

# Practice of Women's Rights in Himalayan Region ***FOCUSED ON UPPER MUSTANG***



Kapil Kafle

**PRACTICE OF WOMEN'S  
RIGHTS IN HIMALAYAN REGION  
FOCUSED ON UPPER MUSTANG**

**A Research**

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17th November 2012

Kapil Kafle

## Preface

This research is a type of an advocacy, a part of the global movement or solidarity for equal rights of women and gender fairness lobbying. As Himalayan region have been found the isolated one, picking up Upper Mustang, one of the lost parts in the border side between Nepal and Tibet, an autonomous region of China for the century in the history has not been experienced with the research of women rights approach. This is a volunteer effort of researcher to dig out the situation and status of the women habitants of cold deserted region with the unique culture and tradition influenced by Tibetan values under the big picture of Dalai Lama, an exile religious leader of Tibet.

It is a general concept of the people that the women of the Himalayan region have been exercising the matriarchy in some ways been challenged by the concrete data produced herewith. Chart, table and the graphs with different aspects and angles prove that women in the Himalayan region are lost segment of the lost region of the country though the community of the Upper Mustang is enjoying the European social behavior in some aspects as well. Generally local and international tourists' vision have been stocked on panoramic landscape in full of the eyes but the glaciers of the tears flowing on the cheek of the women been ignored from the centuries. This research is an attempt to bring the concern of the human right activists towards the cold cheek with warm tears in the half of the sky where we live.

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## Acronyms/Glossary

|                  |  |
|------------------|--|
| ACAP             | Annapurna Conservation Area Project  |
| AHW              | Auxiliary Health Worker  |
| <i>Ama Samuh</i> | Mother's Group, loose organization of women  |
| ANM              | Auxiliary Nurse Midwife  |
| CDO              | Chief District Officer   |
| CEDAW            | Convention on the Elimination of Discrimination against Women  |
| <i>Chhetriya</i> | One of the upper caste as per the class system mainly in Nepal and India   |
| <i>Chhyang</i>   | Home-made beer   |
| <i>Chyangra</i>  | Goats found in Himalayan regions   |
| CWIN             | Child Workers in Nepal, a leading NGO on child rights in the country   |
| <i>Dalit</i>     | So called untouchable caste as per the feudal social system  |
| DSP              | Deputy Superintendent of Police  |
| <i>Gumba</i>     | Monastery specially used by Buddhist monks and nuns  |
| ICIMOD           | International Centre for Integrated Mountain Development   |
| IHRICON          | Institute of Human Rights Communication Nepal  |
| INSEC            | Informal Sector Service Center, a leading NGO working in human rights sector in Nepal                              |
| <i>Jhuma</i>     | Buddhist nun   |
| <i>Khampa</i>    | Armed group that fought for Dalai Lama to reinstate him back in Tibet with the power                               |
| Lama             | Buddhist monk  |
| Lower Land       | Lands except than covered by Upper Mustang   |
| <i>Makpa</i>     | A man who stays in in-law's home as a family member  |
| <i>Mukhia</i>    | Social and traditional leader for the community in Upper Mustang   |
| Matriarchal      | Community where women command and hold the ultimate power  |
| NAP              | National Plan of Action  |
| NGO/INGO         | Non-Governmental Organization/International Non-Governmental Organization  |
| Patriarchal      | Community where men command and hold the ultimate power  |
| Polyandry        | Having many husbands in the same time  |
| Polygamy         | Having many wives in the same time. Culture of marriage which includes two or more than two brides in a same time  |
| SLC              | School Leaving Certificate   |
| CA               | Constituent Assembly   |
| UN               | United Nations   |
| UNSCR            | United Nations Security Council Resolution   |
| Upper Mustang    | A part located beyond Himalaya from the main land of the country/trance Himalayan region, north portion of Mustang |
| VDC              | Village Development Committee  |

## 1.1 Abstract

Community and the culture of the Upper Mustang have been wearing a veil in mystery though its natural beauty has been available not only to the Nepali people but also to citizens of the foreign countries so far for the years. Upper Mustang is one of the most popular regions that incorporated in the special reservation area considering its unparalleled natural and cultural beauty. Foreigners can visit the area with prior permission and paying tax but Nepali people can move freely as they do in other parts of the country apart from few peaks of the Himalayas.

The social-economic status of women is very poor in Nepal. Though the country has got great diversity in geography, culture, ethnicity, religion and the traditions but patriarchy is its common influential factor throughout the country. Even though the faces of the discrimination and abusing nature of the women's rights is not similar in the community but gender discrimination is prevailed in strong manner. Not only women and young girls have been abused but also the female children have been brutally assaulted. Girls trafficking and slavery even in their homes are very common in all types of the community so far. But almost all the researches have been focusing on other communities rather than women and girls in Himalayan region and trans Himalaya like Upper Mustang.

Nepal is one of the most vulnerable countries in the point of women's rights. As physical development is possible to identify the baby's sex in the womb, even the middle class people seemed to be selecting their babies' sex with the help of medical facility that is available even in the small markets. Almost all the cases of abortion are found killing girl-fetus inside the womb in the name of 'mother's prerogative rights'. Right to get birth of the babies has been abused mostly regarding the girl-child. In other words, it can be stated that women have been victimized from the womb to the tomb. But still the population of the women is higher than male in many countries like Nepal. May be because of the under developing situation of the



*Maya Bista*  
*Mukhiya, Charang*

**Website link:**

<http://youtu.be/kqmdBKcZIYU>

"Mukhiya system is only one of its kinds in Upper Mustang across the country. Out of 16 VDCs of the district Mustang, 9 have Thakali system and follow the pattern of other parts of the country. We have Mukhiya system for the seven VDC as a self ruled local authority."





*Villager, Charang*

**Website link:**

<http://youtu.be/RGrpswHyc8k>

As local people are not involved into the process of royalty collected from the tourist and border costume in Nhachyung, point to exit into Tibet, government must ask for the participation of the local people mostly in the points of the resources.

country; abortion facility is not available in the villages; whereas Nepal is a country of about 4 thousand VDCs without reproductive health facilities in basic manner in most of the villages. On the top of this, culture of having more than two kids has already been stopped, mostly in the cities and the urban areas; but in rural areas people are still having more kids sometimes in the process of waiting for the male child and some other reasons so far.

Nevertheless, there is not a situation that women and girls have not been abused and assaulted for the years and all of the people of the country are just playing a role of silent audience in Nepal. Movement for the protection and promotion of women's rights is going for a long time. Women have been giving their remarkable contribution for the positive change in the country. All the popular movement held in Nepal would not have been possible without the contribution of women. Though women contribute for the popular movement and even the political system changes but the discrimination still exists over here as they haven't been recognized for the leading positions in the power. After the dedication and contribution for the years women have got chance to be honored by the reservation provision in all the sectors of the government. The Interim Parliament in 2007 made a landmark declaration committing to ensure at-least 33 percent women's representation at all stages of the state structure but because of deep-rooted patriarchal mentality of the government and political parties, there is very little progress in the practice.

Nepal as a member of the UN is obligated to implement the United Nations Security Council Resolution (UNSCR) number 1325 and 1820 on women, peace and security, which calls state parties for ensuring women's rights in post conflict processes mainly that lead to the just and equitable society and progressive system. Similarly, the Convention on the Elimination of All forms of Discrimination against Women (CEDAW), the international Bill of rights for women, also calls state parties to ensure equal representation of women in decision making. Following the UNSCR 1325 and 1820 Nepali government has approved the National Plan of Action (NAP) on 1st February 2011 to implement it. Ministry of Peace and Reconstruction and other national and international organization have been dedicating their efforts to get the goal of the NAP.

Women's representation in the policy level is one of the crucial issues in Nepal. Lack of representation of the women affects not only to the habitants of the urban areas but also across the country. Though the women of the cities are in the better position in comparison to the women and girls in remote areas like Upper Mustang, but as Nepal is a country of villages, about 90 percent of women live in rural areas. It means about 22 million people live in the rural plains, hills and mountain areas, primarily as subsistence farmers. All of these facts show the poor situation of the women in Nepal.

Though they are generally kept silent on the abusing of their rights, but it does not prove the enjoyment of the opportunities in equal footage as males have got. There are several examples of movement in the city areas led by women for their rights and villages seemed quiet, but women in the villages are more traumatized and victimized and even unable to run the movement for their equal rights given by constitution and international instruments. The situation of the women can be analyzed in clearer manner depicting the example of the area like Upper Mustang, trans Himalaya located far from the city with the several basic problems like education, health, transportation, communication and access to the national resources.

This study is focused on the women and girls of 7 villages called Upper Mustang and middle Mustang in Mustang district. To explore the situation of women and girls with the angle of their rights as per the provisions made by international convention and national legal aspects is the main objective of the study. About 60 women and girls are interviewed, experts and authority have been consulted and the focal group discussions and verification meetings are held with the intensive observation of two weeks to get the objective respecting all the formalities of the research methods. Finally findings and recommendations have been made that the lack of the government policy and program for the facilitation and supporting to the women and girls in the region is the point which is highlighted with the several logic and evidences. A glimpse on the findings of the study can be synopsised as follows:



*A Child in Ghami*

It is learnt that women and girls are not entitled the fix properties in their names so that they can feel empowered in the community. Because of lack of opportunity of the education, health service, communication and similar other services, mostly are victimized.

**Website link:**

<http://youtu.be/O472DNoFE08>



*Gate in Samar welcomes to Upper Mustang*

Finally findings and recommendations have been made that the lack of the government policy and program for the facilitation and supporting to the women and girls in the region is the point which is highlighted with the several logic and evidences

**Website link:**

<http://youtu.be/mLbwkwHytJY>

- Women and girls have got more workload than the men and boys in the region of Upper Mustang
- About 95 percent of the women have not got any fix property in their names
- Women and girls are deprived to the opportunity and facility of the education and health care
- They don't have knowledge on their rights defined by international conventions and local legislative
- They don't have access to the proper agencies for the remedies as they been assaulted and abused
- More than two thousands women and girls are desperately waiting for the supports that bring them up turning to be a normal citizen of the civilized society respecting all ideal indicators.

## 1.2 Introduction

Isolation is a main problem of Upper Mustang. Development plan of the government and program of the NGOs have been focused on the region only in negligible volume.

Duel systems have been practicing in the governance in the region. In one hand local governance has been performed as per the guidance of Kathmandu, the capital of the country; and in other hand Mukhiya system, locally and traditionally elected leaders' govern simultaneously; that is not formally complementary to the earlier one, has been practicing from the years. Almost all the disputes and crimes have been resolving as per their traditional system that is not compatible to the provisions of the national acts and the international instruments. Some of the cases which can be considered serious crimes are also resolved by Mukhiya adopting mediating module; though that is not permitted by the national acts or international conventions so far. Women and girls have been found to be victimized even in the rape cases and given a little amount as compensation; whereas it is considered a serious crime as per the national and international judicial provisions.

Polyandry is still in the practice in Upper Mustang. Sexual exploitation and assaulting to the women and girls are also examples of abusing of their rights. Girls are admitted as *Jhuma*, being offered to the gods even in the very childhood without their full-mind consents whereas they are not allowed to get married by their religion. Similarly, it is learnt that women and girls are not entitled the fix properties in their names so that they can feel empowered in the community. Because of lack of opportunity of the education, health service, communication and similar other services, mostly are victimized.

Main problem of the Upper Mustang is ignorance, alienating and non-communicating situation in the respect of the women rights and their situation. Though, in some cases it is believed that Upper Mustang



*Landscape of Upper Mustang*

Main problem of the Upper Mustang is ignorance, alienating and non-communicating situation in the respect of the women rights and their situation. Though, in some cases it is believed that Upper Mustang and the Himalayan region had got matriarchal system and women used to be commander or decision-maker in the community, but the reality is very far from the believes.

**Website link:**

<http://youtu.be/g6lndcwUras>

and the Himalayan region had got matriarchal system and women used to be commander or decision-maker in the community, but the reality is very far from the believes. Its reality with the different aspects has not been disclosed before respecting the women's rights.

## 1.3 Maps

### 1.3.1 Mustang in Nepal



*Colored area is considered as Mustang district.*

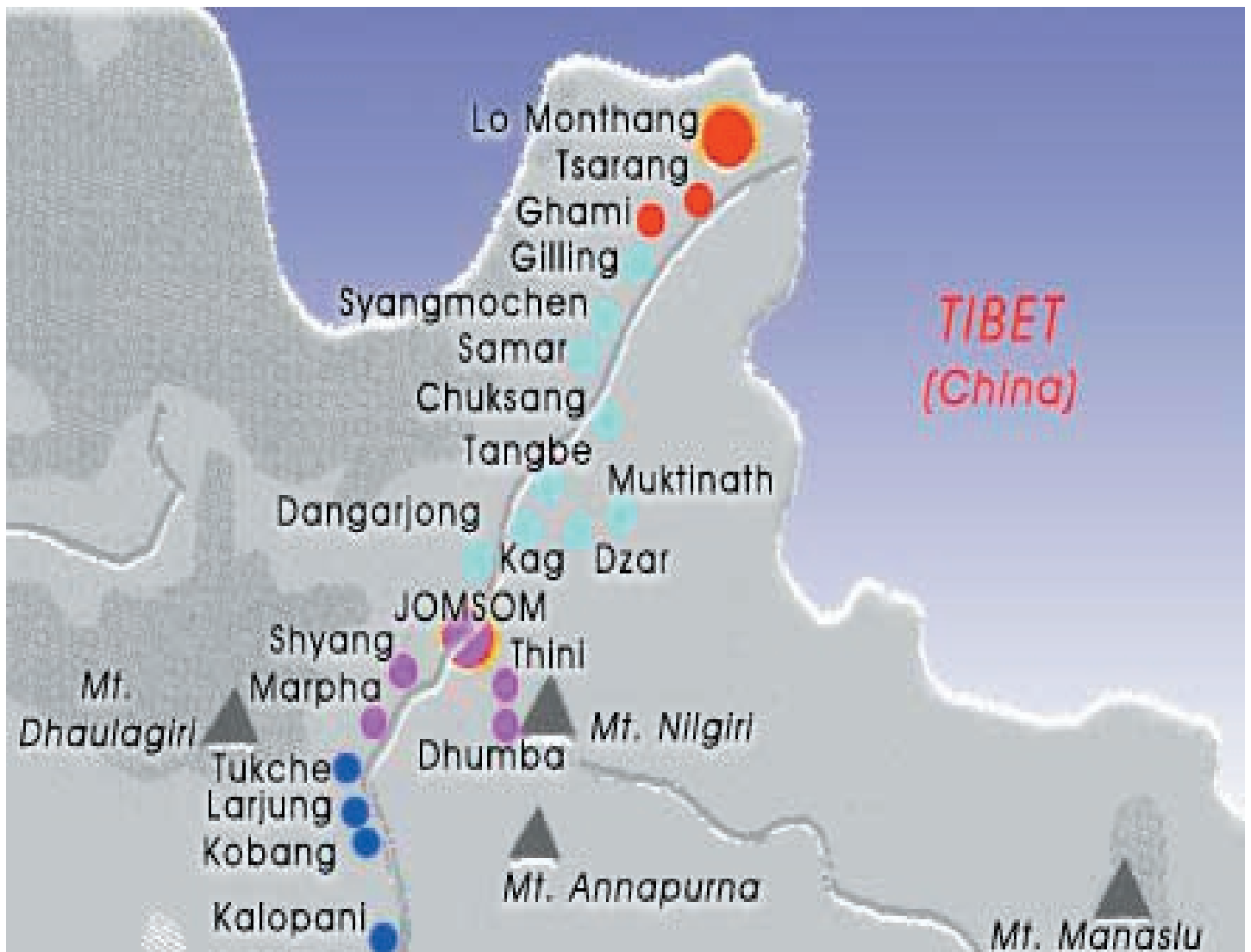
**Source:** [maps.google.com](https://maps.google.com)

## Annapurna Conservation Area and other conservations in Nepal



Source: [maps.google.com](https://maps.google.com)

### 1.3.2 Map of Upper Mustang



Source: [questhimalaya.com](http://questhimalaya.com)

## 1.4 Geographical location

### 1.4.1 History of place

Nepal is a landlocked country in South Asia, bordered by India on 3 sides and by China to the north. It has an area of 140,800 square kilometers (54,363 square miles). Nepal can be divided lengthwise into 3 ecological zones from south to north: the fertile plain area named Terai region, the mountains and valleys of the central hilly region, and the unreceptive mountain region, home to the Himalayas and the world's highest mountain, Everest.

Nepal is considered as rich in terms of natural resources. It has been draining by over 6 thousand rivers which form the Karnali, Narayani, and Koshi river systems. Nepal has a population of 26,494,504 according to the Central Bureau of Statistic, National Population and Housing Census- 2011<sup>1</sup>; less than the estimation of the government sources as population of 28,618,668 by 2010. While the death rate has declined significantly over the last few decades to 10.41 per 1,000 people, the birth rate has remained high at 33.83 per 1,000. The infant mortality rate declined from 147 deaths per 1,000 in 1985 to 64 deaths per 1,000 in 2000, but while health services have improved, high fertility rates have led to a population growth rate that increased from less than 2 percent in the 1950s to about 2.6 percent in the 1980s. Growth rate in 2012 was 1.768 as estimated percent<sup>2</sup>. But the remote area like Upper Mustang, focal area of the research project has got minus growth rate from the decades because of several reasons.

In the history Mustang was tribe kingdom. 'Mustang' is an English corruption of 'Lo Monthang', the walled capital city and the seat of the local king<sup>3</sup>. The earliest reference to this ancient kingdom in western literature was by Kirkpatrick, the first Englishman to visit Nepal, who in 1793 wrote, in what was to be perhaps the greatest Himalayan



*Monastery in Lo Manthang*

As Mark Turin, scholar of Social Anthropology at the University of Cambridge writes in his *Digital Himalaya*, in its glory days, between the 15th and 17th Centuries, the kings of Lo Monthang dominated the Trans-Himalayan trade between Tibet and India. Salt from the vast lakes deep inside Tibet as well as wool from mountain yaks were traded for grain and spices from India.

#### **Website link:**

<http://youtu.be/E8dbH63WeMI>

<sup>1</sup>Central Bureau of Statistic, National Population and Housing Census 2011.

(Kathmandu: NBS, National Planning Commission, Government of Nepal, 2012), 1.

<sup>2</sup>Index Mundi, < <http://www.indexmundi.com/g/g.aspx?c=np&v=24> >, (1st Nov. 2012)

<sup>3</sup>Mark Turin, *Quest Himalayan Journal*.< [http://questhimalaya.com/travelogues/mustang\\_01.htm](http://questhimalaya.com/travelogues/mustang_01.htm)>, (2nd Nov. 2012)





*Religious history in museum*

With all these background Upper Mustang has been influenced by the religious belief in Dalai Lama. Almost all the houses have got the life-sized picture of Dalai Lama hanging in their visitors' rooms and they feel pride to advocate for the religious belief in him.

**Website link:**

<http://youtu.be/QE5mNKBE8jE>

understatement: 'Moostang' was to become 'Mastang', and then it turned into 'Mustang'. None of these names is as suggestive as the original Tibetan though: Lo Monthang or 'The Southern Plains of Aspiration'.<sup>4</sup>

As we observe the map of the country, the part of the Mustang has been appeared penetrated inside the Tibet, an autonomous region of China remarkably. Obviously it is a part of Nepal that is fully influenced by the Tibetan culture. As Mark Turin, scholar of Social Anthropology at the University of Cambridge writes in his *Digital Himalaya*, in its glory days, between the 15<sup>th</sup> and 17<sup>th</sup> Centuries, the kings of Lo Monthang dominated the Trans-Himalayan trade between Tibet and India. Salt from the vast lakes deep inside Tibet as well as wool from mountain yaks were traded for grain and spices from India.<sup>5</sup> Mustang in particular was a through-fare, a conduit, for this immensely important trade. For the physical evidence of this statement monastery, cultural museums, religious schools and Gumbas have been seen even today as a legacy of the prosperity of the kingdom.

Until 1951, Lo formed a separate principality, ruled over by the local king who acted as a tributary to the king of Nepal.<sup>6</sup> For nine years, starting in 1951 when Nepal officially opened her borders, foreigners could visit Mustang. Thereafter, from 1960 until 1991, the kingdom was closed once again. During the 60s and 70s, Mustang was the operational base for the Khampa, guerrillas fighting with the supports of Dalai Lama to make Tibet free from the Chinese soldiers whereas Beijing authority have been claiming that Tibet has been her sovereign territory from the centuries. It has been issue of global debate that Tibet was a part of China or not, as United States led for free Tibet and China was at another end. Nepal, a small country, not only in terms of area of lands but also economically powerless has fallen forcefully into the great trap. It has got super power on right hand and neighbor and emerging super power on left.

With all these background Upper Mustang has been influenced by the religious belief in Dalai Lama. Almost all the houses have got the life-sized picture of Dalai Lama hanging in their visitors' rooms

<sup>4</sup>ibid

<sup>5</sup>ibid

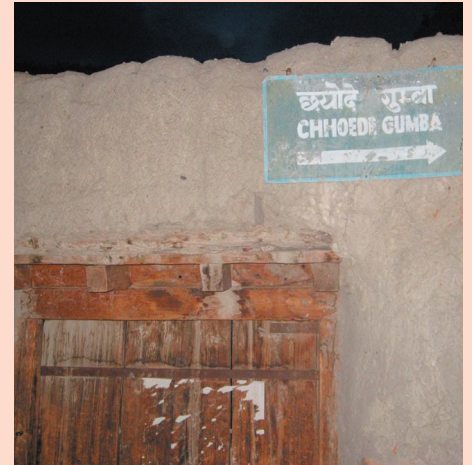
<sup>6</sup>ibid

and they feel pride to advocate for the religious belief in him. Though Mustang has been politically converted into the part of Nepal but socially it is still in isolation; it remains in a traditional value respecting the culture of kingdom and Mukhiyas, as roots of the king though he does not have any legal power after the abolition of dependent principalities. But almost all the people listen to their Mukhiyas rather than Chief District Officer and District Police Officers deputed by the government of Nepal. Mustang is one of the exceptional districts of the country that does not have District Judge because of lack of court-sue as disputes and issues of crime have been solved by Mukhiyas themselves in the village.

Mustang is a district with two types of climate- about only 7 months are active in a year whereas movement of the people from November to March is quite passive generally in the upper part of the district. The lower land has more fertile valleys than the upper reaches which stretch all the way to the border with Tibet, has been occupied by the snow at least four to five months in a year. About 90 percent area of Upper Mustang looks like a cold deserted horizon. Remaining 10 percent has got greenery with the vegetation like wheat, buck-wheat, barley and similar types of grains generally in the lowland draining blue tributaries of the Kaligandki river. On the south part of the region Annapurna first (8,078m), Dhaulagiri first (8,172m) and Nilgiri (6,940m) can be seen smiling with their white teeth on a clear day.

Mustang is a Himalayan district, a part of Dhawalagiri Zone and one of the seventy-five districts of Nepal. Mustang covers an area of 3,573 kilometers and has a population of 13 thousand 4 hundred and 52 according to the census of 2011. Jomsom is its headquarters and most of the part of the district located beyond the Himalayas which means snowy mountains situated on south whereas all of the remaining parts of the country are located to south of the Himalayan range. The district extends northward onto the Tibetan plateau where located the Lo, former capital of the kingdom, comprising the northern two-thirds of the Mustang District. This kingdom was officially abolished by the Nepalese government on 1961 according to the Dependent Principalities Act-1961.<sup>7</sup> Jajarkot, Salyan, Bajhang and Mustang had been principalities under the then Kingdom of Nepal from 1789 till

<sup>7</sup>Ramesh Dhungel, *The Kingdom of Lo (Mustang): A Historical Study*, (Kathmandu: Tashi Gephel Foundation, 2002).



*Gumba claims wealth of 15th century in its museum*

"Chhoede Gumba is not only a monastery; it is a Buddhist museum and a school as well. In our museum you can see the historical rare things created in 15<sup>th</sup> century even the books written with golden ink as well. Gumba was established three hundred years ago and collected books, idles, statues and other historical and ritual items even from the foreign countries."

**Website link:**

[http://youtu.be/eJ\\_anUHb\\_Zc](http://youtu.be/eJ_anUHb_Zc)



*Khembo Kunga Stenjen, Head of Chhoede Gumba, Lo Manthang*

**Website link:**

<http://youtu.be/9VZb7o0rZK4>

"This is a Lama School that means male disciples get their education in three languages like Tibetan, Nepali and English. We are planning to run Jhuma School, institute for girls and women as well but, as we need separate hostel and the physical facilities, we have limited ourselves only with Lama School."

the year of 1961. During the principality period, kings had got title of Raja and been honored with allowances whereas they paid little amount as a tax to the kingdom of Nepal till the date of abolition of dependent principalities. But their title of Raja was continued till the date of October 7, 2008.

Mustang is popular for the mind-blowing beauty of its landscapes. Because of this it is one of the populous trekking routes that cover major part of the Annapurna Circuit. Similarly Muktinath, a popular Hindu and Buddhist pilgrimage site invites hundred thousands of tourists to their pilgrimages from different parts of the country and India, a neighbor country of Nepal annually. Besides, this district is popular for apples and Marpha brandy so far.

Tradition in Upper Mustang has been practicing purely Tibetan culture and tradition. District has been divided into two parts called Upper Mustang and lower Mustang. Out of 16 VDCs 6 lies in Upper Mustang and 9 considered to be in the lower and left one is recognized as middle. Lo Manthang, Charang, Chhonhup, Chhoser, Ghami and Surkhang are the VDCs located in Upper Mustang and Chhusang VDC is considered as a middle one. Remaining Jomsom, Kagbeni, Kowang, Kunjo, Lete, Marpha, Muktinath, Jhong and Tukuche are called as lower Mustang.

### 1.4.2 Study area

The situation of the women and girls in Upper Mustang is main study area of the research. Study can be segregated mainly in two sections that is the current status of the women and girls in the site and another segment is focused on the comparative study the situation with the women habitants of out of Upper Mustang as well. Study has got a measuring rod of the international conventions and instruments that defines the women's rights and its provisions. Local legal prerequisites are also taken for the reference to deal the situation of women and girls in Upper Mustang.

**Study area can be defined in a bullet form as follows:**

- Socio-economic status of women and girls in Upper Mustang
- Gender discrimination and its impacts

- Knowledge possessed by women and girls on their rights and practices
- Opportunity for the education and health mainly reproductive sectors
- Responsibilities given to women and girls by their community and the family so far,
- Social inclusion and isolation of women in the community and the policy level,
- Women's contribution to the economy and livelihood in the region,
- Governmental and I/NGOs' contribution to empower the women in study area,
- Comparative analysis of the situation of women and girls with the status of the women of outside the region,
- Cause and consequences of the situation that is exercising by the women in the region, and
- Collection of the recommendation and suggestions to the concern parties for the possible steps that supposed to proceed on.

### 1.5 Objectives of the study

#### Research purpose can be synopsised as follows:

- To find out the situation of women in Upper Mustang and analyze it with the right based approach
- To explore the societal status of women comparing the patriarchal and matriarchal behavior in Himalayan region
- To screen the holds of the women on the property and reproductive rights in the area of beyond Himalayas in Nepal
- To explore the gaps and lapses that government and concern parties and finding the possible steps to correct it.
- To get the comparative and analytical picture of the socio political status of the women and girls in Upper mustang with other parts of the region



"We bring the children, some of them might be orphans and with very poor situation. I believe that those children got chance to admit in this school are lucky ones. They are provided free education, food, dress and hostel until they pass the grade 8. After completing the grade 8 and getting knowledge of Tibetan, Nepali and English language they are referred to other educational institutes so far."

#### Website link:

<http://youtu.be/HR0cDEXsKIk>



*Researcher with a woman in her house*

Language is one of the barriers to share the points women interviewees wanted to disclose herewith. As most of them are illiterate and have never been to the school in their lives, they feel much difficult to understand the questions and queries what researcher wanted to know from them.

**Website link:**

<http://youtu.be/W1adUrPS5ug>

## 1.6 Hypothesis

**Hypothesis can be stated as follow:**

Though the women of the Himalayan region are believed that they are enjoying matriarchal structure but they are also facing discriminatory behavior in the society in the reality.

It was assumed that women's situation in Upper Mustang is better comparing to the situation of women habitants of the other parts of country. But it is not meant that women of the Himalayan region are not facing the discriminatory behavior.

## 1.7 Limitations

1. It is a study of the people living in remote areas of Nepal on the basis of personal interview with the local women, men and personalities who are in the social responsible positions and can influence to the society. Seven villages have been taken as focal areas named Chhusang, Lo Manthang, Charang, Ghami, Chhonhup, Chhoser and Surkhang for the study where more than 60 women were interviewed out of 2,037. Sometime it does not represent all the women, habitants of the region.
2. It is a research of two weeks in summer season. As the Upper Mustang and Mid-Mustang have got completely different lives in winter, it could have other types of vision and observation for the comprehensive research if researchers contribute their time in different seasons so far. It might not be considered a short period of time is enough to find the data for quantitative and qualitative one; it should have more time to get comprehensive information for complete observation.
3. Language is one of the barriers to share the points women interviewees wanted to disclose herewith. As most of them are

illiterate and have never been to the school in their lives, they feel much difficult to understand the questions and queries what researcher wanted to know from them. Though there were interpreters to facilitate the interview and sharing session but, there were losses of the points and level of the understanding in the sharing.

4. Attitude of some local people towards the strangers is not positive. As research members were strangers for them, though interpreters were locals, they might have concern for the immediate benefit from the talks. Research didn't have policy to invite the local people at any kinds of monetary remuneration. A substantial number of interviewees have shown their reluctances to share their views with the researchers.
5. Right based approach is just like a matter of talks of the strangers for them. Being a single mother, sexually abused, property non-entitlement and discriminatory, participations are not much relevant jargons to them. A level of understanding is very low over the topics raised during the study period.

## 1.8 Literature Review

The Interim Constitution of Nepal, 2007 has fixed the provisions in respect to the equal behavior with women even in preamble of it. Nepal is struggling for the gender equality which has been broad agenda that was raised even in the popular movement held in April 2006. Respecting and recognizing the issue of the popular movement constitution writes 'Having determined upon the progressive restructuring of the state in order to resolve the existing problems of the country relation to class, caste, region and gender;' in its preamble.<sup>8</sup>

Though the constitution has given equal rights to the women as men; but only males are enjoying it over the years. Nevertheless there are still number of provisions event in the laws that is biased to the women. Sons and daughters have got equal rights of the inherent property of their parents in the laws, but only male child is enjoying it in practice. One of the very crucial rights of the citizen is of citizenship or accredited letter recognizing the citizen by the government. Still a substantial number of the youngsters as they ask for the citizenship

<sup>8</sup>UNDP Nepal, translated, The Interim Constitution of Nepal, 2007, (Kathmandu: UNDP, 2008), 54.



*Jigme Singhi Parwal Bista, Crown Prince of abolished monarch*

### Website link:

<http://youtu.be/NrvGXHGNnXU>

"I'm heading to Jigme Foundation as it has been established after my father's name. I believe that only the education has got immense capacity changing the conservative society into modern and developed one. Rights of the women and equality are possible if people will have the education and awareness on the provisions made by national and international documents."



*Journey begins from the childhood for Lama Life.*

"A big number of people of Upper Mustang has been fleeing to abroad for the jobs and the population of the region is declining day by day, we can create job opportunities developing cultural tourism that is special for the region. I believe that its beauty and the richness can feed not only to the habitants of this region but also to the whole nation."

*-Bista, Crown Prince of abolished monarch.*

**Website link:**

<http://youtu.be/KkgyfCRdZbo>

with the name of their mother are mostly declined by the authority and asked for completing the documents with the citizenship of father rather than mother. Because of not recognizing by the authority with the citizenship paper citizens can't get opportunity to buy the lands and fix property and get the government job in the civil service sector. But interim constitution has clearly mentioned that citizenship paper can be issued on the basis of citizenship paper of mother as well. 'Any person whose father or mother was a citizen of Nepal at the birth of such person' at the commencement of the constitution shall be deemed to be citizens of Nepal by descent.<sup>9</sup>

Constitution itself is held responsible for the bias provision for the procurement of citizenship for male and female in case they are married with Nepali citizen. Constitution reads as 'A woman of foreign nationality who is married to a Nepali citizen may acquire naturalized citizenship, if she desires to do so, as provided by the existing law.' But a man of foreign nationality who is married to Nepali woman faces much more challenges to get a Nepali citizenship. In this case constitution itself is discriminatory in the basis of the sex.

Constitution itself contradicts its provisions with each-other. According to the right to the equality,<sup>10</sup> reads that 'there shall be no discrimination against any citizen in the application of general laws on the grounds of religion, race, gender, caste, tribe, origin language or ideological conviction or any of these.' But in the case of distribution of citizenship paper law is not equal to women and men. Despite of this, constitution has given the condition of reservation for the equitable society. Constitution reads as 'provided that nothing shall be deemed to prevent the making of special provisions by the law for the protection, empowerment or advancement of women, Dalits, indigenous ethnic tribes (Adivasi Janajati), Madhesi or farmers, laborers or those who belong to a class which is economically, socially or culturally backward, or children, the aged, disabled or those who are physically or mentally incapacitated.

According to the constitution, there shall be no discrimination with regard to remuneration and social security between men and women for the same work.<sup>11</sup> But discrimination of the wages and the

<sup>9</sup>Ibid, 59-61.

<sup>10</sup>Ibid, 63-69.

<sup>11</sup>Ibid, 71.

remuneration has been seemed rampant manner generally in the field of construction and farming sectors. If a person is hired on the daily wages basis in the road construction, quarters making and cultivation in the fields; females have been paid less than the disbursement of males. It is totally against the provision of article 20 of the Interim Constitution of Nepal, 2007.<sup>12</sup>

A movement has been running across the country led by none governmental society for the gender equitable environment. Thousands of NGOs have been making their projects and plans to address the problem of gender inequality in the country even bringing their activities to the far distant regions finding the appropriate beneficiaries. The movement has been creating substantial pressure to the authority and the law making bodies to address the issues and correct the mistakes made either in the policy or in the practice so far. After encountering the decade long bloodshed conflict Nepal has agreed to follow the provisions of the United Nations' Security Council Resolution (UNSCR) No. 1325 and 1820. Finally a National Action of Plan on implementation of the United Nations' Security Council Resolutions 1325 and 1820 were approved by the Government of Nepal in February 1, 2011. An endorsement of the NAP by the government was great achievement for the women's movement in Nepal as thousands of families have been victimized by the decade long bloody conflict. It has been widely accepted that women and young girls are main victimized and affected group from the bloody conflict that killed more than 13 thousands and wounded about 50 thousands either physically or mentally or both.<sup>13</sup>

'Women have also played an important role in the decade-long armed conflict and other struggles for restoration of democracy. It is also the women and girls who have been most affected by the armed conflict and the transition after that.'<sup>14</sup> Recognizing the women's contribution government approved the NAP making Nepal first country in South Asia and second in whole Asia after the Philippines. Government realizes little late, after a decade of resolution 1325 passed by Security Council of UN with the words as 'it becomes the responsibility of

<sup>12</sup>Ibid, 71.

<sup>13</sup>INSEC, [www.inseconline.org/index.php?type=opinionforums&id=25](http://www.inseconline.org/index.php?type=opinionforums&id=25), (3<sup>rd</sup> Aug. 2012)

<sup>14</sup>Dhruba P. Sharma, *National Action Plan On Implementation of the United Nations Security Council Resolutions 1325 & 1820*, (Kathmandu: Government of Nepal, Ministry of Peace and Reconstruction, 2011), iv-vi.



*Greenery in lowland and dry in the high: Speciality of Upper Mustang*

About 90 percent area of Upper Mustang looks like a cold deserted horizon. Remaining 10 percent has got greenery with the vegetation like wheat, buck-wheat, barley and similar types of grains generally in the lowland draining blue tributates of the Kaligandki river.

**Website link:**

<http://youtu.be/NmCMmda6kuE>





*Alive vehicles in remote region*

Nepal can be divided lengthwise into 3 ecological zones from south to north: the fertile plain area named Terai region, the mountains and valleys of the central hilly region, and the unreceptive mountain region, home to the Himalayas and the world's highest mountain, Everest.

**Website link:**

<http://youtu.be/1UxM1AY9RxI>

the state to increase their participation and ownership in the peace building process and to provide them security.<sup>15</sup>

A positive phenomenon has been started to address the gender and women's rights issue with the public and governmental collaboration after the comprehensive peace agreement between Maoist party and government. As government has established Women Ministry, adjoining with children and social welfare affairs, issues of gender equalities and the women's rights were likely to be addressed by this ministry with the partnership of INGOs and NGOs so far. But later on, since the formation of Peace Ministry such issues have been sharing with this ministry as well. 'UNSCR 1325 and 1820 NAP is a result of an exemplary collaborative process between the Government, international development partners and the civil society including women's networks and organizations.'<sup>16</sup>

The UN Security Council Resolutions 1325 and 1820 on women, peace and security has a special importance in the context of Nepal as it is gearing towards establishing peace process after decade-long armed conflict. The armed conflict in Nepal that lasted from February 13, 1996 to November 21, 2006 has left serious impact in the country. 'Many women and girls suffered from all kinds of sexual and gender based violence, which affected their mental and physical stability as well as left a deep impact on their families and community.'<sup>17</sup> Women, Peace and Security are the major aspects that have been defined by the Resolution 1325 with the different angle and aspects. Following the guidance of the Resolution 1325 governmental and non-governmental organizations have been accelerating different project and plans since the establishment of Peace and Reconstruction Ministry in Nepal.<sup>18</sup> After establishment of the ministry resolution 1325 has got the authentic platform that may cover whole country through the medium of the government. But the norms of the resolution 1325 have been accepted by the non-governmental organization from 2002 in Nepal.

Institute of Human Rights Communication Nepal (IHRICON) has

<sup>15</sup>Ibid.

<sup>16</sup>Sadhu R. Sapkota, *National Action Plan On Implementation of the United Nations Security Council Resolutions 1325 & 1820*, (Kathmandu: Government of Nepal, Ministry of Peace and Reconstruction, 2011), viii.

<sup>17</sup>Government of Nepal, *National Action Plan On Implementation of the United Nations Security Council Resolutions 1325 & 1820*, (Kathmandu: Government of Nepal, Ministry of Peace and Reconstruction, 2011), ix-x.

<sup>18</sup>Peace and Reconstruction Ministry, GoN, <<http://www.peace.gov.np/introduction-7-en.html>>, (2<sup>nd</sup> Oct. 2012).

been recognized as a pioneer one that brought the concept of resolution 1325 in 2003 in four districts out of 75, named Kailali, Dang, Gorkha and Sindhuli covering hills and plain areas of the country. Its practices and lesson learning have been followed by the organizations working on women, peace and security across the country. IHRICON writes after the grand consultation with the women representatives of 75 districts as ‘it is difficult to draw more generic and solid best practices and lessons learned that can be applied widely by the organizations or government actors, including in other areas. In order to do this, longer-term experience is required. Thus, we see our findings as being more relevant for internal learning, and are currently drawing from these in another project applying a similar approach.’<sup>19</sup>

A report of the media monitoring on issues of violence against women’s rights published in the major newspapers from Kathmandu, capital of the country gives the tragic picture. A media monitoring report of 2011 published by IHRICON has shown 294 incidents of abusing of women’s rights in a year whereas 67 incidents and activities are found that could be considered as promotion of women’s rights.

A big portion of the national resources has been distributed to the cities, plains and hills are with the facility of easy access and basic physical facilities. Even the media has got their reporters only in the cities, plains and hills but very few in the mountains or the region beyond the Himalaya like Upper Mustang.

**Website link:**

<http://youtu.be/ysDfwBgt1U4>



<sup>19</sup>Institute of Human Rights Communication Nepal (IHRICON), Ensuring Human Rights, Annual Report 2011, (Kathmandu: IHRICON, 2012), 38.



*Dry land touching to the sky*

Mustang in particular was a through-fare, a conduit, for this immensely important trade. For the physical evidence of this statement monastery, cultural museums, religious schools and Gumbas have been seen even today as a legacy of the prosperity of the kingdom.

**Website link:**

<http://youtu.be/-u81aQooxWI>

According to the published news and articles in the most popular and influential newspapers named Gorkhapatra<sup>20</sup>, Kantipur<sup>21</sup>, Nagarik<sup>22</sup> and Annapurna Post<sup>23</sup>, the graph goes to highest peak for the abusing of civil rights of women. Social, economic, political and cultural rights have got the position of second, third, fourth and fifth respectively.<sup>24</sup>

According to the media monitoring of 2011 incident of killing leads to all other abuses of rights like assaulting to women on the blame of witch, rape victims, trafficking, physical torture, missing, sexual violence and force to leave the house for 72, 37, 20, 18, 17, 14, 11 and 8 of 294 respectively. Remaining 97 incidents of abusing of women's rights are verbal cruelty and discriminatory behavior in different nature as per the report published by IHRICON. Forty-five percent of Nepal's population lives below the poverty line, with one infant in every 10 dying before the age of 5.<sup>25</sup> Nepal is one of the few countries in the world where men live longer than women. Female life expectancy is 57.3 years, compared to 58.3 years for males.<sup>26</sup>

Observing all above provisions of national laws and international instruments and the practices to eliminate the violence against women has been addressed gradually. If the situation of violence against women at the present is compared with the decade before, a positive range of the practices can be produced. But before the time of the 21<sup>st</sup> century it is seemed very little and proved that we must speed up to meet the progress that has been done by other countries. Having the provision of the reservation of 33 percent for the women, 197 seats are possible for them in the Constituent Assembly where as total number of it was 601.

This is quite exemplary practice, possible because of the joint movement run by the public, private and the governmental agencies as well. But what has been recognized as the achievement of the country in respect to the women's status and the gender equalities, is also not balanced. A big portion of the national resources has

<sup>20</sup>Gorkhapatra Daily, <<http://www.gorkhapatra.org.np/>>, (7<sup>th</sup> Aug. 2012)

<sup>21</sup>Kantipur Daily, <<http://www.ekantipur.com/about-us/>>, (7<sup>th</sup> Aug. 2012)

<sup>22</sup>Nagarik Daily, <<http://nagraknews.com/>>, (7<sup>th</sup> Aug. 2012)

<sup>23</sup>Annapurna Post Daily, <<http://www.annapurnapost.com/printedition.asp>>, (7<sup>th</sup> Aug. 2012)

<sup>24</sup>IHRICON, *Media Monitoring-2011, Annual Report*, (Kathmandu: IHRICON, 2012), (7<sup>th</sup> Aug. 2012)

<sup>25</sup>Habitat for Humanity, <<http://habitatglobalvillage.ca/tripschedulec235.php?PJID=369>>, (7<sup>th</sup> Aug. 2012)

<sup>26</sup>Encyclopedia of the Nations, <<http://www.nationsencyclopedia.com/economies/Asia-and-the-Pacific/Nepal.html>>, (7<sup>th</sup> Aug. 2012)

been distributed to the cities, plains and hills are with the facility of easy access and basic physical facilities. Even the media has got their reporters only in the cities, plains and hills but very few in the mountains or the region beyond the Himalaya like Upper Mustang. Comparatively Himalayan region has been isolated by the different aspects; resulting violence against women and their status have not been monitored from the years. As per the media monitoring report published by IHRICON, incidents of the violence against women have not been observed with proper focus in the remote regions like Mustang. Daily newspapers have collected 97 news items of violence in the Kathmandu valley whereas only 23 in the Himalayan region which is quite ridiculous if observed it with the angle of area occupied in the country.

As an attempt made to collect the literature related to the women's status in the mountainous regions and Himalayan areas, very little information was found. Mainly women of that particular areas have not got chance to be analyzed with the right based approach whereas hundreds of such researches can be found on women's right in other parts of the country.

Issues are very common in the literature in the countries of South Asia and other countries like China and further countries so far. But all of the communities don't have same practice as presented in the literature by the researchers. As most of the South Asian countries have been practicing the caste system, few of the castes have strong discrimination against to women but some of them are not. Indigenous people and Mongol community is quite progressive than the *Brahmin*, *Chhetriya*, *Madheshi*,<sup>27</sup> Dalit and so called elite and advance group in the region. Women and the girls who have been staying in Upper Mustang experienced different culture, tradition and practice which has not been described and explored by the researchers before at least focusing to the abusing the rights of women in Upper Mustang.

'Two percent of girls aged 10-14 and 33 per cent of girls aged 15-19 are in early married.'<sup>28</sup> As a result of their premature pregnancy the death rate of women has become very high. High birth rate, low life expectancy, high infant and maternal mortality rate and high death

<sup>27</sup>People habitat of Terai, a plain area located at southern part and the border area of Nepal with India.

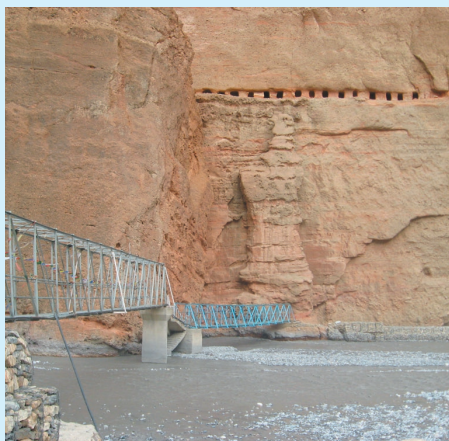
<sup>28</sup>Meena Acharya, *Gender Equality and Empowerment of Women in Nepal*, (Kathmandu: United Nations Population Fund – UNFPA, 2007).



Mustang is a district with two types of climate- about only 7 months are active in a year whereas movement of the people from November to March is quite passive generally in the upper part of the district.

**Website link:**

<http://youtu.be/nIoiVtCJMo>



*Kaligandaki, main river to irrigate the region*

During the principality period, kings had got title of Raja and been honored with allowances whereas they paid little amount as a tax to the kingdom of Nepal till the date of abolition of dependent principalities. But their title of Raja was continued till the date of October 7, 2008.

### Website link:

[http://youtu.be/\\_gh4B3y2OtU](http://youtu.be/_gh4B3y2OtU)

rate indicate the poor health status of women. National statistics shows that female literacy rate is low in the country about 42.8 per cent while that of male is about 65 percent. It is a given fact that despite the efforts to raise educational status of women through literacy program, women haven't benefited from it. After marriage women are still dependent on their husband.<sup>29</sup> The enrollment of women in higher education is only 24.95 percent of the total of enrollment of primary school. But all these figures don't represent the women's situation in Upper Mustang. It proves that without the project that fully focuses on the region none of the data give the meaning to them.

Women's population is approaching to 3.5 billion in the earth as per the estimation of the United States Census Bureau; whereas the total number of human is 7.044 billion on March 12, 2012. According to a separate estimate by the United Nations Population Fund, total population of the women is less than men's total. Making females being 49.76 percent of the world's population; men are higher because in China most families only want the guy.<sup>30</sup> As patriarchy has been rooted deeply in the society most of the countries in the world, male child is demanded by parents resulting the women population of the earth is declining in its rate of the growth.

In most of the situations women are given low societal status and treated as second class citizen though the international instruments and national laws have been supporting to them without any discrimination on the base of sex. It is estimated that 1.3 billion people of the world have been recognized as poor where 70 percent of them are women.<sup>31</sup> They are not recognized though they are talented; never get the opportunities to enjoy the national and international resources. Women's participation in the policy level is extremely low that has been considered as a result of the poor program and planning to incorporate women in the political parties through their local units in the villages and cities. Following the historical decision made by revived parliament for the reservation of women's seats at least 33 percent in all the governmental agencies and sectors, through the Interim Constitution of Nepal, 2007 has been documented the

<sup>29</sup>Education and Development for Underprivileged Children of Nepal, Educ Nepal, <[http://www.educnepal.org.np/index.php?\\_page=static&Sid=24](http://www.educnepal.org.np/index.php?_page=static&Sid=24)>, (7<sup>th</sup> Aug. 2012).

<sup>30</sup>U.S. & World Population Clocks, <<http://www.census.gov/main/www/popclock.html>>, (11<sup>th</sup> Aug. 2012).

<sup>31</sup>Asia Pacific Economic Cooperation, <[http://www.apec.org/Press/Features/2011/0905\\_empowerwomen.aspx](http://www.apec.org/Press/Features/2011/0905_empowerwomen.aspx)>, (12<sup>th</sup> Oct. 2012)

provisions. As a result, 197 women (almost 33%) brought into the Constituent Assembly first ever in Nepali history.<sup>32</sup>

Salina Joshi, one of the renowned women right activists in Nepal writes 'The 33 percent representation was a huge leap forward from the past less than 6 percent in 1999 parliament and 17.3 percent in 2007 Interim Parliament. The success of women was huge for women, men and the whole nation, however, now the question is how this achievement is sustained.'

In Nepal, the violence against women is rampant. Several research projects in Nepal have indicated that 66 percent of women have endured verbal abuse, 33 percent emotional abuse, while 77 percent of the perpetrators were family members.<sup>33</sup> After the restoration of democracy in 1990, only 32 women elected as the Members of Parliaments (MPs). In general election of 1999, which was the third election held after the restoration of democracy (1999), only 12 women out of 205 seats that is hardly six percent were elected as Members of the House of Representatives. The reinstated parliament has declared 33 percent seats as the reservation for women. It gave the positive result and 197 women were elected for the Constituent Assembly of 601 seats. As two members had been representing to the Constituent Assembly from Mustang district, but none of the agencies made their advocacy for balance at least one male and one female. It is also a strong example that the issues of the Mustang or Upper part of it always have been marginalized.



*Jigme Singhi Bista, the last king of Mustang poses for researcher*

"We are not far from the border of the Tibet of china, but because of the least priority of the government of Nepal, door of the Nhuchyung costume remains always closed. We can see the development in neighbor's part through the naked eyes but we are unable to take benefit from that."

*-Bista, Crown Prince of abolished monarch.*

**Website link:**

<http://youtu.be/aLsj-0JpDMk>

<sup>32</sup>Salina Joshi, "Don't Forget Women in the Post Conflict Governance!", *Engendering Democracy*, <<http://sapint.org/ednewsletter/issue2/perspective.html>>, (11<sup>th</sup> Aug. 2012).

<sup>33</sup>WOREC Nepal, *Violence Against Women*, <[www.worecnepal.org/programs/violence-against-women](http://www.worecnepal.org/programs/violence-against-women)>, (11<sup>th</sup> Aug. 2012).



Research-member (right) with Mukhiya

**Website link:**

<http://youtu.be/WGwIUyEEHh0>

Similarly foremost numbers of the male interviewees are also habitants of the same place but few of them are personnel of the government offices from the different parts of the country; collected information as stakeholders and experts source for this research.

**Website link:**

<http://youtu.be/WGwIUyEEHh0>

## 1.9 Study design

Study design is made with the planned schedule and proper procedure. As the concept of the research on women's status in trans-Himalaya region floated, research team was formed in Kathmandu, capital of the country and discussed on the module and the procedure. Site was selected Upper Mustang because it has been famed in its landscape beauty but none of the literature found produced with the analysis of women's status using right based approach. The team pursued the process as follows:

### 1. Interviewed with the women and girls and filling the question-form

More than 60 women and girls have been talked in their sites, visiting them at their homes and fields. Considering the sensitiveness of the issue of the research, one to one interview has been preferred to collect views by women interviewer considering the talk on reproductive health as well. Responses are kept confidential and the name of the interviewees has not been asked so far.

### 2. Focus group discussion

A group of about 8 elderly women were invited in a place and asked to share their concept on women's situation, discrimination, rights and societal behavior. Suggestions were asked to overcome the discriminatory behavior of the society to them.

### 3. Collection of case studies

Women and girls fight for their rights, serious consequences generated by the abuse of women rights and process of the societal punishment to the culprits were collected with the detail description.

#### 4. Interview with the authority and the social leaders

In-charge of monastery and Gumba, Mukhiya, leaders of Ama Samuh and experienced persons were interviewed in this regard.

#### 5. Finding sharing with the representatives of authority and civil society

Verification meeting was held in Jomsom, district headquarters. CDO, DSP, LDO, District Education Officers, experts and other civil society members were requested for their feedback on the finding that has been incorporating in the final report of it.

### 1.9.1 Sources of data

Major sources of the data used herewith to accomplish the research is primary one; taken interviews with more than 60 women and men, stakeholders and influencing personalities in the target area. All of the women and men interviewed are the permanent habitants in Mustang or representatives of the authority. Similarly foremost numbers of the male interviewees are also habitants of the same place but few of them are personnel of the government offices from the different parts of the country; collected information as stakeholders and experts source for this research.







Survey was focused on the 7 villages of Mustang district concentrating on Upper Mustang as per the purpose of the research. According to the census held in 2011 the population of the region has been declining about by 2 thousand (more than 37%) in a decade.

**Website link:**

<http://youtu.be/kkEklznydCI>

Similarly, secondary data has also been used herewith only for the background of the research like literature review and to analyze the findings. District level offices located in Jomsom like District Administration Office (CDO Office), District Development Committee (Local Development Office) and District Police Office are the resources of the secondary data as well. A team of three persons had gone to the site for two weeks to collect the information; one male and two females are in the team committed to find the data prioritizing primary source from the people and personalities. Obviously data used in literature review and the demography of the region segregating the people's numbers of the Village Development Committees are the main examples of the secondary data used in the research so far.

### 1.9.2 Procedure

Process to select the respondents is obviously random. For the survey process, 52 women and girls were met in the seven villages of Upper or middle Mustang. Selection of them was quite indiscriminate as per availability. But few points were considered that children, less than 15 and old aged women, above 70 were not requested to participate for the survey process.

As research team visited to the villages and asked for the Mukhiya (leader of the community) or the president of Aama Samuh (mothers' group) generally; and requested them to find women and adolescent girls for the interview; and read out the question forms for them with the help of the interpreter. Their response have been documented in written form and in the form of digital format in the recorder and taken videos simultaneously.

As the data are collected from the site, 7 VDCs in Upper Mustang and middle Mustang, a preliminary report was presented before the experts and the stakeholders in the district headquarters for the verification purpose. The verification meeting was organized listening to them as well. Feedback collected from the experts and stakeholders in district level has been incorporated in the research report depicting their original words and voice so far.

## 2.1 Analysis of Data

All the questionnaires and the interviews were collected either in written form or digital outline. Data has been tabulated and scanned as per the method of research science. Table of the data and the graph and charts have been produced with the help of MS-Excel program in the computer. Though the graph, chart and tables have been describing numerical aspects of the information, analyses of the data have been comprehensively produced digging out the qualitative aspects of the information as well. Almost all the problems or questions have been addressed with the two folds i.e. historical development and the present situation of the same in the base of analytical aspects. Quotes and statements and the data have been contained as per the demand of analytical flow of the content.

There are more than 20 graphs and charts with their supporting tables that describe the women's situations, their status, vision, opportunities, access to the national resources and exercising the human rights so far. Survey and interviews were held on face to face manner at their home and workplace in Upper Mustang. Altogether 52 women were requested to give their responses for the survey module whereas other more than 20 people were interviewed to accomplish the research. Similarly focus group discussion, expert consultation and verification meetings were held thoroughly.

## 2.2 Socio-economic status of study-people

Survey was focused on the 7 villages of Mustang district concentrating on Upper Mustang as per the purpose of the research. According to the census held in 2011 the population of the region has been declining about by 2 thousand (more than 37%) in a decade. Latest demography has been provided with the segment of the village is as 302 women in Chhoser, 436 in Chhonhup, 293 in Lo Manthang, 180 in Surkhang, 235 in Charang, 326 in Ghami and 265 in Chhusang. Village based demography of the district<sup>34</sup> shows that the population density of the region is thin.

Total population of the district is 13,452 in 16 VDCs whereas study is focused only on 7 VDCs named Chhoser, Chhonhup, Lo Manthang, Charang, Ghami, Surkhang and Chhusang where 3,834 people are staying as permanent residents. In fact this is a study of 2,037 women and girl-habitants of these 7 VDCs as 6 VDCs located in Upper Mustang and Chhusang considered semi Upper and semi lower so far. Obviously mix culture, tradition and the practices have been experienced in Chhusang.

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<sup>34</sup>Government of Nepal, Ministry of Federal Affairs and Local Development, Local Development Office, Jomsom, Mustang.

### 2.2.1 Age-group

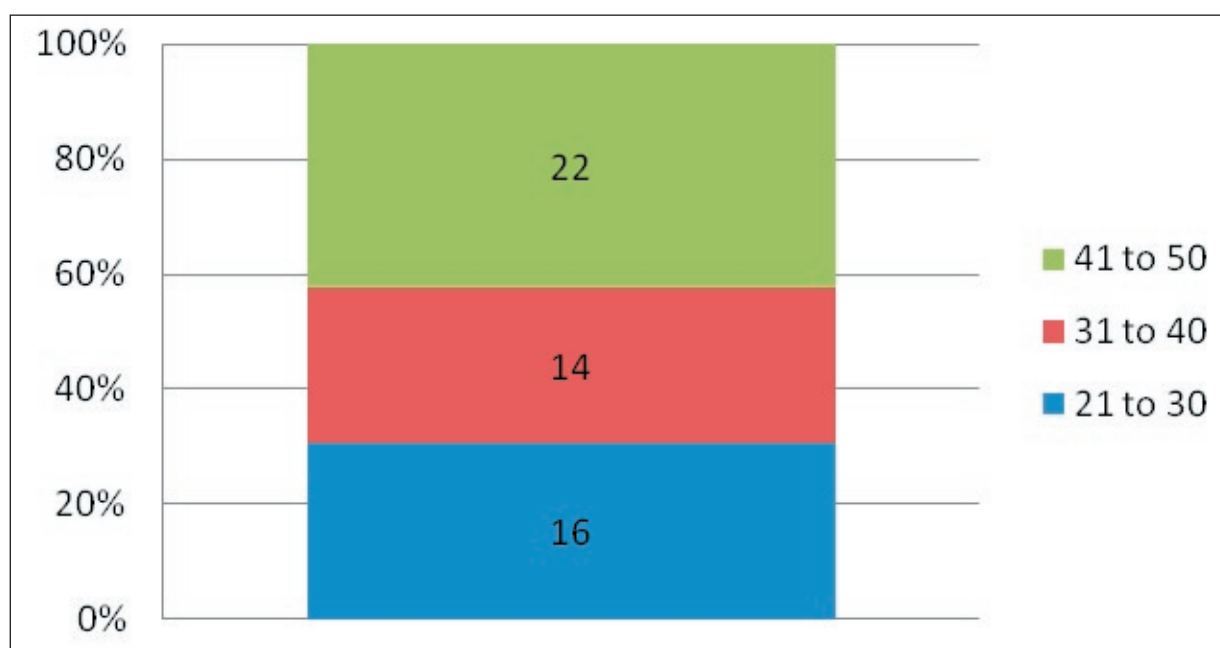
Respondents of the survey segment can be analyzed as per their age is as follows:

Total Participant: 52 (all women)

Age group: 21 to 30= 16

31 to 40= 14

41 to 50= 22



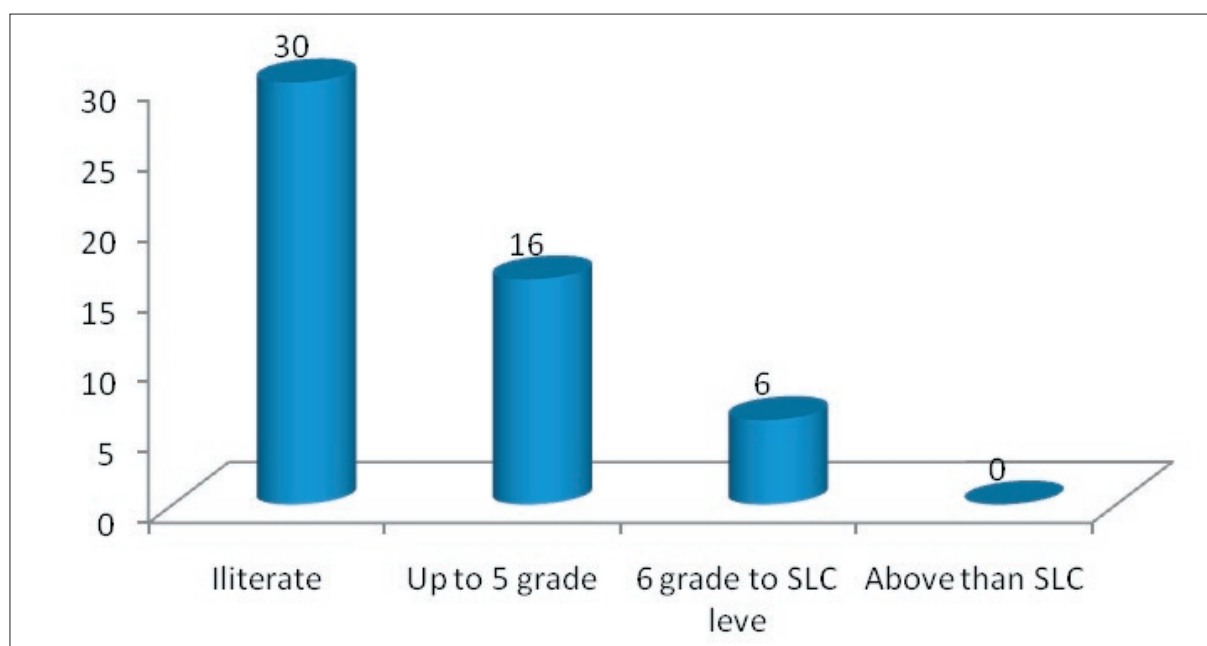
**Figure 1:** Age-group of study-people

In total more than 42 percent of the participants were aged of 41 to 50. This larger segment was experienced women could analyze the women's situation in more perfect manner. But there was little hurdle to consult with them as most of them were illiterate and found difficult to understand Nepali medium, the national language. To address this hurdle local mediators gave their service to translate the language for interviewers and interviewees so far.

### 2.2.2 Education level

Education level of the women and girls who agreed to respond to the questioner for the survey segment was extremely poor. Most of them had never visited the school with a paper and pencil in their lives. Participants' education level is tabled as follow:

| Education level |    |
|-----------------|----|
| Illiterate      | 30 |
| Up to 5 grade   | 16 |
| 6 grade to SLC  | 6  |
| Above than SLC  | 0  |



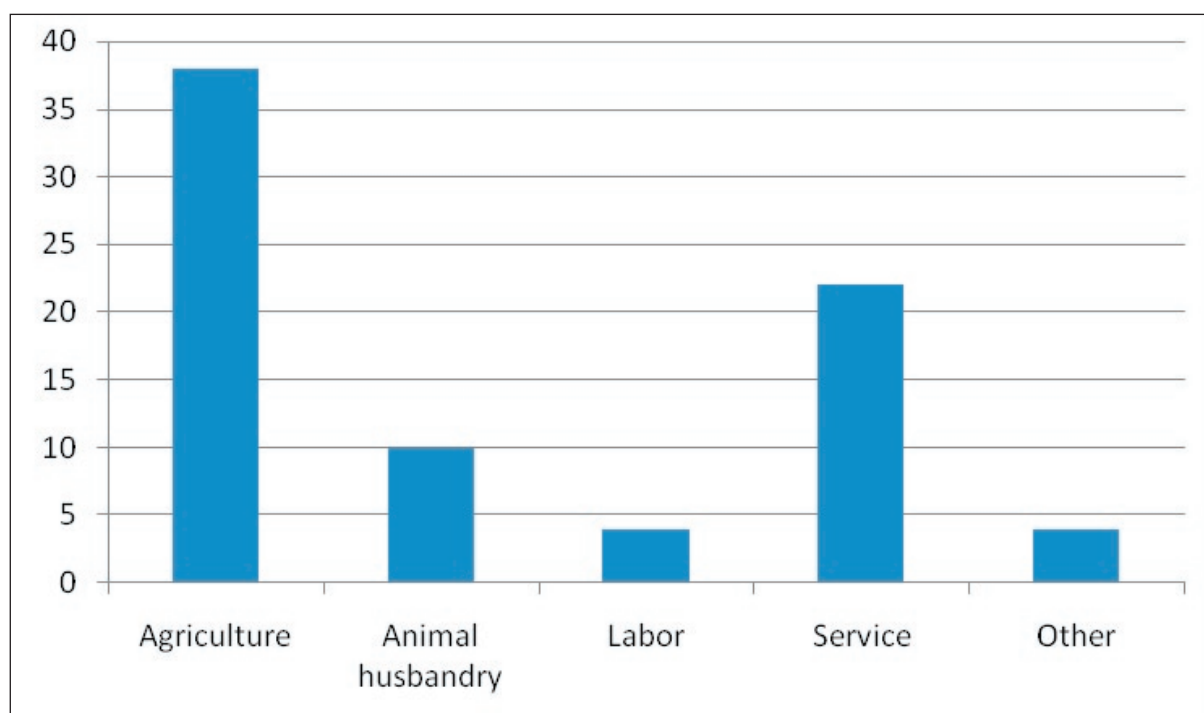
**Figure 2:** Education level of study-people

Illiterate participation was not planned one. As researcher team went to the village and requested to the women to respond its questions as prepared in written form. Generally Mukhiya and chair-women of the mother groups supported to invite the village-women to respond the questions. Indirectly it shows the fact that about 60 percent of women is illiterate in Upper Mustang if calculated roughly. As it is believed that education facilitates women for achieving the rights as per the national and international provisions, women of the Upper Mustang are quite backward in this regard.

### 2.2.3 Profession

Responding women in the survey segment were analyzed as per their professions as follow:

|                  |    |
|------------------|----|
| Agriculture      | 38 |
| Animal husbandry | 10 |
| Labor            | 4  |
| Service          | 22 |
| Other            | 4  |



**Figure 3:** Profession of study-people

Participants have signed for more than one option of the profession resulted 78 in total. Most of them who have signed on Agriculture marked Animal husbandry too. Four participants signed on 'other' category and described it as 'hotel business' all of them.

## 2.3 Gender discrimination

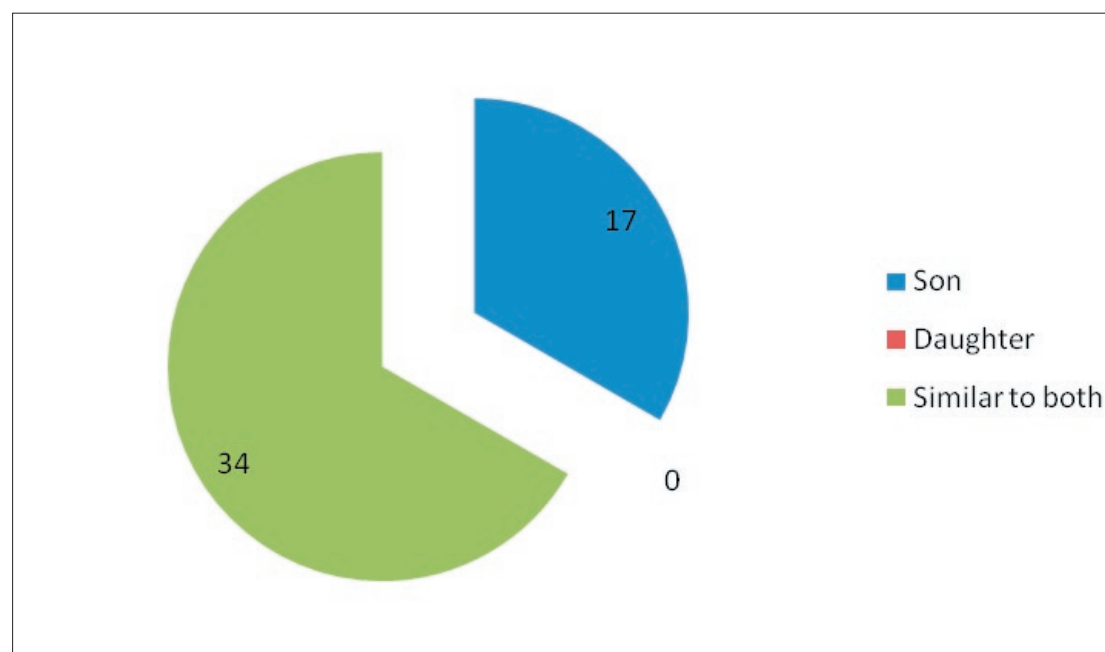
### 2.3.1 Patriarchy from the womb

Women and girl participants were asked about their response on the birth of the male and female child in the family. Those who had got their babies shared their experiences and if not responded as per the observation in their family and the community so far. Question was as follow:

What birth brings more celebration/happiness in the family?

|                 |    |
|-----------------|----|
| Son             | 18 |
| Daughter        | 0  |
| Similar to both | 34 |

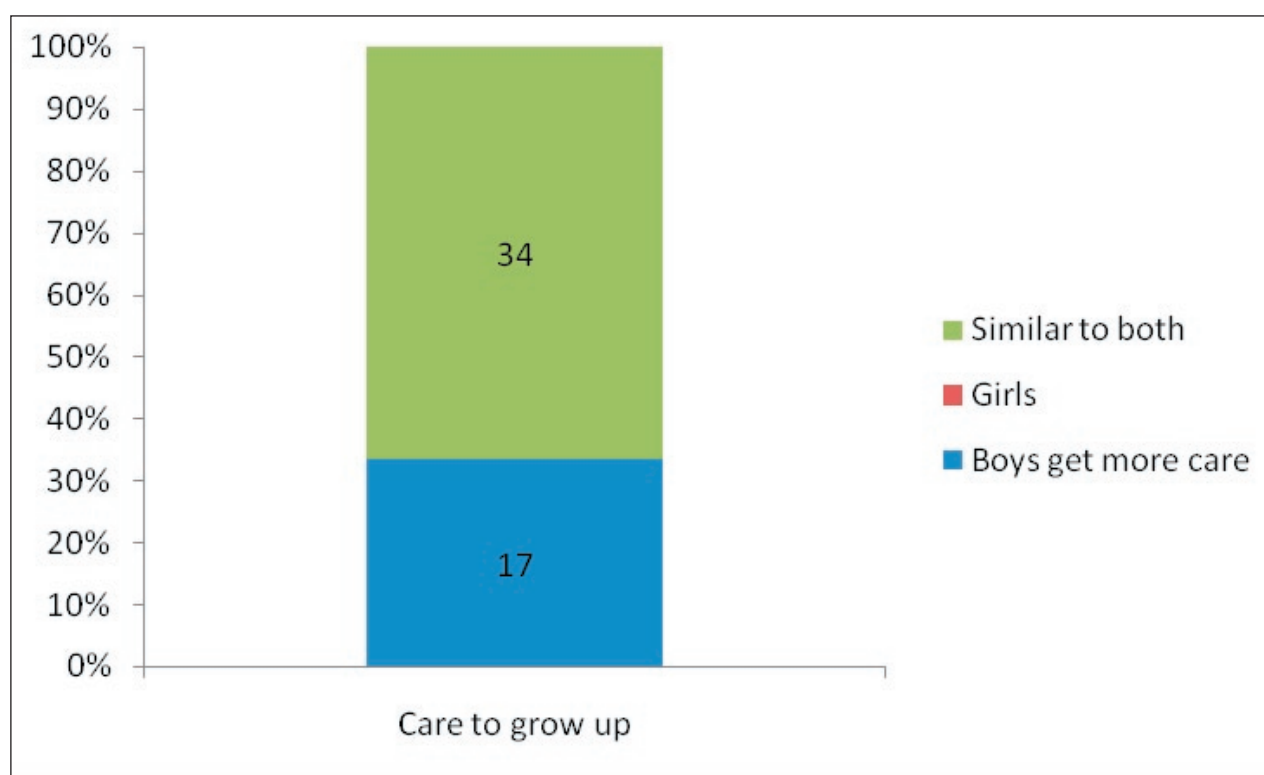
About two third of the respondents were seemed to have gender balance towards the birth of the babies. But interesting aspect was that none of the participants marked on 'daughter' to disclose the happiness as preferring daughter rather than son. Pie-chart shows the fact as follows:



**Figure 4:** Celebration on birth of baby

It is clear that daughter generally has not been the priority to their parents and the family so far; but at least they are ready to accept girls as similar to male child even in the region believed still alive patriarchy in some respects. But it must admit that if the same question had been asked to the community in the hills and the Terai area would have more negative and humiliating response. As a deteriorating proverb is very common in Terai and hills is ‘forfeiting he-goat if gets son and chopping pumpkin if gets daughter.’ Gender bias is so deeply ingrained in the system that the discrimination begins from the time a couple plans a baby. In some parts of the world the birth of a baby boy warrants a celebration whereas a baby girl may not be extended the same warm welcome.<sup>35</sup> There will still be families with five daughters and the mother trying desperately to give birth to a son ignoring the part of the health of her and the economic status and recourses of the family.

They have been asked further whether male and girl children are treated equally while growing them up or not. Participants responded as follows:



**Figure 5:** Caring babies to grow up

It has been seen that discrimination between male child and female child even in the condition of sickness. Boys are sent to the better hospital and girls are not to be cure by them. Even in the Upper Mustang discrimination between the male and female child prevailed but not as of the severe condition like other parts of the country.

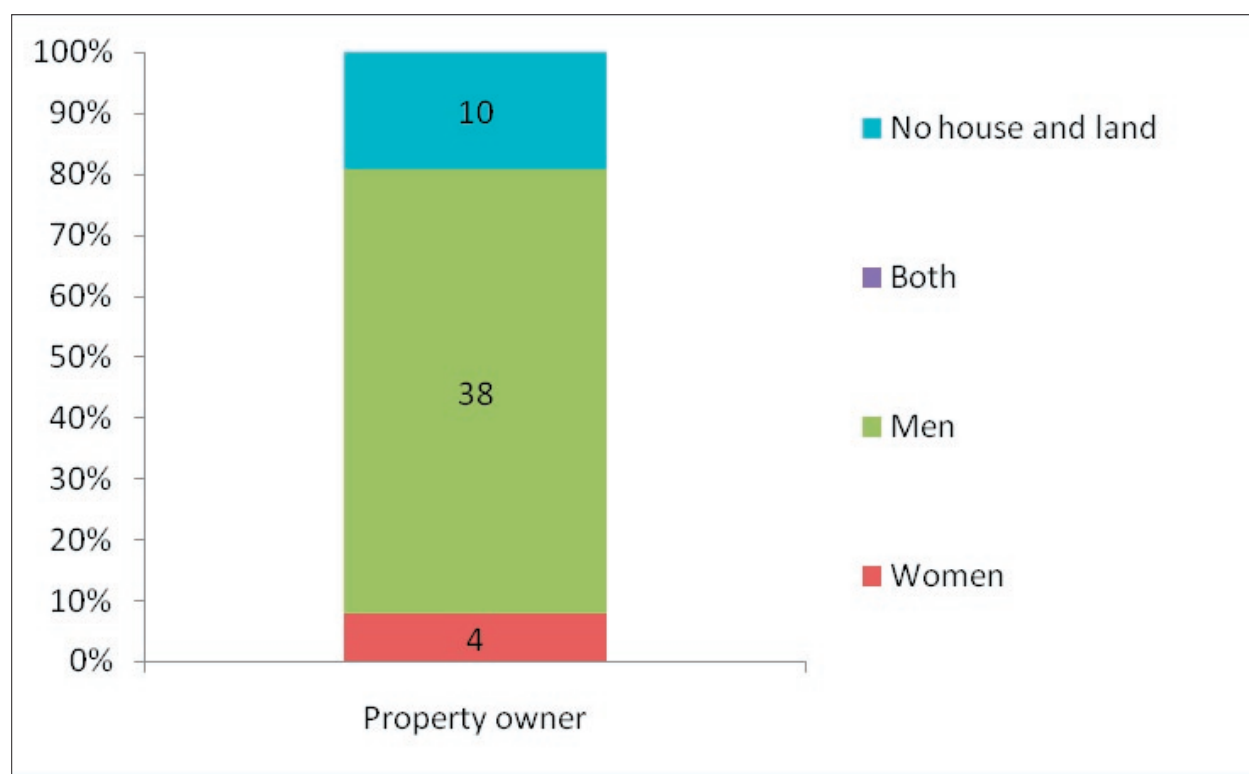
<sup>35</sup>See more at [http://www.indiaparenting.com/raising-children/131\\_315/gender-bias.html](http://www.indiaparenting.com/raising-children/131_315/gender-bias.html)

### 2.3.2 Women without property

One of the vital questions they were asked was who was entitled of fixed property like house and the land. The respond was very disappointing to the people who are advocating for gender balance and equal rights in the country. Response was as follows:

#### Who is entitled of fix property like house and land in your family?

|                 |    |
|-----------------|----|
| Women           | 4  |
| Men             | 38 |
| Both            | 0  |
| No fix property | 10 |



**Figure 6:** Women with/without fix property in their names



More than 73 percent participants have given their responses that the fix property like land and house are entitled on male members in the family either they may be father, brother, husband and in-laws so far. But more than 92 percent women participant (incorporating 'no fix property' category of 10) have never been owner of the house and land in their lives. Women and girls who don't have fix property in their names lose the power to enjoy the equal rights as males are enjoying in the community. It is not only a provision that has been managed in the Interim Constitution of Nepal- 2007, latest one the Constitution of the Kingdom of Nepal, 1990, under chapter 3 had already guaranteed 'right to equality' to all the citizens as a fundamental rights. It stated that the State shall not discriminate amongst citizens on grounds of race, caste, and sex. Similarly Interim Constitution progressively states that the Constitution is the fundamental law of Nepal and all laws inconsistent with it shall be void. However, discriminatory laws against women in relation to property rights still prevail. Nepal has also become a State party ratifying the CEDAW on April 22, 1991, without reservation. But there are still several provisions succeed discrimination against women in accordance the spirit of CEDAW.<sup>36</sup> This response has given the clear measuring rod that the believe of matriarchal practices has been prevailing in the Himalayan region like Upper Mustang is just matter of illusion at least in the property ownership theme.

Govind Kelkar, a researcher who writes for the publication of ICIMOD as 'the question of women's land ownership remains current in most of the south Asia. Furthermore, discriminatory barriers and socio-cultural rigidities continue to block women from obtaining effective control of property, assets, and resources. This issue includes access to institutional credit, and training and extension facilities.'<sup>37</sup> Habitants of the Upper Mustang have given the logic that women are not entitled of the fix property because it may be an extra burden to them to deal with officials in the headquarters, two days far from the remote villages in the districts before building the track road to connect Tibet border to Jomsom. But those who felt it as an extra burden to them; have turned off their progress.

<sup>36</sup>Friedrich Ebert Stiftung, PERSISTING INEQUALITY, DISCRIMINATION AND DISPARITIES, <[http://www.nepaldemocracy.org/gender/property\\_rights.htm](http://www.nepaldemocracy.org/gender/property_rights.htm)>, (17<sup>th</sup> Sep. 2012).

<sup>37</sup>Govind Kelkar, "The Need for Women's Rights to Assets in the Context of the Feminization of Agriculture in Asia", *Gender Perspectives in Mountain Development New challenges and innovative approaches, Sustainable Mountain Development*, No. 57 Summer 2010 (Lalitpur: ICIMOD, 2010), 12-15.

### 2.3.3 Schooling and nurturing

As participants of sampling survey were asked if they have seen the discrimination between male and female child as they fall sick, they responded just following the earlier pattern. But only 21 participants responded the question whereas 31 just ignored it possibly recognizing less important one as follows:

|                         |    |
|-------------------------|----|
| Better treatment to boy | 2  |
| Better care to girl     | 0  |
| Similar to both         | 19 |

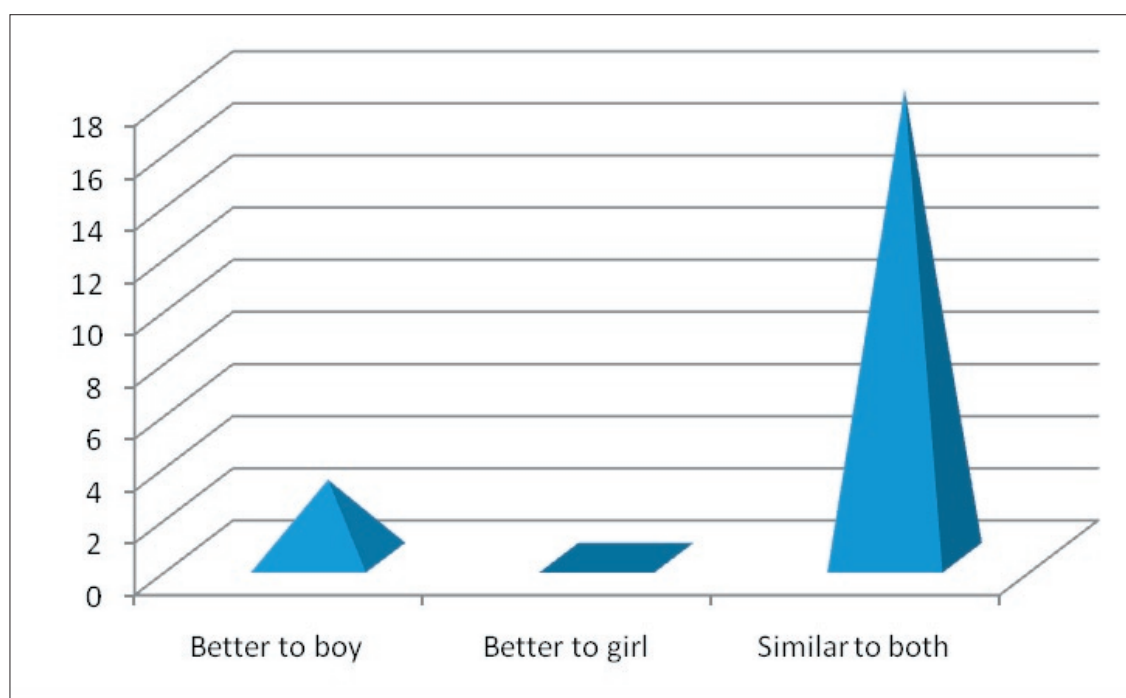
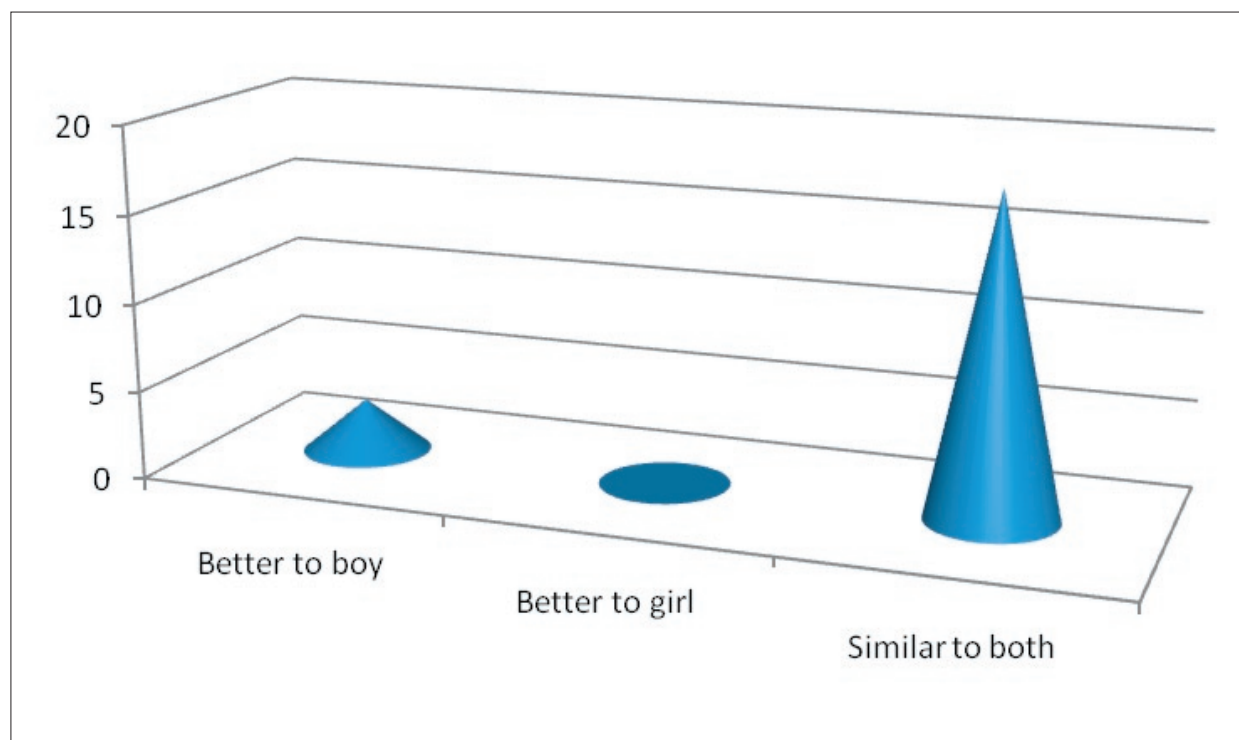


Figure 7: Schooling of the children

Similarly participants were asked whether they have ever felt the discrimination between boys and girls while giving the opportunity of the education or sending them to the school. None of the participants were found to claim that girls have got better opportunity for the schooling in their community. Respondents were as follow:

|                   |    |
|-------------------|----|
| More care to boy  | 3  |
| More care to girl | 0  |
| Equal treatment   | 18 |

Big amount of the participants just skipped the question number and jumped to another one as they have not given more attention to this point. Graph describes the response as follow:



**Figure 8:** Gender discrimination

Till the late 1940's the education of girls in Nepal was considered only as an inconsequential luxury available only to an extremely small segment of the female population. After the dawn of democracy in 1950, however, the need for providing education to the emerging generation of girls and women began to catch-up in a very big way. Nevertheless, it is gratifying to note that the speed with which the education of girls has picked up among the majority of people over the last five decades been successful in rising the percentage of female literacy from near zero in 1950 to 44 percent in 2006. With special emphasis placed in various forms by the country on the uplifting of female education, the enrollment of girls in schools rose from 64.4 percent in 1999 to 77.5 percent in 2003.<sup>38</sup>

Most of the rural villages, existing socio-cultural norms have prohibited girls from accessing education. Parents consider their daughters to be temporary property of their birth families, as they are to marry and move to their husbands' house generally at the age of teens. Investing money and time in the education and future of a girl child is considered economically irrelevant. Nepali girls, from an early age, take care of their younger siblings

<sup>38</sup>South Asian Women's Network, *Discriminatory Practices against Girl Children in Curricula*, Study Report, <<http://www.sawomensnet.org/Content/Publications.html>>, (18<sup>th</sup> Oct. 2012).

and share in the difficult day-to-day responsibilities of running a family. Rather than invest time in learning, from the age of five or six girls are responsible to collect water, cook, tend cattle, wash clothes, and work in the fields. Though girls are often technically enrolled in school, most often they are not able to attend classes as attending school with unfinished domestic tasks is frowned upon. While some girls manage to do both, they are often too tired to be able to study properly in school.<sup>39</sup>

On top of this girls in Upper Mustang have got different types of other problems so far. Main problem is attitudinal one that their parents don't have enough knowledge to send their kids to the school. Second problem is lack of opportunity of the schools. Hardly, they have a primary school for a village that is as far as two days walk; where they can learn up to 5 grades though they have got Jhuma<sup>40</sup> and Lama schools for the religious course. In such schools education and logistic facility are free but the course is not recognized as compatible for the modern jobs in government and private offices.

Five modules of the rights defined by the United Nations have not been introduced into the remote mountainous district like Mustang. Civil rights, political rights, social rights, economic rights and cultural rights and their areas have been ignored by the authority and the local society so far. Addressing the rights of the economy, participants were asked whether remuneration is discriminatory or not. Responses have proved that there is substantial gap between the wages provided to male and female.

## 2.4 Access to the Resources

“One US dollar a day- poverty line, first proposed in 1990 for measuring absolute poverty by the standards of the world's poorest countries. In a new data set of national poverty lines we find that a marked economic gradient only emerges when consumption per person is above about \$2.00 a day in 2005 purchasing power parity. Below this, the average poverty line is \$1.25, which we propose as the new international poverty line.”<sup>41</sup> Following this report produced by the World Bank, about more than 50 percent people of Upper Mustang have not been earning to meet the threshold of poverty line. They are not earning because they don't have access to the resource. Three main basic resources as water, forest and land in the region have not been used as per the expectation may be because of special nature of the geographical area. River with clear water is there but it can't be used for the irrigation because of the soil being dried by the snow in the high level from the river, forest is very minimal and land is very limited in the river side. The large number of habitants in Upper Mustang is fighting for the immediate basic needs contributing their labor in day and nights.

<sup>39</sup>Pratigya Khaling, "Nepal: Education for Girls", *World Vision Asia Pacific*, <<http://wvasiapacific.org/gender/nepal-education-for-girls.html>>, (18th Oct. 2012).

<sup>40</sup>A Buddhist nun is called Jhuma who is supposed to dedicate her life as devotees without getting married.

<sup>41</sup>World Bank, *Human Development and Public Services*, <[http://econ.worldbank.org/external/default/main?pagePK=64165259&theSitePK=477916&piPK=64165421&menuPK=64166093&entityID=000158349\\_20080902095754](http://econ.worldbank.org/external/default/main?pagePK=64165259&theSitePK=477916&piPK=64165421&menuPK=64166093&entityID=000158349_20080902095754)>, (12<sup>th</sup> Oct. 2012).

### 2.4.1 Discrimination in wages

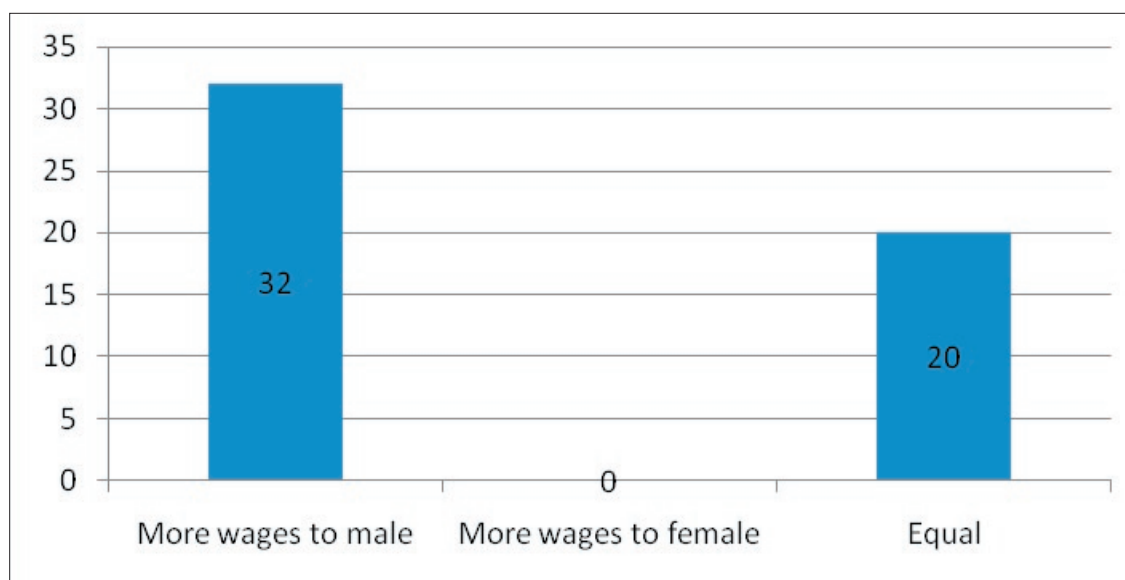
Resources are required to fulfill the basic needs. Food, shelter and clothing are considered as immediate basic needs; without these surviving of life is almost impossible. But in the modern list of basic needs are added four more points those are employment, education, security and healthcare. In the development discourse the basic needs model focuses on the measurement of what is believed to be an eradicable level of poverty. The 1995 world summit on social development in Copenhagen had, as one of its principal announcements that all nations of the world should develop measures of both absolute and relative poverty and should gear national policies to eliminate absolute poverty by each country in its national context. Absolute poverty is a level of poverty as defined in terms of the minimal requirements necessary to afford minimal standards of food, clothing, health care and shelter. Who is absolute poor and who is just relative poor is an issue of measurement. As it is said that a person who does not earn at least 1.25 US dollar in a day is absolute poor, as per the basic line issued by the World Bank, whole Upper Mustang has got all the features that can be declared absolute poor region.

It does not mean that almost all the people are absolute poor in the region. Those people who have got land to cultivate the apple and local grains are rich. Similarly people who possessed the cattle like horses and sheep are also considered to be affluent. Despite of this hotel and tourist business is one of the income generating fields here. A substantial number of the people are making money from the different business and building and buying houses in the city areas either in Kathmandu or in Pokhara, local hub for the west development region.

#### Discrimination in wages

|                      |    |
|----------------------|----|
| More wages to male   | 32 |
| More wages to female | 0  |
| Equal                | 20 |

### Discrimination in wages



**Figure 9: Discrimination in the wages**

Women and the girls have the similar fate either they belong to the rich or poor family in the region. Working in the fields, hotels, homes and tourist business from before dawn to the dusk or late night is their common routine. Generally women are not seemed sitting idle even for the minutes but male have enough time to play the cards, chatting in the river bank and roadsides. It means women have been paying their times contributing for the economic outcome, but their work isn't realized with the monetary values. If an account is to open in the bank male puts his name; exposures and land or house entitling opportunities are far from the access of women. These entire environments have eventually made the women and girls exploited and discriminated for the years. They can't start business formally in their names because they don't have citizenship paper and register-book of the lands and homes.

## 2.5 Security threats to women

Security and the threats are the vital issues that indicate how the people have been enjoying their rights and freedom. It is learnt that women are in the more fear than the men. It means women are not in the equal footage in respect of the enjoying their rights so far. As they were asked if the women/girls feel more threats and fear to go outside in the night, respondent as follow:

|            |    |
|------------|----|
| Yes, it is | 50 |
| Not at all | 2  |

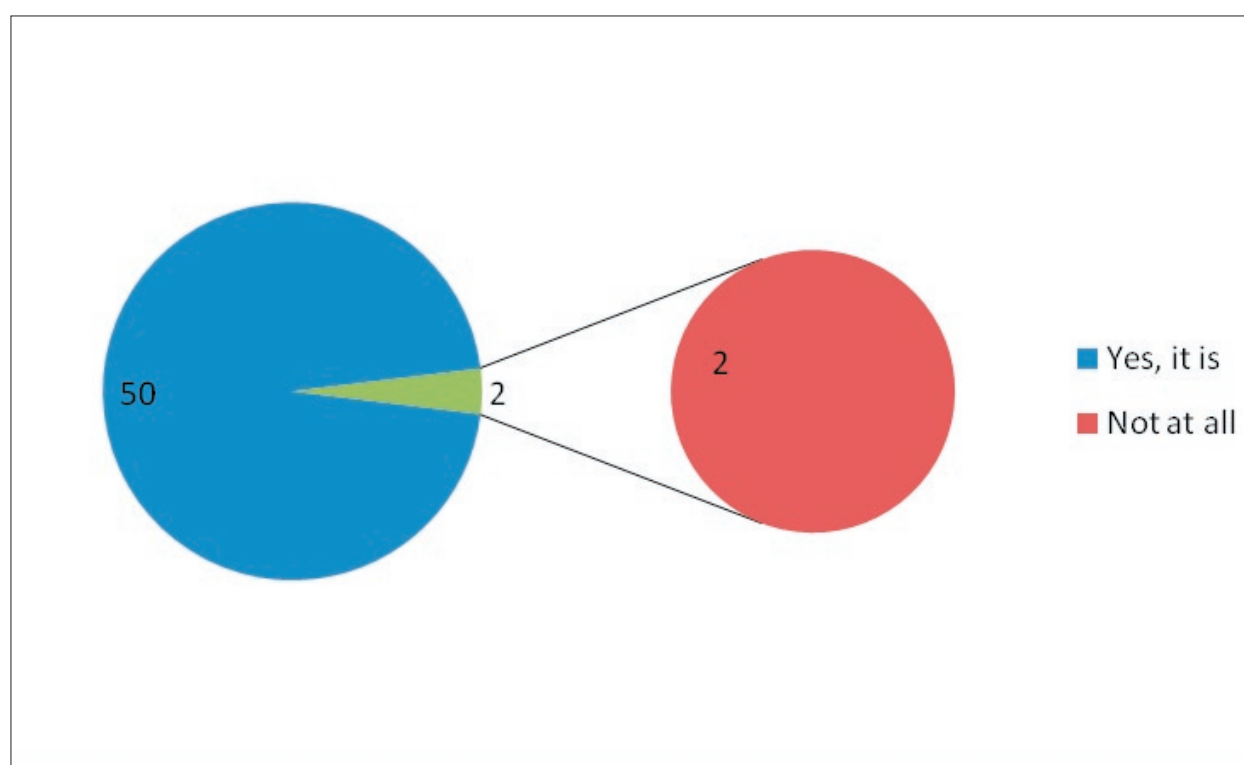


Figure 10: Women security

Women and girls feel insecure to leave the home in dark not because of wild animals but because of sexual harassment and assaulting. Obviously such things are committed by the male. Though the sex is not treated as a big conservative matter in Upper Mustang as other parts of the country have practiced, but most often women and girls have been practicing of unwanted sexual imposes and threats from the male. In this regard treatment aspect is also a vital point if any woman or girls have been abused. Generally disputes have been brought to the Mukhiya but sexual harassments are not considered major issue for them.

Some of such incidents have been produced before Mukhiya but only in the situation of pregnancy of the girls. Poor people have a little or no access to justice. The cost of travel to often distant district police headquarters or courts, the expense of using lawyers and a perception that justice is reserved for the rich and powerful mean poor people struggle to access the formal justice system, and instead turn to informal justice mechanisms.<sup>42</sup>

## 2.6 Workload to women

Women have got much more work load than men even in Upper Mustang. As participants were asked as ‘who works more in the family?’ got answer as follow:

|              |    |
|--------------|----|
| Male         | 6  |
| Female       | 38 |
| Same to both | 8  |

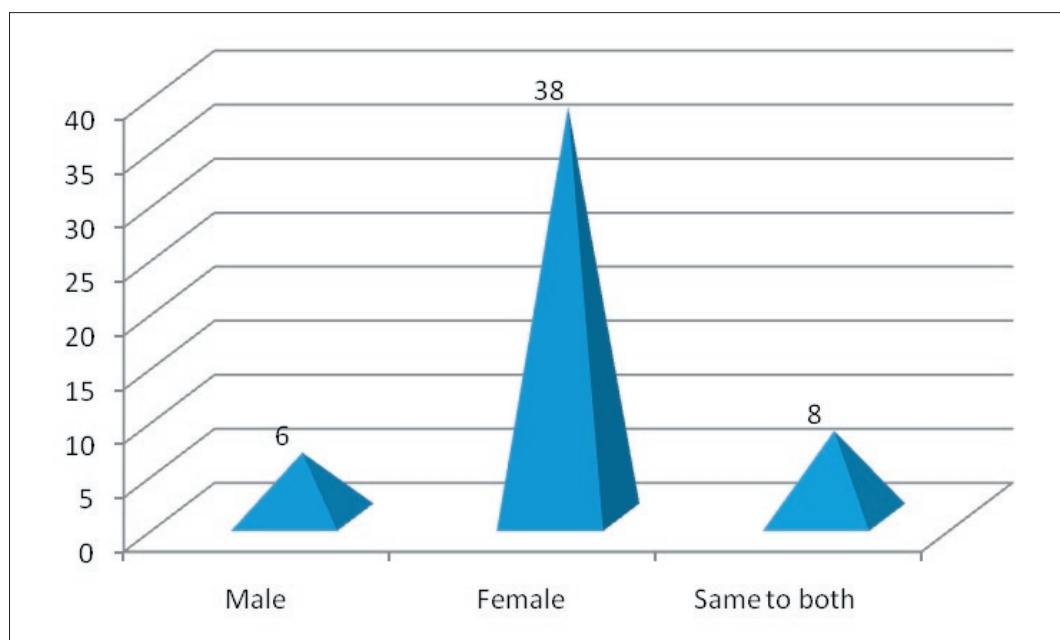


Figure 11: Women in work-load

Out of 52 women participants 38 have given the response that they have had much more workload than the male in their families; whereas 8 participants responded as ‘same to both’. Only 6 women analyzed as the male have got more workload than the female. But even the male interviewees agree that female have got more workload as they look after their home, farming and nurturing and caring roles in the family. Generally their job is started from 3 am, before the dawn and goes till late night to maintain ‘matriarchy’ and feed the husband and sons and send them for the business on time.<sup>43</sup>

<sup>42</sup>International Alert, *Security and justice in Nepal, District assessment findings, March 2010*, <[www.international-alert.org/.../Security%20and%20justice%20in%20Nepal\\_distinct%20assessment%20findings.pdf](http://www.international-alert.org/.../Security%20and%20justice%20in%20Nepal_distinct%20assessment%20findings.pdf)>, (17th Oct. 2012)

<sup>43</sup>Based on interview with Mr. Birendra Juharchan, then CA member representing to Mustang district.



### 3.7 Reproductive health

As it is talked on the women's rights issue of reproductive health comes up with underline. Unless they get the medical facility and the proper consultation on the issue of reproduction they don't get their rights in reality. Out of 52 women participants of the survey segment shared their experiences in respect to the issue as married were only 45 and mothers were only 21 out of it. Of total mothers, 12 shared that they didn't go anywhere for the check up during the period of pregnancy and 9 went to the hospital according to their response.

#### Segregate of women participants

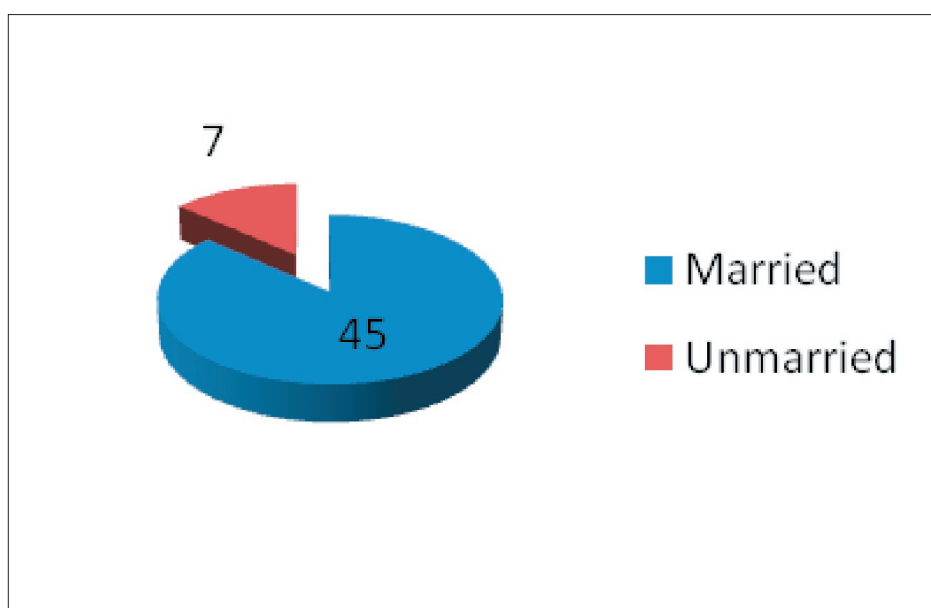


Figure 12: Marital status

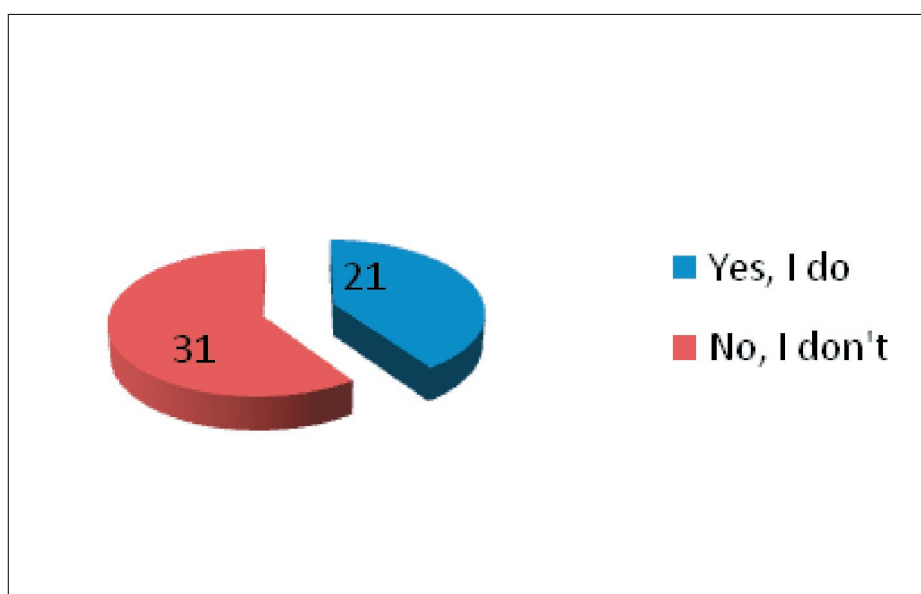


Figure 13: Experience of pregnancy

Upper Mustang has got very poor facility of the hospital in the villages. Even in Lo Manthang, the traditional capital of the region has not got the hospital with the doctor or a gynecologist to take care of delivery cases. Expecting such facility in the village is irony as Jomsom, district headquarters is also crying for the gynecologist from the years. Health post located in Lo Manthang has got an ANM to take care all the roles and responsibilities supposed to be done by at least a senior nurse.<sup>44</sup>

Women participants were asked if they went to the ritual healers during the pregnancy period, but none of 21 women, who had got experience of pregnancy said 'yes'. Habitants of Lo Manthang has got extra facility of health care as ACAP has been very kind to them for running a health post in the main market in front of the palace of the traditional king for the region.

One of the related questions to the previous issue of the reproductive health has been asked as where they gave birth to their baby/s. Options were 'At home', 'In the hospital' and 'In the working field' so far. Few of the responders who have got more than one child gave multiple answers like some times at home and some times in the hospital as well. But none of the women gave birth in the working field as it is experienced in other parts of the country. As young mothers have been compelled to go for the domestic and agricultural activities till the day of the delivery without consulting the doctors, they must face such experiences. In Nepal, half of all girls are married by age 18, even though child marriage is against the law. Campaigns against the practice are starting to have an impact, and a growing number of girls, empowered to defend their rights, are resisting child marriage. But the change is coming too slowly and too late for many.<sup>45</sup>

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<sup>44</sup>Based on interview with Miss Durga Thapa, ANM in Lo Manthang VDC, Mustang.

<sup>45</sup>UNFPA, "Empowering Girls in Nepal to Say 'No' to Child Marriage, *Please let my sisters stay in school*", <<http://unfpa.org/public/home/news/pid/12167>>, (19<sup>th</sup> Oct. 2012).

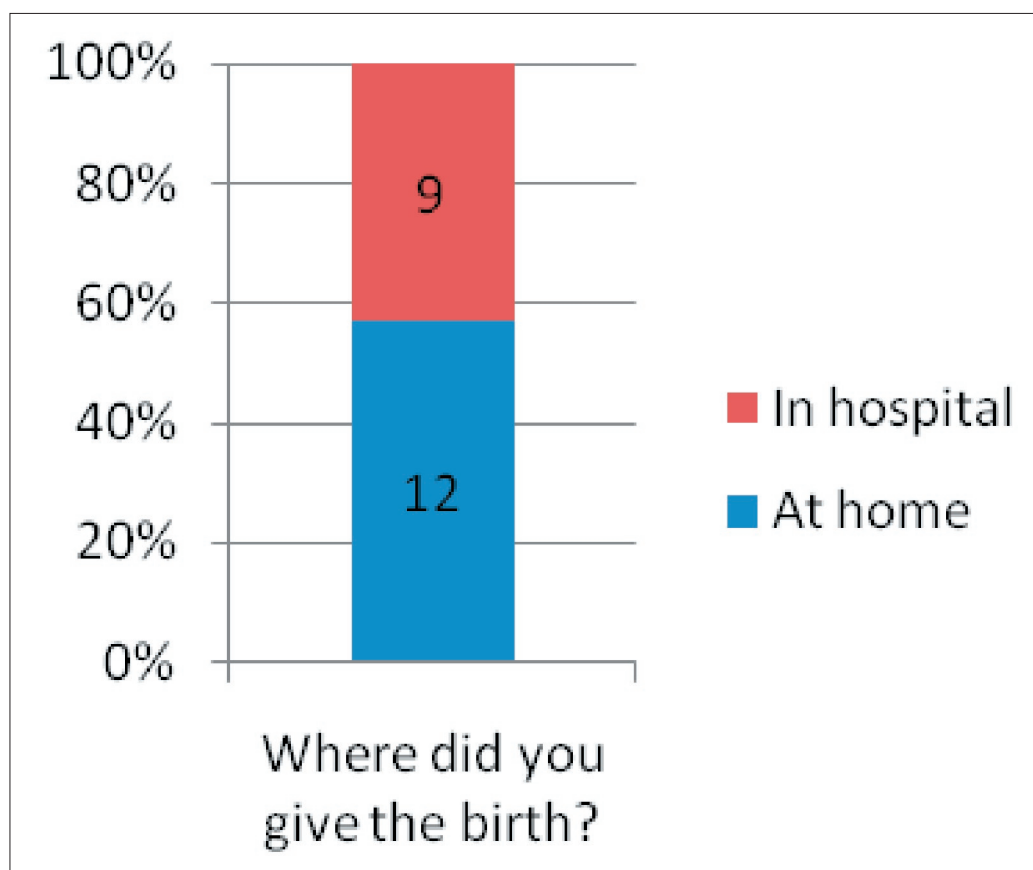


Figure 14: Availability of reproductive health care-1

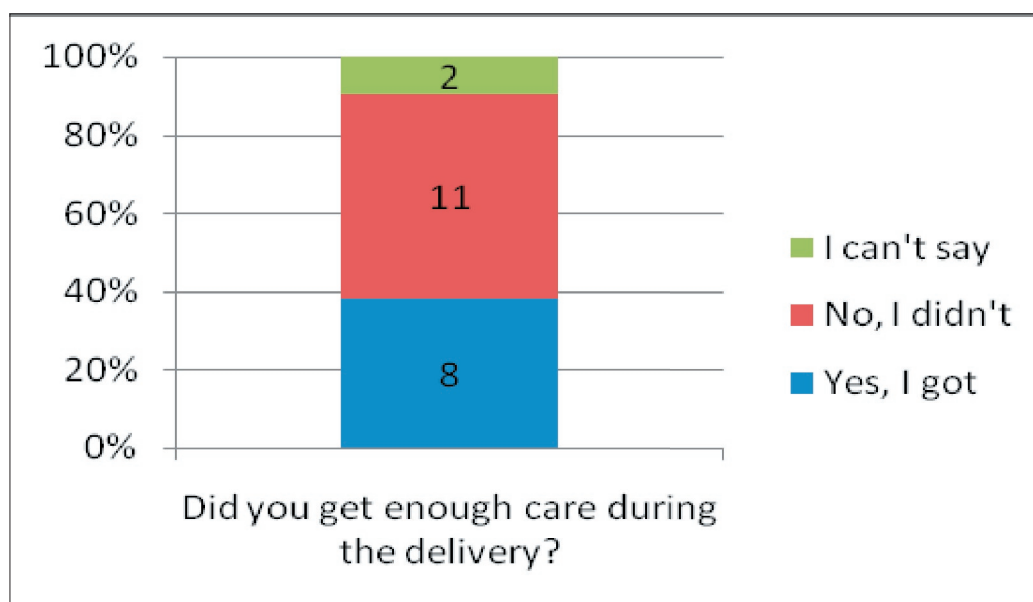
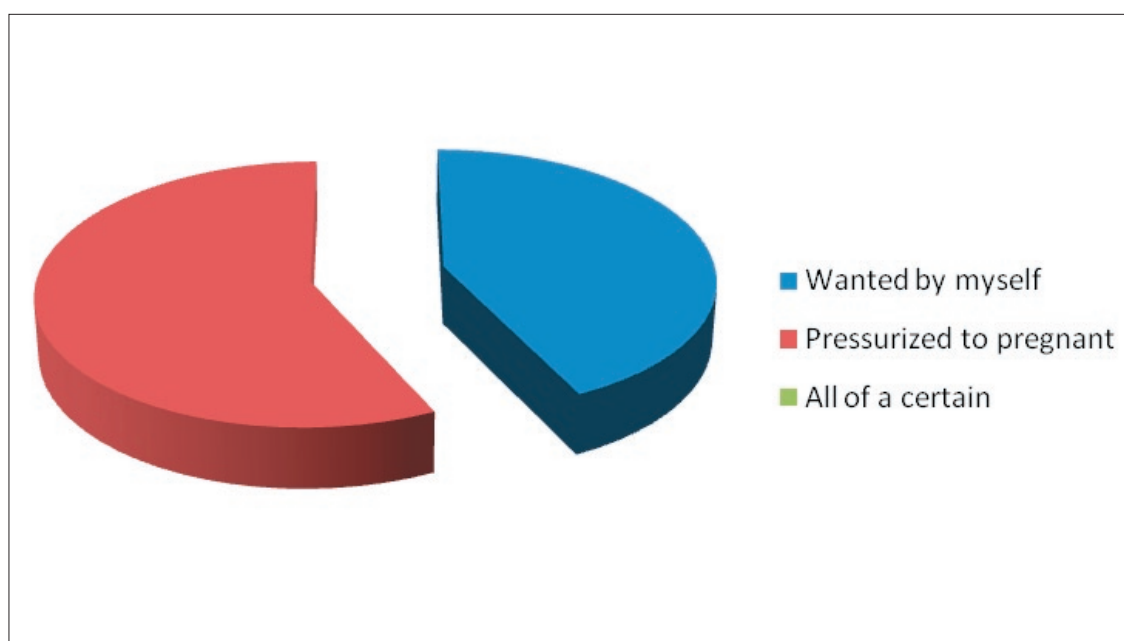


Figure 15: Availability of reproductive health care-2

## 2.8 Pregnancy at pressure

Nepal has got one of the shameful practices that women used to be mother at the pressure of her husband and the parents of husband and her own parents so far. Media have got such stories most often that show the poor situation of the women.<sup>46</sup> Even the part of their body, uterus has not been owned by themselves even in the community located in the Kathmandu, capital of the country. So everyone can imagine the situation of Upper Mustang easily. Out of 52 responders 21 mothers have something to express in this respect as follows:



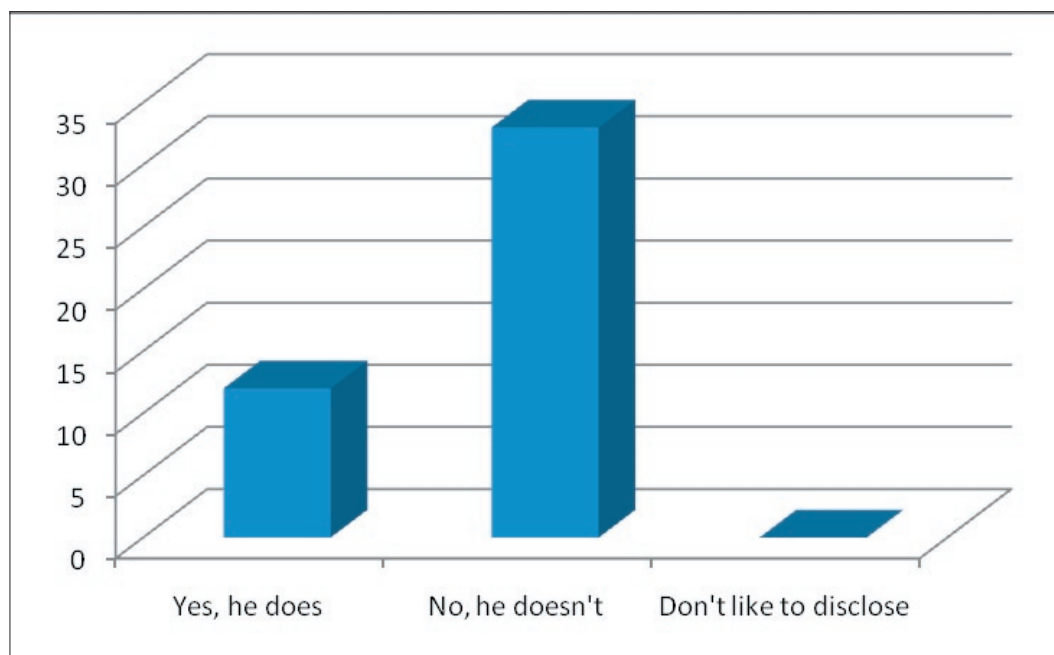
**Figure 16:** Pressure for the pregnancy

<sup>46</sup>*Nepali Times*, weekly newspaper dated 7<sup>th</sup> Sept. 2012 writes a story with the lead as ‘Prerana had to file for divorce when her husband started torturing her for failing to give birth to a son. Under pressure from her husband’s family, the mother of two daughters had to undergo 12 abortions in 12 years of her marriage. After being coerced into divorce, she left her well-paying job in Kathmandu and migrated abroad.’

## 2.9 Domestic violence

Domestic violence is common in Nepal though the act has been passed to support the victims and punish the perpetrators. Mostly the hammer of the domestic violence has victimized women and the girls rather than male members in the family. In Upper Mustang as asked whether they are victimized by their husbands or not, got the response as follows:

|                        |    |
|------------------------|----|
| Yes, husband beats me  | 12 |
| No, he does not        | 33 |
| Don't like to disclose | 0  |



**Figure 17:** Domestic violence

As per the act<sup>47</sup> executed in the country, torture by the husband is not only a form of domestic violence. Act gives the definition of domestic violence as all kinds of physical and mental hurt by the own family member results domestic violence. Act defines it as “Domestic Violence means any form of physical, mental, sexual and economic abuse perpetrated by any person to the other person with whom s/he has a family relationship. The definition also covers acts of reprimand or emotional abuse.” But most often it has been seen in the practice that husband, mother-in-law and other in-laws beat and physically assault women. Generally daughter-in-laws are seen more vulnerable in this respect.

Domestic violence is defined as the use of force or threats by a husband or boyfriend for the purpose of coercing and intimidating a woman into submission. The violence can take the form of pushing, hitting, choking, slapping, kicking, burning, or stabbing.<sup>48</sup> In Nepal, to accurately capture the experience of women, the delegation documented both psychological abuse and abuse perpetrated by members of the extended family. But comparing to other parts of the country daughter-in-laws and other relations for women of the Upper Mustang are safer regarding to beating and physically or mentally assaulting cases.

Following the question of the domestic violence, respondents were asked about their feelings as they said they had got experience of domestic violence as victims for the reasons. Out of 12 victims of the domestic violence 8 believed that they were oppressed because they are women. Remaining have got different concept on this; as 2 responded their ignorance invited the punishment and other 2 received it as a consequence of their faults. Few of them had interesting response as ‘husband really loves them but alcohol makes them to commit such violence.’

Those responded affirmatively to the question of domestic violence as victims described the nature of the mental torture so far. 5 responders have experienced of starving and 2 expressed their anxieties as their husbands left them forever. Both husbands were Makpas, staying their in-law’s home as a supporting member in the family.

### 2.9.1 Dowry system

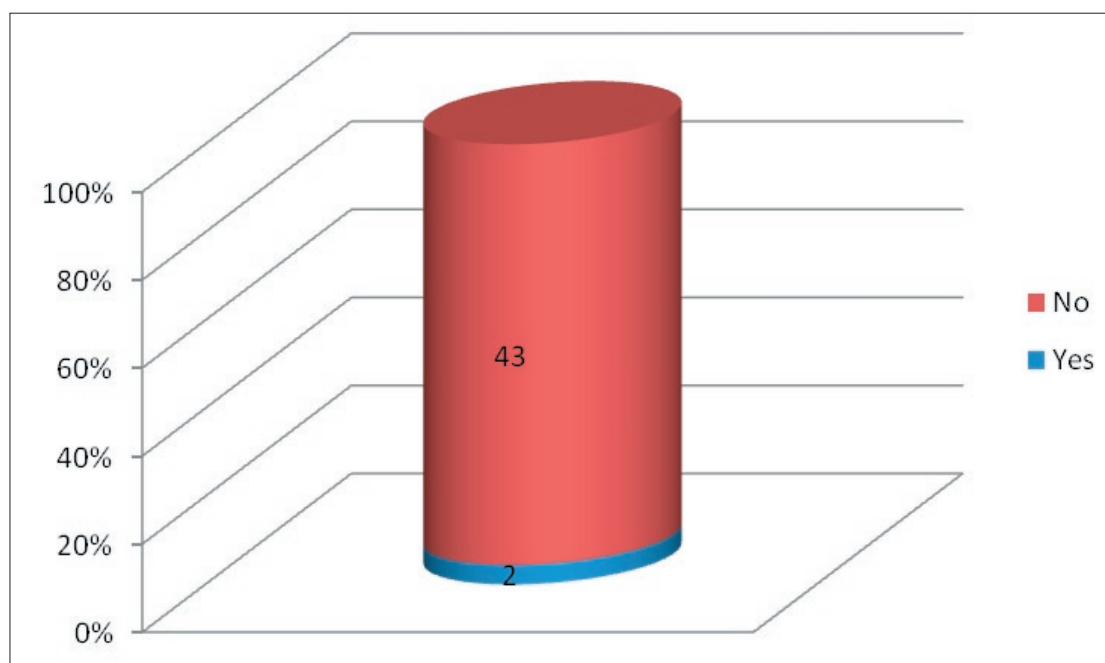
Dowry, wealth with the bride is being practiced in most of the parts of the country from the years. But as per the law it is not permitted if bridegroom forces for the dowry. But practically it is difficult to prove that what is the property achieved using force and what not. Mostly in Terai area of the country is more defamed in this regard. As bride comes to the stage of wedding before the groom expecting the ring to be worn on her finger and the vermilion put on her forehead, groom’s father starts to bargain for the dowry like motorcycle, TV, computers, cattle and sometimes more than that. Generally father of the bride loses his property as a stripped man after the marriage of daughter in Terai region. Because of dowry system graph of the domestic violence has been rocketing up the sky and other types of crime has been hatched out in the community. It has been reported

<sup>47</sup>Domestic Violence (Crime and Punishment) Act, 2008, Nepal

<sup>48</sup>*Domestic Violence in Nepal*, <[www.theadvocatesforhumanrights.org/uploads/nepal.pdf](http://www.theadvocatesforhumanrights.org/uploads/nepal.pdf)>, (12<sup>th</sup> Sept. 2012).

that dowry related violence has increased in recent years, with the number of cases rising from 98 in 1997 to 287 in 2002. Between January to June 2005, 197 cases of physical and sexual violence and 124 cases of murder were reported.<sup>49</sup>

Interesting point is that, dowry the defaming system of Terai, the hottest place of the country prevails even in Upper Mustang, snow covering region of the country so far. But the situation of the Himalayan region is still cool; has not created temptation by the dowry in Upper Mustang. But in this region, dowry is not only a wealth that is brought with the bride but also the wealth that is brought by the groom as he accepts to be a Makpa. Dowry is really voluntary things in Himalayan region, as per all the respondents of survey segment have got about unanimous voice that they have never experienced any violence resulted by dowry. Graph shows the fact as follows:



**Figure 18: Dowry system**

Out of 45 married women, only 2 gave their logic that if they could bring enough wealth from their father's home they would be more honored by their husbands. According to them their husbands use to quarrel with them most often; poverty played the vital role for all such disputes which turns into domestic violence at the end. Nevertheless their husbands have never verbally abused with the words like 'you, daughter of beggar' which is common in Terai as a buzzing curse.

None of the victims of the domestic violence have tried to get compensation and gone either to Mukhiya or government officials. As they were asked whether they went to search for legal treatment with the options of 'police', 'Mukhiya', 'Lama' and 'others', but they said that they think of the family harmony and self-adjustment and they try their best to convince their perpetrators. As per their belief, sacrifices they made has resulted positive impact to their husbands and they are able to remain a part of the folks till the date.

<sup>49</sup>Harmful Traditional Practices in Three Countries of South Asia. Published by United Nations ESCAP. Page 20

Mentality of the victims in domestic violence proves that women's rights and their recognition have been minimized. They are tolerating the violence against them because they have not got any knowledge of the women's rights and its national and international provisions. 'The patriarchal and male dominated social formations compel women to hide violations that they face, which means the issues never come to surface and hence receive little or no attention from government structures. Precisely because violence against women remains hidden'<sup>50</sup> WOREC Nepal writes for the rationale of documentation on Violence against Women.

Two Makpas left their wives and got another companions but victims didn't go to the court and Mukhiya for the legal remedies. What did toleration give them back in their lives? Few of the victims of domestic violence tolerated with the rude behavior of their husbands to get back love and harmony so that unity of the family remained. But those victims who had got the entire doors closed are still waiting for nothing. At least such victims must be brought to the justice and the perpetrators get punishment as per the legal provisions. But until and unless victims are not aware on their rights and the legal provisions perpetrators will be enjoying the impunity.

New Global Citizen, an NGO active in Nepal writes highlighting the importance of awareness program mainly focusing on women in the country on their rights. 'Nepal, with almost 1/3 of the population is living with less than 1 US dollar a day. Poverty and malnutrition is widespread, and 18 percent of the population is estimated to be without access to safe water. Since 1996, Nepal has endured political instability that has increased the level of poverty, affecting the most vulnerable groups, particularly women and children.'<sup>51</sup>

## 2.10 Knowledge on women's rights

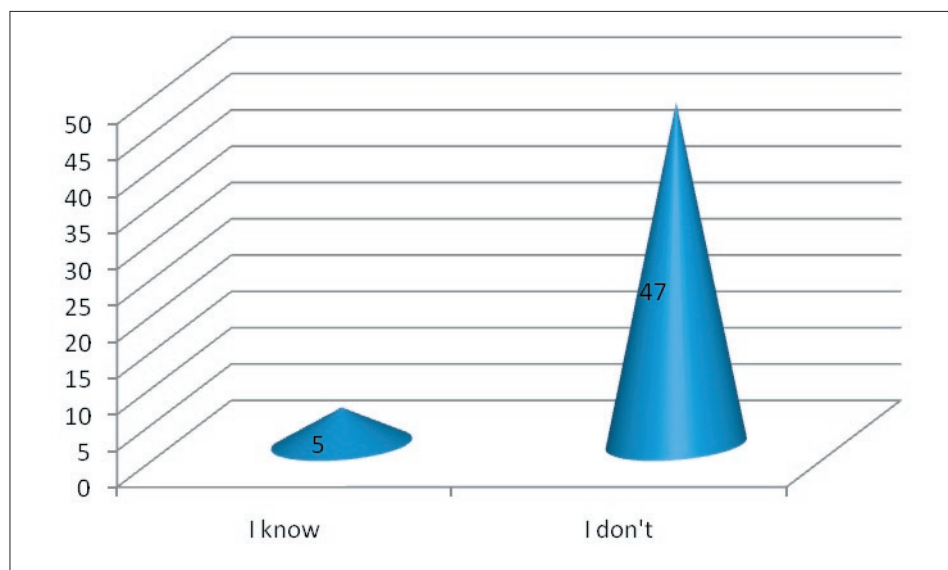
As participants were asked whether they have got knowledge on women's rights as per the provisions of international convention and national law or not, the response was very negative though 5 against 47 said they have knowledge on that. But when they were asked on the CEDAW, Beijing platform, provision of the interim constitution and reservation policy of the Government of Nepal for women; none of the five were able to response affirmatively, incapable to understand the question too.

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<sup>50</sup>Women's Rehabilitation Centre Nepal, <<http://www.worecnepal.org/programs/violence-against-women>>, (13<sup>th</sup> Oct. 2012)

<sup>51</sup>New Global Citizen, <<http://www.newglobalcitizens.org/women-s-awareness-center-nepal>>, (5<sup>th</sup> Sep. 2012)



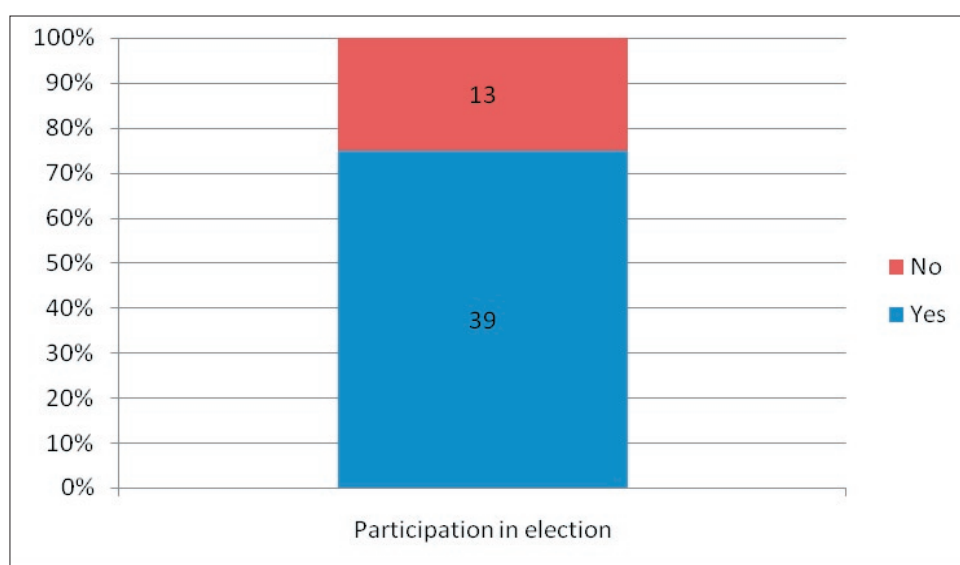


**Figure 19:** Women's knowledge on their rights

It proves that the knowledge level of the women in Upper Mustang is very poor on their rights. Nevertheless none of the agencies have sustainable project to aware them. Though the Women and Children Development Office, ACAP and few other agencies have small projects to address their needs in Upper Mustang but these efforts are too little in comparison to the needs.

### 2.10.1 Knowledge on political rights

Though the women of the region have an experience of casting the vote during the CA election and earlier for the parliament so far, but they don't have idea about the politics and the role of Constituent Assembly as well. As they were asked whether they have got experience of casting the vote or not, 39 responded as 'yes' and remaining 13 said as 'no' with some reasons. Graph can be presented as follow:

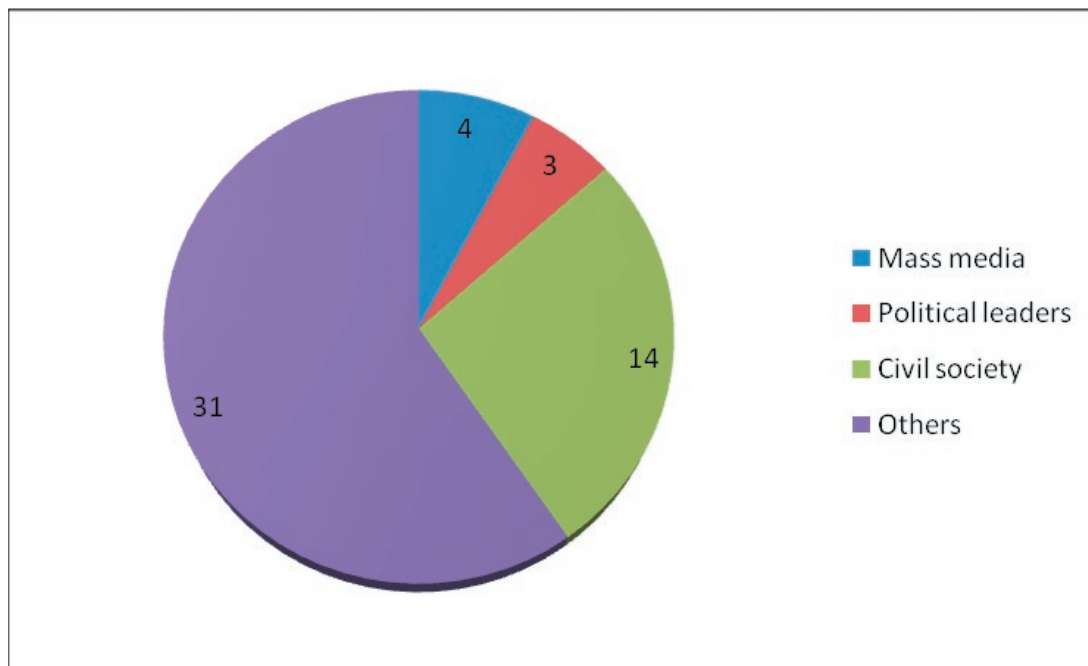


**Figure 20:** Using political rights in practice

They were given third option as ‘I don’t know the election’, but none of the participants casted their vote into it. 13 responders who declined to cast the vote during election shared the reason as minor till the date of the election and have left the village for some reasons. Though the big numbers of the respondents have been casting the vote but it is hard to believe that they have been utilizing the rights of the politics, one of the five rights described by the United Nations or its conventions as they seemed very ignorance to the nature of the political parties.

### 2.10.2 Sources of information

Finally one of the questions was asked to know the situation of communication and their access on it. As for they have got the knowledge on their rights, politics, reproductive health, importance of education and other useful things, what was the source of the information for them. They were given the options as ‘mass media’, ‘political leaders’, ‘civil society’ and ‘others’. Participants have been responded as follows:



**Figure 21:** Source of the information

Pie-chart shows that mass media and the political leaders are not powerful source of the knowledge for the women in Upper Mustang. Within the ‘others’ they have described as friends and relatives, some of them either have got opportunity to stay in the city areas like Kathmandu and Pokhara, regional cities are main source of knowledge. Similarly Mukhiya and the Ama Samuh are considered as civil society which has been disseminating the information through the former and informal meetings. But as their sources have got little knowledge on the women rights and its national and international provision, such points have not been discussed in general.



*Vender of the goats from  
Upper Mustang*

Local people have got little trust in INGO and NGOs like ACAP but not least in government. They have their reservation on the demolition of monarch for the region but blown up it without asking the consents of the local people.

Website link:

<http://youtu.be/MOvUp077FLI>

### 3.1 Conclusion

Upper Mustang is a special identity of Nepal. One of the important identities of it has been highlighted as panoramic landscapes and cold deserted region with the unique culture but right based approach has never been applied to monitor the community in the region. Habitants of the Upper Mustang have got deeply rooted with grief of being isolated by the community located in Lower lands. National resources and the opportunities, as per their judgment, have been captured by the Kathmanduists and habitants of lower lands. Government sends tourist, local and foreigners to Upper Mustang, a main part of Annapurna Reservation Area but royalties collected from the visitors have been captured by the center without investigating for the development in the region. Local people have got little trust in INGO and NGOs like ACAP but not in government. They have their reservation on the demolition of monarch for the region but blown up it without asking the consents of the local people.

They wanted to collect royalty as entrance fees into the conservation area from the foreign visitors but they are not allowed to do so. Government pressurized them to go to the district headquarters to resolve their disputes related to land, house, neighborhood quarreling but they think this as an invasion of their unique world. They like to resolve their problems within themselves through the Mukhia system and sometimes with the help of Ama Samuh.

Polyandry is still in the practice but new generation has already left it. Makpa is also in the phase of discouraging but even the young generation has been adopting it in the practice. With the angle of development and provisions made by United Nations and Conventions, women in the region have been abused of the basic rights. They don't have property rights as they have not been entitled of the property mainly land and house. But they argued that it is a system that favors to the women as the headquarters is far from the region and it is difficult to go there leaving home and children. As

women and girls are raped or assaulted sexually, they don't bring the sue-file to the court because they don't like to disclose their internal problem to the aliens like people of lower land.

Finally, Upper Mustang has not been part of Nepal mentally, culturally and spiritually. It is land of Nepal only on the base of politics as map of the country incorporates it as a part of it.

## 3.2 Recommendations

Mainly there are three parties to listen the recommendation-government, non-government organization and civil society habitants of Upper Mustang. Despite these three parties INGOs, visitors, politicians and business and private communities are also concerned ones to listen the recommendations but many more to the points could be covered with the tips that dedicated to government, NGOs and the local civil society so far.

### 3.2.1 Recommendation to government

1. Habitants of Upper Mustang have been preserving the concept of isolations. Almost all of them don't have a feeling of a nation rather than they think they are exploited as captivated group during the period of history. Government must have plan and program to make them integrated. They want to be a representative even in the central policy level or house of the representative in regular basis. They deserve to be a proportional participant in almost all the sectors of the government. Though most of them are not seemed to be competitive enough to be a representative neither in executives nor in other department of the government, but the government neither have plan and policies to make them competent nor local habitants come to the fronts making demand for the equal opportunities.
2. Cultural and social exchange visit will be helpful to understand each-other between habitants of Upper Mustang and lower land or remaining parts of the country. As seven villages are recognized as Upper or middle part of the Mustang, 10-15 influential people can be managed to bring into lower land as guests for a month from each village and reciprocate same from the lower land to



*Sharing in verification meeting*

Though most of people are not seemed to compete to be a representative neither in executives nor in other department of the government, but the government neither have plan and policies to make them competent nor local habitants come to the fronts making demand for the equal opportunities.

Website link:

<http://youtu.be/4fMY7LZoeTc>



*Regional healthpost in Chhusang villege, known as Middle Mustang*

Women and villagers are not aware enough on the reproductive health or caring during the maternity period. Awareness program must be intensified.

Website link:

<http://youtu.be/LIrrgPDKFRE>

Upper Mustang so far. If government initiate this concept and ask the people to be a guest and host in a reciprocating manner with some economic initiatives it would be an opportunity to understand each other and the feeling of the alienation and isolation would be wiped out soon.

3. Women are in the position of without rights as per the national and international provision in Upper Mustang but keeping silence for ignorance. Even the women sexually assaulted and exploited are ingesting the tears and grief without getting any proper compensation and perpetrators remains in impunity. Government must bring the awareness program so that they have enough knowledge on the women's rights and process to ask for the punishment for the perpetrators and compensate for the victims so far.
4. Formal education and academic culture is near to the zero level in the region. In the whole region of Upper Mustang not a single secondary school upto the SLC level could be found. There are some primary schools with too little students as the big number of children and adolescents either take admission to the Lama and Jhuma school or go out of the region for the better opportunities. Lama and Jhuma schools are providing shelter and foods so far but government schools aren't. At least three-four middle schools must be established with the facility of foods and shelters and the opportunity to get the study of religion in a module to optional subject what Lama and Jhuma schools are teaching.
5. More than 90 percent women have not got the land and homes entitled in their names in Upper Mustang for the reasons of complicated administrative procedure and the government office of land and property is far from their region. Government can establish an office of Land Reform at a module of movable one. It keeps moving from village to village with the team of three-four officials to provide the service to the villagers focusing on the women.
6. Health facility is a basic to the people to enjoy the human rights so far. Government must manage a fully equipped hospital in the district head quarter and the semi-equipped in the villages

in Upper Mustang. As track road to connect Lo Manthang, the old capital of the region and the border to Tibet is being built up; at least two ambulances can be made run for 24 hours for the public service.

7. Women and villagers are not aware enough on the reproductive health or caring during the maternity period. Awareness program must be intensified.
8. Everyone should know that domestic violence and even the structural violence are punishable. With the mobilization of Mukhia and Ama Samuh a campaigning must be held in the region for the 5 years with different incentives for the ideal practices.
9. Mukhiya and the leaders of Ama Samuh must have knowledge on basic provisions of national and international practices at least regarding to the women's rights. It will be considered of the success of the government as Mukhiya and Ama Samuh used as helping hand of legal provisions.
10. People's participation and transparency are the core elements of the democracy. As local people are not involved into the process of royalty collected from the tourist and border costume in Nhachyung, point to exit into Tibet, government must ask for the participation of the local people mostly in the points of the resources.
11. Communication system is not supporting to the provision of right to know in the region. The whole society of Upper Mustang is either in the dark or in the confusion on the human development index. They must aware on the national and international provisions and to respect their prosperous tradition and culture so far.



*Laxmi Gurung, chairperson of Ama Samuha is influential community member in her villege like a Mukhiya*

Mukhiya and the leaders of Ama Samuh must have knowledge on basic provisions of national and international practices at least regarding to the women's rights. It will be considered of the success of the government as Mukhiya and Ama Samuh used as helping hand of legal provisions.

Website link:

<http://youtu.be/u9ao0SzXdMY>



*Niranjan Dhakal, officer-ACAP*

**Website link:**

<http://youtu.be/53TgUKWhS1w>

It proves that the knowledge level of the women in Upper Mustang is very poor on their rights. Nevertheless none of the agencies have sustainable project to aware them. Though the Women and Children Development Office, ACAP and few other agencies have small projects to address their needs in Upper Mustang but these efforts are too little in comparison to the needs.

### 3.2.2 Recommendation to I/NGO sectors

Not only the NGOs but also the constitutional bodies have given proper concern to the region called beyond the Himalaya. Even the Constitutional body like National Human Right Commission has not paid attention to the region. May be because of the scattered population in the region and thin voice from Upper Mustang, NGOs, claimed for the human or women rights defenders keep quite on the issues related to the region. They must change their policy to look at the beyond Himalayas. They must bring their project to aware the people on their rights.

### 3.2.3 Recommendation Civil Society

Civil society in Upper Mustang is led by Mukhiya and Ama Samuh. Almost all the plans and projects can be successful as per their supports. This community must be friendly and welcoming to the people and concept of lower land. They must forward their hands to shake with the people who claim having knowledge on national law and international conventions on human rights. They must have their vision to build their land with the cooperation of the people in outside the region as well.

## REFERENCES

### 4.1 Interviews

#### ‘We resolve the dispute in the pluralistic consensus’



*Ms. Maya Bista, Mukhiya,  
Charang VDC in her restaurant*

Website link:

<http://youtu.be/x5NtM1AXIV8>

We resolve only small disputes like disagreement of land between villagers, disparity between spouses. I don't take verdict alone on the dispute but collect the logics from the associate Mukhiya, two in number and four Katwals, supporting members with the responsibility of messenger. Ward chairperson and the respecting personalities in the village and the stakeholders are invited for the discussion on the issue to listen to them just prior to the decision from Mukhiya. So we are very much confident that we resolve the dispute in the pluralistic consensus so that none of the parties get chance to feel injustice to him/her.

You can't find a single case of girls trafficking in this region. Though you see the substantial numbers of the girls and women in abroad like USA, UK, Canada, Korea, Australia, Japan and developing countries so far, but all of them left home at their consent and willingness. Most of them either have gone to the foreign countries for their studies or job. There is no

any connectivity of girls trafficking with them as several other parts of the countries have been affected by this crime, shameful stigma to the country.

Though the Upper Mustang is less affected area of the county by the patriarchal societal culture, we must accept that women have relatively less influence to the society with the comparison of men. Myself is one the examples of it as I feel less recognized and respected Mukhiya because I'm a woman. But I must admit that my verdict and decisions are also followed by concerned parties as I make decisions with the full of participation of associate Mukhiyas and Katuwals so far. What I feel is, if I would not follow the pattern of collective leadership, I might be rejected out rightly.

Mukhiya system is only one of its kinds in Upper Mustang across the country. Out of 16 VDCs of the district Mustang, 9 have Thakali system and follow the pattern of other parts of the country. We have Mukhiya system for the seven VDC as a self ruled local authority. But all the villages of Upper Mustang have not got exactly same system of the Mukhiya. For example, my family has been serving as a Mukhiya for the village from years. My father Lopsang Bista served till his death and my brother Chhewang Bista got this role as a succession. Since he has got his trekking and tourism business in Kathmandu, capital of the country, I look after his responsibility from



the years onward. I'm only Mukhiya who has not been replaced but remaining my 6 team-members' tenure has been changed in annual basis. But you can't see the same system of Mukhya in other villages— Chuksang, Chhosel, Ghami, Chaile, Marang, Lo manthang, Tangbay and other villages have got several systems. Somewhere Mukhiyas are selected on the basis of queue system of family or homes and somewhere it is managed in random basis as per the general assembly of the villagers. As per the turns, a family is asked to hold the chair of Mukhiya and if the head of the family is a woman, obviously the village gets women leadership for the tenure.

### Hardly About 5 percent women owned land in their names

I look after 1 hundred 61 families, habitants of Lo Manthang VDC, capital of then kingdom ruled by Bista dynasty from the years till the tenure of king Birendra Shah in Nepal over the last decade of 19th century. My family is also a relative of the kings' family in Upper Mustang and habitants as a neighbor of palace in Lo Manthang. I'm serving to the local people as one of the representatives of the government of Nepal for the remote place of the country that has been regarded as in an isolation from the centuries.

I collect tax of land and other properties owned by the people and send it to the district headquarters. Not only this, I help the people to register and transferring their ownership of the property from one person to another which is not a responsibility of the VDC's secretary like me in general, but here is a different case; people are very unequivocal to attend to the district headquarters that is quite far and expensive for them. On top of this, neither surveyors like to visit remote place like Lo Manthang.

We don't have the tradition of possession of the property like land, house and other fix types by women. I estimate that hardly 5 percent of the women have owned land in their names. Such women are mostly members of the family where god has not given the birth to sons. In case, as daughters are only inherent of the parents got entitled for the land and other fix assets. In this case girls search boys as life partners who are ready to stay in in-laws' home rather than bringing bride to his home that is practice in general. Such boys are called Makpa in our community. I believe about 25 percentage of bridegrooms are found as Makpa in Upper Mustang. Generally poor boys are shifted themselves from their homes to rich homes of their in-laws to serve them.

Generally I see the families owned 100 Ropanis (5476 square feet=1Ropani) land who has got maximum and 10 Ropanis on the average. Women don't have own lands in their names because of two reasons- they are not aware of the procedure to make property documents in their names and the distance of the headquarters as well. Though women don't have properties in their names, they have been contributing much of their times and energy to cultivate lands and in agricultural activities than their male counterpart. Despite this, almost all the domestic works are accomplished by women. It gives power to them to run the matriarchal culture in the community still



*Gyanendra Bista, Secretary, Lo Manthang VDC*

Website link:  
<http://youtu.be/YK1nKcOFrd8>

today though it is seemed being shifted to patriarchal in rapid manner.

Upper Mustang is a cold place covered by the snow and ice about half of the year and people, mostly women don't like to leave their homes and go to the palaces in the different climate to register the property in their names. Despite this, being an in-charge of home and mother of kids to leave for weeks is totally impracticable to them.

I agree that women of Upper Mustang have not got chance to enjoy the property rights as male do here, but they are not exploited sexually as we see in other parts of the country at least in current situation. Comparatively women have got chance to be aware of their body, its nature and the consequence of the misusing of it. I don't rule out that women don't have extra marital affairs and the relation without getting married, but almost such things are going on as per their consent.

### Reporting of dispute in the police station is very rare



*Ek Bahadur, Assistant Inspector of Police, Lo Manthang with researchers*

Police is only a representative of government of Nepal that is supposed to look after the security in this region. You can't see the Army, Armed Police Force and Intelligent Bureau across the region. It is because the government does not feel to depute other sectors as people are very peaceful and honest. Despite this, main thing is the social system that is being followed by the people. They select their Mukhiya, a social judge or guardian to resolve their disputes. Only those issues which are not solved by the Mukhiya are brought to the police station, but this trend is quite rare.

I just remember that a case of about 10 months ago, last one, registered into a police station related to sexual exploitation. Despite their trying best to resolve it before the community guardian, it couldn't be resolved.

A teenage girl was pregnant and asked for the identity of her male partner. But she was unable to give a name of the male and the case got complicated turn.

Finally male was identified and asked to pay 1 hundred thousand rupees as a penalty so that a victimized girl manages to deliver the baby and feed him/her up. It was a case of Chunup VDC and consequently male paid the sum and the issue was resolved.

Regarding to the issue of women's right, it is very hard to recognize whether there is sexual assaults and abusing their authority or not as we have no records of it in the police station. Since hardly a person comes to the police with the problem and claim of domestic violence and other types of the dispute that is very common in other parts of the country, we must admit that there is no any problem of abusing of rights of women in this region.

## Identity is important than earnings

Annapurna Conservation Area Project (ACAP) is one of the eight such projects run by National Natural Conservation Fund. ACAP covers 7,629 square kilometers where Upper Mustang is consisted as a major part of it, 34 percent of the area. ACAP in some cases is seemed much more popular than the local government and other non-government organizations because it has got chance to serve the local people and go with them even in the worse situation they faced ever from the last two decade. When ACAP came to this region, Upper Mustang was very strange to all; none of the symptoms of modern facilities were possible. We contributed for the health, development, awareness, tree plantation, vocational training to mothers' groups, and used local raw materials to improve the livelihood of the people, cooking and baking training and similar other programs to the needy people. We provide scholarship to poor and talented students even in middle and higher education.

I admit that women are not aware enough on their rights in the region because our week/s long trainings are too little to them to change their concept as they are practicing of conservative mentalities from the years. Geographical distance makes the region isolated from the generations. It is just going to change as road to link the headquarters is about to be accomplished within a year.

I believe that there were women's exploitations in different aspects but the density of it is going thinner if you compare the present situation with decade back. Polyandry was very common in this region but I've not seen any new chap adopting this system since last one decade, though you can see old aged couples with the polyandry in the community. We can see the women's participation even in the public forum and social organizations now in a substantial numbers. You can't see the domestic violence in the country in this region.

ACAP has been focusing on the health of the people and running the health camp in Lo Manthang with its regional office that is the center of attention for the 5 thousand people in this location. We are doing our best to improve the livelihood situation of women as much as our resources support. Most of the rights of the women are related to the economic strength that is one of the points Upper Mustang seeking for. ACAP has got one of its sources, they are grants and supports made by tourist from abroad as we collect 2 thousand rupees per visitor. Tourists are happy to support us, as far I believe all of the supports and transactions are transparent through the website to all.

I believe that women's situation of Upper Mustang will not stay alien and backward in future as road that links



*Niranjan Dhakal  
Conservation Officer  
Annapurna Conservation Area  
Project (ACAP)*

Website link:  
<http://youtu.be/e9-Kf5XIWLI>

Tibetan to the district headquarters of Mustang is about to accomplish. Local people are asking Chinese authority for open border facility, if they will be kind enough to support local Nepalese people there will be great access of wide market which brings economic leaps in this region. Despite this, Damodar Kund, renowned religious pond located in height of Himalayan region, Mukti kshetra and Mansarobar Lake, internationally popular pilgrimages located in Tibetan region are around Upper Mustang. If a plant of cable car to get Damodar Kund from Chhuksang is made possible then it will turn into a big hub of different types of tourists. But we must think of uniqueness of the place and preserve its identity and specialty as well. I'm afraid of mass tourism concept as visitors come to conservation area without respecting the identity of the region, it does not help the concept for long-term basis. Taking all these points in the mind, government must make master plan to develop the region and the livelihood of the people preserving the identity of the place.

Such type of development will bring the change in the live of women, men and children respecting all their rights.

### Women discriminated in several aspects



*Khembo Kunga Stenjen, Head of  
Chhoede Gumba, Lo Manthang*

We bring the children, some of them might be orphans and with very poor situation. I believe that those children who got chance to admit in this school are lucky ones. They are provided free education, food, dress and hostel until they pass the grade 8. After completing the grade 8 and getting knowledge of Tibetan, Nepali and English language they are referred to other educational institutes so far.

As other parts of the country is worrying with the increasing number of the population, Upper Mustang worries because of declining number of the inhabitants. People leave the place where they don't get the proper means of livelihood and the schools for literacy and education; and go to the cities and the places where basic physical facilities are available so that they can send their children to the school. My guru was afraid of the situation of the declining population and established this school that is contributing to resist the people of the region. It is being run with the donation of the people, local and abroad and international agencies.

I've seen in general public life that women are discriminated in several aspects. They are exploited because they are not aware on their rights. As most of the time they confine themselves within the domestic affairs like cooking, cleaning and nursing, we must create an environment for them to enjoy their rights as males.

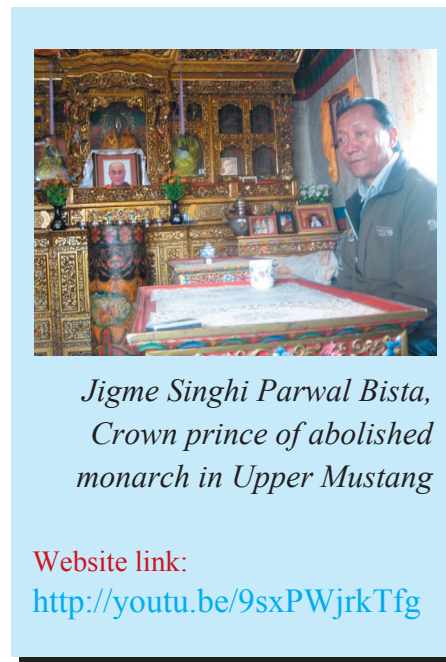
## Education is only option to aware women for the equal rights

I'm heading to Jigme Foundation as it has been established after my father's name. I believe that only the education has got immense capacity changing the conservative society into modern and developed one. Rights of the women and equality are possible if people will have the education and awareness on the provisions made by national and international documents.

I've a dream to open a road to get Mansarobar Lake via Lo Manthang and Nhuchyung border with Tibet which is the shortest route for the religious tourists. Tourism is only the best potential sector that brings the change for the region. As economic strengthening is possible for the region, all of the women, girls and men's rights would be secured. A big number of people of Upper Mustang has been fleeing to abroad for the jobs and the population of the region is declining day by day, we can create job opportunities developing cultural tourism that is special for the region. I believe that its beauty and the richness can feed not only to the habitants of this region but also to the whole nation.

I admit that the women's right is still in the threats in this region but as you compare it with the situation of days of past, I'm sure that you will see the substantial positive changes among them. During my childhood, as a boy went to the school and mom shouted at him that it would be better if he collected dung for the fire rather than passing the time in the school. But now you can see a big number of the boys and girls are going to the school in Lo Manthang. But there is still a tragedy that we have a government school in this village only for 5 grades.

We are not far from the border of the Tibet of china, but because of the least priority of the government of Nepal, door of the Nhuchyung costume remains always closed. We can see the development in neighbor's part through the naked eyes but we are unable to take benefit from that. As we get the benefit from it, the situation of the women will be definitely improved and their rights will be respected.

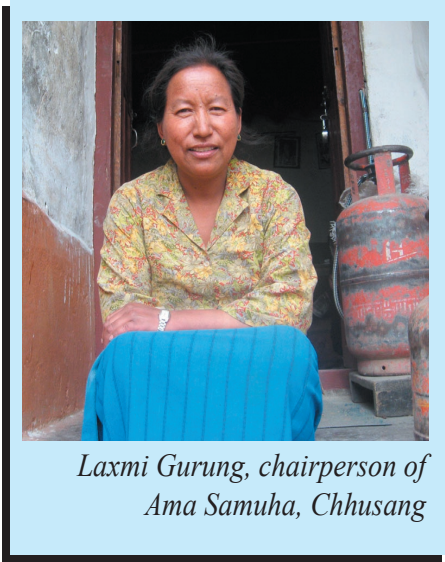


*Jigme Singhi Parwal Bista,  
Crown prince of abolished  
monarch in Upper Mustang*

Website link:

<http://youtu.be/9sxPWjrkTfg>

## Mother Groups don't always stop gambling



*Laxmi Gurung, chairperson of  
Ama Samuha, Chhusang*

Laxmi Gurung is a chairperson of Chhuksang VDC, entry point to the Upper Mustang where 6 villages are included. Ms. Gurung looks after ward no. 3 and 4 as a chairperson of Ama Samuh (Mothers' Group) coordinating 27 women members. Mother Groups have been practicing as a supplement of Mukhiya who used to be a part of kingship in Mustang till 1960. But as the kingship was demolished Mukhiyas were not asked to collect tax for the king from the general public.

'We don't collect any type of tax from the public but we run our Ama Samuh collecting little money for the fix fund of the group that used to provide loan to the needy women members in the group as cooperative organization.' Laxmi describes further as mainly they deal their local and domestic disputes within themselves and resolve them.

'We look after domestic violence, dispute between husband and wives, supporting each-other while families need workers for the farming and cultivating seasons within our group members.' described Laxmi- moreover we support to the Mukhiya to maintain rules and regulations in the village.

Laxmi believes that gambling and card playing were very rampant every day in the village but they controlled it successfully and it shrank for two days in the weekend only. But it was observed that she has been providing room for the gambling in the weekend and charging rents which helps her to make money.

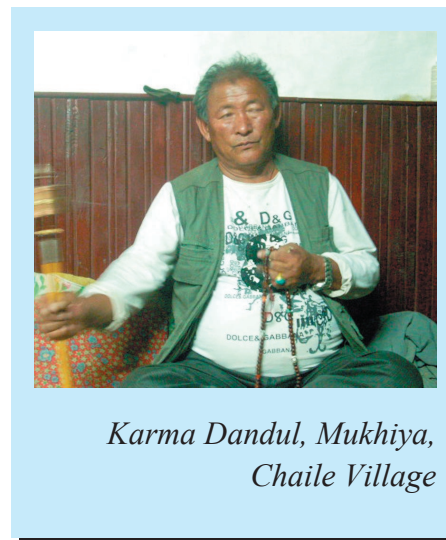
'I got chance to invite the gamblers for two days in the weekend and provide room for the gambling at the tender process following the system that fixed by the reputed personalities like Mukhiya and others in the village.' Laxmi must pay 50 thousand rupees to the village through Mukhiya for a year as a royalty that can be invested for development of the community.

Laxmi leads the group with the capacity of influencing personality and 5 grade pass qualification where as only 8 women are literate in her 27 women's group. Though they have opportunities to participate in the training on saving funds, livelihood business like tourism and cooking funded by ACAP, Area Health-post, Women Development Office and others but none of the parties come to enhance their knowledge on women's rights and national and international instruments to support them.

## Courts and headquarters are beyond the culture

Karma Dandul, 65, Mukhiya of Chaile village, one of the villages of Chhusang VDC speaks with the researcher as they do not go to the court and headquarters to finalize the dispute.

"We just believe in Lord Buddha and let someone take more benefits. We just ignore that." He describes that he is happy with his two sisters staying in summer in Upper Mustang and winter in Pokhara where he has made his small house in the city fly of 20 minutes from the airport but the weather is quite different of two places. His two sons are in abroad and the family is happy with cultivating 10 Ropani of lands where apples' trees are giving fruits from their hearts.



*Karma Dandul, Mukhiya,  
Chaile Village*

Karma is chairing as a Mukhiya of the village where mostly nothing is to be done from his side as the life is quite normal and the calm. Dispute is very rare over there. But he has got his demand to the government or authority that the facility of the education must be prioritized as almost all the boys and girls at the age of school have left the village and shifted to city areas resulting desertation in Upper Mustang.

‘Who leaves the village if basic facility is available in the birthplace?’ he makes a point- as child goes for the education in the city then he never comes back to the village because he does not know how to plant the grains in the village which adds more desertation to the region again.

## 4.2 Verification Meeting

July 8th, 2012, Meeting Hall of CDO Office, Jomsom

### 1. Chandra Bahadur Thakali,

Secretary of King of Mustang (Then) and  
President of Nepal Redcross Society Mustang Branch

As I've got decades long experience on the system, rules and customs of Upper Mustang since 1975, I would approve the findings what research team has collected in its study on Upper Mustang. I had a responsibility to facilitate the land-survey team in Lo Manthang, capital of the region at first. I must confess that I didn't encourage the family to put the name of women in the documents of their lands. It was the first ever the government of Nepal making documents of the lands owned by habitants in the region.



*Verification meeting : Almost all the representatives of the district level offices attended in the sharing in Jomsom.*



At least we could suggest those landlords who had got the land more than the limitations to put the name of their wives and sisters, but we didn't have enough vision at that time.

I would like to register my point regarding the motives of research is that the society must be compatible as per the demand of the time. As time is changing society must be changed accordingly. But, Upper Mustang is popular and inviting to the foreigners showing its treasure of the unique culture, tradition and the communities' behavior. We are obliged to not forgetting the beauty of this place and Upper Mustang must not be changed into Kathmandu, capital of the country. But I don't mean that women of this region should not have land and property rights, we must address the issues respecting the identity of the region. Women and girls have equal rights to protect themselves for their sexualities and reproductive health so far. We must address the both issues simultaneously- conservation of the region and equal rights for women and men as well.

I appreciate for the recommendation made by research team that Mukhiya and Ama Samuh are suggested to mobilize to make aware the women and men in the region. First of all we have to train them and bring them along with us wherever we go to aware the local people. It is quite practical strategy that supports us to bring the programs to the needy people. But we must aware women and girls on their rights of reproductive health and sexuality as well. As they will get chance to go to the schools and colleges almost all the issues related to the women rights will be solved. We can see the women's faces in the police, administration and courts and other technical fields so far after the opportunity of education. Government should have plan and policy to focus on the needs of Upper Mustang.

## **2. Basanta Ranjitkar, Deputy Superintendent of Police**

I appreciate the methodology adopted by the research team to deal with the women respondents as talked to them on personal center or one to one basis. Otherwise you could not get exact answer as you were talking to them on their personal issues like sexuality and reproductive health. You have a woman member to talk to them on the physical relationship with their boyfriends and husbands so you got qualitative information from them.

Mainly asking questions concerning with sexual relation before the marital event mostly creates problems in our society if we don't care the strategic aspects while talking on this sensitive point.

I've strong reservation on Mukhiya System. What I observe is, Mukhiya System is a source of breaking the rules implemented in the community. It is a wall between governmental authority and the people to apply the rules and regulations among the general people. We must abolish it as per the time's demand though kingship followed it highly recognized as a great part of the tradition and culture of the society. Rule of law is above the system either it is cultural and traditional so far.

### **3. Tashi Tsering Gurung, Principal, Mahakaruna Sakyapa Bidhalaya, Lo Manthang Choede Gumba**

ACAP has been running the program for the awareness to the women in Upper Mustang from the years but I admit that it is very little contribution to meet the demand and needs so far. As we are making our points the government must have plan to focus on the women, children and poor people, this research has also guided to the same direction, I'm happy to see the findings of the study. We have been focusing on the livelihood aspects of the women and poor people but the research has brought the feature of the rights too, it is quite good and it is needs of the region as well.

### **4. Sarita Thakali, Women Development Officer, Jomsom**

We have got substantial evidence that awareness program is making fundamental contribution to change the mentality of the women in Upper Mustang. As we organized a program of paralegal facilities and rights to get the service from the authorities and the courts, first time we saw the evidence of the filing of the case of sexual assaults and rape of the adolescent girl.

Rape case was brought to Mukhiya first with the claim of legal rights of property of the perpetrator. But Mukhia declined to give the verdict as per the demand of the victim adolescent had made. Finally claim was filed few months ago to the district police as a first case of such types from Upper Mustang. They came to the Women Development Office first with the case and we referred it to the police. We decided to make the perpetrator responsible to look-after the baby for his education until grade 12 and entitled his name as a father. On top of this he was convinced to pay the penalty of 1 hundred 10 thousand rupees to the victimized girl so that she could feed the child.

Single mother system is very common so far in Upper Mustang. As a male makes a relation with a girl without marital process and gets the baby, none of the legal responsibilities have been taken by the male side. They don't have knowledge of the legal responsibility of father of the child created towards the baby and the wife or girlfriend so far. Awareness training organized by Women Development Office in Upper Mustang was eye-opener to them.

### **5. Santosh Sherchan, ACAP, Head of the District office, Mustang**

I found the findings of the research fine. As you focus on the need of the education and awareness they have become quite vital ones. But we must show the reason why the region is backward and unaware even with the basic rights of the people. Without defining the source of the problem, the aim of the research will remain worthless. Upper Mustang is nearly ignored region by the government, since government

officials are not stationed here, how we expect the change the people's lives in the remote places like Upper Mustang, the region beyond the Himalayan Range. Migration is increasing as a result of the lack of basic features needed to the people. We have been demanding special policy to address the needs of the Himalayan Region from the years but the government is always neglecting us.

We, Mustangists are proud to be a citizen of this region as there is no system of putting forehead of the wives on the feet of husbands in the name of respect to the seniors which is most common in other parts of the country. We may have other types of traditional feudal values that must be changed as per the time's demand. But we can't expect to change it overnight. Makpa and polyandry systems are being changed that is very rare to see in new generations. An urgent needs what I feel is the situation that makes the people staying in the region. You know, our demography is declining by 20 percent, that is very serious point. Without remote-region-friendly policy of the government, Himalayan region of the country has remained isolated and backward for the years.

## **6. Madan Sharma, Representative, District Gov. Lawyer Office, Jomsom**

One of the main problems is rejecting place by the officials in the Himalayan region. As a official is transferred to this place, s/he starts to use or misuse of his/her power to relocate back to the comfortable place. They never make a plan to develop for this region. Until and unless government does make a civil service policy of contributing for the remote place is basic to get promotion in their career and make provision of special facility, none of the civil servant would prefer to come to the place. If we make a provision to work 3 years for the promotion, the problem of providing service by the civil servants will be solved forever. Service in the remote region must be compulsory to get the in service training.

There are technicalities that has been misused by the civil servant for just avoiding the rules staying in the seats. For example, civil servants' seat might be in Jomsom but the person would be in Dhading, one of the neighbor districts of Kathmandu, capital at the status of Temporary Responsibility. This way a civil servant occupies two seats in the same time misusing the power of the bureaucrats or political leaders. Remote district is crying for the service from the civil servant, but only letters of transformation of the civil servant comes to the district headquarters but person never appears in the office from the years.

As the civil servants from the other parts of the country are not fit for the Himalayan region like Upper Mustang, why are we not prepare local human resources to replace them. We must encourage local people to come to the governmental jobs. Somehow we have encouraged local people for the applications for the post but they don't have any interest to file the request for the post. May be because of their culture and tradition, local people have not shown their attention on governmental service. Few of local youth have good knowledge level, got the educational degree as well, but they are not entering into the process of Civil Service Commission. But none of us has tried ever to smell the interest of local people so that we can fulfill the basic features to bring them into the governmental service in the Himalayan Region like Upper Mustang.

## 7. **Dilli Ram Sigdel, LDO of District Development Committee, Mustang**

We must encourage the local people to develop the community as they know the place and society better. They know the language, culture and geography more perfectly than the people like us who come here for the job with the mentality to go back home as soon as possible. For the gearing this point up, we have organized consultation meeting with the personnel of CDO office and Women and Children Development Office; and decided to run the preparation class only for the local people on how to face the examination of Civil Service Commission. We have planned to bring this message to all the 16 VDCs so that they will come to the headquarters to take the preparation class.

We must aware Mukhiyas and the members of the women groups in the local level on the concept. Sometimes parents of the potential candidates must be aware and their spouses so far as it is learnt that human resources have been fleeing from the governmental job because the environment is not supportive to them. Parents and spouses are the most influential members of the environment to the potential candidate of Civil Service Commission.

## 8. **Sharmila Gurung, Human Right Activist, Member- NGO Federation and District Representative- INSEC, Mustang**

I appreciate the idea of the promotion of the local people but encouraging them from our level is not enough. There must be policy of the government in central level to address the region like Upper Mustang. I've got the feeling that, as I saw the situation during my visit to upper part of this district- until and unless we prepare the people from the local people for AHW, ANM and the staff nurse for sustainable contribution to the region. It is already proved time and again that the people from the lowland can't stay in this area because of different weather and environment.

We must recognize the training program run by NGO Federation on legal literacy program to aware the local people. Before this program District Court had got zero files of the case but as an impact of that program court-sue has been started though not substantial in the numbers. A case of polygamy is registered in the district court for the Charang, one of the VDCs considered as a heart of the Upper Mustang. Women are in the discrimination in the region. It is proved as a second girlfriend of the male is being punished instead of punishing the male who is playing with the girls following the polygamy system. Few numbers of the court-sue have been filed from Charang, Ghiling and other VDCs but court did not seem to be active, finally victimized people returned home without justice.

I'm not with the analysis made by DSP on ousting of Mukhiya system. We can renovate the traditional culture as per the time's demand but their positive aspects must not be forgotten. We can't generalize the

issue of Mukhiyas's role as we see one of them is not socially responsible. Most of the Mukhiyas have been facilitating us to implement the policy and program what we bring to the society. Government has not deputed fulltime judge in the district court in Mustang because of Mukhiya system. As almost all the disputes have been solved by the Mukhiya themselves in their villages. We must recognize it as a positive thing as well. Since the presence of central government is not available in the region, Mukhiyas are only responsible to fulfill all three roles of the state like executive, legislative and judiciary so far.

I admit that everywhere and in all the issues Mukhiyas are not compatible to the modern instrument of the human rights and women rights too. As I found a case of rape of 8 year old girl-child and the victimized party wanted to come to the police office in the district with the case file but Mukhiya was only hurdle that didn't allow them to do so. He didn't only try to convince them but also gave threats it would not be good to them if they brought the internal issue in front of the alien people in the district headquarters.

We have discrimination in wages between male and female. Even in Marfa village, adjoined VDC of the headquarters had been applying the system of discrimination. As villagers were invited for their contribution to build the road and one member from each house contributed their labors voluntarily, but it was practiced that if a woman was a volunteer, she was compelled to pay 50 rupees on top of the work to make her contribution equal to male.

## **9. Harihar Prasad Sharma, Representative of District Hospital, Jomsom**

I would like to appreciate the selection of the theme for the research as most of the women are victimized through the issues of reproductive rights and sexualities in the region. The big number of the women and girls have been victimized because they don't have knowledge on sexual life and the reproductive health therefore contraceptives are not being used to protect themselves from the difficulties and the diseases so far.

Regarding to the overhaul of the civil servants in this region, I've observed that almost all the personnel come here with transfer and appointment letter but from the very first day he starts to count down when he goes back completing his tenure here. One or two months are needed to understand the place and situation; he gets leave and reluctances towards the job and returns back within a year. Observing all the situations we must depute local personnel to solve such types of problems. At least this problem can be addressed by hiring local people temporally if a permanent personnel takes leave for long period of time.

We don't have gynecologist even in the district hospital in the headquarters. We have been making demands from the years but the people who are able to afford go to Pokhara and other big cities for the delivery purpose but it is really big problem for poor people if the case is complicated. Mothers have been giving up their lives during delivery process.

## 10. Narayan Neupane, Member, Civil Society Jomsom

Upper Mustang is backward because its people are encountering with the livelihood problems from the centuries. I'm sure that as we solve the problem of livelihood and we will be able to gear up the economic situation of the women and men and automatically almost all the problems will be resolved. They will have opportunities to execute the rights as per the provisions of Global Declaration of Human Rights. This point must be added in the research paper.

## 11. Laxmi Narayan Sharma Gautam, CDO, Mustang

First of all I would like to appreciate research team that went to the focal point and the targeted field, one of the remote areas of the country to collect the facts and figures. I heartily welcome the findings you collected for us.

We must not think this way that the situation of the women in Upper Mustang is worse than the women of remaining parts of the country. I've seen substantial number of the women they have got more than normal lives and economic status if you compare it to average women in the state. A substantial number of women in Upper Mustang run hotel business mostly in the summer and other types of business in winter shifting themselves to lowlands. They are making good money through the business; sometimes going to the big cities of India, neighbor country of Nepal with open border with the length of 1 thousand 8 hundred kilometers. I don't see the women who can be underestimated by the male in this region.

I don't disagree to depute the local people in the local offices as civil servant as well. But I don't think that the personnel of other parts don't like to work in this region; people from all over the country can work in all of the parts of Mustang. Only the point is that if they have been well facilitated or not. Basic requirements must be fulfilled and the environment must be created in friendly manner for the personnel to extend their stay in the region.

There is not a case that the people of Mustang are uneducated. We have engineers and pilots from this region. Even the people of Upper Mustang have got higher degree. But there is a great matter of fact that they don't see any charm into the job of civil service in government offices. They are earning much more amount from the business and other jobs than the governmental jobs. For example, Mr. Buddhibahadur Thakali, just in front of us, habitant of this region, has been earning very less amount than the contemporary members because he is in the governmental service and other friends are doing different business or jobs. Though he is not working in Mustang, interested to transfer his job in Pokhara, big city for the facilities, because everyone must accept

the fact that opportunity is not available in the remote area like Mustang. It proves that only those people who are from the other parts of the country than Mustang are not interested to work as personnel in the region is not correct.

If government provides extra facilities, warm clothes and other basic physical facilities even in winter like January and February, personnel will stay here to accomplish their responsibilities. Currently we can see the little amount of three-four thousands Rs. as remote allowances for the personnel that is not enough as they have been leaving their families and encountering with the colds and altitude fever. Personnel who comes here and earn little salary, can't send the money to the family .If he would be working in the city areas other than remote district like Mustang, he would have opportunity to earn extra money needed for his family. Finally, I would like to make a point on Mukhiya system which has got two aspects. Sometimes they are crossing the rule of law of the country bust most of the times, they seem supporting to the development work in the region. They are solving the problems of the villages. Analyzing all the aspects I get to the conclusion that Mukhiyas must be taught on legal procedure, rights' provisions and other developmental issues so that they could contribute more as per the times' demand.



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## 4.4 Demography and feature of the district

### Village based demography

(Census 2011)

| S.No         | VDC                 | Total house  | Male         | Female       | Total Population |
|--------------|---------------------|--------------|--------------|--------------|------------------|
| 1            | Chhoser             | 158          | 227          | 302          | 529              |
| 2            | Chhonhup            | 202          | 365          | 436          | 801              |
| 3            | Lomanthang          | 172          | 276          | 293          | 569              |
| 4            | Surkhang            | 103          | 180          | 180          | 360              |
| 5            | Charang             | 132          | 217          | 235          | 452              |
| 6            | Ghami               | 169          | 285          | 326          | 611              |
| 7            | Chhusang            | 168          | 247          | 265          | 512              |
| 8            | Other/Lower Mustang | 2,250        | 5,296        | 4,322        | 9,618            |
| <b>Total</b> |                     | <b>3,354</b> | <b>7,093</b> | <b>6,359</b> | <b>13,452</b>    |

Source: Central Bureau of Statistics Village based demography of the district in 2001

| S.No | VDC          | Total house | Male        | Female      | Total        |
|------|--------------|-------------|-------------|-------------|--------------|
| 1    | Chhoser      | 170         | 420         | 407         | 827          |
| 2    | Chhonhup     | 189         | 618         | 583         | 1201         |
| 3    | Lo Manthang  | 140         | 363         | 325         | 688          |
| 4    | Surkhang     | 126         | 341         | 384         | 725          |
| 5    | Charang      | 133         | 396         | 384         | 780          |
| 6    | Ghami        | 135         | 425         | 405         | 830          |
| 7    | Chhusang     | 172         | 548         | 520         | 1068         |
| 8    | Jhong        | 91          | 273         | 311         | 584          |
| 9    | Kagbeni      | 216         | 629         | 495         | 1124         |
| 10   | Muktinath    | 161         | 561         | 528         | 1089         |
| 11   | Jomsom       | 253         | 590         | 584         | 1174         |
| 12   | Marpha       | 216         | 510         | 476         | 986          |
| 13   | Tukuche      | 131         | 279         | 262         | 541          |
| 14   | Kobang       | 152         | 361         | 318         | 679          |
| 15   | Lete         | 153         | 417         | 281         | 698          |
| 16   | Kunjo        | 138         | 406         | 310         | 716          |
|      | <b>Total</b> | <b>2567</b> | <b>7137</b> | <b>6714</b> | <b>13710</b> |

### General Feature of Mustang

| S. No. | Particulars            | Number |
|--------|------------------------|--------|
| 1      | Household              | 3,354  |
| 2      | Total Population       | 13,452 |
| 3      | Male                   | 7,093  |
| 4      | Female                 | 6,359  |
| 5      | Area in Sq. Km.        | 3,573  |
| 6      | Average household Size | 4.01   |
| 7      | Sex Ration             | 111.5  |
| 8      | Population Density     | 4      |

### Household Facility

| S. No. | Particular            | Number |
|--------|-----------------------|--------|
| 1      | Total Household       | 3,354  |
| 2      | Without Any Facility  | 398    |
| 3      | At Least One Facility | 2,892  |
| 4      | Radio                 | 1,237  |
| 5      | Television            | 451    |
| 6      | Cable TV              | 1,033  |
| 7      | Computer              | 101    |
| 8      | Internet              | 48     |
| 9      | Telephone             | 240    |
| 10     | Mobile Phone          | 2,353  |
| 11     | Motor                 | 89     |
| 12     | Motorcycle            | 224    |
| 13     | Cycle                 | 9      |
| 14     | Other Vehicle         | 455    |
| 15     | Refrigerator          | 202    |
| 16     | Not mention           | 15     |

Source: Central Bureau of Statistic, Nepal Government

**Verification meeting attendance sheet**

| <b>S.No</b> | <b>Name</b>             | <b>Office</b>  | <b>Designation</b>   |
|-------------|-------------------------|--|--|
| 1           | Chandra Bahadur Thakali | Nepal Redcross Society Mustang Branch                  | President  |
| 2           | Basant Ranjitkar        | District Police Office (Nepal Police)                  | Deputy Superintendent of Police (DSP)  |
| 3           | Madan Sharma            | District Gov. Lawyer Office                            | Representative   |
| 4           | Sarita Thakali          | Women Development Office                               | Representative   |
| 5           | Santosh Sherchan        | ACAP   | Office head  |
| 6           | Harihar Prasad Sharma   | District Hospital                                      | Senior Public Health Officer   |
| 7           | Dilli Ram Sigdel        | District Development Committee                         | Local Development Officer (LDO)  |
| 8           | Sharmila Gurung         | Civil Society Member                                   | Human Right Activist, Member- NGO Federation, District Representative- Insec |
| 9           | Gyurmi Wangyal Bista    | Lo Manthang VDC  | Secretary  |
| 10          | Narayan Neupane         | Civil Society  | Member   |
| 11          | Laxmi Raj Sharma Gautam | District Administration Office                         | Chief District Officer (CDO)   |
| 12          | Tashi Tsering Gurung    | Mahakaruna Sakyapa Bidhalaya, Lo Manthang Chhodi Gumba | Principal  |
| 13          | Sharada Pokhrel         | Rajdhani Daily/Research Team Member                    | Journalist   |
| 14          | Kapil Kafle             | Research Team leader                                   | Verification Meeting Moderater   |

### **End note:**

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**Author/researcher**