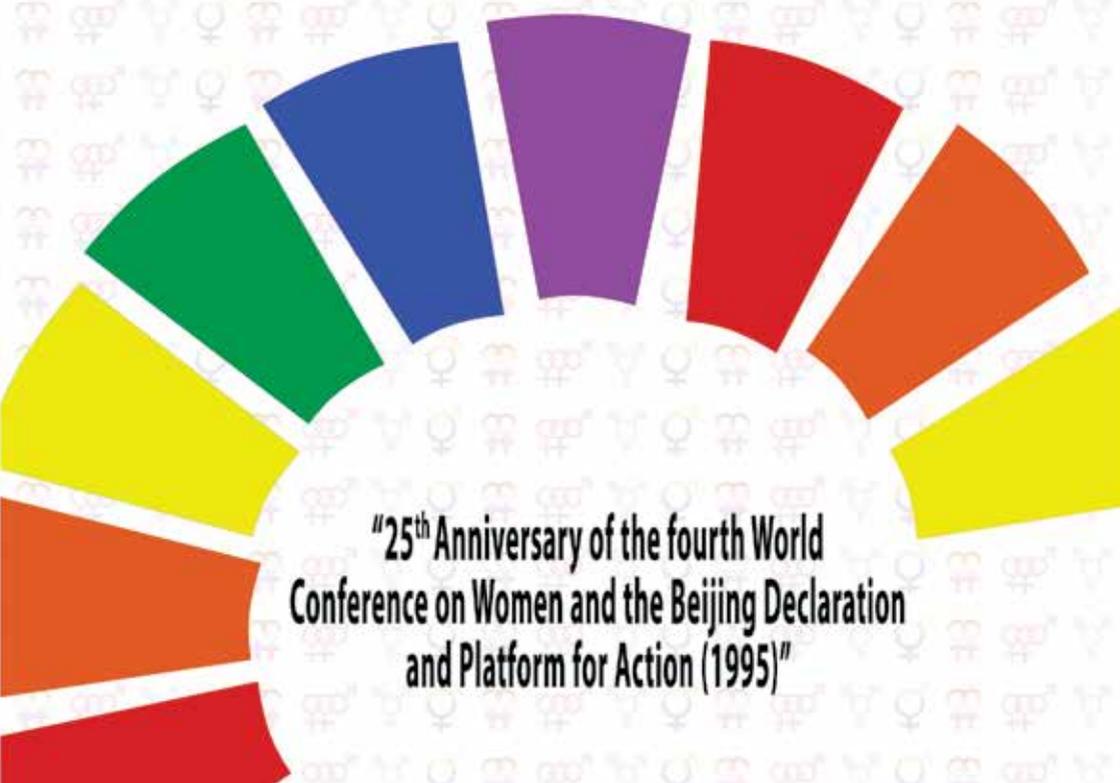




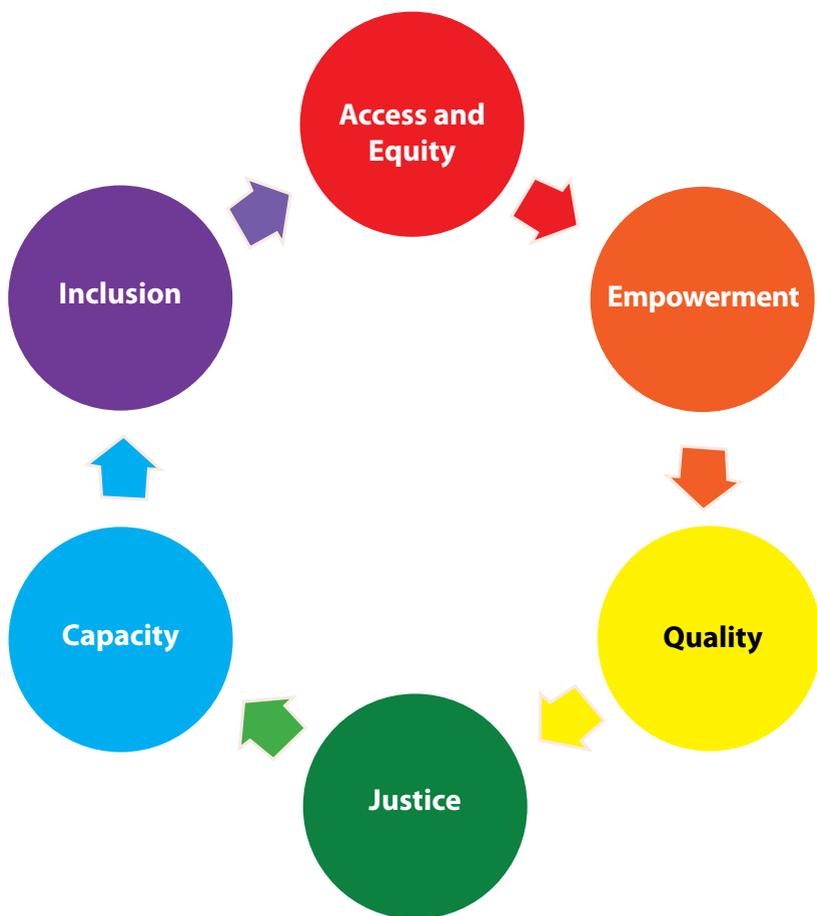
National Parallel Report on Beijing+25:

ISSUES, ACHIEVEMENTS GAPS AND RECOMMENDATIONS OF LGBTI OF NEPAL 2019



**"25th Anniversary of the fourth World
Conference on Women and the Beijing Declaration
and Platform for Action (1995)"**

“ LBTI Rights are Human Rights- Envisioning Global LBTI Human Rights”



FOREWORD

This parallel report on Beijing+ 25 has been prepared in a participatory manner with involving and representation of different networks working for the sexual and gender minorities. The report is prepared by Mitini Nepal as the lead in consultation with other networks and organizations working on the issues of sexual and gender minorities.

The 64th session on the Commission on the Status of Women will focus on the Beijing Declaration and Platform for Action, and current challenges that affect its implementation and the achievement of gender equality and empowerment of women. It is primarily important for CSOs to review the national status of the implementation of BPFA regards to accountability as well as to streamline the way forward.

As the civil society space is shrinking and issues of exclusion of the feminist organizations, groups representing minorities of different fronts are discriminated against because of their gender identities, sexual orientation, geography, caste, class, race, ethnicity and religion. The separate parallel report is required as this is a part of the global advocacy and also to hold stakeholders accountable to implement the BPFA, the legal binding treaty like CEDAW and UN agenda of Sustainable Development Goals 2030. Regards to the strengthening the



feminist and women’s movement collective it is necessary to have prepare own parallel national report and raise the independent voice at the United Nations. This report traces the situational analysis, the achievements at different fronts, gaps and challenges of the planning and the implementation and the recommendation for the future action. Thus, the CEDAW general recommendation for Nepal especially for the gender and sexual minorities are also incorporated in this report.

In preparation to this parallel report, the organization adopted own independent process to report on progress made, challenges and recommendations. The NGO Guidelines for Parallel Reports template was referred but there have been adaptations as per the context and the information received for the better reflection. The major components of the situation, gaps, challenges, achievements, and recommendations have been drafted taking the two specific critical areas of Violence against LGBTI and Human Rights of LGBTI. The areas and questions addressing in the respective critical areas in line with the CEDAW articles and SDG goals were also reviewed. The thematic areas under the different topics were also accounted while the information was collected and the groups were consulted. The relevant sub themes related to the human rights and violence was classified under the six major thematic areas i.e. Inclusive development, shared prosperity and decent work; Poverty eradication, social protection and social services; Freedom from violence, stigma and stereotypes; Participation, accountability and gender responsive institutions; Peaceful and Inclusive societies ; Environmental conservation, protection and rehabilitation. The information on two distinct thematic areas of National Institutions and Processes and Data and Statistics were collected and incorporated within the report.

As to ensure the inclusive participatory process to prepare this report, different participatory tools were adopted, the wide

geographical ranges were covered and stakeholders were reached out. Mitini Nepal organized provincial level consultations ensuring the participation from districts within the respective provinces. Altogether 7 provincial consultations were carried out 1 in each of the provinces of Nepal. Information on violence against LGBTI and human rights issues of LGBTI were discussed using the BPFA +25 NGO guideline frame. The final provincial consultation of province 3 was conducted in Kathmandu where different networks, organizations and groups working for the rights of LGBTI were invited and wider validation of the information and discussion was held.

The sessions were lively and informative by the use of methods of sharing, group works, presentation where the inputs for the parallel report was received extensively. The contribution of the experience, technical expertise from organizations and institutions were received while most importantly living experiences of people from LGBTIQ were of high value which was generated through the provincial level consultations, national level consultations and constructive feedbacks. Mitini Nepal team is grateful to Gyanbodh Research and Development Pvt. Ltd for the sharing of expertise in facilitation and for the preparation of this report and Womankind Worldwide for the financial support catered during the whole process of parallel report writing. Nevertheless, Mitini Nepal is thankful to the LGBTI community members, executive board members, staff, volunteers , network partners for all the support and solidarity throughout the movement. Together we will move forward better , envisioning a better world for LGBTI with fulfillment of human rights .



Laxmi Ghalan
Chairperson
Mitini Nepal

ABBREVIATION

- BPFA:** Beijing Platform for Action
- CEDAW:** Convention on Elimination of Discrimination Against Women
- HIV:** Human Immunodeficiency Virus
- LBTI:** Lesbian, Bisexual, Transgender and Intersex
- LBTIQ:** Lesbian, Bisexual, Transgender, Intersex and Queer
- LGBTIQA:** Lesbian, Gay, Bisexual, Transgender, Intersex, Queer and Asexual
- NGO:** Non-Governmental Organization
- OHCHR:** Office of the High Commissioner for Human Rights
- SDG:** Sustainable Development Goal
- SOGI:** Sexual Orientation and Gender Identity
- STD:** Sexually Transmitted Disease
- UDHR:** Universal Declaration of Human Rights
- UPR:** Universal Periodic Report
- UN:** United Nations

LBTI AND THE SITUATIONAL ANALYSIS

LBTI is an initial that stands for lesbian, bisexual, transgender and intersex. These initials have been adopted by majority of sexuality and gender based identity community to emphasize the diversity of sexuality and gender identity based cultures. The discrimination and the violence based on sexual orientation and gender identity is rampant as the misguided perception of the gender and sexual orientation confined only to heterogeneity.

The discrimination results in many issues for LBTI community exploiting their human rights and dignity and facing different forms of violence. The most common reality for LBTI is they are commonly targeted, harassed, and punished for their sexual orientation. Most of the LBTI are often subjected to police harassment, extortion, arrests, unreported and arbitrary detention. Most of the community members have been detained in hospitals and forced to receive treatment against their will. LBTI are also suffering from domestic violence, wrong tradition and cultural malpractices. Some awful examples of violence are: sex corrective treatment, forceful marriage to opposite sex, rape to correct the identity, sexual violence, trafficking & forced prostitution, sexual harassment, suicide, killings, and domestic violence, still prevailed. They are still accused in the name of sin. Several researches in Nepal have reported that LBTI have endured verbal abuse, emotional abuse and physical abuse where perpetrators were close family members. Violence against LBTI is happening day by day but the government and

the other civil society members are doing their best however there is much to work and control the forms of violence against LGBTI.

The issue of LGBTI persons rights is often discussed in the framework of The Universal Declaration of Human Rights, Adopted by the UN General Assembly Resolution 217A(III) of 10 December 1948. UDHR which proclaims the “inherent dignity and... the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world. Similarly Nepal’s constitution has recognized LGBT community. Legally our country has decriminalized same-sex relationships and introducing new laws strengthening the community which is commendable, however there are still many legal constraints forbidding the LBT community dignified life.

In June 2011, the Human Rights Council adopted resolution 17/19 which is the first United Nations resolution on sexual orientation and gender identity – expressing “grave concern” at violence and discrimination against individuals based on their sexual orientation and gender identity. Its adoption paved the way for the first official United Nations report on the issue prepared by the Office of the High Commissioner for Human Rights. Likely, the report of OHCHR on 15thDecember 2011 documenting the patterns of human rights violations against LGBTI community also demanded response.

The GoN has accepted the recommendations made by the UPR committee, also the CEDAW recommendation 2018 also had referred to the way forwards on the issues of sexual orientation and gender identity. LBT in Nepal are witnessing changes through development initiatives but the social security, affirmative action, participation, income generation, decision-making, access to policy making, and enjoying human rights is still out of reach.

There is however a lot of work to be done in terms of furthering the rights of LGBTI people if we compare it to what the global movement for LGBTI struggle has achieved. One of the biggest leap forward for the LGBTI movement was when the World Health Organization was able to cancel this notion that homosexuality is a mental health disease in 1990. Countries like the USA and the strong movements there have been able to legalize same sex marriage, have Queer representatives at the Congress level, have access to free sex-change surgeries, access to free hormones and has also managed to produce health workers who are trained in more gender inclusive practices. The government of California has made gender neutral restrooms mandatory in public spaces because of the strong organizing of queer communities.

ACHIEVEMENTS

In 2007, the government of Nepal introduced a policy that allowed same sex couples to live in a live-in relationship. The Supreme court of Nepal decriminalized homosexuality in 2006 after a landmark civil case, “Sunil Babu Pant and others vs. the government of Nepal”. He also became the first openly gay person to have a voice in the parliament in 2008. On 21 December 2007, the Supreme Court of Nepal ruled a landmark verdict that LGBTI people should be allowed to enjoy fundamental rights in their own identity. This ruling also overturned the article 16 of the National Civil Code 1963, which criminalized “unnatural sexual acts”. On 18 November 2008, the Supreme Court directed the government to enact the laws enabling equal rights to LGBTI citizens. While not explicitly legalizing same-sex marriage, the ruling instructed the government to form a committee to look into same-sex marriage.

The government has taken some leaps over the years in terms of securing the rights of LGBTI communities. The constitution of Nepal promulgated in 2015 has included rights of the LGBTI community to some extent. Article 12, 18 and 42 has mentioned LGBTI communities and their rights. Article 12 guarantees the right to citizenship according to their gender identity, Article 18 of the Constitution of Nepal guarantees the protection, empowerment and development of LGBTI communities along with other socially oppressed groups and Article 42 of the constitution of Nepal says, “LGBTI communities along with other minority communities have the right to participate in state bodies

on the basis of inclusive principle”. A bill introduced in 2017, validated the fact that there can be violence caused by women against women. This has played a huge role and has challenged the conversation around violence from a rigid binary spectrum to a more gender fluid perspective. The constitution has prohibited discrimination on any ground and has amended gender discriminatory legal provisions. The government also added a separate category “O” for LGBTI people on the citizenship certificate. A separate category for LGBTI people was also added to the 2011 census by the Central Bureau of Statistics.

In 2010 Nepal's election commission has provisioned people to register to vote as a third gender “purely on the basis of self-identification”. The Maoist party was the first political party to include sexual and gender minorities in their manifesto. Other parties such as CPN UML and Nepali Congress soon followed the lead of the Maoist Party. There was an allocation of 3.5 million NRS towards LGBTI communities during Baburam Bhattarai's tenure as the Prime Minister from 2011 to March 2013.

At the community level, LGBTI people have achieved quite a few visible things in the past few years. They have gained freedom to openly identify as LGBTI, which has also helped increase visibility of the LGBTI community. This has helped increase physical mobility for LGBTI community in public spaces, which helps them protect themselves from hate crimes. Advocacy is supporting a cause on behalf of an organisation, community or an individual. LGBTI community has also focused itself on advocacy where they were able to introduce a pride march in Kathmandu 2019 for the first time, which is a huge achievement for the movement in terms of visibility for the LGBTI community. Also, there is a regular pride march organized by BDS where networks and organizations like Mitini Nepal participate on the day of “Gai Jatra” for more visibility as well as to commemorate the deceased members of the LBTI community.

There has also been positive changes around representation of LGBTI communities in media and other communication networks. In the recent past, ride sharing companies like Pathao has added a separate category for LGBTI communities. LGBTI communities have been able to secure a place within insurance policies. They cannot be discriminated on the basis of their sexual orientation by insurance companies anymore, which in itself is a significant step because having access to health insurance can be a matter of life and death for LGBTI communities. Gender neutral restrooms have been introduced in Bardiya and Nepalgunj and this is a direct result of the advocacy work of organizations like the Blue Diamond Society, Mitini Nepal and organizations working in the issues of LGBTI communities.

Similarly in the education sector, LGBTI organizations have been able to push for scholarships for LGBTI students that has led to Times International College allocating a separate scholarship up to 50 percent for LGBTI students. Inclusion of Sexual Orientation and Gender Identity (SOGI) content in class 6, 7 and 8 of health and physical education curriculum.

This directly contributes to mobility of LGBTI communities in public spaces. The fight for the legalization of same sex marriage is getting more visibility and attention. The past few years have seen an increase in organizations that advocate for the rights of LGBTI communities. In B+20, report the theme of SOGI was introduced as the emerging issues and after 5 years from then, the issues of LGBTI in Nepal has been more visible and the movement is growing stronger.

GAPS / CHALLENGES

The Constitution of Nepal has stated LGBTI communities as minority communities in Article 12, 18, and 42 but in a very broad sense and without the specific provisions, the rights of LGBTI communities are difficult to be addressed. Within the vague definition of minority, it is difficult to have a clear addressal to the issues of sexual and gender minorities. There is an absence of definition of discrimination against women in line with the definition of discrimination with Article 1.3. The indirect forms of discrimination has not been addressed by the law explicitly.

On 18 November 2008, the Supreme Court directed the government to enact the laws enabling equal rights to LGBTI citizens. While not explicitly legalizing same-sex marriage, the ruling instructed the government to form a committee to look into same-sex marriage. The Supreme Court of Nepal on 18 November, 2008 had instructed the government to form a committee to look into same-sex marriage but this has not been followed up or updated. Although the Constitution of 2015, provides equal rights to women, the negative stereotype exists due to lack of understanding and awareness on SOGI at all levels, including the grassroots level. New drafted civil code and the criminal code of Nepal needs to be revised so that discriminatory laws and practices against LGBTI community can be amended. The LGBTI communities still today in 2019 does not have access to adopting children and that keeps them from having continuity in their family. Adoption laws in Nepal have been built around heterosexual couples and only they can adopt children in Nepal. There is still a lack of accountability around the

right to own ancestral property because of their sexual orientation for LGBTI individuals. All of these denial to rights have ceased to the right to dignified life for LGBTI individuals. One of our members at Mitini Nepal shared their experience.

Although it has been a bit easier for me to open about my identity and my family has accepted for who I am, the property rights has not been easy at my house. The share of the property that my brother and I should have claimed equally, I am not getting the property at my house.”- Bijay Kumal.(Trans women)

The government budget and programs are not allocated to gender and sexual minorities. There are no LGBTI centered programs at the local, provincial and federal level. There was a funding allocated for LGBTI community of 3.5 million rupees during the tenure of Prime Minister, Dr. Baburam Bhattarai as special support. There has been no updates regarding other allocations besides this. So, the provisions and commitment couldn't be institutionalized as programs on the long term basis.

The access and the representation of LGBTI individuals in the decision making position is not accounted for. The affirmative action is not ensured for the LGBTI community for the public service commissions, and in any other positions at the government level. Also regarding the political participation, it is difficult to get the quota in the positions within the different political committees. During the election, either on the first past the post or on the proportional representation, the quota for people from LGBTI community is not specified. The only representation from LGBTI community was Sunil Babu Pant through proportional representation in the first Constituent Assembly. Besides this, there hasn't been any representation at the decision making level.

The separate categorization of LGBTI communities in the census and citizenship certificate is not enough. The government needs to be more accountable to implement it and independent agencies need to be

formulated to make sure what the constitution says is protected. One of our participants in the regional workshop in Kathmandu shared that their father denied them citizenship because of their sexual orientation and their father was able to influence the local officials too.

At the awareness level, there is a high need for the acceptance of people who are gender non-conforming, and those who do not confine themselves to the gender binary. Heteronormativity is the general understanding in the family, community, school, workplaces, hospitals and the institutions and agencies of the society. The rooted concept of stigmatization of homosexuality has resulted in the marginalization of LGBTI from private to public domain. The hatred and the violence thus perpetrated on LGBTI is very severe from physical, sexual, mental, economic, emotional, political sphere. One of our members at Mitini Nepal shares this testimony.

“I and Subashna together told my family about us. They didn’t accept us as I had expected. They did not allow us to meet outside. Only in the morning zumba class I could get to see her and meet her. I tried my best ways to convince my father but he did not even try to understand. Then on Friday morning, I was cheated and taken to a rehabilitation centre. I tried looking for ways to run away from there, but I simply failed. Every single movement of the clock would burn me and tear me up.”- Shradha Gurung (Lesbian Identifying)

In the medical sector, access to hormones and medicines are not only limited but also very expensive for LGBTI people since most of them come from financially marginalized communities and/or are abandoned by their families. There is still a lack of resources around sex-change surgeries for LGBTI people in Nepal as the legal provision demands the sex change surgeries to claim citizenship as per the choice of gender they confirm and also for to enjoy the right to nationality. Besides that, lack of human resources on health makes it difficult for LGBTI to have access to quality health service. One of the participants from our provincial consultations shared, how they were discriminated against

by health workers at a hospital they were taken to after they got into an accident. The trauma of how they were treated at the hospital years ago still haunts them to this day.

In the education sector, the process of scholarship for LGBTI students has started in few colleges in Kathmandu but it is limited and that makes it very inaccessible to the larger LGBTI community within and outside Kathmandu. There are still cases of LGBTI people being bullied in school and being expelled because of them not catering to gender norms and for dressing “inappropriately”. This is a testimony from one of our members at Mitini Nepal.

“During my schooling as I always would wear the boy’s uniform I got beaten up at class 7. The concerned authority of the school started pressuring me to put on the girl’s uniform being a girl myself and not to break the rules of the school. When I told the school authority that I cannot put on the girl’s uniform instead I would prefer wearing the boy’s uniform, they accused me of breaking and disobeying the school rules and regulations, they scolded me badly and closed the doors of the school forever for me after handing out the certificate of school as a passed out student. Due to my sex orientation I already had enough problems going on in my life and this event added new problem to my life and so the condition of my depression started worsening. I was in no condition to do anything. I started losing consciousness of what I did and how I did it.”- Arsu Shrestha (Trans man)

Another member of Mitini Nepal shared this testimony.

“My teachers never treated me equally in classroom. My teachers mostly misbehaved with me in school. The fear of discrimination and the fear of being discriminated and being out-casted deep-seated in me, I could never open up about my identity.”- Bipin Kadayat (Intersex)

market because of their sexual orientation. Urban or rural areas in Nepal are still not ready to accept the concept of LGBTI. Discrimination happens because of personal prejudice, lack of awareness on sexual diversity and weak laws. Similarly, there needs to be a way to make sure that insurance companies are held accountable around the issue of having an inclusive policy for LGBTI communities. One of our members shared her experience of being discriminated against in the job market because of her sexual orientation.

“Few years back, when I went in search of job, I was insulted and verbally abused. The educated and civilized people working in the higher positions at the corporate insulted and abused and that was more brutal than the pain of not getting the job. This pain when became intolerable, I used to try hurting and injuring myself.- Nilam Paudel (trans women)”

There is still a lot to be done in terms of media representation and media accountability. The stereotypical portrayal of queer people has lessened over the years but there is still a lack of representation in media and that keeps LGBTI communities from being at the forefront of representation. One of our participants shared how one of their friends’ photos/videos were used by the media without their consent. They felt they were vulnerable to the situation as they were not ready to come out as queer. There is still no accountability and laws to regulate that kind of behavior at the national level.

There is still lack of assigned seats for LGBTI identifying people in public spaces like buses and other public transportation. There are still cases of LGBTI people being harassed in public spaces, which leads to hate crimes against LGBTI communities. There is still lack of visibility and political education around LGBTI communities that leads to sexual, physical and other forms of violence inside their own families. For example, one of the participants at our provincial workshop shared a personal testimony of how they were raped by their own father to “test” their sexuality.

WAY FORWARD / RECOMMENDATIONS

- Access to quality health services for LGBTI communities should be enhanced through the human resource on health workers trained to maintain confidentiality and due respect. Besides, the sexual and reproductive health services such as taking hormones, treatment of other medical conditions, mental health support should also be a priority.
- Acknowledge the efforts in terms of visibility and advocacy of the LGBTI community and also extend support to mainstream it throughout other movements for gender equality. The lobby, advocacy should be supported by concerned agencies and the gender equality movement without any prejudice.
- Ensure the anti-discrimination policies and protection policies for the LGBTI, in private and public spheres such as schools/ colleges, workplaces with the counseling services to reduce drop outs, safer working environment at the offices with legal actions and prosecutions as required. At the public spaces and public institutions gender neutral toilets should be encouraged. The public domains like media should also recognize the changing gender dynamics and bodily autonomy and gender fluidity to accept the different roles and responsibilities with right to choice and with respect.

- For the LGBTI violence survivors, protection mechanisms should be ensured. The safe houses and shelter services accommodating, rehabilitating LGBTI violence survivors should be operated in all the 77 districts of the country and should be managed by skilled service providers.
- Improve coordination between CBOs, NGOs, networks and the government to establish referral linkages between facilities including government (police, hospitals, Gender Unit at the OPMCM, National Women Commission, Inclusion Commission, Election commission, National Human Rights Commission, DRC, Shelters/Service Centers), NGO shelters, legal aid, awareness campaigns for stronger response towards LGBTI community.
- Authentic data and statistics are mandatory to know the status and way forward. Since, the disaggregated database for LGBTI communities is missing, the government should include the section and questions in the CBS formats to collect disaggregated data in the upcoming census 2021.
- Introduction of inclusive policies for LGBTI communities in every state mechanism from local to federal level. The Inclusion Commission should prioritize the demands and work to address them. The other commissions such as the National Women Commission, National Human Rights Commission, Election Commission should adopt policies that enhance access to the human rights of LGBTI regards to the right to participation in public and political life as an individual.
- Conduct legal literacy campaigns, scholarships for the students of LGBTI community, introducing comprehensive sexuality education at the school curriculum as part of the initiation for the behavioral attitude of community towards LGBTI community and also reducing the dropout rates of LGBTI due to stigmatization.

- The Citizenship Act Amendment Bill does not ensure the rights of gender minorities i.e. Transgender, Intersex who acquired the citizenship before as male or female, to amend their gender and name in the citizenship certificate. The government should ensure right to change the gender and name in the citizenship certificate by gender minorities without undergoing and mandatory medical documents of sex change operation.
- The definition of marriage should be broadened not limiting it to the recognition between man and a woman accepting each other as husband and wife. The age bar could be maintained just as heterosexual couples, the right to adopt child , transfer of the property among one another should prevail.
- Allocate funding and independent bodies to organize awareness campaigns to combat the social stigmatization and violence against LGBTI persons. Implementation of anti-discrimination legislation that prohibits discrimination on the basis of sexual orientation in the areas of employment, education and political participation ensuring inclusive and equal participation.

ANNEX:

The questions discussed throughout the themes are here below:

Theme 1: Inclusive development, shared prosperity and decent work

1. What are the initiatives taken to increase political influence in decision/policy making in the Nepalese government?

Freedom to mobility and collective work is still questionable/ Advocacy for Pension, ancestral property, right to partner/husband/wife property after their death/ Access to important health services is minimal / More visibility through mainstream television like TV, Documentary, Film, Awareness program are lesser/ Marriage and property inheritance issues

Theme 2: Poverty Eradication, Social Protection and social services

1. Social Protection Programs
2. Health workers trained in gender inclusive practices
3. Data related to LGBTI health conditions
4. Revision/Review of books and educational curriculum to change the problematic material
5. Security for LGBTI folks in the interwebs and technical mediums.

There are awareness programs, scholarship opportunities but there is

no allowance arrangements/ there is no working doctors that address their sexual orientation/ there are no data related to the LGBTI health problems / because even when they file a case there is no response from the legal system and they are still being trolled. /There is LGBTQI representation in curriculums from grades 6-10 but there is still not enough visibility.

Theme 3: Freedom from Violence, stigma and stereotypes

1. Are their laws, enforcement, and implementation against any particular group?
2. Safeguarding- Safe spaces for safety, consultation and quality services for legal support.
3. Is there any accountability for the violence caused by media/ mainstream portrayal of LGBTI communities?

No, there are no such laws known/ There are so many cases of LGBTQIA folks not getting their basic human rights/ Discriminated, Underestimated /Health and education problem /Lack of shelter homes/ problem inside police custody as well/ Specialized mental health treatment is not available to the LGBTIQ /No accountability and anti LGBTQIA content normalized. /LGBTQIA characters are always stereotypical/negative and only for comedic humor. /There is no media coverage/ /There is no attention paid to LGBTQIA related complaints/ media using videos/photos/ stories of LGBTQIA individuals without their consent and there seems to be no accountability around that, which is harming the community.

Theme 4: Participation, Accountability and gender responsive institution

1. Representation/consumption in conferences/international platforms/ foreign services
2. LGBTI representation and reach in decision making level as well power structures

3. Is there an action plan from the government to address LGBTI communities?

Lack of representation from the LGBTQIA community /there is lack of LGBTQIA individuals in decision making positions. /There is no action plan or policies to address LGBTI issues/ Not aware of such action plan / doubtful about the implementation even if it has existed/ There aren't any elected member of parliament from LBTIQ community/ There are no quota or any affirmative action targeted for the public jobs, services / The political parties do not have provisions within the system to encourage the candidates from this community/ Almost zero percent representation at the decision making position of academic institutions, diplomatic roles, security forces, governance etc.

Theme 5: Peaceful and Inclusive society

1. HIV/STDs transmission
2. Policies to address sexual violence and other forms of violence

There are medicinal resources available free of cost to people affected by HIV/STDs.- org/ There are no specific laws/policies to address hate crimes and violence against LGBTI communities./ due to limited job opportunity people of this community are engaged in the informal economy and many are engaged in prostitution making them vulnerable to STDs and HIV AIDS

Theme 6: National Institutions and Processes

1. What are the different forms of mechanisms that have been helpful to further LGBTIQ rights?
2. Consultation processes- inclusive or not

It has been addressed in the constitution and that has helped us represent our genders/ Consultation processes have been included/ Not known of any such mechanisms/ Inclusion Commission is responsible to ensure the inclusion of LGBTIQ but there is no concrete plan/ LGBTIQ is not much mainstreamed in the movement of gender equality and not

addressed in the national plans and policies specifically/ lesser access to the consultation process that happens

Theme 7: Data and Statistics

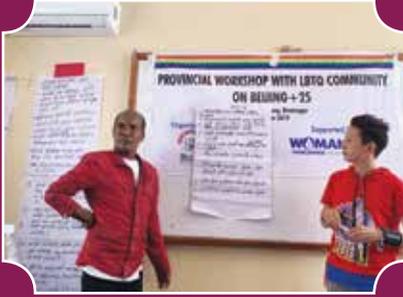
1. Statistics: Are there organizations/research- Yes/No
2. CBS and government led statistics documentations
3. Are there enough press releases and declarations? If yes what kind?

It has been addressed/included in the 2011 census but there is still a lot of work to be done towards that/There is representation and visibility within LGBTQIA organizations but not in government institutions/ The press meets, releases are limited / Some organization working in the issues of LGBTI have submitted declaration to concerned agencies but not able to drag attention strongly/ The initiation for the disaggregated data of LGBTQIA in the upcoming census is very important.

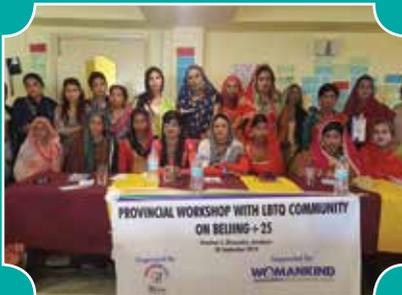
REFERENCES

1. CEDAW SRPC (2018). Shadow report on the sixth periodic report of Nepal on CEDAW
2. Constitution of Nepal: Article 12, 18 and 42
<http://www.lawcommission.gov.np/en/archives/category/documents/prevailing-law/constitution/constitution-of-nepal?fbclid=IwAR1EFn2KJDH9xF3yUX6RtfGhEaW4xnssEbn6UKjvpeHYn209pvLxylIEN5M>
3. (2019) Spectrum: LGBTI stories and Call For Justice and Protection. Kathmandu: Mitini Nepal
4. Provincial workshops with LGBTQ community on Beijing +25 (2019), Mitini Nepal
5. UNDP, USAID (2014). Being LGBT in Asia: Nepal Country Report. Bangkok
6. United Nations Resolutions-Sexual and Gender Identity. Human Rights Council (June 2016): Protection against violence and discrimination based on sexual orientation and gender Identity.
https://www.un.org/en/ga/search/view_doc.asp?symbol=A/HRC/RES/32/2
7. United Nations Resolution- Sexual and Gender Identity. Human Rights Council (June 2011): Human Rights, sexual orientation and Gender Identity.
https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/17/19

Provincial Level Consultation



Provincial Level Consultation



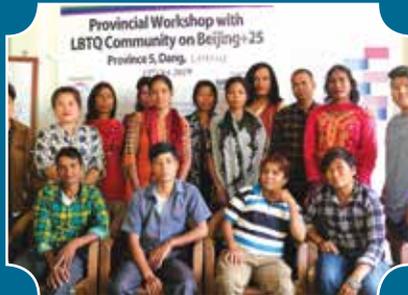
Provincial Level Consultation



Provincial Level Consultation



Provincial Level Consultation



Provincial Level Consultation



Provincial Level Consultation



Introduction:

Mitini is women led nongovernmental organization working with and for the rights of people who identify themselves as lesbian, bisexual, transgender and intersex. Since its establishment in 2005, it has been aiming to protecting and promoting the human rights of the people who identify themselves as sexual and gender minorities.

Our Vision

Empower LBT people to access equal right to live free from violence, persecution, discrimination and stigma.

Our Mission

To advocate for the access of political, legal, social, economic and educational rights of LBT people by strengthening coordination, collaboration, network and develop mutual understanding among all concerned stakeholders as well as by capacitating excluded and vulnerable LBT individuals in order to create an egalitarian environment for sexual and gender minorities.

Our Programs:

1. Lobbying and Advocacy Program

We advocate for the equal rights of LBT people through interaction with policymakers and government stakeholders, media and other members of civil society. We also organize discussion, seminars, workshops, rally, sit-ins, press meetings, etc.

2. Awareness and sensitization Program

We conduct awareness-raising programs to sensitize community on Sexual Orientation, Gender Identity and Expression (SOGIE) and LGBTI issues through street dramas, cultural programs, posters and pamphlets publications, orientation in academic institutions

including schools and colleges, awareness raising programs for community service organizations (CSOs), parliamentarians, government stakeholders, community police and media. Also we are conducting radio programme *“Mitini Sanga Maan ka kura”* in seven province

3. Skill development programs

We provide skill development and income generating training to LBT and women from marginalized and poor communities. Some of the income generating training are tailoring, weaving, driving, beautification training, coffee making, mushroom cultivation training, and candle making. We also sell products for fundraising.

4. Capacity development programs

We conduct capacity development programs such as leadership development, human rights, legal awareness and other training on sexual and gender rights.

5. Psychosocial and legal counseling

We provide both psychosocial and legal counseling services to lesbians, bisexual women, and transgender.

6. Research and study

We conduct qualitative and quantitative research on LBT women’s issues including challenges and also document their stories as narratives

FOR MORE INFORMATION:

Website: www.mitininepal.org.np

Twitter: <https://twitter.com/MitiniNepal>

Facebook: www.facebook.com/Mitininepal

YouTube: <https://www.youtube.com/watch?v=Gfa4X5TXCf0&t=399s>

Instagram: https://www.instagram.com/mitini_jewellery/

Supported by

