yes they enter inside b) No they didn't enter inside
10. When the security forces enter in your village how do they behave?
a) They use very rough language.... b) They touched our body parts....
c) They try to hold us forcefully e) They insist to have sexual relations
a) Behave politely
11. Whether you have been a victim of security forces?
a)Yes..... b) No.....
12. If yes then, how?
a) In the promise of marriage
b) Threatening me that if I do not obey then labeled as a Maoist
c) I myself am impressed by them...
13. Are you married? Yes..... No.....
14. If yes how many children do you have.....
15. Whether Maoist (PLA) are coming in your village (Are they very frequent?)
a) No they never came..... b) Some times..... c)They are staying in the village.
16. Whether they enter in side your houses? a) Yes.... b) No.....
17. What do they do after entering your houses?
a) Ask for food..... b) Misbehave with the young girls
c) Harass the girls..... c) Behave politely
18. What was the Maoist behavior towards you?
a) They use very rough language.... b) They touched our body parts....
c) They try to hold us forcefully e) They insist to have sexual relations
f) Behave politely
19. Whether you have been a victim of Maoist?
a)Yes..... b) No.....
19. What is your feeling if you see the security forces and Maoist in combatant dress with arms?
a) I feel scared after seeing arms b) Attraction

- c) I hope I could be like them also
- c) I want to marry that guy
- e) I didn't feel any thing

20. If the Security forces/ Maoist abuse you what is your reaction?

- a) Act against the behavior
- b) Bear the pain without saying anything
- c) I cannot speak due to the social threat

20 Have you heard about HIV or Aids?

- Yes
- No

21 Have you had any sexual health problem arising from contact with security forces or Maoists?

- a) Yes
- b) No

If yes, what problem?

22 What action should be taken against the people that practice sexual violence?

- a) Not let them to enter inside the village
- b) Not let them to enter inside the schools/houses
- c) Hard punishment for them
- d) These are the normal things for them
- e) I don't know.

QUESTIONNAIRE/ CHECK LIST TO THE COMMUNITY LEADERS:

1. Name:
2. Age:
3. Education:
4. Caste
5. How many people are in the villages?
6. How many young girls are in the villages?
7. Do the Security forces or Maoists come to your villages? How many times SF or Maoists come to the village
 - a) by week
 - b) by month
 - c) by year
 - d) Never
8. If they come what they do?
 - a) Ask for food
 - b) Arrest / kidnap the villagers
 - c) Sexually abuse the young girl children
9. If they have abused young girl children, how did it happen?
 - a) Promise for marriage with them
 - b) Threaten to blame as Maoists/ security forces
 - c) Self attracted young girls
 - d) Using weapons
10. How many are forced to have sexual relation in this village?
11. Of these how many have given birth to children?

12. How many young girls are abused in the villages?

13. Are they still in the villages?

14. How has society behaved with them?

15. How do you react in such cases?

a) We file the cases

b) We can not say any thing

c) We villagers react jointly

We discard those abused girls from the society or the family

16. Have you heard about HIV or AIDS?

a) Yes

b) No

17. If yes, how can it spread in the village?

18. Among the abused young girls have they sexual health problem?

19. If yes, what happens to them?

20. How would you or community like to punish the perpetrators?

21. What would you like to happen for a better life to those young girls?

22. Any recommendations?

QUESTIONNAIRE/ CHECK LIST TO THE COMMUNITY WOMEN GROUPS:

1. Name:

2. Age:

3. Education:

4. How many times Security forces/ Maoists come to your villages?

Frequently

Often

Regular

Never

5. If they come what they do?

Ask for food

Arrest/kidnap to the villagers

Sexually abused to the young girl children

6. If they have abused young girl children, how did it happen?
Promise for marriage with them threat to blaming as Maoists/ security forces
Self attracted young girls using weapons
7. What do you feel at that time when your own children are abused?
I hate that person I become angry and I like to kill him
I discard my own from the society I have sympathy with her
8. How many are force to have sexual relation in this village and how many women in the village?
9. Of these how many have given birth to children?
10. How many young girls are abused in the villages?
11. Are they still in the villages?
12. How have society behave with them?
13. How do you react in such cases?
We file the cases We can not say any thing
We villagers react jointly We discard those abused girls from the family and society
14. Have you heard about HIV or Aids?
Yes No
15. If yes, how it can spread in the village?
16. Among the abused young girls have they sexual health problem?
17. If yes, what happens to them?
18. How would you like to punish the perpetrators?
19. What would you like happen for a better life to those young girls?
20. Any recommendations?

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