

Elimination of All Forms of Discrimination and Violence against Girl Child in Nepal

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The girl children in Nepal have been subjected to worst forms of discrimination and violence for a variety of so-called reasons. These include both physical and mental aggressions made by their own family members as well as other people. Most of these incidents happen behind closed doors and the true circumstance of victims do not surface unless they are hospitalized. The victims are too scared to disclose the offence committed against them mainly due to threatening by offenders to inflict additional torture. Consequently, the issues are not out in the media—to the advantage of the aggressors, who continue enjoying their normally fabricated status quo in the society. Due to such problems, the actual data pertaining to human right violation is neither available with the public sector authorities nor civil society agencies. The first step in eliminating discrimination and/or violence against girl children shall be the identification of the depth and magnitude of the problem.

This effort seems more challenging specifically in Nepal, whose way of life is predominated by patriarchal values. Boys are always preferred over girls by majority of parents as far as gender of their forthcoming babies is concerned. This preference also emanates from the bias proliferated the patriarchal norms. Namely, these associate girl children with issues such as requirement of payments in the form of dowry at the time of marriage and unjustified incurrence of educational expenses, etc. Adding to the disadvantageous position of girl child due to these in-built cultural facts, the decade long peoples' war sponsored by the Communist Party of Nepal-Maoist (CPN-M) contributed to further marginalizing them and enhancing their vulnerability. The United Nations had, during the course of the conflict, repeatedly raised serious concern over increasing number of encroachment in school premises throughout the country, forceful recruitment of school children in the Maoist militia, disappearances of children, etc.

The conflict has had a devastating effect on all sections of society—more so on the lives of children, especially girl children, primarily owing to their all time fall-back position. Tens of thousands of children were abducted from schools by the CPN-M fighters to attend their so-called political education sessions. Many of the abducted ones got forcefully recruited in the CPN-M army to be ultimately positioned in the first line and/or as a shield during the crossfire(s). In order to escape the abduction, many children were rather kept home—as evidenced by less than 100 days of school attendance records.

The other dreadful side of biased treatment of Nepalese girls is their trafficking, which is also growing at an alarming rate. It is estimated that more than 15,000 Nepalese girls between the age of nine and 16 are forcefully trafficked to be sold mainly to brothels in India and elsewhere to enter into prostitution for the rest of their 'productive' lives.

As in the cases of domestic violence and discrimination committed against them, the girls have very little chance of seeking judicial remedies and seeing the culprit

placed behind bars. The Nepalese Constitution prohibits discrimination by the State on the basis of religion, race, age, sex, caste, tribe or ideology. This egalitarian language of the Constitution is not reflected in majority of Nepalese laws, nor in the daily lives of most people. Male domination in entire state of affairs, together with these laws, renders women and children dependent on their fathers, husbands, brothers and sons.

The Nepalese legal system apparently fails to protect children who are the victims of domestic violence and discrimination. The government does not prosecute this sort of assault unless the violence rises to the level of attempted murder or murder—which again is very hard for the already marginalized children to legally establish with documented proof. Although prosecution may be pursued without the aid of the State, socio-economic and cultural barriers preclude marginalized groups from prosecuting almost in every case.

With due facilitative efforts from all sectors, including the civil society and pressure groups who have major role to play, Nepal needs proactive strategy and implementation plans to demonstrate her true concern towards the elimination of discrimination and violence against the girl child.