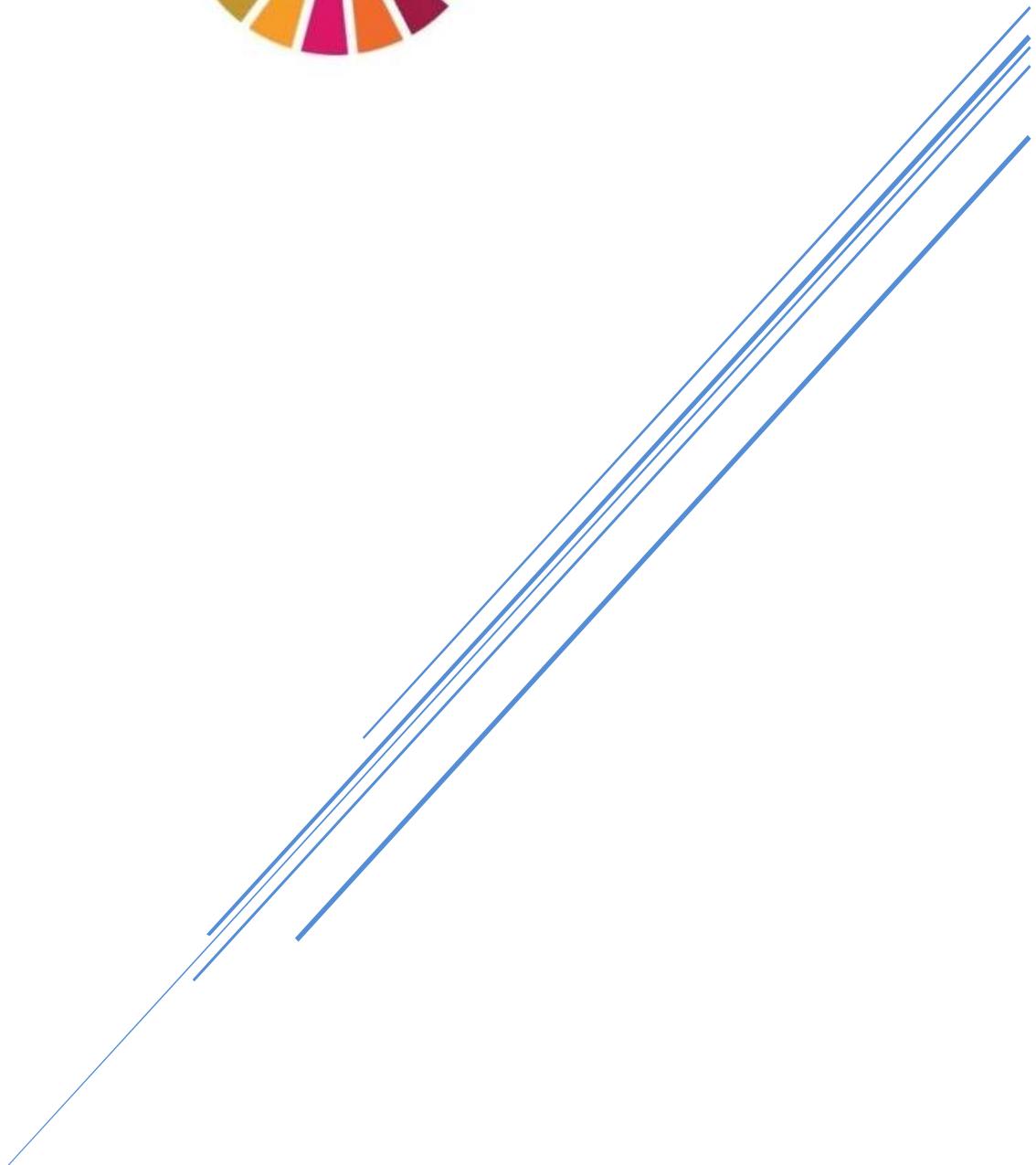


**CLAIMING OUR VOICES: BEIJING+25 AND GIRLS/WOMEN WITH DISABILITIES
IN NEPAL**

Research Report



Beijing
+25



Blind Women's Association of Nepal (BWAN)
July 2021

Acknowledgement

It was an honor and privilege to work together with Blind Women's Association, Nepal (BWAN) to bring forward this research report, which reviews the progress of the Beijing Platform for Action (BPFA) based on experiences of girls/women with disabilities in Nepal. First, I would like to thank the President of BWAN, Ms. Sita Subedi for her leadership and support in this research initiative that explores how girls/women with disabilities continue to remain invisible in both policies relating to disability and gender in Nepal. I am indebted to Ms. Neera Adhikari, the Founding President and Advisor of BWAN for her insights and constructive feedback in all stages of the research process. I would like to thank Ms. Laxmi Nepal, the former Programme Officer of BWAN for her feedback in the inception report and continued support in consultation workshops. Special thanks are due to Ms. Garima Chaulagain, the Programme Officer of BWAN for her leadership in undertaking consultation workshops both physically and virtually.

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Dr. Neeti Aryal Khanal
Consultant Researcher

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Executive Summary

This report presents the findings of the research undertaken by Blind Women Association of Nepal to review the implementation of the Beijing Platform for Action (BPFA) from the standpoint of girls/women with disabilities. The study is a part of the project funded by Women's Fund Asia to amplify the voices and concerns of girls/women with disabilities in Nepal concerning the 12 critical areas of concerns, identified by the BPFA.

The report combines the findings from the desk review and consultation workshops with stakeholders and girls/women with disabilities in all seven provinces of Nepal. The desk review included documents in three core areas: National policies in Gender, National policy in disability, as well as the Nepal Government's and civil society's reports on Beijing Platform for Action reviews.

The key findings from the research reveals that the Government of Nepal continues to adopt a blanketed approach towards women with disability. This applies to policies and programmes in both Gender and Disability. This has resulted in the invisibility of girls/women with disabilities, who have different needs and challenges than men with disabilities and able-bodied women. Disability rights and women rights organizations working for the rights of these girls and women, need to challenge this and make the government accountable towards the commitments made in BPFA concerning them as well.

The review also includes the recently formulated Gender Equality Policy (2021), introduced on 8th of March 2021. The formulation of policy is an important milestone to achieve Nepal's long-term vision of "Prosperous Nepal, Happy Nepali", as identified by the 15th Periodic Five-Year Plan (Fiscal Year 2019/20-2023/24). The plan aims to achieve significant progress in achieving gender equality along with progress on poverty alleviation, education, and health equality¹.

¹ NPC (2019) The fifteenth Plan (Fiscal Year 2019/2020-2023/24), National Planning Commission (NPC), available at [15th plan English Version.pdf \(npc.gov.np\)](https://www.npc.gov.np/15th_plan_English_Version.pdf)

Key Findings

1. Policies on gender continue to portray women as victims, as someone who needs to be protected. Girls/women with disabilities are mostly invisible in policies on gender. From their standpoint, all mainstream federal policies are gender insensitive and non-disability inclusive. The domestication process of CRPD reflects well on the Acts Relating to Rights of Persons with Disabilities (2017). However, the implementation of CRPD remains ineffective on other federal policies on employment, violence against women, disaster, and newly formulated gender policy.
2. Provincial Consultations pointed out the lack of disaggregated data on girls/women with disabilities. Data is necessary to revise the current policies and to develop programmes based on the needs of girls/women with disabilities. It is also important to assess the effectiveness of existing programmes.
3. Nepal lacks a clear plan and policy on ending the poverty of girls/women with disabilities. Social protection mechanisms such as disability allowance have not been widely distributed as they should be. Girls/women with disabilities are more likely to be unregistered due to shame and stigma, which limits their access to the allowance, which is minimal at its best.
4. Due to lack of effective implementation of inclusive education, women and girls with disabilities right to education has been compromised. Schools and universities in Nepal predominantly lack disability-friendly infrastructure. In addition to, these structures are not gender-responsive as well. While national policy has put forward on disability, a programme of increasing school hostel for girls with disabilities, the concern on safety from various forms of violence remains.
5. The government's provision of providing basic health services for free in public hospitals is underutilized. In addition to that, despite growing awareness of differential needs of girls/women with disabilities and their

reproductive health, health services remain inaccessible and discriminatory towards needs of girls/women with disabilities.

6. Over the years, there has been growing awareness of girls/women with disabilities being more vulnerable to various forms of violence. This has been followed by various programmes including awareness-raising, shelter homes and legal aid for the survivors/victims. However, the low prosecution rate of the perpetrators has established a precedent to discourage survivors/victims from seeking help. Because of impunity, lack of rule of law and accountability of political leaders, they are pressurizing justice mechanism to release the perpetrator instead of supporting the survivors, which, needs to be seriously questioned.
7. Women with disability affected by armed conflict continue to be excluded from the peace process, transitional justice mechanism. Their inclusion is integral to ensure that the process is inclusive.
8. Girls/women with disabilities' engagement in the economy is predominantly shaped by welfare approaches, in which they are viewed as passive recipients of financial support and skill training. Though policies on gender and economy encourage entrepreneurship among women through the support of collateral-free loans among other provisions, girls/women with disabilities due to their differential needs have not been able to benefit from these programmes, which have been envisioned based on the experience of able-bodied women.
9. Girls/women with disabilities have been able to move towards positions of power and decision-making through reservations made on civil service examinations. The social service sector, particularly INGOs/NGOs are now more open to employing girls/women with disabilities. Despite these positive changes, there is a lack of strong policy in place that reserves girls/women with disabilities access to the position of power and decision-making. These reservations need to be enacted in different sectors: education, civil service, local government, and private sectors among others.

10. National policy on disaster is gender insensitive and does not recognize how marginalized women such as girls/women with disabilities are more adversely affected than women without disabilities. The policy needs revision to include differential needs and issues of girls/women with disabilities.
11. Issues and concerns of girls/women with disabilities have been partially recognized in areas of violence against women, reproductive health rights. Needs and concerns of girls/women with disabilities affected by disasters and armed conflict have been significantly ignored. There is also a strong lack of visibility of girls/women with disabilities in the media.
12. Girls with disabilities continue to be away from school due to discriminatory attitudes towards education and lack of effective implementation of inclusive education. In addition to that, parents of girls/women with disabilities need to be sensitized on importance of education. Among the many programmes proposed for mainstreaming children with disabilities' education, hostels for girls have been proposed. However, the proposed hostel needs to be safe for girls with disabilities due to the alarming rate of violence against girls with disabilities within these hostels.
13. Girls/women with disabilities are mostly affected group in Covid-19 pandemic. Their access to regular health and rehabilitation services have been compromised, their access to livelihood opportunities have been limited and their vulnerabilities to various forms of gender-based violence have increased. Their special needs have not been prioritized in Covid-19 testing and vaccination programmes.

Recommendations

These recommendations based on the findings from the policy review are made to inform organizations to identify areas for advocacy and action to mainstream the rights of girls/women with disabilities.

1. Commission for Persons with Disabilities

Nepal needs to have a commission on persons with disabilities, with meaningful representation and leadership of girls/women with disabilities. The newly formulated National Inclusion Commission, whose priority area includes persons with disabilities does not include any member from the disability community. This violates the spirit of “nothing about us, without us”.

2. Mainstreaming CRPD and BPFA

Rights-based organizations including those working on persons with disabilities and girls/women with a disability should now push for the domestication of CRPD and BPFA on all mainstream federal and provincial policies.

3. Need for Disaggregated Data

There is a greater need for gender and disability disaggregated data, including data on other social identities to understand the needs of girls/women with disabilities. Right based organizations should demand stakeholders to maintain record of the disaggregated data for effective monitoring and evaluation of the programme in disability and gender to identify challenges faced by girls/women with disabilities. Disaggregated data needs to be collected and updated in all levels of government: Federal, provincial, and local.

4. Meaningful Inclusion of Girls/Women with Disabilities

Beyond the tokenistic inclusion, girls/women with disabilities of diverse identities need to be included in all dialogues, consultations, advocacy, and

lobbying efforts organized by government, non-governmental organizations working for gender equality and rights of persons with disabilities

5. Multi-Pronged Approach on Poverty Alleviation

Girls/women with disabilities need to be identified as priority groups on all programmes on poverty-alleviation run by government and non-government agencies. These programmes need to adopt multi-pronged approach, which recognizes the diversity and differences among girls/women with disabilities. Current focus on persons with disabilities is limited to social protection schemes. This welfare-oriented approach needs to shift towards right based approach by making skill-based training and support for self-employment and entrepreneurship.

6. Amending Federal and Provincial Policies on Reproductive Health Rights

The Reproductive health rights of girls/women with disabilities have been reflected well on disability specific policies such as “The Act Relating to Rights of Persons with Disabilities” (2074), however they have not transitioned to mainstream federal policies such as “The Right to Safe Motherhood and Reproductive Health Act” (2018) and “The Right to Safe Motherhood and Health Regulation” (2020). These acts need to be amended accordingly.

7. Mandatory Budget Allocations

There must be provision for mandatory budgetary allocations for girls/women with disabilities in federal level and provincial levels. Budgets for girls/women with disabilities are allocated within budget allocated for person with disability, which itself remains nominal. Future Budget allocations for disability sector needs to be designed informed by gender responsive budget. Similarly, it is also important to conduct Gender Audit of the budget on disability sector. This points for the need for increased budget for persons with disabilities, allocating mandatory budget for girls/women

with disabilities. Similarly, girls/women with disabilities also need to be prioritized within budget allocated for advancement of gender equality.

8. Engaging Local Representatives

There is need to engage local representatives in ward level, municipal level, and provincial level to sensitize about rights of girls/women with disabilities. Rights based organizations like BWAN need to engage political leaders to hold them accountable for effective implementation of BPFA in relation to girls/women with disabilities at the federal and provincial level.

9. Expanding Employment Opportunities

Unemployment is very high among girls/women with disabilities. Even educated and skilled girls/women with disabilities are facing challenges to find employment. Most programmes on economic empowerment of girls/women with disabilities do not go beyond providing vocational training. The focus should now shift to provide more applied training on life skills that enables girls/women with disabilities to live an independent and dignified life. In addition to, there is a need for targeted policy and programme towards reservation of employment in the private sector and creation of opportunities for entrepreneurship and self-employment among girls/women with disabilities.

10. Inclusive Justice Mechanism

Girls/women with disabilities are in high risk of violence. Caretakers, family members and teachers entrusted with care and support of girls/women with disabilities need to be sensitized about rights of girls/women with disabilities to lead a violence free life, including legal provisions on violence. Existing mainstream law on violence does not acknowledge and recognize differential needs of girls/women with disabilities and does not specify survivors with disabilities' need for disability inclusive justice mechanisms. Girls/women with disabilities experiencing violence also do not have access to rehabilitation centers and shelter homes, which are not disability friendly.

Policies need to be amended and services need to be made gender and disability inclusive.

11. Right to Vaccine

Covid-19 Pandemic has magnified vulnerabilities of girls/women with disabilities, compromising their opportunities to livelihood, increasing vulnerabilities to various forms of violence. In addition to, their access to regular health services and rehabilitation services has also been limited. Covid-19 vaccine needs to be prioritized for girls/women with disabilities, ensuring they receive vaccine from their nearest place health center. In case of girls/women with multiple and severe disabilities, vaccine needs to be provided at home itself.

Introduction

Nepal is one of the 48 least developed countries (LDCs) of the world. National Planning commission of Nepal (NPC) has put forward a plan to achieve the status of “developing country” by 2022. In order to achieve that, Nepal has to meet set criteria which include addressing various axes of social and economic inequalities².

Persons with disabilities are among the most vulnerable and marginalized people in Nepal. According to the National Census (2011), there is 1.94% Persons with disabilities (PWDs) in Nepal. This figure has increased due to devastation caused by the April 2015 earthquake. However, disability rights activists argue that the population of persons with disabilities is higher. Based on the World Health Organization (WHO)'s estimate that 15% of the world's population is living with disability³. Based on the census data, number of men with disabilities (2.18%) is higher than girls/women with disabilities (1.71%).⁴ These figures are contradictory to findings of the “2011 World Report on Disability” (p.315) which indicates that female disability prevalence rate (19.2%) is higher than men (12%). The report estimates a higher prevalence rate in lower income countries: women (22.1%) and men (13.8%). These inconsistencies on data in Nepal can be attributed to stigma and superstitions attached to disability and tendency of family members to hide girls/women with disabilities.

Persons with disabilities in Nepal experience various forms of discrimination at home and face barriers to access to enjoy their basic rights of education, health, and freedom of expression. Girls/women with disabilities in Nepal experience further challenges; being a woman in a country with patriarchal ideologies and practices. Status of girls/women with disabilities in Nepal is also shaped by other forms of class, caste, and regional inequalities. Nepal has ratified a number of conventions and treaties including UNCRPD and CEDAW. However, girls/women with

² [Nepal braces for graduation from an LDC | UNDP in Nepal](#)

³ [Disability and health \(who.int\)](#)

⁴ [atlas.pdf \(kusoa.edu.np\)](#)

disabilities, despite being one of the most marginalized and excluded groups in Nepal, continue to remain invisible in state legislations, policies, and programmes.

Pandemic and Increasing Vulnerabilities

Covid-19 global pandemic has increased vulnerabilities of persons with disabilities in three ways: increased risk associated with disease, reduced access of routine healthcare and rehabilitation, adverse social impacts of efforts to control the pandemic⁵. Girls/women with disabilities face added vulnerability due to intersection of disability and gender. The study conducted by BWAN in December 2020 shows similar findings. According to report, girls/women with disabilities experienced loss of livelihood, food insecurity, and lack of sharing spaces and mobility restrictions along with reduced access to basic health services. Respondents also reported experiencing severe mental/psychological stress⁶. Similar study carried out by Nepal Disabled Women Association (NDWA) showed that 80% of girls/women with disabilities -particularly with multiple disabilities- women with intellectual disability and blind and visually impaired, did not receive any relief materials distributed by Government and Non-Government agencies⁷.

To address these challenges, Government of Nepal has general guideline for persons with disabilities and all stakeholders on Disability Inclusive Response Against Covid-19 Pandemic. The guideline has set standards for making all services inclusive and draws attention to the special needs of girls/women with disabilities: their vulnerabilities to gender based violence and required support for rescue and shelter.

⁵ Shakespeare, T., Ndagire, F., & Seketi, Q. E. (2021). Triple jeopardy: disabled people and the COVID-19 pandemic. *Lancet (London, England)*, 397(10282), 1331–1333. [https://doi.org/10.1016/S0140-6736\(21\)00625-5](https://doi.org/10.1016/S0140-6736(21)00625-5)

⁶ BWAN (2020) Situation Analysis of Blind and Visually Impaired Women in the Covid-19 Crisis in Nepal: A Study Report, Blind Women Association of Nepal (BWAN), Kathmandu, Nepal

⁷ NDWA (2021) Brief Report of Rapid Assessment Survey on Impact of Covid-19: Summary Report of Rapid Assessment Survey on Impact on Girls/Women with Disabilities, Nepal Disabled Women Association (NDWA), Kathmandu, Nepal

Towards Intersectionality and Disability

In initial years, issues, and concerns of girls/women with disabilities were ignored and sidelined by both disability rights movement and women's rights movement in Nepal. They were also largely excluded from development interventions and programmes. Over the years, with the emergence of disabled women's rights movement in Nepal and establishment of the right based organizations such as Nepal Disabled Women's Association and Blind Women's Organization among others, issues and concerns of girls/women with disabilities are gaining more acceptance and inclusion in both sector of disability and gender.

Inclusion of girls/women with disabilities in the debates, discourses, programmes, and policies on women are now more acceptable and visible in Nepal. Participation of girls/women with disabilities is visibly increasing in all spheres, but often is limited to a form of tokenistic and benevolent inclusion. Thus, girls/women with disabilities are largely excluded from active participation and decision-making opportunities.

More importantly, attention is being drawn to intersectional differences within girls/women with disabilities. These intersectional differences are shaped by experience of type of disability, caste/ethnic identity, sexuality, and geographical locations. Indigenous girls/women with disabilities, women with multiple disabilities and gender, and sexual minorities with disabilities, are most vulnerable and marginalized. The debates of intersectional differences within girls/women with disabilities are emerging, which has raised questions on reflection and accountability of leaders pursuing rights of girls/women with disabilities. The current report acknowledges differences within girls/women with disabilities and recognizes that these differences lead to different social and economic outcomes. However, it is beyond scope of the current report to offer nuanced and deep analysis to uncover these intersectional differences.

BPFA and girls/women with disabilities

Beijing Platform for Action (BPFA) is the first globally agreed comprehensive agenda to mainstream gender equality in all sectors of development. It is a universally agreed blueprint for advancing gender equality. This document was an outcome of the Fourth World Conference on Women in 1995, held in Beijing (China), where more than 30,000 activists and representatives of 189 countries gathered to debate what it would take to make a gender-equal world. BPFA is guided by Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), which was ratified by Nepal in 1991, soon after restoration of democracy. BPFA also builds upon other international normative frameworks: the Convention on the Rights of the Child (CRC) 1990, International Conference on Population and Development (ICPD) 1994. BPFA has helped to inform Millennium Development Goals (2000-2015), and Sustainable Development Goals (2015-2030).

Issues of girls/women with disabilities were officially recognized 5 years later in The Special Session of the General Assembly adopted a political declaration (resolution S-23/2 of 10 June 2000) and an outcome document entitled “Further actions and initiatives to implement the Beijing Declaration and Platform for Action”. Resolution S-23/3 notes that girls/women with disabilities are one of the most marginalized groups in society (p. 20)⁸.

Girls and women of all ages with any form of disability are generally among the more vulnerable and marginalized of society. There is therefore need to take into account and to address their concerns in all policy-making and programming. Special measures are needed at all levels to integrate them into the mainstream of development.

In 2020, BPFA has reached quarter of a century (25) years. UN has proposed multigenerational campaign “Generation Equality: Realizing women’s rights for an equal future”. Generation Equality forum have brought together “Action Coalitions:

⁸ UN (2010) S-23/3. Further actions and initiatives to implement the Beijing Declaration and Platform for Action, available at <https://www.un.org/womenwatch/daw/followup/ress233e.pdf>

Global Acceleration Plan” for next five years to push effective implementation of BPFA. The Action plan is centered on the intersectional approach, which recognizes girls/women with disabilities as important category to understand diverse experiences of marginalization⁹.

In addition to BPFA and CEDAW, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) is an important international convention that recognizes rights of girls/women with disabilities. Nepal ratified this convention on 7th May 2010. These three international frameworks: CEDAW, BPFA and UNCRPD are standards on which policies and programmes for girls/women with disabilities in Nepal need to be articulated. The current research primarily focuses on BPFA and 12 critical areas of concern in relation to girls/women with disabilities: a cross cutting intersectional issue.

Objectives

The general objective of the research was to explore gaps in implementation of BPFA in policy and practice in Nepal. The policy review is guided by these three specific objectives:

1. To assess the situation of girls/women with disabilities in relation to the commitment made by the Government of Nepal in BPFA.
2. To find gap in policies and practice based on experiences of girls/women with disabilities.
3. To hold government accountable in its commitments through programs and policies.

Rationale

BWAN, as a member of National Network for Beijing+25 Review Nepal (NNBN) is well placed to lead the advocacy on girls/women with disabilities and BPFA. In 2019, BWAN was invited to speak as member of the panel on political participation of grassroots girls/womebroughtn with disabilities, as a part of young feminist

⁹ Generation Equality Form (2021) Action Coalitions: Global Acceleration Plan, available at [UNW - GAP Report - EN.pdf \(generationequality.org\)](https://generationequality.org)

forum in Asia Pacific review of Beijing+25, Thailand. In addition to that, members of BWAN also delivered speeches in the main CSO panel during the 2nd day of CSO forum raising the “hopes” as young feminists. The findings of the study will identify the gaps in policy and programmes, which will inform BWAN’s strategies for advocacy for claiming voices of girls/women with disabilities in national and international Beijing+25 review.

Methodology

Status and experiences of Women with Disability are shaped by their identities of gender and disability. Thus, the study adopts twin methods of Gender Responsive Approach and Disability Inclusive Approach to evaluate policies and proceedings from the consultation workshops.

Gender Responsive Approach includes examining gender and power relations leading to inequality, discrimination, and exclusion, incorporating gender issues and gender-based differences in the design and planning process, and implementing measures to promote equal opportunities and inclusion¹⁰. This study adopts the “Gender Responsive Assessment Scale” adopted by the World Health Organization¹¹.

Level 1: Gender-Unequal	Perpetuates gender inequality by reinforcing unbalanced norms, roles, and relations: <ul style="list-style-type: none">• Privilege's men over women (or vice versa).• Often leads to one sex enjoying more rights or opportunities than the other.
Level 2: Gender-Insensitive¹²	<ul style="list-style-type: none">• Ignores gender norms, roles, and relations.• Very often reinforces gender-based discrimination.• Ignores differences in opportunities and resource allocation for women and men.• Often constructed based on the principle of being “fair” by treating everyone the same.
Level 3: Gender Sensitive	<ul style="list-style-type: none">• Considers gender norms, roles, and relations.• Does not address inequality generated by unequal norms, roles, or relations.• Indicates gender awareness, although often no remedial action is developed.

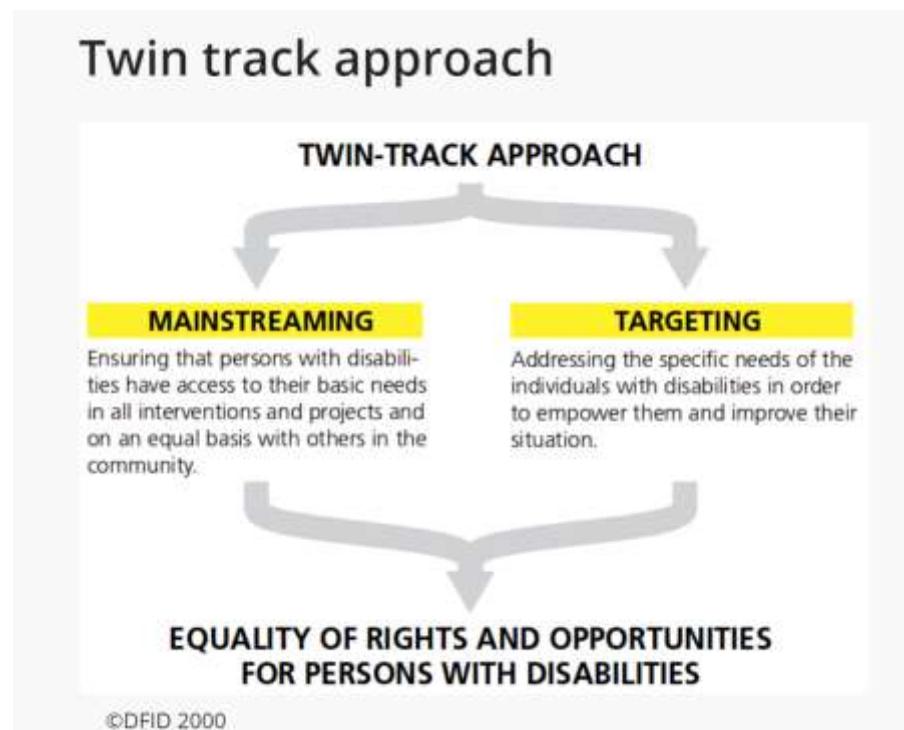
¹⁰ UN Women (2020) Review of gender-responsiveness and disability-inclusion in disaster risk reduction in Asia and the Pacific, available at [Review of gender-responsiveness and disability-inclusion in disaster risk reduction in Asia and the Pacific | UN Women – Asia-Pacific](https://www.un.org/womenwatch/daw/cedaw/reviews/Asia-Pacific/Review%20of%20gender-responsiveness%20and%20disability-inclusion%20in%20disaster%20risk%20reduction%20in%20Asia%20and%20the%20Pacific.pdf)

¹¹ World Health Organization (2011). Gender mainstreaming for health managers: a practical approach. World Health Organization. <https://apps.who.int/iris/handle/10665/44516>

¹² The term Gender-blind has been replaced with Gender Insensitive

Level 4: Gender-specific	<ul style="list-style-type: none"> • Considers gender norms, roles and relations for women and men and how they affect access to and control over resources. • Considers women's and men's specific needs. • Intentionally targets and benefits a specific group of women or men to achieve certain policy or programme goals or meet certain needs. • Makes it easier for women and men to fulfil duties that are ascribed to them based on their gender roles.
Level 5: Gender-transformative	<ul style="list-style-type: none"> • Considers gender norms, roles and relations for women and men and that these affect access to and control over resources. • Considers women's and men's specific needs. • Addresses the causes of gender-based health inequities. • Includes ways to transform harmful gender norms, roles, and relations. • The objective is often to promote gender equality. • Includes strategies to foster progressive changes in power relationships between women and men.

Disability Inclusive Approach enables “the full participation of Persons with disabilities as empowered self-advocates in development processes and emergency responses and works to address the barriers which hinder their access and participation”¹³.



¹³ Al Ju'beh, K. (2015). *Disability inclusive development toolkit*. Bensheim: CBM.

The Disability Inclusive Approach is best understood by the Twin-Track approach proposed by the Department for Foreign and International Development (DFID). This framework is useful to assess whether policies and programmes are disability inclusive¹⁴. Combination of these two perspectives is similar to strategy proposed by UN Women to adopt multi-pronged approach, which advocates:

- a) mainstreaming gender, age, and disability perspectives.
- b) initiatives targeting women and girls with disabilities.
- c) inclusion of women and girls of all ages with disability within UN Women¹⁵.

Informed by Gender Sensitive Approach and Disability Inclusive Approach as discussed above, study used two methods: Desk Review and Consultation Workshops on Seven Provinces of Nepal.

Desk Review

The study team had submitted a concept note on 21st January 2021 identifying the policies and documents for the desk review. Executive committee members, advisors, and staff of BWAN reviewed the concept note and provided feedback to finalize the list of the policies and documents for the review. Additional policies were identified after submitting the Inception Report in March 2021. Three types of documents were reviewed as shown in the table below.

Type of Policy	Title of the policy/document	Author/Responsible Authority
Government Policies on Disability	10-year National Policy and Action Plan on Disability (2072-2083)	Ministry of Women, Children and Senior Citizen
Government Policies on Gender	Domestic Violence Act (2009)	Ministry of Women, Children and Senior Citizen
	Sexual Harassment in workplace prevention act (2015)	Ministry of Women, Children and Senior Citizen

¹⁴ [Twin track approach | CBM HHoT](#)

¹⁵ UN Women (2018) The Empowerment of Women and Girls with Disabilities: Towards Full and Effective Participation of Gender Equality, available at [The Empowerment of Women and Girls with Disabilities \(un.org.np\)](#)

	National Policy for Disaster Risk Reduction (2018)	Ministry of law, Justice and parliamentary
	Right to Safe Motherhood and Reproductive Health Act (2018)	Ministry of Health
	Gender Equality Policy (2021)	Ministry of Women, Children and Social Welfare
BPFA review documents	Civil Society Report on BEIJING+25 (2019)	National Network for Beijing-review Nepal (NNBN), Forum for Women Law and Development

This list does not include other additional policies that are analyzed in relevant sections relating to 12 critical areas of concerns.

Consultation Workshop in Seven Provinces

Nepal transitioned to federalism from centralized governance with the adoption of a new constitution in 2015. Though the process of transition has been challenging, evidence shows that the change in system has reduced the distance between the people and their elected representatives. Research also shows that marginalized communities have better access and representation in Federalism¹⁶. Recognizing this shift, the study team planned to undertake provincial consultations on seven provinces of Nepal to explore the status of girls/women with disabilities. The workshops were designed as a tool of policy in practice with three main objectives:

1. To bring the voices and concerns of girls/women with disabilities from seven provinces to inform future advocacy strategies for BPFA.
2. To identify the gaps in policy and practice on rights of girls/women with disabilities.
3. To lead the advocacy in practice to make provincial governments accountable for BPFA.

Initial consultation workshops were conducted physically with the BWAN team visiting the provinces. With the increase of Covid-19 infections and government regulations, BWAN conducted the workshops virtually. Each workshop included a

¹⁶ Khanal, Neeti A (2020) "I can Speak: Navigating Masculine Spaces in Federal Nepal", Research Summary: Federalism in Nepal, Volume: 5, International Alert, Safer World, available at <https://www.international-alert.org/publications/federalism-in-nepal-i-can-speak-navigating-masculine-spaces>

session on presentations by BWAN representatives on briefing of BPFA in relation to girls/women with disabilities, followed by presentations by the representative of the Social Development Ministry of Provincial Government. More importantly, the workshops brought grassroots leaders, women activists and disability campaigners along with girls/women with disabilities in the same platform. Important part of the workshop was group discussion on 12 critical areas of concern. All participants were divided into six groups and were asked to discuss two issues identified by BPFA. Issues and concerns identified by group discussions were documented and analyzed by the study team. The findings from the consultations are discussed in detail in a chapter titled: "Status of girls/women with disabilities".

The study team had prepared final report consolidating findings from the Desk Review and Consultation Workshops on seven provinces. The report was shared to two expert reviewers: Shanta Laxmi Shrestha (Chairperson of Beyond Beijing Committee, Nepal) and Prof. Dr. Mira Mishra of Central Department of Gender Studies Tribhuvan University. Both experts provided detailed feedback to the draft. The findings were shared in Central Level Consultation Workshop organized by BWAN in Kathmandu amongst leading activists working on rights of girls/women with disabilities and other persons with disabilities. The feedback received from the consultation workshop was used to finalize the study report.

Policy Review

This section of the report presents the findings from the desk review of the selected policies and documents. After brief discussion on history of policy on disability in Nepal, discussions of the policy review are presented on relevant sections of 12 critical areas of concern.

Historical Review of Disability Policy in Nepal

Declaration of International Year of Disability (IYDP) in 1981 followed by UN Decade of Disabled Persons (1983-1992) paved the way for recognition of rights of Persons with disabilities in Nepal. Nepal drafted Disabled Protection and Welfare Act (DPW) in 1982: the first policy on Disability. Disability Rights Activists have criticized this policy being informed by a welfare-oriented approach rather than rights -based approach. As indicative of its time of formulation, conceptualization of disability in the policy is gender less and gender insensitive. With the reinstitution of democracy in 1991, the disability movement in Nepal grew with active participation of women leaders with disability. This led to growing recognition of differential needs and challenges of girls/women with disabilities within disability and women's rights movement.

Nepal ratified Convention on the Rights of Persons with Disabilities (CRPD) on 27th December 2009 and followed by optional protocol on 7th May 2010. The convention is a legally binding universal tool that guarantees the states which have ratified the convention are accountable to promote and protect the rights of Persons with disabilities¹⁷. Gender equality is one of the key principles that CRPD promotes, Article 6 of CRPD establishes the state's obligation to take appropriate measures to ensure the rights of girls/women with disabilities. These measures include legislations, policies, and programmes.

Nepal formulated a new policy, "The Act Relating to Rights of Persons with Disabilities" in 2017, after rigorous consultations with Disabled People's

¹⁷ [Disability: The Convention on the Rights of Persons with Disabilities \(who.int\)](http://www.who.int)

Organizations (DPOs) and stakeholders concerning rights of persons with disabilities. This policy/act was formulated for application of CRPD and to replace the earlier disability policy based on welfare-oriented approach¹⁸. Section 19, Chapter-4 entitled “Additional Rights of Women and Children with Disabilities” recognizes the rights of girls/women with disabilities. The act also acknowledges specific needs of girls/women with disabilities such as reproductive rights.

- 1) The Government of Nepal shall make necessary provisions as prescribed to protect the rights of girls/women with disabilities and to create an environment that is conducive to the maximum use of their knowledge, skill, and potential.
- 2) The Government of Nepal shall make necessary provisions for the protection of their health and the reproductive right, taking into account, considering the special situation of the girls/women with disabilities

Analysis of these provisions show that the Act is gender sensitive. Further revisions on this policy need to be considered from a gender responsive approach, aiming for the highest level: Gender Transformative, focusing on empowerment of girls/women with disabilities. As the policy was developed with leadership from disability rights activists, it follows the twin track approach of mainstreaming and targeting for the equality of rights and opportunities for persons with disabilities.

Invisibility of girls/women with disabilities

In order to have a general overview of the level of Gender Responsiveness and Disability Inclusiveness in the policy, the study team conducted word count of the key words: Disability, Persons with Disabilities, Women with Disabilities and Women. For the purpose of word count, “women with disabilities” was used instead of “girls/women with disabilities”. Findings are presented in the table below.

Table 1: Representation of girls/women with disabilities **in** Policies

¹⁸ NFDN (2017) Press release: The legislative parliament passes the Disability Rights Act, available at [Press Release: The legislative parliament passes the Disability Rights Act – National Federation of the Disabled – Nepal \(nfdn.org.np\)](http://Press%20Release%3A%20The%20legislative%20parliament%20passes%20the%20Disability%20Rights%20Act%20-%20National%20Federation%20of%20the%20Disabled%20-%20Nepal%20(nfdn.org.np))

Policy	Disability	Persons with Disability	Women with Disabilities	Women
Safe Motherhood Act 2018	2	0	0	39
Sexual Harassment at Workplace Act 2015	0	0	0	0
Education Act 1971	1	0	0	1
Human Trafficking Act 2007	0	0	0	0
The Right to Employment Act 2018	0	0	0	1
Gender Policy 2021	1	0	0	92
10 Year Disability Plan(current)	1129	31	58	238
5 Year Current Plan (2019/20-2023/24)	29	41	0	152
National Policy for Disaster Risk Reduction 2018	1	1	0	1
Domestic Violence Act 2009	0	0	0	4

Except for a 10-year disability plan, girls/women with disabilities are not mentioned in any of the Federal Acts and policies. This invisibility and silencing of girls/women with disabilities in policy itself minimizes their inclusion on interventions and programmes informed by them. It can be argued that mention of girls/women with disabilities alone is not a guarantee of their inclusion; however, it can be seen as a first step towards that direction. This invisibility in policies like The Right to Employment Act 2018, denies girls/women with disabilities' economic right including right to work, the right of adequate standard of living.

In March 2021, Nepal introduced the National Gender Equality Policy on occasion of International Women's Day with the aim of institutionalizing a gender responsive governance system in three tiers of government¹⁹. The policy acknowledges the need of making special provisions for marginalized and minorities, including those with disabilities. However, the act does make correct use of the term "Apangata Bhayeka Mahila", to denote girls/women with disabilities. Except for this brief acknowledgement of diversity among women, policy conceptualizes Nepali women as neutral devoid of social identities including disabilities. This policy from the

¹⁹ Policy was drafted in 2014 itself but was delayed due to several reasons.

standpoint of girls/women with disabilities is simultaneously Gender Insensitive and non-inclusive to persons with disabilities.

BPFA and girls/women with disabilities

This report is the first attempt to revisit BPFA from the perspective of girls/women with disabilities. The report revisits each 12 area of concern and explores where girls/women with disabilities stand in terms of policies, programmes, and interventions.

1. Women and Poverty

Disability, gender, and poverty are cross-cutting issues. Disability can be both a cause and a consequence of poverty. Persons with disabilities are caught in a cycle of poverty and disability, which can be hard to break away from. Girls/women with disabilities are twice marginalized, as women are more likely to live in poverty and so are persons with disabilities, so to address this issue requires an intersectional lens. The available data shows that, poverty levels have decreased - from 25.8% to 21.6% over 4 years²⁰ - but no segmented analysis is available to ascertain whether this change has had any effect on girls/women with disabilities.

Nepal has limited incentives and programmes directed at alleviation of poverty among girls/women with disabilities. These programmes are mainly based on the social protection mechanisms, which remains minimal and insufficient to support persons with disabilities livelihood and wellbeing. The analysis of the 10-year National Policy and Action Plan on Disability (2072-2083) reveals that the social protection mechanisms for persons with disabilities in Nepal has been reduced almost entirely to disability allowance, which the policy itself recognizes as insufficient. Furthermore, girls/women with disabilities' access to this allowance is limited.

Among 600,000 people living with disabilities in Nepal, only 200,000 or one third have been able to procure a disability identity card, which is crucial to receive the

²⁰ P9 National Network for Beijing-review Nepal (NNBN), Forum for Women Law and Development

state-offered disability allowance. The identity card categorizes disability into four groups based on the severity, which determines the amount of allowance. People receiving a red status (profound disability) or blue (severe disability) receive NRs 2000 and NRs 1600 per month respectively. Yellow (moderate disability) or white (minor disability) do not receive an allowance. Based on data from fiscal year (2016/17), among the total number of cards distributed (199,490), only 71,246 girls/women with disabilities have received the identity card²¹, which is only just over one-third of the total. It is therefore clear that there are barriers to access or discriminatory processes preventing women from benefiting from state-granted rights.

The Supreme Court had directed the government to increase the disability allowance to the range of 3,000 to 5,000 NPR based on the severity of the disability. Instead of implementing this, in 2020, during the Covid-19 pandemic, the government made sudden decision to cut off social security allowance for single women below 60 and persons with disabilities²². The National Federation of the Disabled-Nepal protested that the decision would affect 80,000 persons with disabilities. The decision was taken back by the government amidst the protests from disabled rights organizations and civil society, but the decision being made in the first place illustrates a gross disregard for the rights of these groups at a national level.

Furthermore, the reliance of the state on handouts to support persons with disabilities reveals that the government continues to be guided by a welfare approach rather than a rights-based or empowerment-based one. This is evident in the ways in which disability allowance is seen as charity rather than moral and ethical responsibility towards the most vulnerable citizens. Policymakers need to be oriented in the importance of social protection as an important mechanism to empower individuals and to foster the economic development of the whole country through supporting persons with disabilities to be productive members of society.

²¹ Budhathoki, Gajendra (2017) Disability Sensitive Concept of Local Government, Apangata Sarokar Online Portal, available at <http://www.sarokar.com.np/?tag=status-of-disability-in-nepal>

²² <https://kathmandupost.com/national/2020/05/26/single-women-and-disabled-people-decry-government-s-decision-to-cut-their-social-security-allowance>

The 10-year National Policy and Action Plan on Disability offers other important social protection provisions for persons with disabilities, including:

1. 50% discount in public transportation and airfare.
2. Free general checkup in public hospitals.
3. 70 essential medicines provided for free.
4. Discount on import duty for assistive devices for persons with disabilities.
5. 50% discount on income tax for persons with disabilities.

However, these provisions are not effectively or uniformly implemented, and once again it is those with the most marginalized identities who are least able to access these rights.

Among twenty priority areas identified by the policy discussed above, two areas are relevant to poverty alleviation: training, employment and self-employment, and social protection. Analyzing the objectives, strategies and action plans under these headings show that the language is gender insensitive and does not recognize the differential needs of girls/women with disabilities, which means that the social barriers of women accessing government programs will also apply to these initiatives.

The National Policy also has a whole priority area on girls/women with disabilities (no. 10), which acknowledges that girls/women with disabilities face more disadvantages and discrimination comparing to their male counterparts. The main objective of this priority area is stated as: “To empower girls/women with disabilities, increase their participation in public life, and facilitate their social and economic development and to end the discrimination and violence against them.”

However, the policy does not put forward any concrete action plan to end the poverty experienced by girls/women with disabilities. Though the policy mentions that the programme will be organized for economic empowerment of girls/women with disabilities, it does not specify the nature of these programmes and how they will be implemented, thus no concrete effect of this policy on this policy area can be pointed to.

Despite all efforts, women from the economically poor and socially disadvantaged groups, including girls/women with disabilities, are not able to receive expected benefits from the poverty alleviation and income-generating programmes²³. In addition to these barriers, girls/women with disabilities combined with other marginalized identities such as Dalit, indigenous and inhabitance in remote areas are more likely to be affected by poverty and less able to access programmes that can remove them from it. This shows that the intersectionality of girls/women with disabilities and other marginalizing factors such as caste or ethnic identity has not been sufficiently addressed when providing social benefits.

2. Education and Training of women

Article 24 of CRPD establishes rights of persons with disabilities to education. Inclusive Education as a human right for every child is recognized by CRPD and the preceding international policies such as Salamanca Statement.

Nepal is gradually moving from special needs education to Inclusive Education. Studies show that the government's commitment to inclusive education has been limited to policies and has not translated into practice. Majority of school going children with disability continue their education in segregated schools. The Government of Nepal has initiated the development of a strategy to strengthen access, participation and learning of children with disabilities²⁴. In 2017, the government adopted the Inclusive Education Policy for children living with disabilities with the aim to reduce educational exclusion of physically, visually, and mentally challenged children as well as code of conduct against sexual exploitation of women and girls.

The government has also deployed gender-responsive tools such as school outreach programmes, flexible schooling programmes, non-formal sessions, scholarships and incentives, gender friendly infrastructure, the appointment of more female

²³ P27 <https://ngocsw.org/wp-content/uploads/2020/01/Beijing-25-Review-National-Parallel-Report-submitted-by-Beyond-Beijing-Committee-Nepal-1.pdf>

²⁴ P12 National Network for Beijing-review Nepal (NNBN), Forum for Women Law and Development

teachers, and community learning centers. It is obvious that some of these measures will also help girls with disabilities access educational services too. The spread of digital literacy and the understanding of the benefits of online learning as a result, the pandemic also may have positive repercussions for children with disabilities to access school in non-traditional ways.

The enrolment of children from disadvantaged groups, including children with disability has increased²⁵. However, enrolling a child in a school and ensuring their ability to continue accessing school and to learn and thrive in the environment are separate things. Many children are still out of school due to disabilities²⁶.

One of the main persistent challenges for both female students and students with disabilities is related to existing school infrastructure. Most of the school buildings including classrooms, libraries and toilets are not gender and disability-friendly environments²⁷. Girls with disabilities face school infrastructure that doubly discriminates against them. Girls with disabilities are more vulnerable to sexual harassment and violence in schools and hostels, mostly perpetrated by teachers and staffs working there²⁸. There should be strong policy measures and preventive mechanisms to ensure that safety and dignity of girls/women with disabilities pursuing education are guaranteed.

The Government of Nepal has made educational scholarships available to students with a whole range of marginalized identities including students with disabilities, plus a vocational training program “EVENT II” which explicitly targeted persons with disabilities with apparent success²⁹. Due to lack of disaggregated data, it is challenging to identify how far persons with disabilities in particular girls/women with disabilities have benefited from the project. On the other hand, the amount

²⁵ P11 National Network for Beijing-review Nepal (NNBN), Forum for Women Law and Development

²⁶ P57 <https://ngocsw.org/wp-content/uploads/2020/01/Beijing-25-Review-National-Parallel-Report-submitted-by-Beyond-Beijing-Committee-Nepal-1.pdf>

²⁷ P13 National Network for Beijing-review Nepal (NNBN), Forum for Women Law and Development

²⁸ OHCHR (2018) Shadow Report submitted to the Committee on the Rights of Persons with Disabilities in its 19th session for the Country Review of the Federal Democratic Republic of Nepal 14 Feb - 9 March 2018

²⁹ [EVENT](#)

provided by these scholarships is low³⁰. The scholarship programmes are also hindered by a lack of monitoring, follow up, and programme development mechanisms.³¹

3. Women and Health

Health services are guaranteed for the entire population of Nepal, but policies are not segmented by gender and there are no special provisions for the most marginalized. As the majority of Nepal is rural and geographically remote, there are severe physical barriers to persons with disabilities being able to access healthcare services. In particular, due to the low status of women in Nepal, requesting and receiving the support necessary to transport them to health facilities can be a huge barrier.

One positive development has been the provision of primary health care outreach clinics which are organized every month at fixed locations to extend basic healthcare services to communities in remote areas. They do a good job at increasing healthcare access for marginalized people, including persons with disabilities. However, very few health facilities run health services that directly address the health needs of the most marginalized women and girls, taking both a life cycle and an intersectional approach. Girls/women with disabilities are therefore one of the groups most likely to be missed³². Health care workers are not trained on the interlinked multiple dimensions of health for those with multiple marginalized identities. The intersectional approach is the only one that will address health needs of girls/women with disabilities and there is so far little evidence that this has been deployed at the policy, training, or implementation levels.

However, there has been some positive development on acknowledgement of reproductive health rights of girls/women with disabilities. The first point of

³⁰ P13 National Network for Beijing-review Nepal (NNBN), Forum for Women Law and Development

³¹ P13 National Network for Beijing-review Nepal (NNBN), Forum for Women Law and Development

³² P18 National Network for Beijing-review Nepal (NNBN), Forum for Women Law and Development

CRPD's Article 25-Health points outstate obligations to ensure the sexual and reproductive health rights of persons with disabilities. Informed by CRPD along with activism and research on reproductive health, the "Act Relating to Rights of Persons with Disabilities" (2017), makes a commitment on making necessary provisions for the health and reproductive health rights of girls/women with disabilities. It is important to note "The Right to Safe Motherhood and Reproductive Health Act (2018)" in Article 28, Chapter -8 Miscellaneous:

To provide disability friendly service: While providing services including family planning, reproductive health, safe motherhood, safe abortion, emergency obstetric and newborn care, morbidity under this Act, such services shall have to be adolescent and disability friendly.

It is an achievement that the Act acknowledges the need for disability friendly services. However, the act does not acknowledge and identify distinct challenges and needs of reproductive health needs of girls/women with disabilities. Safe Motherhood and Reproductive Health Regulation has been adopted in 2020 Yet, SMRHR regulation promulgated only in 2020, but does not make a single mention of girls/women with disabilities. Activists pushing for disability friendly safe motherhood and reproductive health services are very disappointed by this. The guideline not only needs to be amended first to translate the earlier provision on disability friendly, second to expand and define the nature of disability friendly services.

Despite acknowledgement of reproductive health rights of girls/women with disabilities in policies, there are gaps in implementation. Reproductive health services remain inaccessible; in addition to that, girls/woman with disabilities also experience discriminatory behavior from health services providers³⁰.

Safe Motherhood Program (SMP) has been a very important milestone towards achieving maternity health and reducing the Maternal Mortality Ratio (MMR) but during the initial two months of lockdown, an alarming 200 percent increase in maternal mortality was recorded according to the Family Welfare Division of the Department of Health Services due to the lack of access on maternal health services. So, a special action plan must be implemented in critical situation like these

especially for girls/women with disabilities as the girls/women with disabilities face additional vulnerabilities during such situations.

In addition to reproductive health issues, girls/women with disabilities have been facing challenges due to Covid-19 pandemic. To address these challenges, Government of Nepal has general guideline for persons with disabilities and all stakeholders on Disability Inclusive Response Against Covid-19 Pandemic. The guideline has set standards for making all services inclusive and (also) draws attention to the special needs of girls/women with disabilities: their vulnerabilities to gender based violence and required support for rescue and shelter. Despite much activism, vaccine for girls/women with disabilities are not accessible and prioritized.

4. Violence against Women

Domestic violence is experienced by all women, but marginalized groups experience it at higher rates. Although Nepal has made considerable progress in establishing laws, policies, and strategies in order to fight violence against women, implementation and enforcement remains very weak³³.

The study team reviewed two policies: Domestic Violence Act (2009) and Sexual Harassment in Workplace Prevention Act (2015). Evidence shows that both men and girls/women with disabilities are more likely to experience domestic violence than able-bodied persons³⁴. Violence experienced by survivors of disability are multiple and complex and most likely perpetuated by people who are close to them and are responsible for care and protection. This creates additional challenges for women survivors with disabilities to report and seek justice for the violence.

The review showed that both Acts neither acknowledge differential needs and experiences of survivors with disabilities, nor make any special provisions for them.

³³ P24 National Network for Beijing-review Nepal (NNBN), Forum for Women Law and Development

³⁴ Pokharel, B.R (2019) A Study on Disability and Sexual and Gender-Based Violence: Nepal Country Report, National Federation of the Disabled Nepal (NFDN), Kathmandu, Nepal

Based on this, both acts from the standpoint of girls/women with disabilities are Gender Insensitive and as guaranteed by Article 13-Access to justice of CRPD followed by the “Act Relating to Rights of Persons with Disabilities” (2017), girls/women with disabilities have right of access to services, facilities, and justice. The Act also guarantees the right of protection of persons with disabilities from various forms of violence. Nepal being a state party of CRPD requires amendment of all relevant acts and policies accordingly to acknowledge and support differential needs of girls/women with disabilities. While Acts Relating to Rights of Persons with Disabilities (2017) have domesticated the provisions of CRPD, these provisions need to be mainstreamed into all relevant policies that impact girls/women with disabilities.

There is growing public awareness of violence against women, including high profile rape cases, and growing awareness and media attention on the risks of sex trafficking. But the government response is often to curtail the rights of women instead of attempting to address the root causes. Women already have less access to public space and the state response to these issues is to confine them further - see the recent proposed “travel ban” for women under age 40 which underscores the outdated notion that women “belong” to their husbands and local government authorities. Other proposed solutions, such as calls for self-defense taught to women and girls, not only once again place the burden for preventing violence on the victims, but also fail to recognize that this is not an appropriate response for people with physical disabilities.

While sexual violence against girls/women with disabilities is high in Nepal, there is a lack of documentation and therefore very low prosecution rates. The primary reason is lack of reporting, due to the dependency women with disability have on the perpetrators of the violence, since most of them are husbands, care givers and teachers³⁵. Therefore, legislation to protect the victims of domestic violence doesn’t work for girls/women with disabilities as they are often dependents. Furthermore, the government currently has only ten female shelter homes which are mainly

³⁵ P21 National Network for Beijing-review Nepal (NNBN), Forum for Women Law and Development

targeted towards the survivors of human trafficking³⁶. Shelters are not always an appropriate solution for girls/women with disabilities as they can be difficult to access for women with specialized care needs.

6. Women and Armed Conflict

Although the decade-long civil war in Nepal ended in 2006, disability is one of the long-lasting legacies of the conflict. Furthermore, the psychosocial issues of conflict-affected people (especially women) have not been a recognized factor in the reconciliation process. Particularly, women and girls who suffered sexual abuse during the period of armed conflict have not been offered targeted support for their trauma and healing. The government has, however, made a provision to grant educational scholarships for children affected by the conflict³⁷. Interestingly, although Nepal is now at peace, the gender-based quotas look set to increase the participation of women in the military. There is a quota for 20% of the army to be female - currently this figure stands at 5%³⁸.

There is a lack of systematic data on persons with disabilities affected by conflict. Truth and Reconciliation Commission (TRC) has documented 60,298 complaints of human rights violations that also include being disabled due to conflict. However, TRC has not categorized the complaints based on gender, disability among other categories of ethnicity and age. In January 2010, Government of Nepal adopted Citizen's Relief, Compensation and Financial Assistance Procedure (CRCFAP). This included financial assistance for people disabled due to conflict.

According to the data, 8,191 persons with disability have received benefits by 2019³⁹. Besides the financial assistance, the Government of Nepal also provided financial assistance, free medical service and care centers for former Maoist

³⁶ P24 National Network for Beijing-review Nepal (NNBN), Forum for Women Law and Development

³⁷ P11 National Network for Beijing-review Nepal (NNBN), Forum for Women Law and Development

³⁸P24, <https://ngocsw.org/wp-content/uploads/2020/01/Beijing-25-Review-National-Parallel-Report-submitted-by-Beyond-Beijing-Committee-Nepal-1.pdf>

³⁹ Sharma, Govinda, Gallen, James, Moffett, Lule & Pokharel, Laxmi (2019) From Relief to Redress: Reparations in Post-Conflict Nepal, Reparations, Responsibility and Victimhood in Transitional Societies, available at [Report: From Relief to Redress - Reparations In Post-Conflict Nepal | Reparations, Responsibility & Victimhood in Transitional Societies \(qub.ac.uk\)](https://qub.ac.uk/reports/report-from-relief-to-redress-reparations-responsibility-victimhood-transitional-societies-qub.ac.uk/)

combatants disabled during the conflict. Due to lack of gender and disability disaggregated data, it is challenging to understand the magnitude of conflict affected persons with disabilities. In order to support girls/women with disabilities affected by armed conflict, the first necessary step is to identify them through systematic surveys. The survey also needs to identify gaps in women with disability's access to justice and financial assistance offered to conflict affected victims.

7. Women and the Economy

The female workforce is visible throughout Nepal and provides a backbone to the economy. Women's participation in the formal economy has increased in recent years. However, there are barriers to women and girls working outside the house and girls/women with disabilities have even greater barriers to mobility and agency.

The law enshrines equal pay for equal work, but women and girls receive lower wages for the same service as men and boys. The global gender gap report 2020 ranked Nepal at 101st position among 153 countries in the area of women's economic participation and opportunity⁴⁰. The prevalence of unequal pay is higher in the informal sector, the majority of which comprises women. This is also the most likely sector girls/women with disabilities are able to gain employment in and it is also that with the fewest enforceable protections.

There are provisions made by the Government of Nepal for economic participation and income-generation, which include the Constitution's guarantee of the right to employment and the right to the Labor Act (2017) ensuring equal opportunity for employment, promotion, career development and training, including equal pay for equal work. In terms of vocational training, the Micro-Enterprise Development Programme under the Poverty Alleviation Programme (MEDPA) is contributing to mobilizing small credits, with special preference to rural women entrepreneurs in all 753 municipalities. The foundation of cooperatives is also strengthening the

⁴⁰ World Economic Forum (2020) Global Gender Gap report p.9.

micro-entrepreneurship of rural women. Of the 6.3 million cooperative members, 51% are women⁴¹.

However, none of these general policies or provisions specifically mainstream girls/women with disabilities and therefore pass over them. Even the National Policy and Action Plan on Disability recognizes that efforts to expand opportunities of employment for persons with disabilities from public to private sector have remained largely ineffective. Currently, the Nepal Government has guaranteed 5% reservation in government jobs for persons with disabilities. There is a lack of gender and disability disaggregated data on the number of persons with disabilities currently working in the government. Research on the experience of persons with disabilities to go through the process of reservation will enable stakeholders to remove existing barriers and make the process more gender responsive and disability inclusive.

8. Women in Power and Decision-making

There are some high-level examples of women in positions of political power, the most visible example being the President of Nepal. Due to government quotas for women in government and party-political roles, the representation of women in political power and decision-making positions is high if the assessment is based on numbers alone.

However, women in Nepal are much less likely to have real leadership and decision-making power in society. Women face a range of challenges with patriarchal structures and values. As models of power including heads of households are predominantly male dominated, this legitimizes and naturalizes male authority and undermines women playing these roles⁴². When it comes to girls/women with disabilities, they are constrained by both gender norms and stigma around their disability. Most often seen as recipients of charity or in need of government welfare, girls/women with disabilities can be denied the autonomy they need to stand for

⁴¹ P24 <https://ngocsw.org/wp-content/uploads/2020/01/Beijing-25-Review-National-Parallel-Report-submitted-by-Beyond-Beijing-Committee-Nepal-1.pdf>

⁴²P38 <https://ngocsw.org/wp-content/uploads/2020/01/Beijing-25-Review-National-Parallel-Report-submitted-by-Beyond-Beijing-Committee-Nepal-1.pdf>

office and there are prevalent social attitudes that they should be dependents, incapable of fulfilling leadership positions.

On a positive note, the elections of 2017 saw a total of 42 girls/women with disabilities elected, without there being a quota system in place⁴³. Although this represents only a tiny fraction of elected officials, and no girls/women with disabilities have been elected on the national stage, this does show some element of changing attitudes towards girls/women with disabilities in positions of power.

8. Institutional Mechanisms for the Advancement of Women

The 10-year National Policy and Action Plan on Disability (2072-2083) recognizes the positive changes in employment opportunity of persons with disabilities brought through reservation on civil service employment. The civil service quota for “women, Dalit, Janajati, Adhivasi/ Madhesi, Disabled and Backward Area” stands at 45%. However, the government has failed to meet these targets. The quota for women, for example, is 33% but in 2018 the actual figure was 25%⁴⁴.

The lack of recognition of intersectional identities in the quota system means that it is likely that women without disabilities will fill the quota for female appointments and men with disabilities will fill the quota for the disabled, once again leaving girls/women with disabilities unable to benefit equally from the system. Furthermore, no separate department or authority has been allotted in the state’s structure for girls/women with disabilities.

10. Women and the Media

Persons with disabilities have been represented in media negatively, using stereotypical words, denying them dignity and respect. These media representations are reflective of the negative social attitudes and misconceptions about persons with disabilities⁴⁵. Portrayal of Women with disability in media is

⁴³ Personal communication with Sita Subedi, President of BWAN

⁴⁴ P24 <https://ngocsw.org/wp-content/uploads/2020/01/Beijing-25-Review-National-Parallel-Report-submitted-by-Beyond-Beijing-Committee-Nepal-1.pdf>

⁴⁵ Devkota, H.R., Kett, M. & Groce, N. Societal attitude and behaviors towards Girls/Women with Disabilities in rural Nepal: pregnancy, childbirth and motherhood. *BMC Pregnancy Childbirth* 19, 20 (2019). <https://doi.org/10.1186/s12884-019-2171-4>

shaped by both sexism and ableism. Disability rights organizations in Nepal have worked hard to challenge these stereotypes and sensitize Nepali media about respectful representation of persons with disabilities.

There is little representation of girls/women with disabilities working in the media as journalists, reporters or as part of film crews. Furthermore, there are few girls/women with disabilities represented in the media on TV, radio or in written editorials. This contributes to the invisibility of girls/women with disabilities and provides few positive role models or examples to challenge stigma, adding to the cycle of disempowerment for girls/women with disabilities.

The Civil Society Review of BPFA organized by National Network for Beijing-Review Nepal (NNBN) notes that the representation of women belonging to marginalized communities is low. While the report provides data on women journalists based on their ethnicity, the number of women journalists with disability is not provided. Inclusion of girls/women with disabilities in media will be an important step to challenge the stereotypical representations.

11. Women and the Environment

Women's high dependency on natural resources due to socially assigned gendered roles such as cooking, fetching water, washing clothes, fodder and fuel collection puts them at further challenges and risks due to climate change. Lack of proper data (gender disaggregated) on the differentiated impact of climate change as per the diversity and intersectionality of women further disempowers women.

Nepal falls in a highly seismic region, lying between the collision of Indian and Eurasian plates. Nepal has faced major earthquake every 70 years⁴⁶. Recent earthquake on 25th April 2015 with magnitude of 7.9 left 9,000 people dead and more than 22,000 suffered injuries. A survey of 5,000 persons with disabilities

⁴⁶ UNISDR. Press release. 10 October 2013 - UNISDR 2013/29. UN Global survey explains why so many people living with disabilities die in disasters.

http://www.unisdr.org/files/35032_2013no29.pdf <https://www.theguardian.com/global-development/poverty-matters/2011/apr/15/disaster-risk-reduction-nepal-earthquake>

living over 126 countries found that, only 20% of persons with disabilities could evacuate from their living spaces during natural disasters like earthquake⁴⁷. The study done by United Nations Nepal (2016) reports the perceived level of damage felt by persons with disabilities was 49% and 45% higher than other families without disability. The study also reports the rise on violence inflicted upon girls/women with disabilities. Girls/women with disabilities also faced challenges to manage their menstruation and other reproductive health problems in temporary shelter. Early relief efforts on disaster completely ignored women's specific need of menstrual health and hygiene⁴⁸.

In response to critiques on Nepal's mismanagement of the earthquake preparedness and relief initiatives including gender blind disaster response, Nepal formulated "National Policy for Disaster Risk Reduction" in 2018. Experts on gender and disaster have argued that the policy is gender insensitive, and gender has been used as add on and any mention of it is tokenistic⁴⁹. The policy has only 3 mentions of gender and 2 mentions of disability. The policy has made no efforts to bridge disability and gender together to conceptualize the challenges and vulnerabilities of girls/women with disabilities.

12. The Girl Child

The 12th concern in BPFA: the girl child is cross cutting issue among 12 concerns. Evidence based on research shows that girl with disabilities face increased risk of abuse and are denied from basic needs and access to inclusion⁵⁰. Girls with disabilities are considered a liability in patriarchal society in Nepal where the life course of women is defined by the notion of honor and her marriageability. This has led family members opt to remove uterus of their intellectually disabled girls

⁴⁷ UNISDR (2013) Annual r

⁴⁸ [Disaster, Disability, & Difference: A Study of the Challenges Faced by Persons with Disabilities in Post-Earthquake Nepal \(un.org\)](https://www.un.org/nepal/post-earthquake-disaster-risk-reduction)

⁴⁹ Yadav, P., Saville, N., Arjyal, A., Baral, S., Kostkova, P., & Fordham, M. (2021). A feminist vision for transformative change to disaster risk reduction policies and practices. *International Journal of Disaster Risk Reduction*, 102026.

⁵⁰ <https://www.endvawnow.org/en/articles/1479-women-and-girls-with-disabilities.html>

fearing the rape and resulting pregnancy which they are prone to. This is the violence of the rights of such girls⁵¹. The most pressing challenges that girls with disabilities face are neglection, family violence, access to education and vulnerabilities to sexual violence.

Nepal has adopted inclusive education in school to enable children with disabilities to study together with their able-bodied friends. While some education institutions in Nepal are considered successful in this initiative, lack of trained teaching personnel and assistive devices has made it challenging for educational institutions to implement it effectively. Very few private schools in Nepal have adopted inclusive education, which leaves families with children with disabilities limited options and choice to provide education to their children.

The 10-year National Policy and Action Plan on Disability puts forward a range of different programmes including bringing uniformity in sign language for teaching and learning, to collect disaggregated data on children with disabilities both currently studying and outside of school. In addition to this, other programmes include awareness raising campaigns and creating disability friendly infrastructures. The policy notes the importance of providing accessible hostel for children with disabilities.

While facilities of residential school are important, this also raises questions of family separation and reintegration challenges for children with disabilities. In addition to that, research have showed evidence of girls with disabilities facing various forms of violence, most prominently sexual violence within the premises of school itself⁵².

This points to the need for creating safe space for children. The Ministry of Women, Children and Senior Citizens (MOWCSC) have recently issued a “procedure on

⁵¹ P66 National Network for Beijing-review Nepal (NNBN), Forum for Women Law and Development

⁵² Aryal, Neeti (2003) Silent Screams: Sexual Violence against Blind Women in Kathmandu Valley, Dissertation for Partial fulfillment of Master of Arts in Sociology, Central Department of Sociology/Anthropology, Tribhuvan University

operation of children's homes" in response to irregularity and growing concerns of violence against children. Hostels for children with disabilities need to be regulated in similar way so that children with disabilities opportunities of education are not lost due to unsafe and violent conditions in hostels.

Status of girls/women with disabilities in Nepal

Nepal transitioned to federalism from centralized governance with the adoption of a new constitution in 2015. Recognizing this shift, the study team planned to undertake provincial consultations on seven provinces of Nepal to explore the status of girls/women with disabilities. These consultations were conducted through physical and virtual workshop bringing together representative of the provincial government, local disability and women rights activists and girls/women with disabilities in one platform to discuss issues identified by BPFA 12 critical areas of concerns (See Annex- for details). This section presents the insights drawn from the presentations made by the Women Development Officer of the Provincial government and group discussions on 12 critical areas of concerns. The study team

presents provincial government's interventions on plans and policies to promote rights of girls/women with disabilities.

Reflecting on the series of consultations, BWAN and study team experienced challenge to request government officials to update on existing policies and programmes on girls/women with disabilities. This shows reluctance of government officials to engage with right based organizations as important stakeholders that they are accountable to.

Policy on girls/women with disabilities

Article 6 of UNCRPD establishes the state's obligation to take appropriate measures to ensure the rights of girls/women with disabilities. These measures include legislations, policies, and programmes. The Act Relating to Rights of Persons with Disabilities (2017), federal policy on persons with disabilities in Nepal makes a similar commitment.

New governance system of federalism has enabled provincial governments to formulate their own policies. The study team explored whether there have been any initiatives to formulate the policy on persons with disabilities and girls/women with disabilities. Among seven provinces, Sudurpaschim Pradesh has taken initiatives to formulate its own provincial policy on persons with disabilities. Ms. Jayanti Giri, Women Development Officer shared that the Social Development Ministry of the province has been collecting feedback on the zero draft of the proposed policy. Similar initiatives need to be undertaken in other provinces. During the consultations, stakeholders pointed out that developing a comprehensive policy integrating all issues concerning girls/women with disabilities will ensure their rights.

Targeted Budgetary Allocations

Policies and programmes have mentioned girls/women with disabilities, but without specific budgetary allocations, it is challenging to implement the policies.

10-year National Policy and Action Plan on Disability (2072-2083) also acknowledges insufficient budget as major challenge to implement policies on disability. While all provincial governments had made budgetary allocations for persons with disabilities, there were no specific budget allocations for girls/women with disabilities. This challenge was further compounded with issue of division of power in various levels of government. Series of provincial consultations and central level consultations revealed that programmes/projects for girls/women with disabilities pointed the need to have targeted budgetary Allocations.

Lack of Disaggregated Data

One of the important findings from our provincial consultations is the importance of data and how lack of data perpetuates the systematic disadvantage. Provincial and local governments do not have disaggregated data on girls/women with disabilities. This relates to the invisibility of girls/women with disabilities in policies, which in turn has manifested into invisibility in programmes and interventions.

Insights from Provincial Consultations

The study team conducted provincial consultations to understand the voices and concerns of girls/women with disabilities to inform future advocacy strategies relating to BPFA. These consultations were also helpful to identify the gaps in policy and practice and to seek accountability from provincial governments.

Study team supported by BWAN conducted consultations on Gandaki, Chitwan and Janakpur Provinces in third week of April 2021. Remaining consultations in Province 1, Karnali and Sudur Paschim were conducted in between May-June 2021 in virtual platform, following the government regulations to control Covid-19 infections. More details on Provincial Consultations are provided in Annex-1 and Annex-2.

Following section summarizes key issues discussed on the consultations conducted in seven provinces.

Bagmati Province

The consultation workshop was organized in Chitwan district with 33 participants including Ms. Shanta Kumari Poudel, Women Development Officer, Health and Social Development Division, Bharatpur Metropolitan City. The officer shared that there have been budgetary allocations in provincial and local level for educational institutions for persons with disability. However, no separate budget for girls/women with disabilities were allocated. The officer shared the challenges of designing interventions for girls/women with disabilities due to lack of data and urged for coordination with right based organization to work together with government to collected data on girls/women with disabilities. In the programme, officer shared new intervention of the local government: free health insurance for persons with disability. Officer drew attention to increasing media coverage on violence against girls/women with disabilities which have sensitized the public about the issue.

Gandaki Province

BWAN organized the consultation programme in coordination with Kaski BWAN paralegal committee with 28 participants. Social Development Officer (SDO) of Social Development Ministry of Gandaki Province was present on behalf of government to share about their ongoing work on girls/women with disabilities. Officer mentioned that the province is in process of formulating new and amending old policies and programme related to persons with disabilities. She shared that the consultation is ongoing with National Federation of the Disabled Nepal (NFDN) for the recommendations and inputs for the policy. She reported on initiative of provincial government formulating a policy to establish rehabilitation and employment center with accessible infrastructure.

In the programme, SDO of local government Pokhara Municipality was also present and shared that the Municipality has already distributed 1,024 digital disability identity cards but could not share how many girls/women with disabilities benefited from this. Officer shared that Metropolitan office has allocated budgets on following headings: distribution of wheelchair and white cane, formation of disability friendly policies, provision of interpreter, loan at low interest for family

of widowed women and person with disabilities. In response to Covid-19, officer shared that Social Development Department of Pokhara Metropolitan City have also allocated budget to people who returned to Nepal from foreign employment being injured and having disabilities.

These responses on provincial and local level show that persons with disabilities policies and programme have expanded more on local level. Earlier these initiatives were very much centralized, and it was challenging for persons with disabilities to access services out of Kathmandu valley.

Province Two

Consultation workshop on Province Two was held in Janakpur district with 31 participants including Ms. Nirmala Mishra, Women Development Officer at the Ministry of Social Development. Officer pointed out the adverse impact of removal of Women Development Office (WDO) in 2075/2076, this she argued has created a gap on coordination and collaboration between district officers to work together on gender issues including girls/women with disabilities. She shared that currently, province has allocated 15% of the total budget for persons with disabilities. Major portion of this budget goes to Community Based Rehabilitation (CBR) programme. Officer shared that Province Two is yet to formulate policy on persons with disabilities.

Lumbini Province

Virtual Consultation was conducted with 32 participants including Ms. Sharada Basyal, the Women Development Officer, Ministry of Education and Social Development, Lumbini Province. Workshop of the province was conducted. She updated the participants on the progress that province has achieved to accelerate rights of persons with disabilities:

- Formation of a committee for the implementation of The Acts Relating to the Rights of Persons with Disabilities, 2073.
- The working procedure for Community-Based Rehabilitation (CBR) program for Persons with disabilities has been passed, 2077.
- The Detailed Project Report (DPR) is ready to construct a Trauma Center in Dang.

- Development of the guidelines for the management of the assistance provided to educational institutions that are providing special education and resource classes to students with disabilities, 2076.
- Budget allocation for the Special Education Support Program and establishment of a school for the students with intellectual disabilities with hostel facility, within the premises of the Rudrapur High School (Kanchan Rural Municipality, Rupandehi).
- The construction of the Disability Model Village has been initiated (multi-year project).

She also shared with us that NRS 119 lakh, NRS 148 Lakhs and NRS 120 Lakhs have been allocated to the Provincial level, Local level and educational institutions that provide special needs education, respectively, to implement the program and plans to protect and promote the rights of persons with disabilities. However, she acknowledges that not all policies and program interventions are gender-responsive, and that there is a lack of collective efforts and coordination among the Government and the agencies working to advance women and disability rights. She also points that Government's recent initiation of One Stop Crisis Management Centers (OCMC) to provide integrated services to survivors of Gender Based Violence is not accessible and inclusive for girls/women with disabilities.

Province One

Consultation workshop of Province one was conducted virtually among 43 participants, which included Ms. Durga Baral, Women Development Officer, Ministry of Education and Social Development Council of the province. The officer shared that Ministry of Education and Social Development has allocated 15 crore budgets for the disability sector. Similar to other provinces, there is no separate budget headings for girls/women with disabilities. The officer also shared that there are no specific rules or policies on accelerating rights of girls/women with disabilities. She acknowledged that there is need of greater intervention in violence against girls/women with disabilities. She reported that nine cases of VAW were reported to National Human Rights Commission of the provinces. The officer identified the need of specific programme for reproductive health of girls/women

with disabilities and shared that the province is planning to bring forward one family one employment policy for the families of girls/women with disabilities affected by armed conflict.

Sudur Paschim Province

The consultation workshop was conducted virtually among 32 participants. Ms. Jayanti Giri, the Women Development Officer, Ministry of Education and Social Development of the province was present in the programme. Ms. Giri reported that the province is formulating its own disability policy. To ensure that the policy is inclusive, zero draft has been shared with organizations working on persons with disability for feedback and recommendation. Officer also shared the spreadsheet of budgetary headings of fiscal year 2077/2078. Total allocated budget of 2,12 Lakh budget were allocated to different services for persons with disabilities such as rehabilitation centers, inclusive education, help desk, cricket completion for blind and visually impaired, sign language training. There was no budget allocated separately for organizations or activities to accelerate rights of girls/women with disabilities. This points the need of Gender Responsive Budgeting in budget allocated in disability sector.

Karnali Province

Consultation workshop was conducted virtually among 41 participants which included Ms. Anita Gyawali, Women Development Officer, Social Development Section, Ministry of Social Development of the provinces. She shared that, persons with disabilities comprise 3% of total population, however specific data on girls/women with disabilities were not available. She claimed Karnali being one of the most remote regions of Nepal, issue of girls/women with disabilities are very complex. She identified that domestic violence, illiteracy and effect of natural disasters are one of the major challenges faced by girls/women with disabilities. She also pointed that there are high numbers of persons with disabilities affected by armed conflict. The officer also shared challenge of working with newly elected local representatives, who are not sensitized on rights of persons with disabilities and girls/women with disabilities. She pointed out the need of engaging local

political leaders to ensure effective and accountable implementation of policies and programmes on disability.

Annex-1

Summary of Key Points of Provincial Consultations

Women and Poverty

Challenges

- Negative and superstitious attitude towards girls/women with disabilities.
- Discrimination against girls/women with disabilities in employment opportunities.
- Lack of education, opportunities, and skill-based trainings.
- Income generating programmes for girls/women with disabilities are urban focused.

- Lack of marketing management for produced goods.
- Stigma due to domestic and sexual violence.
- Not being able to get the services provided by the state, disability identity card etc.

Programmes

- There are programmes such as: Presidential woman upliftment programme and Prime Minister Employment Fund. However, these programmes do not have a targeted approach for girls/women with disabilities.
- Social protection mechanisms are limited to distribution of disability allowance, girls/women with disabilities belonging to marginalized communities in rural area are not able to access the allowance due to lack of information and access.

Recommendations

- Need gender and disability disaggregated data on local level.
- Need to increase volume and accessibility of vocational, technical, and capacity building trainings for all categories of girls/women with disabilities
- Sensitize family and community about economic rights of girls/women with disabilities and their capabilities to be financially independent.

Education and Training of Women Challenges

- Denial of right to education by family members due to gender and disability-based discrimination
- Ineffective implementation of inclusive education in local level. This has forced girls with disabilities to live away from their families to pursue education in different districts.
- Lack of disability friendly and gender friendly infrastructures including Toilets.
- Education system has failed to equip students with disabilities with life skills to live an independent and dignified life.
- There is a misconception that if children with disabilities go to school, they will not be eligible for disability allowance.

- Limited integrated and inclusive schools.
- Reports and incidences of sexual harassment and violence in school hostels perpetrated by staffs.
- Lack of disability sensitization training to teachers and staffs in school.
- Textbooks and learning resources such as braille are not easily available. Students are compelled to rely on limited audio books.
- During Covid-19, students with disability struggled to learn online due to lack of access and knowledge of digital devices.
- Due to limited resources, the hostel is unable to provide the necessary nutritious food to the students.

Programme

- Limited provisions of scholarship from local government and non-governmental sector for girls/women with disabilities.
- Growing emphasis on building girls' hostel for girls/women with disabilities.

Recommendation

- Need to increase scholarships for girls/women with disabilities.
- Need to provide disability and gender sensitivity training to teachers and school staffs. This training needs to be designed by the active participation of all types of girls/women with disabilities to ensure the accessibility of training programmes.
- Women with all types of disabilities should actively participate during the designing of the training materials to ensure the accessibility of the training programs.
- Girls/women with disabilities need to be provided with digital devices and trainings to use them.
- Every district should have disability friendly schools with gender friendly and disability friendly infrastructure.

Women and Health

Challenges

- Lack of disability friendly, gender responsive services and infrastructure in health institutions.
- Unfriendly and discriminatory behavior and attitude of hospital staffs.
- Even though government has implemented free health services for persons with disability, it has not been implemented
- Sexual health and reproductive health needs of girls/women with disabilities are not considered a priority.
- Girls/women with disabilities are excluded from social activities due to stigma attached to menstruation.
- Women with physical disability and visual impairment struggle to access medical service due to lack of disability friendly infrastructures.
- Women with hearing disabilities struggle to access medical services due to lack of sign language interpreters in hospitals.

Programme

- Reproductive health rights of girls/women with disabilities are limited to paper only in policy.
- Provision for free health services guaranteed in policy has not been implemented at the local level.

Recommendation

- Health institutions should be gender and disability friendly.
- Health staffs should be thoroughly orientated on different types of disabilities and need to be sensitized on how to respectfully interact with persons with disabilities and respond to their differential needs.
- Interpreters should be provided for persons with hearing disabilities.
- Reproductive health and sexual training need to be provided to all girls/women with disabilities.
- Free medical treatment for family members of ordinary citizens with disabilities.
- Free reproductive health care including maternity care needs to be provided to girls/women with disabilities.

- The Covid-19 pandemic brought an unprecedented situation in the lives of people across the globe. Many sectors are directly or indirectly affected by it. And the persons with disabilities are in even more critical state than others. The health service access of persons with disability has been greatly affected as the pandemic has made it hard to access even the basic health services. The vaccination against Covid-19 should be distributed among persons with disabilities with priority. The Ministry of Health and Population has also started administering the single shot Janssen vaccine developed by Johnson and Johnson to be distributed for persons with disabilities along with other priority groups. So proper monitoring is needed to ensure that persons with disabilities across Nepal have access to the vaccine.

Violence Against Women

Challenges

- Stigma and culture of discrimination against persons with disabilities.
- Caste based discrimination combined with gender and disability discrimination make marginalized women with disability more vulnerable to violence.
- Traditional practices such as dowry, polygamy make girls/women with disabilities vulnerable to violence.
- Lack of self-esteem, financial independence and education put girls/women with disabilities at greater risk for violence.
- Discrimination against girls/women with disabilities in public spaces such as school.
- Low reporting of violence due to discrimination and fear from the perpetrator.
- Political protection of over the perpetrator.
- Lack of legislation, laws and policies targeting violence against girls/women with disabilities.

Programme

- Some disability rights organizations including BWAN offer free legal aid and support to women survivors of violence, with disabilities.
- Rules and regulations are in implementation process to prevent and reduce domestic and gender-based violence.
- Limited disability friendly rehabilitation services for girls/women with disabilities.
- The Government has initiated One Stop Crisis Management Centers (OCMC) to provide integrated services to survivors of GBV; however, women (especially with disabilities) have not been able to access it.

Recommendations

- Review the existing policies and programs, from gender responsive and disability inclusive point of view to make required revisions.
- All policies and programmes on violence against women must have to consider the specific needs of different types of girls/women with disabilities. Take in to account various types of disabilities, while formulating laws, policies etc.
- The Government should promote girls/women with disabilities' access to One Stop Crisis Management Centers (OCMC), to provide integrated services to survivors of GBV.
- Establishment of 'safe houses' should be given a priority, because in its absence, many survivors have not been able to access justice.
- Rehabilitation homes and legal assistance for women survivors with disabilities need to be increased.

Women and Armed Conflict

Challenges

- Girls/women with disabilities, who were affected during armed conflicts, are mostly illiterate, as they were unable to go to school.
- Due to their lack of academic qualifications and physical limitation, they are less likely to be employed.

- Society looks at these women with pity, rather than providing them with opportunities to improve the quality of life.
- Sustained physical injuries that resulted in their disabilities
- They have been traumatized for life and are experiencing mental health issues.
- They have to spend a huge portion of their income on their medical treatment, therapy, medicines.
- Girls/women with disabilities due to armed conflicts, or women who lost their husbands during war, have not just been stigmatized by the society not just for being a single woman, but also because of their disabilities.
- It is difficult to get access to assistive devices, including prosthetics.
- There is a lack of meaningful participation of women affected by armed conflicts in the decision-making process. Even when they are included in Committees, people do not take their suggestion seriously.
- Lack of gender and disability disaggregated data on conflict affected people on a local level.
- Government has no interest and support for conflict effected girls/women with disabilities.

Programme

- No mainstreaming and targeting programme for conflict affected girls/women with disabilities.
- The Truth and Reconciliation Commission is ineffective and has not provided justice.

Recommendations

- Government should cover the educational, and health care needs of the children of the affected families at (the) least.
- The Government should ensure the meaningful participation of women affected by armed conflicts in the decision-making process.
- The National Action Plan should be made more gender and disability responsive.

Women and the Economy

Challenges

- Girls/women with disabilities lack livelihood opportunities and, therefore, are dependent on family.
- Negative perception towards persons with disabilities and their ability to contribute to the household.
- Persons with disabilities are required to appoint a guardian, who will then be in the position to oversee the purchasing and selling of the properties under their name. Guardians might abuse girls/women with disabilities.
- Women with physical disabilities are involved in handicraft materials, teaching profession, civil service, professions like sewing, beauty parlor, poultry, and farming. However, they struggle due to lack of financial assistance and support to pursue self-employment/entrepreneurship.
- Girls/women with disabilities lack essential organizational management, technical and ICT skills demanded by the current job market.
- Income earned by girls/women with disabilities is much lower than able women as well as lower than men with or without disabilities.
- Banks and other financial cooperatives are unwilling to provide girls/women with disabilities with financial services.
- There is a lack of political commitment to implement the policies.
- There is no supportive system and mechanism for market management for the sale and distribution of goods produced by girls/women with disabilities.

Programme

- There has been initiation to form women cooperatives with initiation of local representatives to provide widowed and girls/women with disabilities in low interest rate.
- Capacity building training on making detergent and incense sticks have been conducted targeting girls with disabilities. But training is not sufficient to support family economically.

Recommendations

- The federal and provincial government should set aside a quota for girls/women with disabilities in employment in both public and private sectors.
- The Government should ensure that there is no discrimination done among employees with disabilities.
- Government must provide appropriate skills-based and capacity-building trainings and support for girls/women with disabilities' self-employment initiatives for startups.
- There needs to be provisions for loan without collaterals for girls/women with disabilities in Nepal.
- Training for sale and distribution of manufactured goods.
- Vocational and skill-based education should be provided at the school level.

Women in Power and Decision-making

Challenges

- Participation and leadership of girls/women with disabilities is increasing in civil society but remains low in politics due to male domination.
- Lack of reservation for girls/women with disabilities in politics.
- Lack of sensitization of political leaders in rights of girls/women with disabilities.
- Participation of girls/women with disabilities has increased in the public sphere but remains tokenistic and benevolent in nature.
- Lack of effective implementation of the existing policies and programs.
- Lack of interest of the concerned stakeholders and the political commitment towards rights of girls/women with disabilities.

- Lack of gender-responsive and disability-friendly, institutional physical infrastructures and the services they provide.
- Lack of capacity building trainings and advocacy to promote leadership of girls/women with disabilities.
- Lack of participation due to denial of education opportunities for girls/women with disabilities.
- Girls/women with disabilities are not included and heard within disability rights movement and women's rights movement.

Programme

- Local governments have organized leadership and capacity development training.

Recommendations

- Leadership and capacity development trainings.
- Appropriate and adequate budget allocation for girls/women with disabilities.
- Concerned parties should make necessary arrangements like disability-friendly infrastructures, Sign language interpreters, Braille, and other assistive materials.
- Existing provisions on gender-based reservations should be more meaningful and inclusive towards girls/women with disabilities.

Institutional Mechanisms for the Advancement of Women

Challenges

- Existing provisions on reservation for women are not accessible to girls/women with disabilities.
- No budget allocation for leadership and skill strengthening of girls/women with disabilities.
- No gender responsive and disability friendly organizations and institutions.

Programme

- Women Development Office (WDO) got removed around 2075/76 as the WDOs in all 75 districts used to effectively coordinate and had in place the mechanism for collaboration, linkages/referral services among various agencies at all levels, to address the issues of women, children, and persons with disabilities.
- Government of Nepal allocates a budget for the Community Based Rehabilitation (CBR) program every year in local level.
- Provincial and Local Government have made planned to allocate budget for persons with disabilities.
- There is significant increment in the employment of women in various institutions. However, there is still a lack of women in leadership positions.

Recommendations

- The federal and local government should set aside a quota for girls/women with disabilities in employment and politics.
- Institutional capacity building trainings for girls/women with disabilities.
- High priority budget allocation for organizations run by girls/women with disabilities.
- Policy reforms and proper implementation must be done along with proper monitoring and evaluation.
- Services and facilities for women with disability in institutions and organizations.
- Scholarship, health, and employment services for girls/women with disabilities.

Human Rights of Women

Challenges

- Human rights of WWDs **are** enshrined in law but not enforced.
- There have been no human rights programs targeted for girls/women with disabilities.
- There are no concrete bodies or institutions working to protect the rights of girls/women with disabilities.

- Majority of girls/women with disabilities do not know about their rights.
- The fundamental rights of girls/women with disabilities have been violated in daily basis - education, health, property rights, etc. Not paying attention to stakeholders when human rights are violated.
- Girls/women with disabilities do not have satisfactory access to justice.
- Lack of legislation targeting girls/women with disabilities.
- Majority of girls/women with disabilities in local level have not received disability identity card, a crucial document to access the services guaranteed for persons with disabilities.
- Lack of gender responsive and disability friendly access to justice mechanisms.
- Local Human Rights Commission struggle to provide support to girls/women with disabilities due to lack of gender and disability disaggregated data. This has resulted into ineffective and delayed execution of plans and policies.

Programme

- Formulation of disability-friendly and gender responsive the policies, rules and
- Ensure active participation of girls/women with disabilities in decision-making process, concerning them.
- Work on effective implementation of the existing laws and policies in place
- Consider various types of disabilities, while formulating laws, policies and other provisions.
- Human rights awareness, public awareness programs should be provided to stakeholders and girls/women with disabilities.
- Accountability of the local government to provide justice to survivor and punish the perpetrator needs to be guaranteed.
- Increasing violence against women with disability due to polygamy needs to be addressed.
- Need more rehabilitation and legal assistance to support human rights of girls/women with disabilities.

- Sensitization program should be conducted to parents of person and children with disabilities.
- Free Legal aid services are available for girls/women with disabilities with support from government and non-governmental organizations.

Recommendations

- Human right issues and safety issues of women with disability must be prioritized.
- Women participation in policy making levels and the legal access must be promoted.
- Rehabilitation and safe house centers must be established.
- Many plans and policies are made but the implementation is very low.
- Free legal aid and services must be provided by the government.
- Formulation of disability-friendly and gender responsive the policies, rules, and laws.

Women and the Media

Challenges

- Low access and literacy of women with disability in the media and communication sector.
- Negative and discriminatory portrayal of girls/women with disabilities and their misrepresentation in media.
- Lack of access and knowledge of technology among girls/women with disabilities.
- Limited exposure of girls/women with disabilities in media limited to urban area.
- Girls/women with disabilities engaged in media struggle to get paid in time or even equal pay as compared to their counterparts, doing the same work.
- Media coverage on issues of girls/women with disabilities has increased but it lacks impactful coverage.

- Girls/women with disabilities continue to be portrayed negatively in drama/movies and even school curriculum.
- Girls/women with disabilities could not access right information on safety measures, health services and vaccines during covid-19 pandemic.

Programme

- Local government broadcast weekly news in sign language to inform people with hearing disability.
- Right based organizations working in disability are using media to promote rights of persons with disabilities including women with disability.

Recommendation

- Provide extensive computer and ICT training programs to girls/women with disabilities to ensure their equal footing with other able-bodied individuals.
- Subsidies for the purchase of assistive tools and other ICT devices and software, by girls/women with disabilities.
- Provide communication, public speaking, radio/video jockey trainings to girls/women with disabilities.
- The Government should effectively implement the 5% reservation of persons with disabilities mandated for Radio Nepal, and other media agencies
- Girls/women with disabilities should give information regarding use of online services and facilities.
- Facilities for interpreters should be available for person with disabilities when programs are conducted.
- Availability of newspaper and disability friendly physical infrastructure to reach the press.

Women and the Environment

Challenges

- Girls/women with disabilities are not aware about the environmental issues and are at a very vulnerable position in cases of environment pollution, degradation, climate change and calamities.
- Girls/women with disabilities are directly involved in water, forest, agriculture as a part of the environment. They depend on agriculture to run their livelihood. They cook their food on firewood, but they are not aware of health problems from pollution of firewood. They have to go far for the water which can create many problems like violence or harassment from the male members of society.
- Natural disasters such as floods, landslides, earthquake, lack of resources effects girls/women with disabilities more than other women.
- Covid-19 pandemic has affected girls/women with disabilities very strongly, affecting their livelihood, physical and mental health.
- Government has not been able to provide relief and support to girls/women with disabilities affected by disaster.
- Girls/women with disabilities are not included in environmental protection programme in central and local level.

Programme

- Few targeted relief and support programme for persons with disabilities affected by natural disaster and pandemic.

Recommendations

- Public awareness programs are needed for environment protection.
- Special policies for persons with disabilities to provide some assistance in daily life.
- Relief distribution, disaster response training must be properly organized.

The Girl Child

Challenges

- GWDs are a liability in patriarchal society where marriageability is the value of a girl child.
- Inclusive school policy and focus on provision of hostels, but sexual abuse in hostels is rampant.
- Statistics show that sexual violence and cultural violence against girls are increasing day by day in Nepal. But issues related to girls are more obscure.
- Lack of disability friendly educational institutes and services.
- Geographical complications that lead to difficulty in everyday life and increases the risk and vulnerability faced by the girl with disabilities.
- Lack of adolescent, sexual and reproductive health awareness.
- Lack of nutrition and care.

Programme

- Various capacity-building trainings have been conducted targeting girls with disabilities but had limited and sustainable impact.
- Provision of free education up to grade 10 and scholarship support for higher level education.

Recommendations

- Awareness and sensitization to families and communities.
- Skill development and technical trainings.
- Disability friendly infrastructures and services.
- Including disability related educational materials in curriculum.
- Disability friendly hostel services.
- Leadership trainings.

Conclusion:

The general objective of the research was to explore gaps in implementation of BPFA in policy and practice in Nepal. The policy review is guided by these three specific objectives:

1. To assess the situation of girls/women with disabilities in relation to the commitment made by the Government of Nepal in BPFA.
2. To find gap in policies and practice based on experiences of girls/women with disabilities.
3. To hold government accountable in its commitments through programs and policies

Annex-2

Brief of Provincial Consultations

Province	Date	Medium of Workshop	No. of Participants	Key Speaker
Province 1	9 th June 2021	Virtual through Zoom	42 (SIL* = 2, Human Rights Officer=1, Women Development Officers=4, Local Human Rights Activist=3, Province 1 BWAN Paralegal Committee members (with blindness) =1, Women with various types of disability and their guardiansassistants =31)	Ms. Durga Baral, Women Development Officer, Ministry of Education and Social Development, Province no. 1, Neera Adhikari, BWAN
Janakpur	21 st April 2021	Ananda Hotel, Station Road, Janakpur	31 (SIL*=1, Women Development Officers=1, Local Disability Right Activists=1, Advocacy Committee members=2, adolescent girls with disabilities=5, women with various types of disabilities and their guardiansassistants=21)	Ms. Nirmala Mrishra, Women's Development Officer at the Ministry of Social Development of Province No. 2, Ms. Sita Subedi, BWAN
(Chitwan)	21 st March, 2021	Katero Party Palace, Bharatpur, Chitwan	33 (SIL*= 1, Public Health Officer=1, Women Development Officer=1, Local Disability Right Activist=1, Chitwan BWAN Paralegal Committee members=8, Adolescent Girls with Disabilities=6, Women with various types of disabilities and their guardiansassistants=15)	Ms. Shanta Kumari Poudel, the Women Development Officer, Health and Social Development Division, Bharatpur Metropolitan City, Ms. Neera Adhikari, BWAN
Karnali Province	21 st June 2021	Virtual through zoom	41 (SIL*=2, Human Rights Officer=1, Women Development Officers=4, Local Human Right Activists=4, Karnali BWAN Paralegal Committee member(blind)=1, Women with various types of disabilities and their guardiansassistants=29)	Ms. Anita Gyawali, Women Development Officer, Social Development Section, Ministry of Social Development, Karnali Province Ms. Neera Adhikari,BWAN
Gandaki Province	17 th April, 2021	Simon Party Palce, Srijana Chowk, Pokhara	28 (SIL*=1, Human Rights Officer=1, Women Development Officers=3, Local Human Right Activists=1, Kaski BWAN Paralegal Committee member=6, Adolescent girls with disabilities=3, Women with various types of disabilities and their guardiansassistants=14)	Ms. Neera Adhikari,BWAN
Sudur Paschim Province	18 th June 2021	Virtual Consultation Meeting through Zoom	36 (SIL*=2, Women Development Officers=4, Local Human Right Activists=2, women rights activist=3, women with various types of disabilities=25)	Ms. Jayanti Giri the Women Development Officer, Ministry of Education and Social Development, Sudurpachi Province, Ms. Laxmi Nepal
Lumbini Province	31 st May, 2021	Virtual Consultation Meeting through Zoom	32 (SIL*=2, Women Development Officers=2, Local Disability Right Activists=2, Lumbini BWAN paralegal Committee members (with blindness) =8, women with various types of disabilities and their guardiansassistants=18)	Ms. Sharada Basyal, the Women Development Officer, Ministry of Education and Social Development, Lumbini Province, Ms. Neera Adhikari

