

Report on the Fourth National Consultation of Women Human Rights Defenders, 29-30 November, 2007

In a historical milestone of the women's movement in Nepal, 29 November - 1 December, 2007 witnessed a remarkable participation of 500 Women Human Rights Defenders from all the 75 districts representing various marginalized groups such as madhesis, pahade madhesis, women with disabilities, muslims, women workers working in informal sector(entertainment sector), rajis, sexual minorities, landless, dalits, squatters, landless, indigenous and socially excluded groups *during the Fourth National Women Human Rights Defenders Consultation organized by the National Alliance of Women Human Rights Defenders (NAWHRDs)* that fell during the 16 Days of Activism to end all forms of Violence Against Women.

The WHRDs stood on a common platform challenging the various forms of violence caused by the state and non state actors that they had encountered in advocating and defending their rights and the rights of other women. The outcome was first democratically elected WHRDs National Committee and Kathmandu Declaration that echoes the demands of Women Human Rights Defenders and this tool will be an instrument. The consultation also opened avenues and spaces for differently abled women who had **sign language** interpreters throughout the consultations translating information and raising questions from the groups or vice versa.

The consultation was inaugurated by Mr. Ian Martin ,Special Representative of General Secretary, United Nations Mission In Nepal (UNMIN), Mr. Richard Benette, Office of the High Commissioner For Human Rights in Nepal (OHCHR),Honorable Chairperson Mr. Kedar Nath Upadhaya, National Human Rights Commission (NHRC) and 5 WHRDs representing 5 development region and various movements. These women represented various ethnic, religious and social minorities of the Country.

The WHRDs shared their experiences in the current political context of the country where the unstable and patriarchal state mechanisms have failed to address the various rights of the women as their human rights and women are more subjugated to various forms of violence in the post conflict period. Lack of unity amongst political parties, their raw commitments and exclusion of women during the peace process are some of the key areas that need to be addressed. Likewise it was firmly pushed that there should be a full proportionate electoral system and demanded 51% representation of women in all levels of government structure.

The WHRDs demanded that there should be recognition of their work by state and non state actors and lack of state protection have further put them into risks and vulnerabilities. WHRDs faces constant threats, intimidations and threats such that there have been cases where they had to relocate to a new place which makes it harder for them to adjust living away from their family members. Women's issues are still not the priority of the government structures in the districts as well.

It was followed by a book launch of "CLAIMING RIGHTS, CLAIMING JUSTICE:A Guidebook on Women Human Rights Defenders" by Ms. Lisa Pusey, Programme Officer, International Women's Rights Action Watch Asia Pacific (IWRAP Asia Pacific) and Mr. Kedar Nath Upadhay, Chairperson National Human rights commission Nepal. This guidebook is a result of the collective effort by numerous individuals, groups and institutions committed to the cause of affirming and upholding women's human rights from around the globe. It is an important initiative to acknowledge the valuable contribution of Women Human Rights Defenders in the promotion and protection of human rights, and to empower them further in their role as defenders. Lisa added that the movement of the Women Human Rights Defenders is very unique and it should be followed as an example by the others. The WHRDs poster was also launched with the guidebook.

Mr Ian Martin, Special Representative of the United Nations Secretary General, spoke to the crucial need for women's active political participation and gender equality to enable Nepal to move towards a sustainable peace process and democratic transformation. He suggested that a national framework for achieving equality of women and girls which translates international commitments to gender equality to national reality would enable this to happen more quickly and effectively. Mr Martin acknowledged the strength of women human rights defenders in Nepal and their role in bringing the language of international legal obligations to the grassroots and marginalised communities and working towards social transformation.

Mr Richard Bennett, Representative of the High Commissioner for Human Rights in Nepal, spoke of the impacts of violence against women on women, communities and society as a whole and stressed the need for concerted efforts towards eradicating violence against women. He also stressed on the need of implementation of UNSCR 1325 that echoes the participation of women in the peace process and various development processes in the post conflict period. Mr Bennett stressed the critical role of women human rights defenders in working towards a violence free society and equality between men and women.

Honorable Chairperson Mr. Kedar Nath Upadhaya, National Human Rights Commission (NHRC) also stressed that the gross violation of human rights is not only limited to women's rights but it's a problem of the whole nation. The government should use tools such as Human Rights Instruments and Convention on the Elimination of All Forms of Violence Against Women (CEDAW) to protect women's rights and open spaces for women to access law and social justice. It is crucial to review various mechanisms on Violence Against Women and there should be an end to impunity and perpetrators should be punished. There is a need for Women's Commission to be more functional that is a key ally of formulating plans and programmes for the empowerment of women and penetrating issues that are deep rooted in the society. Likewise he added that NHRC commits to monitor the violation of rights of WHRDs and create protection mechanism as well.

Mr. Arjun Karki, President of Non Government Organization (NGO) Federation remarked that women in Nepal have been not only been raising their voices about their rights but the issues of human rights of the whole nation as well. Likewise, people have been collectively fighting for human rights of people. It is important to note that Peace Agreement that was signed in November 2006 does not necessarily solve human rights issues. It has come to a realization that democracy is connected to human rights and institutionalizing democracy and human rights should be the concurrent process.

Dr. Renu Rajbhandari, Coordinator of National Alliance of Women Human Rights Defenders also shared about the history of the women's movement in Nepal. The main objective of the women's movement is to pressurize the power holders by identifying the power structure and then launching series of events for social justice and realization of human rights for all. The women's movement has been active and strong long before the democracy when they used to hide and protect their comrades during the autocratic monarchy. Women have always been an integral force of the political movement however they felt a pang of injustice and discrimination when they were only ' given' 5 % reservation during the 1990 People's movement. It was then realized that women should also be pro active and claim their rights which was done through various openings of Non government organizations from a welfare approach that failed but gave rise to class structure. The alternative led to issues being taken from rights based approach that has been an instrument of protecting and promoting rights of women. The existing movement of the women is a demand to declare the dates of the constituent assembly election that is required to end the structural marginalization and the class structure that has reigned for 238 years and for a total proportionate electoral system. She also stressed on the need of a High level Commission on Violence Against Women to end all forms of Violence Against Women.

The second core session of the consultation involved more sharing of experiences by the WHRDs about the risks and vulnerabilities that they have encountered in their human rights work. Dr. Renu Rajbhandari conducted a session on conceptual understanding of movement and activism and to create linkages of the various movement and strategize to strengthen the women's movement. There were questions raised on the reasons why women are still marginalized in the society and subjected to various forms of violence. It was explained that patriarchal feudal politics are one of the few reasons that marginalized women that plays a political divide and rule policy where men take divide the women and take over the entire power. The role of the women is only limited to care economy and reproduction and women also do not have control over their bodies. Another reason is the direct result of the national politics which does not provide space for women to access resources, information so that women are left behind. It is important to understand that without the structural changes in our society, women will still be subjected to various forms of violence which means supporting the victim with various forms of support. In order to break this patriarchal structure, we should fight against the patriarchal structure and the movement should start from the house, family and society. We should also create environment for this movement and stand united and build our capacity to lead this movement.

The third core session of the consultation was 12 skills workshop on various issues. The skills workshop were planned on the challenges of movement of those issues that WHRDs are advocating, challenging and defending for the rights of the women. These challenges were raised by WHRDs themselves so this skills workshop was a platform created for issues to be shared and then strategies formed. The main objective of the sessions were to share and discuss the various problems and challenges faced by WHRDs working on these movements and what are the recommendations to end such forms of violence and the future strategy to strengthen the WHRD movement. Once these issues were identified, various resource persons working on these issues were requested to facilitate these sessions. The participants were quite enthusiastic to learn more not only about their issues but issues that is being carried by WHRDs as they could freely attend any workshops that they preferred. The issues were Women's Health Rights Movement, Women's Land Rights Movement, Movement of Sexual Minorities Women's access to natural resources Movement, Movement to fight against Violence Against Women, Dalit Women's Rights Movement, Women with HIV and their movement, Women in Politics and their movement, Movement of Women working in Informal Sectors, Movement of minority and marginalized women's groups, Movement of women with disability and Women's right to Housing Movement.

The outcome of some these sessions were shared and then discussed amongst the participants.

In Women's Health Rights Movement, it was shared that women do not have any decisive roles in the number of children that they want and if they want an abortion. Lack of health organization and women staff during delivery puts women in risks. Women who are raped cannot do a forensic test in the districts to show the evidences such that they are stigmatized in the society and unable to access justice.

Under Women's Land Rights Movement, women do not right to land and women have been protesting against it with numerous declaration but nothing has been done. Therefore women should have joint ownership of property rights and participation of women in the administration of the land rights sector is a must.

It was shared from the movement of sexual minorities that women sexual minorities are even discrimination with the marginalized women. Likewise transgender people are deprived of their education and employment and the government has not made any possibilities for third gender persons to gain citizenship as the notion of gender does not have a broader term than male of female gender.

The participants from Movement to fight against Violence Against Women shared that violence against women is due to social and gender discrimination and also the fundamental rights of women is not ensured. Therefore women network should be formed in the community to address these challenges for women's rights and also skill development training so that they can be economically independent. Likewise men should also be oriented to end all forms of violence against women as well.

Within Dalit Women's Rights Movement, it was expressed that dalit women are not only poor which is the root cause of marginalization but the violence is further perpetuated due to other forms such as trafficking. Rape, Witchcraft etc. Likewise dalit women do not right to land, no citizenship such that they are forced to live in slums and further humiliated. Even if they work as a labourer, they get low wages. The government has not made any appointment of a dalit woman in the interim government and there has been a demand f 11% reservation in all the government appointments. One of the most important issue that was raised that the focus should be extended to Madhesi dalit women as well who faces the same level of violence but often ignored. These were some of the issues that was raised by various WHRDs working on these issues.

The sharing of the outcomes of the skills workshop brought a strong demand from the WHRDs for a declaration that incorporates all these issues. The declaration was formulated and then read out to WHRDs who further gave their inputs to ensure that the issues are incorporated and it was passed by all the WHRDs. It was decided to use this declaration as a tool for lobby and advocacy.

This intense two day consultation was a package of sharing case studies of violence against WHRDs, showing documentary of various women's movement, late night meetings and discussions, constant arguments for a common understanding and cultural experiences. This historical movement has not only made WHRDs realized the need to strengthen the movement but also that getting united to challenge, advocate and defend women's human rights is the only tool to struggle for equality, social justice and social transformation and this can be further translated through political participation in the Constituent Assembly Election with a full proportionate electoral system.

The consultation was also attended by diverse groups such as members of human rights organization, non government organizations, international non government organizations, professionals, media centers, researchers, students, trade union, women's groups etc.