



# Women's insecurities and the workplace in Nepal

A study from Banke and Bara districts

FEBRUARY 2014

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## Acknowledgements

This report is the result of research carried out between July and November 2013, collecting women's perceptions of security in the workplace and on the way to and from work through focus group discussions (FGDs) and key informant interviews (KIIs) in Banke and Bara districts, complemented by interviews with representatives from civil society and the private sector in Kathmandu.

The report was written by Danny Coyle with inputs from Ramesh Shrestha, Chiran Jung Thapa, and Julie Brethfeld, with contributions from Dom de Ville, and it was copyedited by John Newman and designed by Jane Stevenson.

The research and report were carried out within the framework of the "Enabling civil society to contribute to more effective, inclusive and accountable public security policy and programming in Nepal" project, which involves six partner organisations: INSEC, NBI, IHRICON, Forum for Women Law and Development (FWLD), International Alert and Saferworld. The project is funded by the Embassy of Denmark in Kathmandu and the Danish International Donor Agency/Human Rights and Governance Unit, which also provided valuable feedback on the initial findings.

We would like to thank all partner organisations and individuals who contributed to the conceptualisation, coordination, data collection, analysis and write-up of the report. Special thanks go to all the participants of the FGDs and KIIs, without whom this report would not have been possible.

## Acronyms

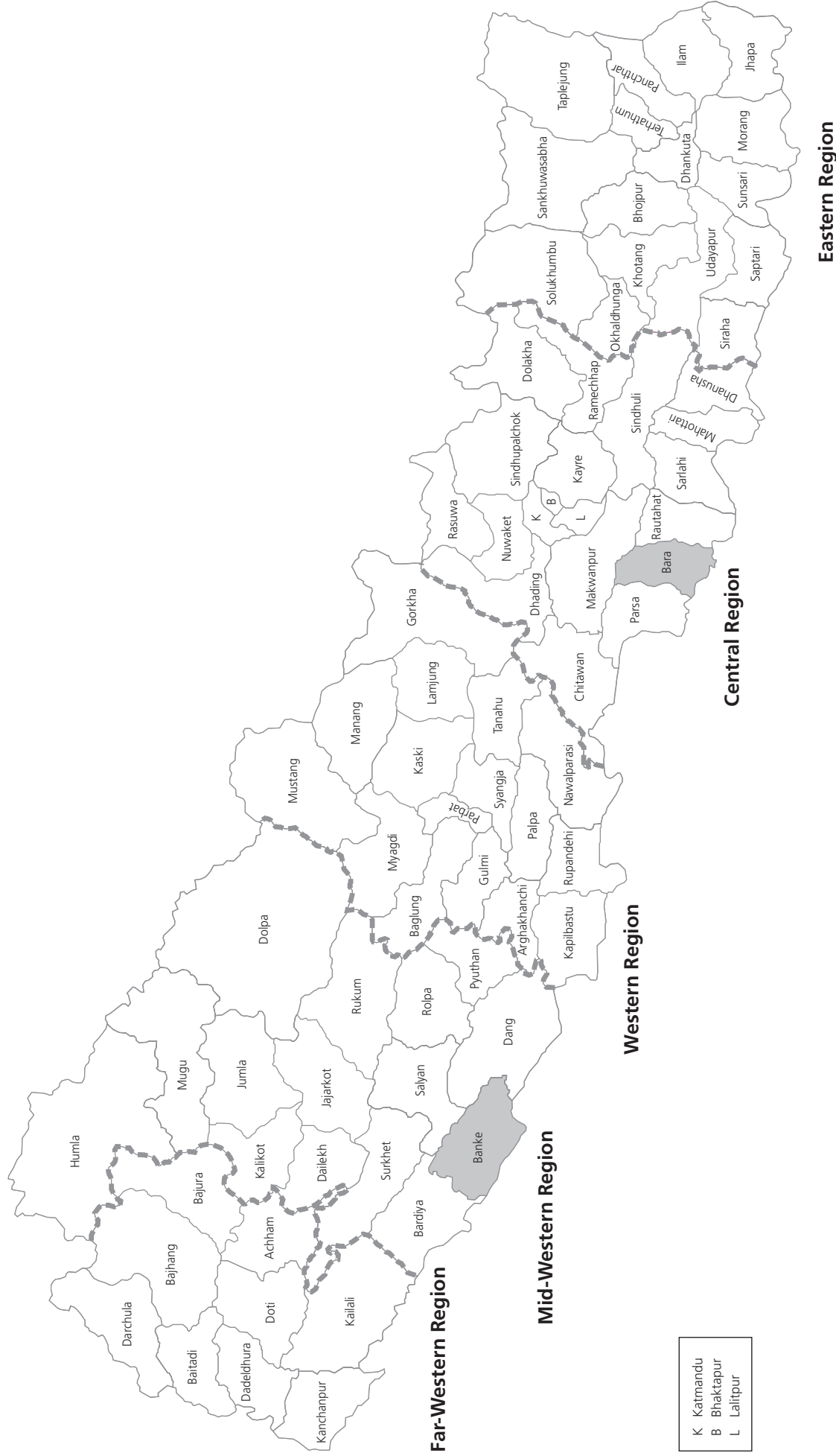
<b>FNCCI</b>	Federation of Nepalese Chamber of Commerce and Industry
<b>FNCSI</b>	Federation of Nepal Cottage and Small Industries
<b>FGD</b>	Focus Group Discussion
<b>FWLAN</b>	Federation of Women Entrepreneurs Association Nepal
<b>FWLD</b>	Forum for Women, Law, and Development
<b>GDP</b>	Gross Domestic Product
<b>GEFONT</b>	General Federation of Nepalese Trade Unions
<b>IHRICON</b>	Institute of Human Rights Communication Nepal
<b>INSEC</b>	Informal Sector Service Centre
<b>KII</b>	Key Informant Interview
<b>NBI</b>	National Business Initiative
<b>NGO</b>	Non governmental Organisation
<b>INGO</b>	International Non governmental Organisation
<b>SGBV</b>	Sexual and Gender-Based Violence
<b>VAW</b>	Violence Against Women
<b>WCSC</b>	Women and Children Service Centre

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# Nepal: Banke and Bara districts



# Executive summary

Insecurities that Nepali women experience in the workplace have been explored in previous studies, but this study<sup>1</sup> focuses on the difficulties employed and self-employed women face in the wider context – in their homes and communities, travelling to and from their work, as well as in their workplaces. This report finds that women encounter multiple challenges to their full participation in the working environment, and that existing equality legislation, limited though it is, is not adequately implemented. Evidence points to the positive impact of women's access to and full engagement with work: their earnings are likely to be invested in their children and the community, contributing to long-term poverty alleviation. However, unless existing obstacles are tackled, women's working lives will be negatively affected. The findings and recommendations, based on research in the Banke and Bara districts, are intended to strengthen governmental and nongovernmental engagement on the issue of women and insecurity, and point to future areas of research.

Based on key informant interviews and focus group discussions, this study illustrates the range of insecurities women reported in different spaces and in relation to different actors, the impact their insecurities have on their wellbeing, and the steps that they took to address the challenges they faced. The insecurities women experienced posed significant challenges to their security and safety as well as their performance at their jobs. The study revealed that insecurity was a common experience for women at home, in the workplace, as well as on the way to and from work. However, the most frequent type of insecurity experienced was harassment, which occurred in different forms – verbal, gestural, through exposure to physical and pornographic images or written messages – but cases of physical sexual and gender-based violence (SGBV) such as rape or the threat thereof was also reported. Women were unlikely to report their problems because they were afraid of being stigmatised by society, and that reporting might create more problems for them than for their abusers. A draft bill on sexual harassment had been prepared and submitted to the Constituent Assembly, but years later there is still no specific legislation that addresses harassment in workplaces; other legislation addressing SGBV or ensuring women's equality, such as the Labour Act of 1992, lack effective implementation. While there is a general awareness that working women face a lot of challenges, there is a lack of action by government institutions to address this issue. Many employers are reluctant to take measures against insecurity and sexual harassment at the workplace, at times even exploiting women or threatening to fire them if they report sexual harassment.

## Key findings

For the purposes of research, public and private contexts to some extent have been presented as separate spheres. However, it is important to acknowledge that these

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<sup>1</sup> The study was carried out in the framework of the project 'Enabling civil society to contribute to more effective, inclusive and accountable public security policy and programming in Nepal', which was funded by the Embassy of Denmark and Danida/Hugou and implemented jointly by Saferworld, International Alert, Institute for Human Rights and Communications Nepal (IHRICON), Sector Service Centre (INSEC), National Business Index (NBI), and Forum for Women Law and Development (FWLD).

areas overlap and that they are intertwined. By simply working, women can be judged by family members in the home, by the wider community, as well as by people in the workplace: there are not necessarily distinctions and clear lines between public and private lives. The research shows that women face different types of insecurity at home and in the workplace.

**Harassment in public spaces and workplaces is a common but underreported experience for women.** Working women face different types of insecurity at home, on the way to and from work, and at the workplace – from mistrust and pressure by family and the community to sexual harassment and threats at work. However, while women face a wide range of discrimination and abuse on a regular basis, they are unlikely to report such cases to their supervisors or to security providers.

**Women face pressure from their husbands, families, and communities to refrain from working.** Social value systems surrounding a families' and a woman's honour (*ijjat*) constrain women's mobility, so women who work and travel away from their homes are scrutinised. While social attitudes are changing and are by no means uniform across Nepal, many women at times have been prohibited from working or accused of adultery by their families and communities for working outside their homes.

**Women experience regular abuse, both physical and verbal, to and from their places of work.** Many reported being followed by men, being verbally harassed on their way to work, and even being physically assaulted. Many women were also harassed by men on motorcycles or in crowded vehicles where they were unable to respond to their harasser.

**Women report that night time and large public events make them feel insecure.** Many of the women respondents shared incidences where they had been attacked or followed at night or early in the morning. Festivals and large celebrations were specifically dangerous for women because of the likelihood of large crowds of men, some of whom were liable to be intoxicated and hence more willing to harass women.

**Women attempt to prevent harassment by leaving work early to return before nightfall, taking male escorts with them, travelling in groups, and living closer to work.** Despite these and other tactics, women still faced harassment and usually attempted to ignore it. Unmarried and younger women were more likely to be the targets of harassment. Women who had previously experienced harassment were also better equipped to respond, cope with, and confront their harassment.

**Women are largely unaware of their rights concerning the workplace.** While many women reported insecurities from a lack of gender segregated toilets, few of them were aware of women's rights to such facilities. When women were aware about their workplace rights, they were hesitant to request such provisions from their employer because they were afraid they might lose their jobs. Other women were unaware of their rights to maternity leave and had difficulty securing leave for vacations or public holidays.

**Many women quit their jobs and suffer family problems as a result of harassment.** Women were unable to report harassment for fear of losing their jobs or being slandered at work or by their families. Women who suffered from harassment and had confronted their abuser or reported such incidents experienced and were afraid of reprisals such as arbitrary dismissal or shortened working hours, especially if the abusers were colleagues in superior positions, employers, or recruitment agents.

**Women are paid less for the work but also less likely to be hired as permanent contract staff.** Several people reported that women were sometimes paid half the salary of their male co-workers. Women were also less likely to be given permanent positions or be trained because of the perception that they may leave work for marriage or after they had a child.

**Employers have limited understanding of how provisions and laws that promote women's participation in the workforce, ensure equality, reduce insecurities, and prevent discrimination on the basis of sex and gender could be beneficial for improved business performance.** There was reluctance from the employers' side (especially by male employers) to implement legislation and other mechanisms against sexual harassment at the workplace as they see them mainly as additional restrictions, or financial burdens or losses. There was limited awareness of the benefits of reducing harassment, such as increased productivity, better morale, and staff loyalty.

**Women do not report their abuses to security providers.** Many women were uncomfortable when they encountered police at night on the streets or in public places as they were afraid of them. Many also said that police were unable to address their concerns. There is a clear lack of legislation related to harassment in the workplace and little institutional framework to address SGBV and sexual harassment in the workplace. There were no official reports of sexual harassment in the workplace in either district.

**The government is not focusing sufficiently on strengthening security of women in the workplace and on the way to and from work.** There is awareness that women face significant challenges in their workplaces and travelling to and from work. However, while there are provisions and laws that promote women's participation in the workforce, ensuring equality, reducing insecurities, and preventing discrimination on the basis of sex and gender, the implementation of existing legislation and policies was not moved forward and monitored sufficiently. Currently, important pending legislation such as the draft bill on sexual harassment in the workplace is not being approved by the government.

## Key recommendations

It is clear from the research that in order to increase women's security, various actors and sectors need to be engaged with the issues. The research highlights key recommendations aimed at different actors including:

### Nongovernmental organisations, civil society, and donor organisations

- Awareness raising programmes on the rights of women to live a life free from fear and insecurity in the domestic, public, and work sphere must be promoted. It is essential that men are involved in such programmes in order to make them effective, highlighting the unacceptability of harassment and violence, while women need to be empowered and taught the right language to describe and report harassment.
- A national dialogue on the challenges and insecurities women face, placing responsibility of harassment on the perpetrator, needs to be promoted. Journalists and media should be encouraged to investigate security issues affecting women. Female journalists should be supported to report on these cases in ways that protect women's anonymity.
- Larger discussions on changing gender roles, norms, and expectations need to take place. Behaviour change is a slow process and requires continuing effort and discussion at the national level, in the media, and at the local level, including in schools. Women's rights and equality should be discussed and there is a need to raise awareness on the benefits for families and societies when women are able to work freely, in safe environments, and under fair conditions.

### Security providers, government officials, and policy makers

- Constituent Assembly members should swiftly pass the draft bill on sexual harassment in the workplace, and measures should be taken to implement existing legislation. Currently there is legislative provision for, among other issues, gender segregated toilets and night time transportation, but this needs to be reinforced to employers and employees, with women in particular being educated on their rights. Government offices, police stations, military barracks, etc. should lead by example and implement provisions for gender sensitive and segregated facilities where required, provide for child care and maternity leave, and ensure that women have independent reporting structures to report instances of harassment.
- Security providers should further strengthen efforts to address incidents of harassment in public spaces, in streets, and on public transport. While this represents a difficult security issue to address for any security institution in any country, police and other security providers need to take these issues seriously and should start offering services and support for women travelling to and from work, especially at night. This should be in addition to ensuring preventative behaviour on the part of men.
- Preventative as well as response strategies should be implemented, including security providers raising awareness that violence against women is not acceptable and perpetrators will be punished. At the same time, there must be a committed legislative response so that penalties for committing violence against women are serious enough to prevent male violence.

### Private sector

- In consultation with female and male employees as well as trade unions, employers should develop clear guidelines or codes of conduct to prevent sexual harassment within their workplace and on the way to and from work, and explore ways that allow women (and men) to report harassment without having to face negative consequences.
- The Federation of Nepalese Chambers of Commerce and Industry, the Federation of Nepal Cottage and Small Industries, and business forums should take up the issue of women's security in the workplace, and they should be encouraged to advocate for better conditions for women and corporate social responsibility, among other things. The overall impact of gender sensitivity will be stronger if the private sector members themselves push the issue.

### Future research

- Future research related to women in the workplace should continue in more detail and at a larger scale to explore the ways in which women's insecurities are not limited to their experiences in their places of work, but include the challenges they face at home because they work and must travel to work. As the agricultural sector seems to be a significant employer of women, and especially given issues with landlessness and indentured servitude, an exploration of women's work in agriculture should be included.
- More research is needed to understand the ways in which new technologies, mobile phones, and the internet can affect women's sense of security – as tools that enhance security while at the same time posing a threat and making women feel insecure. It is likely that this issue will grow as certain technologies become more widely available and commonplace.

# Introduction

This study explores the insecurities and challenges women in Nepal face at work, with a focus on Banke and Bara districts. While previous studies have focused exclusively on women's experiences at their workplace, this research seeks to explore the difficulties employed and self-employed women face in their homes and communities, travelling to and from their work, and in their workplaces.

There is a significant body of research, both from Nepal and South Asia, conducted by academics and NGOs examining the many challenges and insecurities women face and the social attitudes towards women. In Nepal, however, as stated in the International Labour Organization's (ILO) 2004 report on sexual harassment in Nepal, "efforts at legal reform have concentrated on issues such as equal rights for equal pay, rather than on sexual harassment in the workplace".<sup>2</sup> Since then, additional researches have begun exploring women's insecurities and experiences in various workplaces. While legal and social advances have been made in understanding and addressing the conditions women face at work, there remain considerable knowledge gaps to a more complete understanding of the challenges women across Nepal are facing on a daily basis. The question of women's equality and security in the workplace is at the nexus of many social issues and social conceptualisations of women: women as workers, as mothers, as victims of violence against women (VAW)/sexual and gender-based violence (SGBV), etc. Thanks to the efforts of many activists and organisations, a bill on sexual harassment in the workplace has been drafted and debated over the past few years, but is yet to be ratified. Much further effort and research is required in order to address working women's insecurities, and this process will inevitably need to involve companies, NGOs, the media, public and private security providers, donor communities, policy makers, trade unions, working women themselves, and their respective communities.

The insecurities women experienced in these various spaces posed significant challenges to their security and safety as well as their performance at their jobs. The study revealed that harassment of women is commonplace in public spheres and that women are unlikely to report their problems and challenges. The underlying social attitudes and perspective of honour, or *ijjat*, are also explored in relation to women's experiences of harassment, societal pressure, and hesitancy to report their abuse. Based on key informant interviews (KIIs) and focus group discussions (FGDs), this study illustrates the range of insecurities women reported facing in different spaces and in relation to different actors, the impact their insecurities have on their wellbeing, and the steps that they took to address the challenges they faced. This study found that harassment was a common experience for women in the workplace, and while a draft bill on sexual harassment has been prepared and submitted to the Constituent Assembly, there is currently no specific legislation that addresses harassment in workplaces. Throughout the report particular focus is paid to the ways in which women's experiences in different areas of their lives are interconnected with their security concerns, and the need to examine women's insecurities more broadly to understand and address the impact insecurity has on their political economy and human rights. While this study separates women's

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<sup>2</sup> International Labour Organization (ILO) (2004), 'Sexual Harassment in the Workplace in Nepal' (Kathmandu: International Labour Organization), p 1. Available at [www.ilo.org/kathmandu/whatwedo/publications/WCMS\\_113780/lang-en/index.htm](http://www.ilo.org/kathmandu/whatwedo/publications/WCMS_113780/lang-en/index.htm)

security issues according to different domestic/public domains, it is important to see these spheres as conceptually arbitrary to women's actual experiences, work, and security, and there is a growing need in policy, programming, and research to see these dimensions as overlapping and intertwined.

## Methodology

Following up on findings from a district assessment carried out in 2012,<sup>3</sup> in a project focusing on the improvement of public security in selected districts of Nepal,<sup>4</sup> this study seeks to approach women's security and economies more broadly by examining the insecurities working women<sup>5</sup> face in a variety of contexts, as opposed to an examination of women's issues within a given particular imagined or demarcated workplace. Methodologically, this entailed engaging women in discussions about the various challenges and difficulties they face in relation to their involvement in a variety of informal and formal economic activities, as they travelled through various public spaces to conduct these activities, as they carried them out in various workspaces, and as they were understood and received by members of their families and communities. The women respondents in the study were all from urban or industrial areas engaged in paid work outside of their homes – women from agricultural sectors were not interviewed. Two districts, Banke and Bara, were selected as field sites due to the presence of industrial sectors and because of ongoing work on public security provision carried out by Saferworld, International Alert, Institute for Human Rights and Communications Nepal (IHRICON), Informal Sector Service Centre (INSEC), National Business Index (NBI), and Forum for Women, Law, and Development (FWLD) in those districts. Research was conducted in July 2013 and involved KIIs with security providers, women's organisations, journalists, trade unions, Federation of Nepalese Chamber of Commerce and Industry (FNCCI) members, and entrepreneurs. FGDs were also conducted separately with men and women working in both formal and informal sectors, such as in hotels, restaurants, or factories. For the purposes of this research, Nepal's Central Bureau of Statistics' (CBS) guidelines for determining informal and formal sector workers were used; these are based on ILO definitions. Informal sector workers were defined as non-agricultural employees who are paid employees in an unregistered business with fewer than ten employees, people operating their own businesses with no employees, operating their own business with fewer than ten regular paid employees, or contributing family members.<sup>6</sup> To supplement field research, interviews were also held with various contacts and organisations in Kathmandu, and a literature review of existing material was conducted.

While this research sought to explore a wide range of perceptions and experiences of different types of insecurities faced by women working outside their home for salaries, wages or other kinds of remuneration – as well as examining various mitigation mechanisms to counter threats to their security – the overwhelming majority of insecurities women faced were related to SGBV and discrimination against women. This small study was limited in scope, sample size and demographic coverage and does not provide a comprehensive view of the various dimensions and factors that shape a woman's security concerns; more in-depth and sector specific research should be conducted to explore and build upon the findings of this report.

<sup>3</sup> Forum for Women, Law and Development, et.al. (2013), 'Snapshot of Local Security and Justice Perceptions in Selected Districts of Nepal', available at [www.saferworld.org.uk/resources/view-resource/749](http://www.saferworld.org.uk/resources/view-resource/749)

<sup>4</sup> The project 'Enabling Civil Society to contribute to more effective, inclusive and accountable public security policy and programming in Nepal' was funded by the Embassy of Denmark and Danida/Hugou.

<sup>5</sup> For the purposes of this research, working women will be broadly understood as women who are self-employed or employed in regular wage work either in formal or informal sectors.

<sup>6</sup> More information regarding these distinctions can be found in CBS (2008).

# 1.

## Background information and literature review

### Women's participation in economic activities in Nepal

Nationwide statistics provide a broader insight into women's overall participation in the economy and highlight the many areas where they have yet to achieve parity with men in the workforce. Despite the significant gains Nepal has made in promoting women's education over the last decade, men and women's participation as a percentage of the labour force<sup>7</sup> between 1998 and 2008 fell slightly. In 2008, women's participation in the labour force was 80.1 per cent whereas men's participation rate remained significantly higher at 87.5 per cent.<sup>8</sup> These differences are greater in urban areas where women's participation is 58.5 per cent to men's participation of 76.6 per cent compared with rural areas where women's participation is significantly higher at 84.2 per cent to men's participation at 90 per cent.<sup>9</sup> The disparity in women's and men's participation in the economy is even more significant considering that there are roughly 740,000 more women in the overall labour force, a fact attributed to Nepal's large migrant economy which involves the emigration of Nepalese men.<sup>10</sup> Nepal's economy is comprised predominantly of informal employment at 92.6 per cent, and women in the formal sector represent less than 1.5 per cent of employment overall, suggesting that there are significant challenges to attaining better employment.<sup>11</sup> Women's pay was also estimated to be 59.5 per cent of men's pay, though the ILO Labour report partly attributes this to the difference in the number of hours men worked.<sup>12</sup> This study found that disparities in pay were more often attributed by women and men to wage discrimination and, to a lesser extent, a difference in the physical capabilities of men and women. As a reflection of women's roles and social responsibilities in the household, and a preference for sons over daughters, 10–14 year old girls' participation in economic activities in the home is also higher than boys (58.7 per cent of girls participate in economic activities compared with only 47.2 per cent of boys).<sup>13</sup>

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7 As defined by the International Labour Organization's guidelines: "The total labour force, or currently active population, comprises all persons who fulfilled the requirements for inclusion among the employed or the unemployed during a specified brief reference period." Employment is considered to include anyone who has worked for in any sort of paid economic activity recently, whether self-employed or employed.

8 International Labour Organization (ILO) (2010), 'Labour and Social Trends in Nepal' (Kathmandu: International Labour Organization), p 23. Available at [www.ilo.org/kathmandu/whatwedo/publications/WCMS\\_151322/lang-en/index.htm](http://www.ilo.org/kathmandu/whatwedo/publications/WCMS_151322/lang-en/index.htm)

9 Central Bureau of Statistics, Nepal (CBS) (2008), 'Report on the Nepal Labour Survey 2008' (Kathmandu: CBS), p 55. Available at [www.ilo.org/wcmsp5/groups/public/@asia/@ro-bangkok/@ilo-kathmandu/documents/publication/wcms\\_118294.pdf](http://www.ilo.org/wcmsp5/groups/public/@asia/@ro-bangkok/@ilo-kathmandu/documents/publication/wcms_118294.pdf)

10 ILO (2010), p 23. *op cit*.

11 *ibid*, p 9.

12 *ibid*, p 29.

13 CBS (2008), p 56. *op cit*.

## Sexual and gender-based violence at the workplace and in public spaces

Sexual and gender-based violence, especially against women, is endemic throughout Nepal and there are many studies which examine different aspects of SGBV.<sup>14</sup>

In 2012, a study conducted by the government of Nepal found that 48 per cent of women had experienced violence in their lifetime, 28 per cent within the 12 months preceding the study.<sup>15</sup> However, there are far fewer studies that examine the insecurities, abuse, and violence women face in the workplace. One of the earliest studies that examined violence in the workplace, by the General Federation of Nepalese Trade Unions (GEFONT), found that rape and sexual abuse of women in the workplace were experienced by 18 and 16 per cent of women respectively in 1990.<sup>16</sup> GEFONT reported a “large decrease” in rape and sexual abuse in workplaces ten years later as reported by GEFONT affiliated union members for this study.<sup>17</sup> The study argues that this shift was due to the restoration of multiparty democracy in 1990, raising levels of awareness, and growing unionisation of workers, but the study also showed that other types of harassment, teasing (24 per cent), and touching women's bodies (16 per cent), remained persistent experiences for women.<sup>18</sup> The largest study on sexual harassment in the workplace was conducted by the ILO almost a decade ago.<sup>19</sup> Given the lack of local terminology to discuss sexual harassment,<sup>20</sup> the ILO report helped provide a framework with international research and law and used Nepal's existing legal code to explore the concept of sexual harassment vis-à-vis Nepal's context. As a way to explore whether various stakeholders viewed harassment as something that women did not desire or invite when they dressed or acted a certain way at work, the report asked whether policy makers, members of parliament, employers, and bureaucrats understood sexual harassment as a ‘gender issue’ that is ‘uninvited’ or desired by women. While a majority of female employees, 74.2 per cent, perceived sexual harassment as uninvited and as a gender issue, only 46.2 per cent of female policy makers and civil society representatives agreed that sexual harassment was uninvited by women.<sup>21</sup> Overall the study found that 53.8 per cent of women employees reported that they had personally experienced sexual harassment and that the most common elements of sexual harassment were verbal, gestural, physical and pornographic images or written messages.<sup>22</sup> The research respondents also reported that garment and carpet industries were fields with high levels of harassment, and that private firms, government, domestic work, hotels and restaurants were also “highly prone” to sexual harassment.<sup>23</sup>

Other studies have also been conducted examining women in specific industries: namely carpet and garment industries. In 2009, Gita Dhakal conducted a study of women working in carpet factories and found that 72 per cent of women had heard of sexual harassment while 52 percent reported that they had experienced it themselves; teasing, vulgar comments, and obscene jokes consisted of 87 per cent of women's experiences of harassment.<sup>24</sup> Despite both the prevalence of harassment

<sup>14</sup> Because of the high level of stigmatisation women who have become victims of SGBV face in Nepal, it can be assumed that the number of incidents of SGBV that go undisclosed and unreported is high.

<sup>15</sup> Government of Nepal (2012), ‘A Study on Gender-Based Violence Conducted in Selected Rural Districts of Nepal’ (Kathmandu: Office of the Prime Minister and Council of Ministers), p ix. Available at <http://asiafoundation.org/resources/pdfs/OPMCMGECUGBVRResearchFinal.pdf>

<sup>16</sup> General Federation of Nepalese Trade Unions (GEFONT) (2000), ‘Sexual abuse and harassment from 1990 to 2000’ (Kathmandu: GEFONT), p 13. Available at [www.gefont.org/uploads/publications/9744\\_Trade%20Union%20Rights%202000.pdf](http://www.gefont.org/uploads/publications/9744_Trade%20Union%20Rights%202000.pdf)

<sup>17</sup> *ibid.*

<sup>18</sup> *ibid.*

<sup>19</sup> ILO (2004). *op cit.*

<sup>20</sup> There is no direct translation for ‘sexual harassment’ in Nepali. However, sexual harassment is considered a form of violence (*himsa*). While there are terms for inappropriate behaviour and contact, none of these relate specifically to work or workplaces.

<sup>21</sup> *ibid.*, pp 8–9.

<sup>22</sup> *ibid.*, p xiv.

<sup>23</sup> *ibid.*

<sup>24</sup> Dhakal, Gita (2009), ‘Women's Experiences of Sexual Harassment in Carpet Factories’, *Journal of Nepal Health Research Council* 7(15): pp 98–102; p 98.

and the effect it had on women's performance, no woman had ever lodged a complaint with her employer. The report also highlights other trends in the workplace that have not been captured in other studies but have significant implications for policy makers and businesses: that unmarried women were 4.36 times more likely to experience harassment than married women, that co-workers were far more likely to harass women employees than supervisors,<sup>25</sup> and that 32 per cent of harassment cases occurred outside of the factory by other male employees when female employees were not working.<sup>26</sup>

Other relevant researches have focused on women in various public spaces, in particular on public transport and on the street. Gita Neupane and Meda Chesney-Lind explored spatial manifestations of VAW on public transport. They found that sexual harassment was a "ubiquitous experience" for women in Nepal, with 97 per cent reporting that they had experienced sexual harassment on public transport.<sup>27</sup> Similar to other studies, they found that unmarried women were twice as likely as married women to experience sexual harassment: married women reported an average of 20 instances of sexual harassment on public transport over the last 12 months whereas unmarried women reported on average 40 instances of harassment over the same period.<sup>28</sup> Unmarried women were also more affected by harassment: the proportion of unmarried women, 60.9 per cent, who were "affected for a long time" after their harassment was 1.4 times higher than the proportion of married women, 43.9 per cent.<sup>29</sup> Nearly 15 per cent of married women also reported that they "did not care about [sexual harassment] because they thought it was normal to have such experiences".<sup>30</sup> Neupane and Chesney-Lind's study also found that none of their respondents reported such incidents to the police or any other authority because of lack of trust in security providers, guaranteed confidentiality and, in the words of one respondent, "it is useless to report complaints regarding such harassment because the government of Nepal is not going to react against such men. Instead they might tease or ask stupid questions like when and where did they touch".<sup>31</sup> Radha Paudel found in her 2011 study that when women complained to bus drivers or conductors they were told to use private transport if they could not "tolerate" being touched in such a way.<sup>32</sup> An ActionAid study shared similar stories when women reported their abuse and also found that women were vulnerable while waiting for public transport, especially at night and during festivals.<sup>33</sup> The same study found that in a mixed focus group, 80 per cent of women reported that they had experienced sexual harassment in the city and 40 per cent of men reported that they had harassed women.<sup>34</sup> There is evidence from FGDs conducted in Kathmandu with young working women regarding VAW research work, that young women are more harassed by middle-aged men (around 40 years of age) than their young peers of the opposite sex while travelling in public vehicles in Kathmandu.<sup>35</sup>

There is currently no legislation regarding women's insecurities in the workplace. A comprehensive legal analysis concerning the laws and provisions that relate to women's harassment in the workplace was undertaken by the ILO in their 2004

25 Dhakal found that co-workers were responsible for harassment in 66 per cent of women's disclosed experiences of harassment while supervisors were found only to have been responsible 5 per cent of the time.

26 *ibid*, p 99.

27 Neupane, Gita; Chesney-Lind, Meda (2013) 'Violence against women on public transport in Nepal: sexual harassment and the spatial expression of male privilege', *International Journal of Comparative and Applied Criminal Justice*, p 7. Available at <http://dx.doi.org/10.1080/01924036.2013.794556>

28 *ibid*, p 9.

29 *ibid*, p 10.

30 *ibid*.

31 *ibid*, p 15.

32 Paudel, Radha (2011) 'A Research Report on "Understanding Masculinities in Public Transport," Kathmandu, Nepal' (Kathmandu: Action Works Nepal), p 6. Available at [www.engagingmen.net/files/resources/2012/sysop/Nepal\\_Radha\\_A\\_Research\\_Report\\_on\\_Understanding\\_Masculinities\\_in\\_Public\\_Transport\\_Kathmandu\\_Nepal.pdf](http://www.engagingmen.net/files/resources/2012/sysop/Nepal_Radha_A_Research_Report_on_Understanding_Masculinities_in_Public_Transport_Kathmandu_Nepal.pdf)

33 ActionAid International (2011), 'Women and the City: Examining the Gender Impact of Violence and Urbanisation' (Johannesburg: ActionAid International), pp 51, 53. Available at [www.actionaid.org/sites/files/actionaid/actionaid\\_2011\\_women\\_and\\_the\\_city.pdf](http://www.actionaid.org/sites/files/actionaid/actionaid_2011_women_and_the_city.pdf)

34 *ibid*, pp 52–53.

35 FGD conducted by International Alert in 2013.

report. Since then, a draft bill on the 'Prohibition of Sexual Harassment in the Workplace' was submitted to the Constituent Assembly, but was not ratified before its dissolution in May 2012. This draft allows for harassment complaints to be submitted directly to the Chief District Officer's (CDO) office, a 90-day statute of limitations on complaints, confidentiality of victims of harassment, security from reprisals, options for a negotiated agreement (*milapattra*), and comprehensively defines harassment as inappropriate or vulgar touching, remarks, staring, propositions, gestures, and messages. It should be noted that the insecurities reported by women in this study all met the legal definition of harassment as outlined in the bill. This bill also proposes a fine of three months in jail or a fine of 5,000 to 25,000 NRs. The Labour Act of 1992 makes several provisions for women, including the right to gender-segregated toilets, safe transport from their places of work at night, and child care in workplaces with more than 50 female employees. Maternity leave is also provided for in other legislation. However, despite these provisions there is a lack of implementation of policies supporting women's right to work.

## Attitudes towards and perceptions of women in public

There is a growing effort worldwide and in Nepal to understand the underlying causes of SGBV and VAW. Social attitudes towards and perceptions of women in Nepal have changed over recent decades and are conflicting and dependent on a variety of factors, such as education, social class, ethnic/caste identity and geographical location. Increasingly, this research found that Nepali women and men have begun to recognise the many ways in which Nepal's society is patriarchal. The extent of Nepal's patriarchal structures can be seen in all levels of the state, society, and culture. Though political reform has recently begun to address the state's support of patriarchy, according to a 2011 Shadow Report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in Nepal, there are 103 discriminatory legal provisions that discriminate against women, mainly on the basis on citizenship, inheritance, marriage, and family life.<sup>36</sup> Legal provisions that affirm women's rights to security and participation in society are often not implemented.<sup>37</sup> Socially and culturally, practices such as dowry, *chaupadi*,<sup>38</sup> witch accusations, child marriage, sex trafficking, and so on reflect a widespread perception that women and girls are undervalued and of a lower social status to their male counterparts.

In the past decade, social research has explored the ways in which value systems related to families and women's status have begun to change and how they shape people's perceptions of women in public spaces. Central to the way in which women are controlled and policed in public spaces by Nepali society is the concept of *ijjat* or 'prestige' or 'honour'<sup>39</sup> as it relates to a family's status within a social hierarchy. For men in society, *ijjat* functions as something accrued more through the accumulation of social capital and status symbols, such as material goods and jobs, rather than their adherence to a set of moral canons regarding their sexual and ritual practices as such.<sup>40</sup> On the other hand, a woman's *ijjat* is a finite resource that can only ever be lost, intrinsically bound up with her sexuality, in particular her chastity and adherence to socially appropriate gender roles.<sup>41</sup> Increasingly, "female

36 Forum for Women, Law, and Development (FWLD) (2011), 'Shadow Report', (Kathmandu: FWLD), p iv. Available at [www2.ohchr.org/english/bodies/cedaw/docs/ngos/FWLD\\_NepalCEDAW49.pdf](http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/FWLD_NepalCEDAW49.pdf)

37 Kill with a lawyer (female), Kathmandu, 4 December 2013.

38 A practice whereby menstruating women are not allowed in the home.

39 Also translated as 'dignity, respectability or honour.' Liechty (2003), p 83; and 'sexual reputation.' Tamang (2003), p 249.

40 Liechty, Mark (2010), 'Paying for Modernity: Women and the Discourse of Freedom in Kathmandu', *Out Here in Kathmandu* (Kathmandu: Martin Chautari Press): pp 307–342; p 327.

41 While these traditional concepts are increasingly being challenged by modernity, there is evidence that they are still deeply engrained in notions of gender among the younger generation; see for example Saferworld's forthcoming publication on notions of masculinity and SGBV (2014).

participation in emerging middle-class public spheres (in careers, politics, etc.) is both admitted and condemned; women in public are both promoted as modern and progressive, and derided as sexually dangerous and threatening to the family".<sup>42</sup> Hence, as the divisions of public/private spheres become more unstable when women and girls increasingly participate in schools, workplaces, and public spaces, "women's lives are among the key places where transitions from 'tradition' to 'modernity' are publicly scrutinised in domains such as consumerism, careers and labour, religion, citizenship, and sexuality".<sup>43</sup>

The connection between the idea of social prestige, capital production and consumption, and women's sexuality is a nexus for understanding social perceptions regarding women in workplaces. Women who work, especially with other men, away from their husbands, etc., are inevitably perceived as making statements about their sexuality even though this is not their intention. The "tyranny of *ijjat*," as Mark Liechty describes, is such that women, by choice or by economic necessity, are entering into new arenas and situations, transgressing traditional boundaries and sometimes inevitably labelled as prostitutes or loose women despite their constant vigilance and strict adherence to various social codes. There is consensus among several scholars that *ijjat* is an "increasingly effective means of limiting women's access to the promises of freedom in the emerging public sphere".<sup>44</sup> Katharine Rankin further concludes that "...the *ijjat* economy does serve as a particularly forceful deterrent to women's participation in kinds of market activities that require much social interaction or movement outside the household".<sup>45</sup> Other studies have begun to link *ijjat* value systems to the public violence women face. A focus group discussion with police, traffic police, and other government representatives conducted for a study on women in urban spaces, revealed that of the number of total reports of sexual violence, including rape, and crimes related to honour, 83 per cent of the victims were women.<sup>46</sup> Liechty also explored how some women even understood harassment as "events that rob *them* of social prestige, not their attackers".<sup>47</sup> The findings of this report reflect many of these perspectives; women who entered public spaces and workplaces were often sexualised despite their attempts to avoid this and accusations around women's sexuality were common features of the harassment that women faced.

<sup>42</sup> *ibid*, p 315.

<sup>43</sup> *ibid*, pp 310, 315.

<sup>44</sup> *ibid*, p 337.

<sup>45</sup> Rankin, Katharine (2010) 'Cultures of Economies: Gender and Socio-Spatial Change in Nepal', *Gender, Place, & Culture: A Journal of Feminist Geography* 10(2): pp 111–129; p 119. Available at <http://dx.doi.org/10.1080/096636903200079514>

<sup>46</sup> ActionAid (2004), p 53. *op cit*.

<sup>47</sup> Liechty (2010), p 333. *op cit*.

## 2.

# Women, insecurity and response mechanisms

## Insecurities, challenges and implications for working women

Women faced a range of insecurities surrounding their participation in work outside the home. This section will outline the major sources of insecurity as they occurred in different spaces for women: at home, travelling to and from work, and in their workplaces. While for the purpose of this study these spaces were explored separately, it is important to consider that these spaces are not necessarily clearly demarcated nor should they be taken as natural units of analysis considering that many women work in or near their communities, with other family members, etc. This section will also explore sources of insecurity that are not confined spatially, and examine the impact women's insecurity has on their work.

### Domestic and communal pressure on working women

As discussed above, social attitudes towards women often oppose women's participation in the workforce, especially when it involves work outside the home, work with male colleagues or customers, low status work, and work with less pay. This can be particularly difficult considering the gender disparity in pay where women earn 60 per cent as much as men.<sup>48</sup> Interviews and FGDs revealed significant ambiguity around familial attitudes towards women's work and many informants reported that social attitudes were changing with the growing importance of capital and earnings.<sup>49</sup> Regardless of the families' actual attitudes towards women's employment, consistent throughout responses was an understanding that women's ability to work outside the home required her family's, often her husband's family's, prior permission and support.<sup>50</sup> This was most evident in respondents' language where women were variously 'sent' or 'allowed' by their families to work in various jobs.<sup>51</sup>

Men reported that support for women's employment had grown in recent years,<sup>52</sup> and some mentioned that a families' education was an important factor determining whether they were supportive of women's work outside the home.<sup>53</sup> Other respondents reported that poorer families were more likely to support women's work because of financial need, and that urban areas, in this instance Nepalgunj, were

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<sup>48</sup> ILO (2010), p 24. *op cit*.

<sup>49</sup> KII with a security provider (male), Banke, 6 July 2013.

<sup>50</sup> Nepal is primarily a patrilineal country and women leave to live with their husbands' families when they are married.

<sup>51</sup> KII with a governmental official (female), Bara, 8 July 2013; KII with a labour union leader (male), Bara, 10 July 2013.

<sup>52</sup> KII with a journalist (male), Bara, 6 July 2013.

<sup>53</sup> KII with a business manager (male), Banke, 3 July 2013; KII with a security provider (male), Banke, 4 July 2013; KII with an employer and private security provider (male), 3 July 2013.

more supportive spaces for women's work.<sup>54</sup> A reason for the respondents' perspective might be due to how work and employment are more likely conceptualised as related to 'modern' as opposed to traditional or agrarian lifestyles.<sup>55</sup> Though women in the formal sector who were engaged in 'higher status work' were more likely to receive support from their families, there were accounts from both formal and informal sector employees that their families supported their work.<sup>56</sup> Additionally, some women reported that without the support of their husbands and families they would not have been successful in their work, suggesting that families not only play a large role in whether women are likely to work but also in their success at work.<sup>57</sup>

However, despite these instances of familial support, many reported that they received pressure from their husband's families and communities. FGDs revealed that certain women were at various times kept from working by their husband's families, and that they experienced significant pressure to stay and work in the home, humiliation from their families and relatives, and were slandered because of their work.<sup>58</sup> Women reported that as a result of their work they were often accused of promiscuity and adultery by relatives and other members of their community, who could pressure their husband and his family to keep them at home and prevent them from working – one woman even worked far away from her house so that she could keep her employment secret from the community.<sup>59</sup> Another woman reported that this caused her husband, who believed these allegations, to initially distrust her and led to a loss of trust in their relationship. Her experience highlights the ways in which even when husbands and men in women's families may be supportive, they face significant challenges within conservative social contexts that have very real implications for women. One woman's husband "couldn't handle the pressure coming from the community" and no longer allowed his wife to sell vegetables in the marketplace.<sup>60</sup> Other women reported that their families were supportive only to the extent that their endeavours earned a sufficient amount of money for the families, and when women's earnings dropped, their families began to pressure them to leave work.<sup>61</sup>

The various pressures that these women experienced to earn while simultaneously conforming to social expectations are evidence of the interplay and calculations of 'ijjat economies': women's ability to earn capital and the status gained through consumption allow women to offset the stigmatisation that they face entering public spaces for work. One government official shared a woman's concern that her domestic abuse would essentially limit her ability to support her family despite the incidents being unrelated to her actual employment:

*Recently, I heard there was a widow who was around 33 years old and had three children. She used to sell vegetables to make a living and was approached by her brother-in-law who pressured her to have sex with him. She refused and so he threatened to kick her out of her house. When she refused to leave the house he damaged the house and property. She hadn't told anyone about the incident because she was afraid no one would buy her vegetables and she wouldn't have another way to make money. The Women and Children Service Center found out about the incident, jailed her brother-in-law and helped her rebuild the house. When they tried to bring the brother-in-law in to reach an agreement, he ran away.<sup>62</sup>*

<sup>54</sup> KII with a government official (male), Banke, 3 July 2013; KII with a civil society representative (male), Banke, 5 July 2013.

<sup>55</sup> ILO (2010). *op cit*.

<sup>56</sup> KII with an employer (female), Banke, 3 July 2013; KII with a security provider (female), Banke, 4 July 2014; KII with a tea shop owner (female), Bara, 9 July 2013; KII with guest house owners (mixed), Bara, 7 July 2013.

<sup>57</sup> KII with a business owner (female, Bara), 8 July 2013; FGD with informal sector employees (female), Bara, 7 July 2013; FGD with formal sector employees (female), Bara, 6 July 2013.

<sup>58</sup> FGD with formal sector employees (female), Bara, 6 July 2013; FGD with informal sector employees (female), Bara, 7 July 2013; FGD with formal sector employees (female), Banke, 6 July 2013.

<sup>59</sup> FGD with informal sector employees (female), Bara, 7 July 2013.

<sup>60</sup> FGD with formal and informal sector employees (male), Bara, 9 July 2013.

<sup>61</sup> FGD with informal sector employees (female), Bara, 7 July 2013.

<sup>62</sup> KII with a governmental official (male), Bara, 8 July 2013.

This woman's fear that her harassment would lead to social stigmatisation, and hence hurt her business by dissuading customers, highlights the arbitrariness of separating 'domestic' and 'public' domains as they relate to women's work and SGBV. Regardless of women's work outside the home, they were also expected to complete all of the duties that are assigned to them as daughters, wives, and mothers.<sup>63</sup> The dual workload that women face posed a tremendous challenge to their successful employment and promotion at work, and many women reported this as one of their central concerns relating to their lives at home and ability to work.

Many men and women also reported differences between families' acceptance of women's work between Madheshi and Pahadi communities. Some of the respondents said that because of cultural and religious restrictions, Madheshi and Muslim women were less likely to be allowed to work or travel outside of the home.<sup>64</sup> Often such reports were shadowed with portrayals of Pahadi communities as more 'progressive' and supportive of women's rights despite the fact that evidence seemed to be largely circumstantial and anecdotal. For example, one man reported that Muslim women were far less likely to be engaged in the formal sector despite the fact that women already comprise less than 1.5 per cent of formal sector employees.<sup>65</sup> It is possible that real disparities in women's participation in the labour force do exist between various ethnic and religious groups and that attitudes towards women do vary between ethnic and religious communities; however, such differences were often seen as a result of inherent cultural attributes as opposed to existing discrepancies in access to education, poverty, literacy, discrimination on the basis of caste/ethnicity and other socio-economic issues that constitute significant barriers to Madheshis' employment. Indeed, there seemed to be a tendency to accuse the 'Other': that is, groups that are different from one's own ethnic, caste, religious or geographic group, of being unsupportive to women in various ways. Hence no strong conclusions can be made about these reports without further exploration.

## Travel to and from work – Women in public spaces

Challenges to women's security often begin before they even reach their places of work or occur on their way home. Many of the interviewees reported that women often walked, cycled, and took various forms of public transport in order to get to work. However, it must be taken into account that women in Nepal already face severe limitations to their mobility: 71 per cent of women require permission to visit their friends or relatives, 51 per cent to visit a health centre or hospital, and 63 per cent to attend a community organisation meeting in Nepal.<sup>66</sup> Harassment by men along the way was reported as a common experience, especially during the evening and at night, in the winter when daylight periods are shorter and there is more fog,<sup>67</sup> and during public events such as holidays and protests.<sup>68</sup> Several women reported having at various times been followed by strangers, especially at night, and many of the respondents had heard of instances where women had been raped on their way home from work when it was dark.<sup>69</sup>

The harassment women faced usually involved inappropriate looks, such as staring at their bodies, and verbal abuse; one woman said that women sometimes do not want to ride bicycles because they are teased, as they appear to be more prominent

<sup>63</sup> FGD with informal sector employees (female), Banke, 6 July 2013; KII with a civil society representative (male), Banke, 4 July 2013.

<sup>64</sup> FGD with formal sector employees (men), Banke, 5 July 2013; KII with journalists (men), Banke, 3 July 2013; KII with labour union members (men), 4 July 2013; KII with journalist (female), Bara, 10 July 2013.

<sup>65</sup> KII with a journalist (male), Bara, 6 July 2013; ILO (2004), *op cit*.

<sup>66</sup> Government of Nepal (2012), *op cit*.

<sup>67</sup> KII with a civil society representative (female), Bara, 9 July 2013.

<sup>68</sup> KII with a business owner (female, Bara), 8 July 2013.

<sup>69</sup> FGD with informal sector employees (female), Banke, 6 July 2013; KII with a civil society representative (male), Banke, 4 July 2013; KII with an employer (female), Banke, 3 July 2013.

on the roads.<sup>70</sup> In general, women report that men also harass them and make vulgar comments and hit them as they ride by on cycles: many reported that men would often say things such as “how much would you charge me [for sex]”.<sup>71</sup> Men riding motorcycles were also reported to shout vulgarities or hit women as they rode past them.<sup>72</sup> Some women found this especially hard to bear because there was no chance for them to react or respond because it happened too quickly.<sup>73</sup> A woman who ran a tailoring school for other women reported that she had been followed returning home and her female students had problems coming to work as men would sometimes stand outside her shop and tease them on their way.<sup>74</sup> In Banke, a male journalist shared the following story:

*There are cases of women being harassed while returning home... There was a friend of mine who is a teacher at a school. One day while returning from school, some guys chased her. She somehow managed to escape and nothing happened to her. But, because of this incident, she is traumatised. Now she actually lives in the school premises following this incident and she doesn't travel by herself that much.*<sup>75</sup>

Women who travelled farther or travelled regularly for work were also more likely to be touched inappropriately, have their personal space invaded, and be verbally harassed.<sup>76</sup> Public buses and transport were no safer for women who reported being frequently harassed; many of them attributed this in part to a failure to provide them with seats specifically reserved for women or reserve an adequate number of seats for women.<sup>77</sup> Some respondents mentioned a highly publicised case where a woman entrepreneur had been gang raped on a night bus in Dhanghadi, and during a focus group discussion some of the men even commented that the women had been at fault for “having no awareness” and being on the night bus in the first place.<sup>78</sup> Media reports of young girls and women being harassed in night buses do appear occasionally. Last year, in a case widely covered by the national media, a Buddhist nun was gang raped by bus driver and helpers in the Eastern Region of Nepal.<sup>79</sup> Despite the prevalence of harassment on public transport, a government official in Bara reported that there had been no official reports of harassment on public buses.<sup>80</sup> Even though the Labour Act requires transportation for female employees returning home at night, none of the women were aware that their employers were required to provide transportation for them if their work extended into the night, and none of the women were currently receiving these services despite the fact that many factory workers and nurses had to work late.

Women's insecurity also increased at night and during holidays, where women felt they were more at risk from harassment and potentially rape.<sup>81</sup> One woman shared an experience where her daughter and a group of female friends had gone for additional tutoring classes in the evening when it was dark. On their way home they were followed and had to hide in the school until their pursuers eventually left.<sup>82</sup> In Banke in particular, women perceived drug abusers and growing prevalence of drugs to be a large source of crime and insecurity.<sup>83</sup> Because drug and alcohol abuse often happens at night, women who were returning from work felt they

70 KII with a civil society representative (female), Bara, 9 July 2013.

71 KII with a journalist (female), Bara, 10 July 2013; FGD with informal sector employees (female), Bara, 7 July 2013.

72 FGD with informal sector employees (female), Bara, 7 July 2013.

73 KII with a journalist (female), Bara, 10 July 2013.

74 KII with a business owner (female, Bara), 8 July 2013.

75 KII with journalists (male), Banke, 3 July 2013.

76 KII with a labour union member (female), Bara, 10 July 2013.

77 KII with a disabled woman (female), Banke, 3 July 2013; FGD with formal sector employees (female), Bara, 6 July 2013.

78 KII with a civil society representative (male), Banke, 4 July 2013; FGD with formal sector employees (male), Banke, 5 July 2013.

79 See for example [www.deccanherald.com/content/172021/buddhist-nun-gang-raped-nepal.html](http://www.deccanherald.com/content/172021/buddhist-nun-gang-raped-nepal.html), accessed on 8 January 2014.

80 KII with a governmental official (male), Bara, 8 July 2013.

81 FGD with formal sector employees (female), Banke, 6 July 2013.

82 FGD with informal sector employees (female), Bara, 7 July 2013.

83 FGD with informal sector employees (female), Bara, 7 July 2013; KII with an employer and private security provider (male), Banke, 3 July 2013.

would be seen as easier targets for abuse, theft, and harassment. In Banke in particular, there were a large number of thefts on the street where women wearing gold necklaces were attacked and their necklaces snatched when they were walking to work.<sup>84</sup> Various holidays where public gatherings occurred were also times when women felt insecure; in part because men were more likely to be intoxicated and hence would be more willing to harass women. In particular, many women felt *holi*<sup>85</sup> was especially threatening because men could use the opportunity to touch women inappropriately.

## Women in workplaces

“There is a perception that men can do anything to working women”, explained one woman when discussing the insecurity women face in the workplace.<sup>86</sup> Women faced a range of challenges at work that were related both to their personal security and to their rights as workers. Surrounding the insecurities that women faced, there was a strong awareness of gender wage disparity and fewer options in general for women seeking work. Several respondents gave examples and estimates where women made less than half of what men made for the same position, and in all of these respondents believed that the difference in pay was a result of the employees sex as opposed to their skills or qualifications.<sup>87</sup>

Many women reported the use of abusive language by co-workers and supervisors such as teasing, vulgar comments, and inappropriate remarks about women's appearances.<sup>88</sup> One woman commented during a focus group, “There is sexual harassment at every step. It is always there. Touching and staring are always there. Customers also do it indirectly... We think, ‘why fight?’ and let it go.”<sup>89</sup> Often, men found different ways to justify their harassment; one woman reported, “Usually at work they make women do difficult work in order to make fun of them when they cannot do what they ask. They humiliate her by asking her that if she can't do it then why is she even at work. Sometimes they give women more work than they are capable of doing.”<sup>90</sup> Being pressured to have sex with employers was often seen as a prerequisite for many women to enter employment: recruiters were often believed to use their power to employ people in order to sexually exploit women.<sup>91</sup> It is hard to determine whether such incidents happen frequently or whether such stories are ‘morality tales’ told to prevent or discourage women from seeking employment, especially given that many of these reports were not actual experiences of the women and men who reported them.<sup>92</sup> However, one woman's experience suggests that these events do indeed occur:

*Then I went for an interview in another company. During the interview the owner said that I would get the job and that I would be given all the keys to the office. He said I would also get a mobile phone for my work. He told me, “You only have to make me your friend!” I became afraid and he tried to convince me by saying, “No one will tell, what will happen if you become my friend?” I left the office crying and cried the whole way to my home. People told me that I should have shouted and told everyone that that*

84 FGD with formal sector employees (male), Banke, 5 July 2013; KII with a civil society representative (male), Banke, 4 July 2013.

85 *Holi* is a South Asian holiday that often involves public games where people throw and rub coloured powder and water on each other.

86 KII with a labour union member (female), Bara, 10 July 2013.

87 KII with a union leader (male), Bara, 10 July 2013; FGD with informal sector employees (female), Bara, 7 July 2013.

88 KII with a labour union member (female), Bara, 10 July 2013; FGD with formal sector employees (female), Banke, 6 July 2013; KII with a journalist (female), Bara, 10 July 2013; FGD with informal sector employees (female), Bara, 7 July 2013; FGD with formal sector employees (female), Banke, 6 July 2013; FGD with informal sector employees (female), Banke, 6 July 2013.

89 FGD with formal sector employees (female), Banke, 6 July 2013.

90 KII with a labour union member (female), Bara, 10 July 2013.

91 KII with a governmental official (male), Bara, 8 July 2013.

92 For a discussion of morality tales surrounding women's sexuality see Liechty (2003).

*this man was misbehaving but eventually I would need proof which I didn't have. Because women tolerate such things almost every day, they have become normal.*<sup>93</sup>

Women who had to work shifts at night reported higher levels of harassment, and a government official even felt that women should be exempt from night shifts partially because she herself felt insecure when she was required to attend government functions at night.<sup>94</sup> Nurses in particular reported their insecurity because of intoxicated patients and their families who also stay in hospitals overnight.<sup>95</sup>

It was reported that men would also follow women when they went to the toilet, write obscenities and vulgar messages about women on the walls, and physically assault women or attempt to rape women when they travelled away from their communities to go to the bathroom when their home or community lacked a toilet.<sup>96</sup> This was far more likely to occur when women's workplaces lacked separate toilet facilities for men and women, but even when toilets were gender segregated some women reported that men would go into their bathrooms to smoke cigarettes and write vulgar messages on the walls.<sup>97</sup> The messages men left were often sexually explicit in nature and other reports have found that they often slander women and accuse them of being promiscuous and of 'loose character'.<sup>98</sup> While gender-segregated toilets are required under the Labour Act, many women in both informal and formal sectors had experienced insecurity about the toilets at their workplace. A lawyer and women's legal advocate in Kathmandu pointed out, "Even if you go to the Supreme Court now there are no toilets for women... It's difficult because then you have to find the keys and ask people for them. It's uncomfortable."<sup>99</sup> While gender-responsive infrastructures remain a key challenge for working women, the recent ongoing efforts of government to integrate this in their planning process has led to a few changes, such as rebuilt Nepal Police posts with separate toilet facilities for women and men police personnel.

## Sexual harassment linked to attire

Statements by respondents as well as other studies also showed that many women were blamed by men and women for inviting harassment by the way in which they dressed.<sup>100</sup> One private security provider and employer said "Women themselves should not wear tight clothes. Mostly women induce harassment themselves." A government official also blamed "women themselves for creating the environment they feel insecure and uncomfortable in... Mostly women induce it [harassment] themselves".<sup>101</sup> This view was also shared by some women who believed that because women are responsible for what they wear they were also responsible for how they were treated: "if you are good then no one will harm you."<sup>102</sup> Other research also found that women's dress was often used as an excuse to blame women for the harassment they experienced.<sup>103</sup> This is despite the fact that many women reported to having their dress, makeup, and appearance commented on no matter what they wore. The understanding that harassment is initiated by women's appearance further discourages women from reporting their abuses and leads to further social isolation and stigmatisation of harassment victims. While women in this study

<sup>93</sup> KII with a journalist (female), Bara, 10 July 2013.

<sup>94</sup> KII with a governmental official (female), Bara, 8 July 2013.

<sup>95</sup> FGD with formal sector employees (female), Banke, 6 July 2013; KII with a journalist (male), Bara, 6 July 2013.

<sup>96</sup> FGD with formal sector employees (female), Bara, 6 July 2013; FGD with informal sector employees (female), Bara, 7 July 2013; KII with a business manager (male), Banke, 3 July 2013.

<sup>97</sup> FGD with formal sector employees (female), Bara, 6 July 2013.

<sup>98</sup> FGD with formal sector employees (female), Bara, 6 July 2013.

<sup>99</sup> KII with a lawyer (female), Kathmandu, 4 December 2013.

<sup>100</sup> Paudel (2011); Neupane & Chesney-Lind (2013); ILO (2004).

<sup>101</sup> KII with an employer and private security provider (male), Banke, 3 July 2013; KII with a governmental official (male), Banke, 3 July 2013.

<sup>102</sup> FGD with informal sector employees (female), Banke, 6 July 2013.

<sup>103</sup> ILO (2004), *op cit*.

reported being stared at for wearing certain clothes and having their attire and appearance commented on, the way men dressed was said to also affect women's security in the workplace.<sup>104</sup> Many women reported that men in different work-spaces would deliberately leave their pant zippers open or wear pants with broken zippers.<sup>105</sup> One group of women said that they complained to their union leader and demanded that men close their zippers and said that they would even help men mend trousers if they were broken so long as the practice stopped.<sup>106</sup>

## Harassment and discrimination by employers

Many women were aware of and reported various ranges between women's and men's pay.<sup>107</sup> Supervisors and employers were also reported to frequently withhold women's salaries, sometimes for several months, and if women rejected an employer's advances they became vulnerable to reprisals such as reduced hours, reduced pay, or arbitrary dismissal. One woman working in media and journalism shared the following experience:

*After the recording was finished when I was about to leave, the manager caught hold of my hand and said, "Come here, what difference will it make?" I was shocked after seeing his behaviour and was scared. When I asked him to leave my hand, he refused. So I threatened him that I would tell everyone about this and that I would also leave the job. Then the manager said that he was just joking and I didn't need to leave my job... During this time I was conducting more than ten programs in one week, but soon after the incident I discovered that all of my programs were cut down except for the news as it was not in his hands. Surely it was a revenge for my refusal. He was a powerful and good man to the world, but in reality he was something else.*<sup>108</sup>

Another woman reported that she was forced to leave her job at a factory without pay after her employer had refused to pay her for three months of work.<sup>109</sup>

According to a union leader, women have more problems getting holidays from their work and they are often forced to work longer hours, being barred from permanent employment in factories.<sup>110</sup>

Women were also often unaware they had rights to maternity leave despite the fact that several government officials and other men pointed to women's role as mothers as a barriers to their employment and training because they would require maternity leave, child care, and might be unlikely to return to work after marrying or giving birth. A female journalist said that she never received opportunities for additional training because her employers and others "think that if women are given trainings they will just leave later when they get married and it will be a waste. So women reports fall behind".<sup>111</sup> Other women reported that this was a barrier to their employment as men were unlikely to hire women who might later ask for maternity leave. One woman, a government employee, was able to obtain child care after she petitioned her supervisor:

*When I was in Surkhet I had nobody to take care of my baby so he was always with me. My male boss who was the planner there was very strict. He called me at work and asked why my baby was with me. I said I didn't have anybody to take care of my baby at home so that the baby had to be with me and that I would do my duties despite having a baby around. He asked me not to come with a baby to work next day. That night I*

<sup>104</sup> KII with a governmental official (female), Bara, 8 July 2013; KII with a journalist (female), Bara, 10 July 2013.

<sup>105</sup> FGD with formal sector employees (female), Bara, 6 July 2013; FGD with informal sector employees (female), Bara, 7 July 2013; KII with guest house owners (mixed), Bara, 7 July 2013.

<sup>106</sup> FGD with formal sector employees (female), Bara, 6 July 2013.

<sup>107</sup> KII with a labour union leader (male), Bara, 10 July 2013; KII with a labour union member (female), Bara, 10 July 2013; FGD with informal sector employees (female), Bara, 7 July 2013.

<sup>108</sup> KII with a journalist (female), Bara, 10 July 2013.

<sup>109</sup> KII with an informal sector employee (female), Bara, 8 July 2013.

<sup>110</sup> KII with a labour union leader (male), Bara, 10 July 2013.

<sup>111</sup> KII with a journalist (female), Bara, 10 July 2013.

*couldn't sleep well, but I thought, it is a government job, he cannot simply dismiss me from work. So the next day I took my baby to work again. He called me into his office again and asked me why I had brought my baby. I said, "What can I do sir? You can give me a holiday." The next day I also came to work with my baby. To my surprise as soon as I came there was another lady who was appointed at work by my boss to take care of my baby. I went to my boss and expressed my heartfelt gratification.*<sup>112</sup>

Despite being legally entitled to maternity leave as well as child care services, none of the women reported formal access to such services. A female lawyer in Kathmandu reported that since the labour law requires any workplace with over 50 female employees to provide child care for women, many companies simply will not hire women or only hire 49 women, making themselves exempt from such requirements.<sup>113</sup> Many women who were aware of employer's reluctance to hire women were reported to be hesitant to join unions or become involved in workers' or women's rights matters because they were concerned with being dismissed as a result.<sup>114</sup>

## Mobile phones

Women reported that mobile phones were increasingly being used as an instrument to increase a feeling of security but also posed new threats to women's security: many women reported having received abusive messages and phone calls from fellow colleagues and strangers. The issues of mobile phone harassment is interesting in that the abuse is not spatially confined and can happen anywhere and because the harasser usually is able to remain completely anonymous in their abuse if they so choose. Women said that they were unable to give their phone numbers out because they would be shared with many men who would then send them abusive messages and verbally abuse them over the phone.<sup>115</sup> This poses a particularly difficult challenge for women because they are unable to escape or remove themselves from such abuse; nor are they even necessarily able to identify their harasser despite having their phone number.<sup>116</sup> The harassment women experience over the phone also brings with it further insecurities in their homes and other relationships. A government official in Banke reported that there had been several cases where women had suffered domestic violence from their husbands after they became suspicious of the messages and phone calls their wives were receiving.<sup>117</sup> On the other hand, even though phones can be a source of insecurity for women, one woman said that she was able to use her phone to talk to someone on her way home at night as a way to dissuade someone who was following her; in this instance her phone became a way for her to not be alone at night and hence less at risk of attack.<sup>118</sup> Due to the limitations highlighted in the methodology section, an exploration of the ways in which new forms of technology were increasingly being used to enhance or threaten women's security was outside the scope of this research; however, other research regarding women's security in the workplace have found similar instances of harassment and abuse.<sup>119</sup>

<sup>112</sup> FGD with formal sector employees (female), Banke, 6 July 2013.

<sup>113</sup> KII with a lawyer (female), Kathmandu, 4 December 2013.

<sup>114</sup> KII with a governmental official (male), Bara, 8 July 2013.

<sup>115</sup> KII with a journalist (female), Bara, 10 July 2013.

<sup>116</sup> KII with a governmental official (female), Banke, 3 July 2013.

<sup>117</sup> KII with a governmental official (female), Banke, 3 July 2013.

<sup>118</sup> FGD with formal sector employees (female), Bara, 6 July 2013.

<sup>119</sup> Puri (2002), p 47. *op cit*.

## Impact of insecurity on women

The challenges and insecurities women experienced surrounding their work had significant effects on women's wellbeing. The WCSC representative in Banke said that harassment affected everything from women's willingness to work, their physical health, and most significantly their mental health.<sup>120</sup> Several women reported various instances where they quit their positions because of the threat to their security or their discomfort in the workplace.<sup>121</sup> One woman who was working as a wedding photographer eventually quit her job because drunken men at the weddings she worked for would not stop harassing her.<sup>122</sup> Women variously described their abuse in terms of mental torture or stress.<sup>123</sup> Many of the women shared stories where their harassment had led them to break down crying, though this was sometimes reported as something that also helped them cope with the harassment they faced.<sup>124</sup> As previously discussed, one woman had also suffered from domestic violence because of the harassment they received over their phones. The most extreme instances involved reports of women who had committed suicide potentially as a result of their harassment or, in one instance, a woman had been reportedly murdered by her colleagues in a pharmaceutical factory.<sup>125</sup> One women entrepreneur and industrialist summarised the reality of the pressures women face: "Nepal is a country dominated by men. Almost all women are victims of this fact but working women face this more because they work outside of the home where there are also male workers. It is difficult to handle this [domination] at home and work. Working women are double victims".<sup>126</sup>

The challenges and insecurities women experienced surrounding their work had a significant effect on their political economies, mental health, and physical wellbeing. Dhakal's study of women factory workers in Kathmandu found that of women who had experienced harassment 89 per cent felt like quitting their jobs, 44 per cent lost interest in work, 11 per cent stayed away from their work, and 33 per cent were unable to focus on their work.<sup>127</sup> Psychologically, women who had been harassed felt ashamed and guilty (61 per cent), were more likely to get angry without apparent reason (48 per cent), felt violent and angry towards their perpetrator (74 per cent), had disturbed sleep (52 per cent), kept worrying (48 per cent), and had suicidal thoughts (4 per cent).<sup>128</sup> A small percentage of women in this study even experienced physical symptoms such as loss of appetite, headaches, and faintness.<sup>129</sup> The 2004 ILO study also found a similar range of experiences among women who had been harassed.<sup>130</sup>

<sup>120</sup> KII with a security provider (female), Banke, 4 July 2014.

<sup>121</sup> FGD with formal sector employees (female), Banke, 6 July 2013.

<sup>122</sup> FGD with formal sector employees (female), Bara, 6 July 2013.

<sup>123</sup> KII with a civil society representative (female), Banke, 4 July 2013; KII with a labour union member (female), Bara, 10 July 2013; KII with a civil society representative (female), Bara, 9 July 2013.

<sup>124</sup> FGD with formal sector employees (female), Banke, 6 July 2013; KII with a journalist (female), Bara, 10 July 2013.

<sup>125</sup> KII with a business manager (male), Banke, 3 July 2013; FGD with formal sector employees (female), Banke, 6 July 2013; FGD with formal sector employees (female), Bara, 6 July 2013; KII with an employer (female), Banke, 3 July 2013.

<sup>126</sup> KII with an employer (female), Banke, 3 July 2013.

<sup>127</sup> Dhakal (2009), p 100. *op cit*.

<sup>128</sup> *ibid*.

<sup>129</sup> *ibid*.

<sup>130</sup> ILO (2004), pp 25–32. *op cit*.

# Mitigation and response mechanisms

## Coping mechanisms used by women

Women had many strategies for overcoming the many different challenges and insecurities they faced. Unfortunately, while women used these strategies to prevent harassment in public spaces, none of the strategies allowed women to avoid harassment altogether and hence many women were forced to somehow cope with the abuse they experienced. As a way to prevent harassment and violence, the most common strategy was to travel or work in groups, either with other women or with men from their families. Many women were escorted by men from their homes to and from their places of work. This would help to reduce instances of harassment on the road as well to symbolically represent that they were under a man's protection.<sup>131</sup> Some of the women during a focus group were joking about the fact that when there were no older men around they would take small boys with them for protection and that would be enough even though the boy could provide no real protection.<sup>132</sup> As mentioned before, some women used mobile phones to speak with people while they were travelling so that they were not 'alone' at night. Many men and women also said that they lived closer to work, which significantly reduced their experiences of harassment, partially because they did not have to travel as far or use public transport and partially because they were more likely to know people in their area.<sup>133</sup> However, this was not always an option. Some women said that it was common for families to send women farther away to work so that the community did not know that they were working or what type of work they were employed in. Other women reported that they would leave work early or let their female workers leave earlier so that they could reach their homes before nightfall.<sup>134</sup> This was particularly true during festivals like holi, in both districts and in Kathmandu, where women closed their businesses or did not go to work for up to an entire week because of the harassment they would face during this particular festival.<sup>135</sup> Some women had even taken martial arts classes and believed other women should be given self-defence classes for their own safety.<sup>136</sup>

When actually responding to instances of harassment or abuse, women's options were limited. While there are Nepal Police's WCSCs in both Banke and Bara, none of the interviewed women mentioned the centres as places they had ever gone or would go to redress their plight.<sup>137</sup> Many women understood harassment as something that they either were forced to endure quietly or confront directly themselves.<sup>138</sup> Especially when harassment occurred on the streets women felt that they were left with few options to respond; however, in workplaces, various women shared stories whereby they had either reported their difficulty to a supervisor or directly confronted their abuser:

*A male co-worker used to tease me a lot and annoy me by making irritating noises with a pipe in his mouth. This was only because I changed my political party. He even tried to influence the supervisor so that I had to do difficult tasks which I was never trained to do. One day, I thought about complaining about him to the authorities but somehow he went first and complained about me to our supervisor. I was so furious that I didn't*

<sup>131</sup> FGD with formal sector employees (female), Banke, 6 July 2013; FGD with informal sector employees (female), Banke, 6 July 2013.

<sup>132</sup> FGD with informal sector employees (female), Banke, 6 July 2013.

<sup>133</sup> FGD with informal sector employees (female), Bara, 7 July 2013; KII with a labour union member (female), Bara, 10 July 2013.

<sup>134</sup> KII with a business owner (female, Bara), 8 July 2013.

<sup>135</sup> KII with a business owner (female, Bara), 8 July 2013; FGD with formal sector employees (female), Banke, 6 July 2013; KII with a civil society representative and business owner (female), Kathmandu, 27 November 2013.

<sup>136</sup> KII with a civil society representative (female), Banke, 4 July 2013.

<sup>137</sup> KII with a security provider (female), Banke, 4 July 2013.

<sup>138</sup> FGD with formal sector employees (female), Banke, 6 July 2013.

*worry about losing my job. I picked up my sandal and hit him in his face with it. Then the police were called and I told them my side of the story. The police advised us to resolve this matter on our own. Since the man knew he was at fault, he came to me and asked for forgiveness and requested that I forget the whole affair. After that day, other co-workers began to fear me upon learning of this incident where I stood up for myself in the face of injustice: they thought I was bold and that I would speak out if something unfair happened.*<sup>139</sup>

Older women were more likely to immediately speak out against their harassers: "When men comment on the way we dress we immediately talk back to them but the same thing cannot be done by younger women. It is easier for older women to deal with such situations than it is for the younger ones".<sup>140</sup> Sadly, other women hesitated to respond to harassment for fear that it might lead to their dismissal, to reprisals, or that they would be blamed for being harassed.<sup>141</sup> Many women said that their communities and society will always blame them for whatever they are reporting; hence many women's unwillingness to speak out.<sup>142</sup> As mentioned earlier, women in Nepal who report harassment are often blamed and stigmatised and their families' prestige also suffers.

However, while many families, communities, and relatives were a source of pressure, many women relied on other female friends and relatives for emotional support since most women could relate to their experiences of harassment.<sup>143</sup> This was often the only coping mechanism some women had as they were unable to confront various types of abuse either because of the circumstances, such as mobile phone or street harassment, or because of fear of reprisals, such as arbitrary dismissal. As discussed previously, women also attributed their successes at work to their families' and husbands' support, who would various support them by helping them with chores or providing advice on various aspects of their businesses.

## Responses by employers, government institutions, and security providers

Many employers as well as representatives from the FNCCI did not seem to consider harassment a serious or widespread problem. Some interviewees felt that the issue of insecurity and harassment of women was exaggerated.<sup>144</sup> There was also a lack of knowledge on the rights women are entitled to in their workplace, as well as reluctance to implement legislation against sexual harassment in the workplace, stating concerns that this would create more obstacles for industries and dissuade employers from hiring women.<sup>145</sup> Hence, most employers did not take corresponding action to address women's insecurities in the workplace. It was female employers who showed more awareness and understanding of the risks women employees were facing and who had put some measures in place to reduce the problem. One female employer stated that she separated male workers from female workers so that they could not interact while they worked.<sup>146</sup> The same employer also would speak with men outside her shop and try and convince them to stop teasing and verbally abusing the women who came to her business for training. A female guest house owner also said that she would never enter or show customers to their rooms because she did not want them to assume that she was a prostitute; instead she said that the guest house had to hire two boys, as opposed to girls, to help them perform

<sup>139</sup> FGD with informal sector employees (female), Bara, 7 July 2013.

<sup>140</sup> FGD with formal sector employees (female), Banke, 6 July 2013.

<sup>141</sup> KII with a civil society representative (female), Bara, 9 July 2013.

<sup>142</sup> FGD with informal sector employees (female), Banke, 6 July 2013.

<sup>143</sup> FGD with formal sector employees (female), Bara, 6 July 2013.

<sup>144</sup> KII with representatives from FNCCI (male), Kathmandu.

<sup>145</sup> KII with representatives from FNCCI (male), Kathmandu.

<sup>146</sup> KII with a business owner (female), Bara, 8 July 2013.

such duties.<sup>147</sup> They were unable to hire girls to work for them because if they did they would be accused of providing the girls to customers as sex workers. Other female employers had resorted to hiring only women to work in their factories.<sup>148</sup>

While women acknowledged that security providers such as the Nepal Police and Traffic Police were intended to provide security for them and were involved in security provision, many did not actively seek out the Nepal Police for help regarding issues of public or workplace harassment. Many female interviewees shared stories concerning theft, burglary, and violence where the police were involved in the provision of security – often resulting either in the arrest of a perpetrator or the facilitation of a negotiated agreement (*milapattra*) between two parties.<sup>149</sup> However, when it came to specifically addressing women's security needs some female interviewees often expressed wariness about the current security provision as they shared uncomfortable experiences concerning the public behaviour of some low-ranking security personnel.<sup>150</sup> One interviewee said that the Nepal Police would stop her at night and question her as she was returning from work, asking her where she was going.<sup>151</sup> A few women felt that traffic police in particular were a source of harassment in Banke; the traffic police reportedly teased women and tried to take advantage of them when they were in public.<sup>152</sup> While many women complained about feeling uncomfortable with the behaviour of low-ranking male police officers, they did acknowledge the senior-ranking officers had in the past helped increase security more generally in their district.<sup>153</sup> Several women reported that a senior-ranking police officer at the district level was proactive in providing security and adopted effective safety measures that helped both men and women feel more secure. Women in Bara said that sometimes if the police were in groups they felt safer with their presence, but when there were only one or two policemen they felt threatened and insecure.<sup>154</sup> Other women mentioned that low-ranking policemen often harass women when they are off duty or in civilian clothes, especially if they are intoxicated.<sup>155</sup> A government official in Bara also said that the Nepal Police services often do not speak the local language, which made it particularly difficult for Madheshi women and other non-Nepali speakers to report their concerns to the police.<sup>156</sup>

Women were also highly unlikely ever to report issues of workplace harassment to the police. Several men, a governmental official, and a journalist separately reported that the Nepal Police and the WCSC within it were sensitive and capable of addressing women's concerns, but they seemed unaware of women's actual experiences and perspectives of security providers, especially in regard to workplace and public harassment issues.<sup>157</sup> The lack of reporting suggests that women continue to fear losing their *ijjat* when reporting such an incident but also that they have less trust in security providers' ability to help them. The lack of any official report of workplace sexual harassment in both districts further suggests that currently these issues are not being proactively addressed by state security providers. However, this is not to suggest that security services are unaware or unwilling to address such issues. Despite the fact that certain respondents thought that the police did not care about harassment, the WCSC in Banke complained that without an official report the police could not act and that women often withdrew their complaints or

<sup>147</sup> KII with guest house owners (mixed), Bara, 7 July 2013.

<sup>148</sup> KII with representative from FWEAN.

<sup>149</sup> FGD with formal sector employees (female), Banke, 6 July 2013; FGD with informal sector employees (female), Banke, 6 July 2013.

<sup>150</sup> FGD with formal sector employees (female), Banke, 6 July 2013.

<sup>151</sup> KII with guest house owners (mixed), Bara, 7 July 2013.

<sup>152</sup> FGD with formal sector employees (female), Banke, 6 July 2013.

<sup>153</sup> KII with a labour union member (male), Banke, 4 July 2013; FGD with informal sector employees (female), Banke, 6 July 2013.

<sup>154</sup> FGD with formal sector employees (female), Bara, 6 July 2013.

<sup>155</sup> FGD with formal sector employees (female), Banke, 6 July 2013.

<sup>156</sup> KII with a civil society representative (female), Bara, 9 July 2013.

<sup>157</sup> KII with a governmental official (male), Bara, 8 July 2013; KII with a journalist (male), Bara, 6 July 2013.

refused to submit an official report for fear of reprisal or that it would damage their reputation.<sup>158</sup> A lawyer in Kathmandu said that despite provisions for fast track services, confidential reporting, and other gender-sensitive solutions, women are often hesitant to proceed with their complaints officially because of the difficult process, lack of implementation concerning existing provisions for women, damage to social status, guaranteed anonymity, and the potential for reprisals.<sup>159</sup>

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<sup>158</sup> KII with journalists (male), Banke, 3 July 2013; KII with a security provider (female), Banke, 4 July 2013.

<sup>159</sup> KII with a lawyer (female), Kathmandu, 4 December 2013.

### 3.

## Conclusion and recommendations

It is important to consider how women's insecurity in the workplace is not just about violence. The challenges women face have a tremendous impact on their children, their communities, and national economies. Recently, new advocacy efforts have begun to relate gender equality with macroeconomic development indicators. According to a fact sheet prepared by the International Monetary Fund, recent studies, "suggest that raising the female labour force participation rate to country-specific male levels would, for instance, raise GDP in the United States by 5 per cent, in Japan by 9 per cent, in the United Arab Emirates by 12 per cent, and in Egypt by 34 per cent."<sup>160</sup> Of 865 million women worldwide who have the potential to contribute more fully to their national economies, 812 million live in developing countries. Women's paid and unpaid work may be the most significant poverty-reducing factor in developing countries. Women who have control over their earnings and income are also more likely to invest in their children and communities, potentially opening new opportunities for education. Companies that include women on management boards are also more likely to be successful.<sup>161</sup>

However, such opportunities are likely to be missed in contexts where women face challenges to successful and secure employment in their homes, streets, and places of work. This research has begun to explore some of the ways in which domestic and public spheres are interconnected and affect women's security, and has attempted to demonstrate that women's political economies and security issues are dependent on a whole range of social factors that are by no means limited to their workplaces. This study has also explored ways in which social values like *ijjat* shape women's experience of and access to public spaces, workplaces, and social interactions. More work needs to be done to explore the interconnections between the issues addressed in these reports, and existing programs and services need to begin to reach out to women who have up to this point largely dealt with these issues on their own. Based on this research the following recommendations can be made:

### NGOs, civil society, and donor organisations

- Many women and government officials reported the need for awareness-building programmes to teach both women and men about harassment in the workplace and their rights. These programs should also teach women the right language to describe and report harassment given that the Nepali language currently lacks such terminology. However, such programs need to be combined with real changes in private sector policies and practices regarding harassment.
- Since most of the insecurities working women are facing are related to traditional concepts and gender roles, it is crucial to involve society, including men, in designing and rolling out programmes that raise awareness on the unacceptability

<sup>160</sup> Elborg-Woytek, Katrin; et al (2013) 'Women, Work, and the Economy: Macroeconomic Gains from Gender Equity' (International Monetary Fund). Available at [www.imf.org/external/pubs/ft/sdn/2013/sdn1310.pdf](http://www.imf.org/external/pubs/ft/sdn/2013/sdn1310.pdf)

<sup>161</sup> *ibid.*

of harassment or VAW at work or in other public places, and also to raise awareness on the legal provisions and consequences of committing harassment. Having men lead the awareness raising with other men, especially with male colleagues, might increase the acceptance of those messages by other men.

- Civil society organisations should advance advocacy for the swift passage of the draft bill on sexual harassment in the workplace, in conformity with international standards and practices.
- Support programmes, rallies, and other public event that promote women's right to be safe and secure in public spaces, targeting government institutions, employers, as well as the general public. Clear messages should be communicated that women have the right to be safe while working, and while travelling to work and back.
- Develop programmes to work with women employees, employers, trade unions, chambers of commerce as well as government authorities and security providers to identify mechanisms to report SGBV at the workplace in a confidential and gender-sensitive manner. This might include exploring reporting options without having to go through official procedures.
- Raise awareness with employers, trade unions, chambers of commerce, government authorities and security providers on the challenges working women are facing, and increase the knowledge of employers and chambers of commerce on legal provisions that protect women at the workplace and prevent discrimination.
- Explore with employers, chambers of commerce, government authorities and security providers how to make the workplace and the way to and from work safer for women without creating serious obstacles or disadvantages for employers, and increase awareness that safe working conditions can contribute to improving the performance of workers.
- Promote national dialogue about the challenges and insecurities women face in ways that place the responsibility of harassment on the perpetrator, that do not dissuade or scare women from entering the private sector, and that show the positive role which women's employment plays in the lives of their families and communities.
- Support institutional design and implementation of policies against sexual harassment in the private sector, including independent and anonymous reporting mechanisms for women. Engagement with the private sector – making it see the benefits of reducing harassment, such as increased productivity, better morale, more loyalty etc. – could encourage employers to address security issues that women face. Private sector employers who implement these policies should be recognised for their efforts to improve women's security in the workplace.
- Journalists and media outlets should be encouraged to do more investigation on the security of women at work and in public places. In particular, female journalists should be empowered and supported to report on these cases in ways that protect women's anonymity.
- Larger discussions on changing gender roles, norms and expectations need to take place. Behaviour change is a slow process and requires continuing effort and discussion at the national level, in media, and at the local level, including in schools. Women's rights and equality should be discussed and there is a need to raise awareness on the benefits for families and societies when women are able to work freely, in safe environments, and under fair conditions.

## Security providers, government officials and policy makers

- Constituent Assembly members should advance the issue for the swift passage of the draft bill on sexual harassment in the workplace.
- Nepal Police's WCSC could be an important first contact point for women facing insecurity at the workplace. Nepal Police should continue strengthening WCSCs and engage with the private sector on those issues, for example by reaching out to employers and employees, raising awareness on provisions/laws against harassment and discrimination; encouraging reporting, etc. Awareness should be raised on the provisions and roles of WCSC as this could encourage victims of SGBV to lodge complaints.
- Security providers should further strengthen efforts to address incidents of harassment in public spaces, in streets and on public transport. While this represents a difficult security issue to address for any security institution in any country, police and other security providers need to take these issues seriously and should start offering services and support for women travelling to and from work, especially at night.
- Security providers should continue demonstrating their sensitivity to women's issues, especially concerning harassment in public and work spaces. They should be encouraged to implement existing provisions for gender-sensitised security services, such as having more female police officers and ensuring confidentiality for victims. Ongoing gender-responsive security training should be continuously updated and also include sessions on security challenges women in the workplace are facing, and should be provided to all police officers.
- Government institutions and security providers should lead by example and implement existing requirements related to women in the workplace. Government offices, police stations, military barracks, etc. need to implement provisions for gender-sensitive and segregated facilities where required, provide for child care and maternity leave, and ensure that women have independent reporting structures to report instances of harassment to.
- Explore ways to enhance women's security on public transportation, including increasing the number of reserved seats for women, hiring more female traffic police. Existing government policies that are already in place should be enforced more strongly.
- Existing legislation that relates to women in the workplace, such as the provision for gender-segregated toilets and night time transportation in the Labour Act, needs to be implemented. Awareness on this legislation needs to be raised with employers as well as employees, and women need to be educated as to their rights. More legislation that directly addresses the challenges and insecurities women face in the workplace needs to be ratified and implemented, such as the Bill for the Prohibition of Sexual Harassment of Women in the Workplace.
- Government should make it mandatory for businesses to establish a functional grievance system, including for cases of harassment or SGBV, for all employees. This mechanism should be fully explained to employees when they start working in the business, and it should be incorporated into the induction package.

## Private sector

- Female employees such as the representatives of FWEAN should share best practices to strengthen women's position in the workplace with other employers to show that

employing women and providing a women-friendly working environment does not translate into making financial losses.

- In consultation with female and male employees as well as trade unions, employers should develop clear guidelines or codes of conduct to prevent sexual harassment within their workplace and on the way to and from work, and explore ways that allow women (and men) to report harassment without having to face negative consequences.
- Better relations between employers and trade unions need to be promoted, and constructive dialogue on how to improve women's security in the workplace needs to take place. The lack of trust between trade unions and employers is a major issue in Nepal, and better relations can be a cornerstone for addressing sexual harassment issues in the future.
- If contracting agents are being used, the private sector should ensure that they have a good reputation and highlight that they will not continue to work with contracting agents that are harassing or exploiting women (or men).
- FNCCI, Federation of Nepal Cottage and Small Industries (FNCSI), and business forums should take up the issue of women's security in the workplace, encourage them to advocate themselves for better conditions for women, encourage corporate social responsibility, etc. The overall impact will be stronger if the private sector members themselves push the issue.
- Trade unions should increase the representation of female employees in their own ranks and among trade union leadership. Women workers need to be encouraged and empowered to speak on insecurity at the workplace for themselves, and trade unions can help support women who report harassment.

## Future research

- Future researches related to women in the workplace should continue in more detail and on a larger scale to explore the ways in which women's insecurities are not limited to their experiences in their places of work but also include travelling to work, and the challenges they face at home because they work. As the agricultural sector seems to be a sector for women's employment, and especially given issues with landlessness and indentured servitude, a view on the exploration of women's work in agriculture should be included.
- Future researches should explore the extent to which harassment in the workplace is related to conceptualisations of women's *ijjat* and social understanding of marketplaces as male spaces; these researches should also pay particular attention to instances where women have navigated and managed conflicting sets of expectations regarding their earnings and social opinions around their presence in public spaces. There is also a need to explore how *ijjat* is connected to the underlying causes behind sexual harassment and violence.
- If any instance of harassment, whether inside or outside the home, can potentially lead to new insecurities in women's political economies and opportunities, then researchers, development practitioners, and policy makers need to understand ways that explore and address these connections in researches, policy and programming. Homes and workplaces should not be taken as 'natural' units of analysis in relation to women's security issues.
- More research is needed to better understand the ways in which new technologies, mobile phones and internet can be used to enhance women's security while simultaneously posing a threat and making women feel insecure. It is likely that this issue will grow as certain technologies become more widely available and commonplace.

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# Appendix A:

## Methodology

This research was conducted in Banke and Bara districts and comprised of separate focus group discussions (FGD) with employed and self-employed men and women and key informant interviews (KII) with security providers, local government representatives, civil society members, and private sector employers and employees. Field research was conducted between 3 July and 10 July 2013. In addition, several KIIs were conducted in Kathmandu in November 2013 to supplement desk and field researches related to this study.

A total of six FGDs were held; they were gender segregated and divided by sector of work, either formal or informal. In Banke, three FGDs were conducted: one with men working in the formal sector, one with women working in the formal sector, and one with women working in the informal sector. The other three FGDs were conducted in Bara: one with men working in the informal sector, one with women working in the formal sector, and one with women working in the informal sector.

The table below provides an overview of the KIIs conducted for this study:

District	Security Provider	Local Government	Civil Society	Private Sector/ Trade Union	Total
Banke	3	2	3	5	13
Bara	1	4	2	9	16
Kathmandu	–	–	5	1	6
<b>Total</b>	<b>4</b>	<b>6</b>	<b>10</b>	<b>15</b>	<b>35</b>

# About the partners

**Forum for Women, Law and Development (FWLD)** is an NGO established to work for the protection, promotion and enjoyment of women's human rights. In order to eliminate all forms of discrimination, FWLD uses law as an instrument. FWLD works to ensure women's, children's and minority's right and implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Racial Discrimination and other human rights instruments in the domestic level.

**Informal Sector Service Centre (INSEC)** was founded in 1988 with the objective of protecting the rights of people engaged in informal sectors. It works for the promotion of policies, institutions and capacity that contribute to the protection and promotion of human rights and democratic freedom. Its core competency areas are organizing campaigns, victims' reparation, reconciliation, awareness creation and education programmes for making people capable of asserting their civil and political rights, and documentation of human rights situation of the country and its dissemination at national and international arenas. INSEC works with disadvantaged groups such as agricultural labour, conflict victims, underprivileged women, and socially discriminated people, including Dalits and children.

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**Saferworld** is an independent international organisation working to prevent violent conflict and build safer lives. We work with local people affected by conflict to improve their safety and sense of security, and conduct wider research and analysis. We use this evidence and learning to improve local, national and international policies and practices that can help build lasting peace. Our priority is people – we believe that everyone should be able to lead peaceful, fulfilling lives, free from insecurity and violent conflict.

Woman working at a construction site in Banke district.

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