

# **A Research Report on**

## **IMPLEMENTING STATUS OF NATIONAL LAWS, POLICIES AND GUIDELINE**

**A Study on Situation of Implementation Status of National Laws,  
Policies and Chhaupadi Elimination Guideline in Karnali, Nepal**

**Submitted to:**

**Action Works Nepal, Kathmandu Nepal  
BEE Group, Nepalgunj, Banke**

**Submitted By:**

**Research Team**

**May, 2017**



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## Abbreviations

AWON:	Action Works Nepal
BEE:	Bheri Environmental Excellence
BS	Bikram Sambat
CBO	Community Based Organization
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
DDC	District Development Committee
FCHV	Female Community Health Volunteer
FGD	Focus Group Discussion
GBV	Gender Based Violence
GON	Government of Nepal
KII	Key Informant Interview
NGO	Non-Governmental Organization
PTA	Parents Teachers Association
SMC	School Management Committee
SLC	School Leaving Certificate
ToR	Terms of Reference
VDC	Village Development Committee

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**Team Leader**

**& Research Team Members**

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## Executive Summary

'Chhaupadi' is a deeply rooted socio-cultural practice followed in mid & far western region. In such practice, the menstruating women and girls are considered as 'impure' and they have to follow several restrictions and barriers. In many communities, the menstruating women and girls have to stay in isolated place like Chhau-hut, Cow-hut or separate room in the house. They are restricted to enter into home, consume nutritious foods, touch male or senior family members, use similar toilets and water taps, participate in social functions, and other essential daily activities. All these barriers and restriction are directly affecting the life and wellbeing status of women and girls; and ultimately impact on overall livelihood.

While considering the 'Chhaupadi' as harmful practice, the GON promulgated a directive regarding its elimination it in 2007. Similarly, several development organization, local institutions, CBOs, and right actors are raising the voice against this mal practice; and working to address the issues related to such practices. Similarly, AWON and BEE Group has been implementing an action in three districts of Karnali through financial support of EU. This research is a part of the project to assess the implementing status of national laws, policies and Chhaupadi elimination guideline in research districts; and exploring the understanding and knowledge of local people on the implementation of those policies and guideline. Further, it is expected that the findings should be captured as strategies for spreading knowledge among the local people on policies and guideline regarding to Chhaupadi; and strengthen the local institutional mechanism for its proper implementation.

The research focused both quantitative and qualitative approach of data collection from 21 working VDCs of three districts: Jumla, Mugu and Kalikot. The sample for quantitative data were collected from 1892 participants (Kalikot 699, Jumla 660, and Mugu 533) which include both male (22.6%) and female (77.4%) as representative from several groups such as political leaders, school teachers, house hold head, youth leaders, traditional healers, priests, FCHV, adolescents girls, women and other general public. Similarly, qualitative information were captured through FGD, KII, groups meeting, consultation with district and local committee, and observation of real context. After the field work, the data were transcribed, tabulated, and analysed based on the theme of research; and the information were categorically analysed with their theme and sub-themes.

As findings of research, it is explored that many of the points under the decision of the Supreme Court against Chhaupadi have been initiated, such as promulgation of guideline, declaration of Chhaupadi as a harmful practice and awareness raising activities, etc. However, some of the crucial points under the decision are not being implemented, like a comprehensive study and special attentions based on the

study. Similarly, the implementation of the Chhaupadi Practice Eradication Guidelines 2007 is seen positive. However they are just indicative, not massively and substantially done. Additionally, the special committee is formed only in district level, which is not active. Thematically, the research has explored the following other major findings:

The knowledge about Supreme Court decision, elimination guideline and its provision among the local people is poor. About 60% of respondent do not know about such provisions. Regarding the gender, only 37% of female have knowledge about SC decision and provision of guideline.

Some VDCs have been declared as Chhaupadi Practice Free VDC. But many people (60%) do not know about such declaration yet.

The people's perception towards declaration of VDC as Chhaupadi Practice Free VDC is positive. Predominantly 92 percent of the respondents agrees to declare their community or VDC as the Chhaupadi Practice Free.

Based on the data, information and finding; the research further suggests the following recommendations for proper implementation of national laws, policies and provision in the research districts and in similar context

- The policy interventions made by the state should be implemented effectively. And for this purpose, it is required to make the local government more accountable.
- The district and local level committee (Chhaupadi Eradication programme implementation committee) is required to sensitize and build their capacity to plan and implement effective programmes.
- Sufficient budget is to be allocated for the massive and aggressive interventions against the practice in local level.
- The role of local level institutions (both government and non-government) can contribute for educating the locals on government policy and provision on Chhaupadi eradication.



## Chapter I: Introduction

### 1.1 Background of the Research

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Menstruation is a natural process in the lives of girls/women that starts at around 11-15 years, and transfer the girls into womanhood. Socio-culturally, this natural process is not considered as a natural occurrence; they are considered with the name of different 'social or cultural symbol'. In some community, the menstruating women and girls are forbidden to touch anything as it is considered impure after their touch in such period. This type of discrimination is even worst in some part of Nepal, mostly in mid and far-west part of Nepal such as Achham, Bajura, Bajang, Doti, Baitadi, Dadheldhura, Darchula, Kalikot, Jumla, Humla, Mugu, Dailekh Jajarkot, and Surkhet Districts. This tradition is termed as Chhaupadi in those area and it is taken as a traditional practice in which menstruated women and girls are forbidden to touch anything and have to live in cowshed for some days(depends on place and their culture). Menstrual females are not allowed to touch men, children, cattle, living plants, and fruit bearing trees. If they touch all aforesaid things it is believed that the things become polluted and it made god angry. In those days of menstruation, female needs social support, nutritious food, and warm home especially but they are forced to live in either cowshed or Chhaupadi Shed and eat less dietary food avoiding all milk products. The shed where they are forced to live in the name of culture do not consists of doors, and are narrow, tight and very congested (Kafle 2011).

This research work is based on the project, "Elimination of Chhaupadi practice in Karnali, Nepal", implementing by Action Works Nepal (AWON) and Bheri Environmental Excellence (BEE) Group with financial support of European Commission. Action Works Nepal (AWON), a non-profit organization is dedicated to improving the lives of the poor through education and social and economic development programs in Nepal has been working in Nepal since 2001 but was registered formally in Social Welfare Council in 2010. Action Works Nepal aspires to empower the poor, vulnerable, and excluded women, children, and men of Nepal so that they may live their lives with social equality, justice, and dignity. The objective of AWON is to improve the livelihood of communities through innovative humanitarian, educational, and vocational result driven programs around political, economic, social, cultural and environmental empowerment, moving forward to peace, growth, and sustainable development.

The mission of AWON is to work with the poor, excluded, and vulnerable women, men, and children for social equality, and dignified and just lives through partnerships, an emphasis on human rights, and result driven programs around political, economic, social, cultural, and environmental empowerment to contribute toward a peaceful and prosperous nation. The co applicant, BEE Group, also has expertise on women's economic empowerment, focusing on modern methods of farming and microfinance and also have expertise on the issue of Chhaupadi. The AWON and BEE Group prioritize adolescent girls as its key target group to make their life more meaningful and productive.

## 1.2 Objective of the Research

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The overarching objective of the proposed research is to assess the implementation status of laws, policies and guideline related to Chhaupadi Practice in general and specifically in the research locations.

The specific objectives of research are as follows:

- To assess the implementing status of the Supreme Court decision against Chhaupadi practice
- To assess the implementation status of Chhaupadi Practice Eradication Guideline 2007
- To assess the level of awareness of people on national laws, policies and Chhaupadi Practice Eradication Guideline 2007 in relation to knowledge and practice of them in the research locations.

## 1.3 Scope of the Research

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The research work was commissioned based on the ToR developed for the entire research work.

Additionally the research work was entirely focused for exploring the following research questions based on the objective of the research work. The major research questions were:

- What are the policy and legal framework initiated by the state to eradicate Chhaupadi practice?
- How is the current situation of implementation of laws, policies and guidelines related to eradication of Chhaupadi practice?
- How is the situation of awareness of people on existing laws, policies, guidelines and local initiatives with regards to Chhaupadi practice eradication?
- What are the impacts of the policies, laws and guidelines against Chhaupadi practice?

## 1.4 Limitation of Research Work

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This research is conducted in three districts of Karnali, i.e. Kalikot, Jumla and Mugu; and covered only 1892 local people (both male and female) as primary respondents, and collected relevant information from social actors, development practitioners, women rights actors and other like-minded people from district and local level in these three research districts. The information/data that are generated for this research is based on appropriate statistical process. Hence, the findings are possible to generalize in similar social context of Nepal. However, the experiences and social factors that are captured through this research might not be similar to other social context. It is mainly because of the hard geographical context of the research site, and diverse socio-cultural practices during menstruation.

Similarly, the complexities and perpetuation of Chhaupadi practice and other forms of discrimination during the menstruating time might not be same in all parts of the country. However, even in these limitations, there are some possibility to generalize the socio-cultural practices of the research area as reference to articulate in other similar types of research and studies.

## Chapter II: Literature Review

### 2.1 Chhaupadi: A Cultural Practice in Nepal

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Menstruation is one of the very important physiological processes in females that starts with the onset of puberty. It signifies the transition of a girl from childhood to womanhood. Nepali society has viewed this natural biological process as a religiously impure and culturally shameful occurrence, and hence, it is an issue to be dealt with indifference or overlooked silently. Such an unfavourable social attitude is a major cause of inhibition among menstruating girls and women leading to self-imposed and external restrictions in day-to-day activities, accessing services, mobility, and personal freedom. However, the degree and types of discrimination, restriction and behaving them at the time of menstruation are differ from one society to other. One such practice locally called 'Chhaupadi' is in existence in Far-Western and Mid-Western region in Nepal, in which it believes that menstruating women and girls are impure, and they are kept in a separate place for certain period with some restriction. Such tradition makes restriction to the menstruating women and girls for several individual and social task such as entering home, touching male members, using public water-taps, participate in religious functions, eat nutritious food including milk, and others.

The word 'Chhaupadi' is the combination of two local words 'Chhau' and 'padi'. The term 'Chhau' refers to condition of being untouchable, and 'padi' means a woman<sup>1</sup>. Hence, the term 'Chhaupadi' refers to the condition of untouchability of menstruating women and girls. Similar to the term 'Chhaupadi', there are also other term used to refer menstruating women and girls in other society in Nepal. For example, the term 'Chhui' is also used in mid and far western regions; and 'mahinawari hunu', 'bahira sarnu' and 'para sarnu' are some useable term in other parts of Nepal to indicate menstruating women and girls.

The social and cultural customs of menstruation are followed in almost every society in Nepal. However, the practice of 'Chaupadi' is more severe form with having more restrictions and deeply rooted believes. The custom believes menstruating women and girls as impure, and they are required to refrain from participating in normal daily activities. They are not allowed to touch their husbands or even other male members, cattle, fruit and crops plants. They should not walk into the premises of temples and participate in religious functions. They are not permitted to eat nutritious diet like milk, milk products, meat, fruits and green vegetables. They are forced to stay in a separate hut, which is called 'Chhau-hut' locally. In mid and far western region, the 'Chhau-hut' can easily be found near to almost every houses. Such Chhau-hut are made of stones and mud without having windows and doors to lock. They are very narrow, dark, and congested with cold floor where menstruating women and girls have to stay around 4 to 7 days. On the last day, the women/girls take a bath, wash their clothes and enter home. Mainly, it is believed in the society that if the custom is breached by any means then it will create problem for women/girls, their family and even for the community like becoming sick, infertile and even the death.

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<sup>1</sup>Nilima & Tandon (2011). Centuries old Nepal banishment ritual endangers girls and women.

## 2.2 Social, Cultural and Traditional Belief on Chhaupadi Practice

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Chhaupadi system is a traditional practice in which during menstruation women and girls are forbidden to touch anything and have to live in cowshed. It is a widespread practice prevalent in far west and some parts of mid-west region of Nepal. In these areas, family and society do not treat menstruation as natural phenomena. In Chhaupadi system girls and women are isolated from family and home during several days in their menstrual cycle. Menstrual women are not allowed to touch men, children, cattle, living plants, and fruit bearing trees<sup>2</sup>. It is believed that if the menstruating women and girls touch to all aforesaid things, the things become polluted and it made god angry<sup>3</sup>.

Traditionally, the family members even the society treat the menstruating girls and women as untouchable for 5-7 menstrual days. They are denied to eat milk, milk products, and are forbidden to go in the public places and touch public tap, temple, home and food<sup>4</sup>. In some communities, the menstruating girls and women are forbidden to go into the kitchen garden, and touch tree plants. It is believed that the tree/plants does not give flowers and fruits if it is touched by those female. Moreover, if there is any disaster in the community, the blame goes to the girl who just had observed the Chhaupadi, and will be accused of not observing with full purity<sup>5</sup>.

In Chhaupadi rooted community, it is also believed that if anything is touched by a menstruating woman and girls, it will become impure and may cause harm to others. If they touch something accidentally, then the item should be cleaned immediately to make it reusable. If the women touch their husband or other family members, then those touched must bathe in order to cleanse themselves of impurities<sup>6</sup>. Similarly, the locals believe that every girl/woman in their menstruating time should follow the social norms to make their family and community healthy and safe, if not god will punish not only to the disobeying girl/woman but also to the whole community<sup>7</sup>.

In many communities; elders, husbands, mother-in-law, traditional healers, priests and even the elderly women are influencing as propagator of Chhaupadi practice; and they consider it as a way of preserving the tradition which has been in existence for a long time with a focus on purity<sup>8</sup>. Such people perceive that they are performing their venerable duties to take care of their community from harmful cruse of

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<sup>2</sup>Amgain, B (2011). Social dimension of Chhaupadi system: A study from Accham District, Far West Nepal.

<sup>3</sup> Bennet, Lynn. 1983. *Dangerous Wives and Sacred Sisters: Social and Symbolic Role of High Caste Women in Nepal*. New York: Columbia University Press.

<sup>4</sup> Upreti Aruna, 2010 Nepal Ka Babuharulai Patra ( A Letter to All Fathers of Nepal): In Daily Newspaper Kantipur, 13 April 2010

<sup>5</sup>Tuladhar, S. K. (2012). Chhaupadi: A socio-cultural practice during menstruation in Far Western Nepal, UNICEF Nepal

<sup>6</sup>Kandel, N., A. Rajbhandari and J. Lamichanne. "Chhue, Chhaupadi and Chueekula Pratha" – Menstrual Sheds: Examples of Discriminatory Practices against Women in the Mid- and Far-Western Regions of Nepal: Considering Women as "Impure" or "Unclean" During Menstruation and Post-Partum Periods.

<sup>7</sup>Tuladhar, S. K. (2012). Chhaupadi: A socio-cultural practice during menstruation in Far Western Nepal, UNICEF Nepal

<sup>8</sup>Kadariya, S. & Aro, A. R (2015). Chhaupadi practice in Nepal-analysis of ethical aspects.

God. Those who support this practice as a justifiable one, lack to answer whether this practice is good or not; but they believe only on God and justify it as a continuous practice. They only believe that letting women live inside the family house instead of Chhau-shed/Cow-shed, allowing them to enter the kitchen and welcoming them into temples will infuriate the God and that wrath can inflict serious consequences on the family and the entire community<sup>9</sup>.

Most of the women and girls in the rural Chhupadi accepted that community still lives separately at the time of their menstruation; and they are bounded to follow the social and cultural norms. However, the trend of following the restricted social norms during this period are avoiding in some areas, mainly in urban areas. It is found that some women residing near the district headquarters have started to drink milk and eat milk products; girls are attending schools during their menstruation; and women/girls are engaging in social and cultural activities even at the time of their menstruation<sup>10</sup>. However, even some educated women still hesitate to visit temples, or prepare food assuming that such practice may make the anger God and bring misfortune in the family.

### **2.3 Chhupadi and Its effects on Women's Health**

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Menstruating women and girls have several types of restriction in Chhupadi following society; and those restrictions impact on health status of women and girls. It is believed in the society that women and girls during their menstruation should follow the ritual norms to make their family as well as the community health and safe. But, several literature relating to this issue have articulated that the ritual norms and values of Chhupadi practice are making the lives of women and girl unsafe and unhealthy. The religious, social and cultural believes, associated with the forms of menstruation and Chhupadi are affecting the health status of women and girls directly and indirectly.

Generally, the menstruating women and girls are forced to stay in a cold and unsafe hut and/or cow-shed. The environment within the place is generally unhygienic, suffocating and unclean without proper light and ventilation. The unhygienic nature of hut means that women and girls are vulnerable to infectious diseases<sup>11</sup>. Similarly, the freezing temperature in winter and sweltering temperature in summer inside the hut generally causes life-threatening health problems like pneumonia, diarrhoea, chest infection, suffocation, and respiratory tract infection<sup>12</sup>. During the period, although the women and girls are forbidden to enter into the house and religious places; they are expected to do more laborious outside work like carrying heavy loads, digging, collecting firewood and grass despite the lack of nutritious diet

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<sup>9</sup>Kadariya, S. & Aro, A. R (2015). Chhupadi practice in Nepal-analysis of ethical aspects.

<sup>10</sup>UNRHCO (2011). Field Bulletin in Chhupadi

<sup>11</sup>NFCC (2015). Assessment study on Chhupadi in Nepal: Towards a harm reduction strategy.

<sup>12</sup>Nilima&Tandon (2011). Centuries old Nepal banishment ritual endangers girls and women.

and comfort<sup>13</sup>. The restriction of consuming nutritious food, milk, meat, fruits during the period also creates negative impact on health like weakness, anaemia, etc.

Normally lost of the menstruating women and girls experience consequences of generic types of women reproductive health problems by. However, a research report has indicated that those who practice the strict norms of Chhaupadi, mainly staying in the Chhau-hut, has resulted in having higher reproductive health problems than with those who do not stay in Chhau-hut<sup>14</sup>. The report further explained that the cases of reproductive health problems like burning micturition, chronic pelvic pain, pain during period, and abnormal discharge, are some general symptoms in menstruation. However, in the Chhaupadi privileged areas, along with these cases, other more severe type of problems like abdominal pain, backache, foul-smelling discharge, and itching and cases of uterine prolapse are also other symptoms .

In some places, the effects of restriction as created by Chhaupadi practice are also seen in the psychological health of women and girls. Majority of women have experienced some kind of psychological effects such as stress, loneliness, and feeling of isolation and ignorance while staying in Chhau-hut following the restriction of Chhaupadi practice<sup>15</sup>. Isolation for a prolonged period of time with no one to talk to or share their feelings can be a reason behind fear and depression in long run<sup>16</sup>. Further, there is also the fear of sexual abuse and assault in night, attack of wild animals and snake bites, and possibility of accidental injuries.

Moreover, in the Chhaupadi following communities, there are some cases of losing lives of women and girls by following the restriction shaped by the society. In 2010, one woman died of exposure while staying in a Chhau-hut in Achham district. Similarly in the same year in a community of Achaam district, an 11 year-old girl died after a bout with diarrhoea and dehydration that begin while she was confined in the Chhau-hut; and she was refused to take hospital by her family and neighbours with a belief that they would become impure if they touched the menstruating girl<sup>17</sup>. Such cases hint that the consequences of following the beliefs of Chhaupadi are making harmful effects to health status of women and girls.

In certain villages that follow the Chhaupadi system, there is also the practice of keeping pregnant women in Chhau-hut or Cow-shed for delivery of their babies. After delivery, they are kept in the shed for about 11 days, because it is believed that both the mother and infants are impure on these days<sup>18</sup>. In the shed,

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<sup>13</sup>Shanti Kadariya & Arja R Aro (2015). Chhaupadi practice in Nepal-analysis of ethical aspects.

<sup>14</sup>Ranabhat et al (2015). Chhaupadi culture and reproductive health of women in Nepal.

<sup>15</sup>Lama, D & R. K. (2015). Maternal and child health care in Chhaupadi Pratha, social seclusion of mother and child after delivery in Achham, Nepal.

<sup>16</sup>Shanti Kadariya & Arja R Aro (2015). Chhaupadi practice in Nepal-analysis of ethical aspects.

<sup>17</sup>UNRHCO (2011). Field Bulletin in Chaupadi.

<sup>18</sup>Khanal, N; Bhandari, A. R; Lamichanne, J. (nd). " Chhaue, Chhaupadi and Chueekula Partha"-Menstrual sheds: Example of discriminatory practices against women in the Mid-and Far-Western region of Nepal: considering women as "impure" or "unclean" during menstruation and Post-partum periods

the mother and infants are exposed to various infections and its effects for long-term ailments. Similarly, there are some cases of death and serious illness of mother and child due to this practice<sup>19</sup>. Such aspects are thought to add higher maternal and child mortality rates.

Although the menstruation is a normal cycle and a normal part of a women's life, there are some taboos related to this cycle which effect in their health.. In this regards, the women rights actors have considered in spreading specific knowledge on Menstrual Hygiene. A global community has started to mark the Menstrual Hygiene Day in every year of May 28 from year 2014<sup>20</sup>. This year in 2017, the global community has observed the day with the theme, "Education about Menstruation Changes Everything<sup>21</sup>". In Nepal, the day was observed by bringing the policy makers, civil society organizations, individuals, professionals, advocacy groups and others group together to raise awareness and share experiences and knowledge about menstrual hygiene.

#### **2.4 Chhaupadi and Its effects on Girls' Education Status**

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Chhaupadi is being practiced mostly in mid and far west region of Nepal as a continuation of traditional and cultural norms, social taboos and superstition. During these periods, women are considered "impure" or "unclean" and are prohibited from taking part in many normal aspects of their lives. It is believed that any breach in such practice will bring bad omens upon their family, community or society. Females are even not allowed to touch or cross the temple and male counterparts and so are they compel to remain in the provided shed. These practices are obviously, a violation of human rights and also a form of gender discrimination against women, which brings negative effects on education (Kandel, Bhandari, and Lamichhane). Similarly, the study conducted by AWON (2012) in Jumla and Kalikot districts amongst school girls form grade 6-12 reports that 77% of the girls are kept in cowsheds at the time of menstruation; 48% are not allowed to attend social gatherings, and 28% never attended school during menstruation. This showed that they missed out around 4-11 days a month in the school, there has been some consequences on the homework to be done and other negative reinforcement from teachers and school management. The national data showed that 44.2% of adolescent girls currently aged 15-19 dropped out from secondary school and 21.3% have never been in school, and one of many reasons is being absent in regular school days (Koiral et.al, 2010).

Women are object of discrimination during their menstruation in Nepal as it is considered as impurity and sin. In some parts of Nepal, women are kept in chhau-goth i.e. cowshed during that period. The practice of Chhaupadi is also followed by woman during child birth and for up to eleven days after the delivery (Directive Regarding Chhaupadi Elimination, 2007). Though they arise many voices against the Chhaupadi, menstruation is still considered as an impurity and taboo by 58 % population belonging different culture in Nepal (CBS, 2011). Such practice promotes physical, and psychological violence and it happens as an obstacle to build capacity and confidence of women and girls in social, political

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<sup>19</sup>UNRHCO (2011). Field Bulletin in Chaupadi.

<sup>20</sup>New Spotlight Magazine, May 23, 2014. First menstrual hygiene day.

<sup>21</sup>Pyagya Lamsal in the Kathmandu Post, Menstrual hygiene day, 2017 May 28.

and economic activities. The Chhaupadi practice causes restriction in attending classes. This mostly effect to continue their school education.

Furthermore, school is believed as a temple of Goddess Saraswati and as menstruating girls are termed as impure and untouchable, school along with the community thinks menstruating girls should not enter the school (symbol as a temple). This hampers a menstruating girl going to school during those days. Male teachers also become aware of such students and students feel uneasy even if they are sent by family members to school.

## **2.5 Policy, Provision and Initiations against Chhaupadi Practice**

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Gender Based Violence (GBV) in Nepal is widespread cutting across classes, races, ages and religions; and women and girls are facing violence both in private and public places. Similarly, discriminatory laws, social customs, and prejudices that undermine equal status and opportunities for women in public and private life, are the major contributing factors for the GBV in Nepal by encouraging the consequences of child marriage, dowry, women trafficking, polygamy, witchcraft, religious divorce, Chhaupadi and other faithful social-culture practices affecting the life of women and girls. The traditional gender norms and masculinity beliefs in society encourage to tolerate men's habits and problems associated with infidelity, are found to be major triggers of GBV.

Nepal has committed to respond gender equality and address the issues of GBV through signing the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) in 1979, which supports the implementation of the Beijing Platform for Action and International Conference on Population and Development Programme of Action; and has accordingly adopted national action plans<sup>22</sup>. Additionally, over the past two decades, the nation has carried out substantial legal reforms to eliminate discrimination against women in the country's constitutional and legal frameworks. The constitution 2015 has prohibited discrimination on the basis of gender, recognised reproductive health and rights as fundamental rights, and banned all forms of violence against women. Additionally, the promulgation of Domestic Violence (Crime and Punishment) Act 2009, Amendment of some Nepali Acts to maintain Gender Equality and End Gender-Based Violence in 2014 are some key policy provision to address the issue of gender inequality and address GBV.

Mainly, the new constitution of Nepal 2015 guarantees the right of women to protection against physical, mental, sexual, and psychological or any other forms of violence as fundamental right, with penalty for perpetrators and entitlement of compensation for victims. It has prohibited concretely any act of sexual or psychological violence against women, and oppression against women based on religious, social, cultural, or traditional practices, with offenders liable not only for punishment, but also compensation for victim. Despite all these efforts, violence against women and girls remains widespread in Nepal in different forms. Among those form, Chhaupadi is being practiced in Mid-and Far-western regions as a form of gender

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<sup>22</sup>UNCT Gender Theme Group (2016). Position paper on ending violence against women and girls in Nepal



based violence, where women and girls are not allowed to enter inside the house, touch water sources, eat nutritious food including milk and milk-products, and are forced to stay in a hut outside identified as 'Chhaupadi-hut' or Cow-shed.

When the practice of Chhaupadi became a social debate, many human right defenders, social actors urged to eliminate this practice. Similarly, the Supreme Court of Nepal in May 2005 outlawed the Chhaupadi system and issues a directive to the GON to formulate laws for eliminating the practice<sup>23</sup>. Additionally, in 2008, the Ministry of Women, Child and Social Welfare promulgated guidelines to eradicate Chhaupadi nationally through promulgation of 'Chhaupadi Pratha Unmulan Nirdesika-2064 BS'. The guideline has mainly focused for ensuring commitment from different committee to address the issue of Chhaupadi and contribute to eliminate it.

## **2.6 Provision on "Chhaupadi Elimination Guideline"**

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Before lodging the writ petition in the Supreme Court against CChhaupadi practice in 2061 B.S., the Government of Nepal had some awareness raising interventions against social ill-practices including Chhaupadi practice through Ministry of Women Children and Social Welfare. To create a public awareness on the effects in social, physical, mental, economic and health aspects of women due to Chhaupadi practice, a visual documentary was being produced at that time. In 2061, Dil Bahadur Bishwakarma lodged a writ petition to the Supreme Court against Chhaupadi practice prevailing in western and mid-western Nepal. The Supreme Court gave directive order to multiple government agencies as the decision on the petition in 2062/1/19.<sup>24</sup> According to the decision, the Supreme Court gave order to Office of the Prime minister and Ministers Council to declare Chhaupadi practice as the harmful practice to keep women into CChhaupadi shed, within a month of issuing order.

The same decision ordered Ministry of Health to form a study team including doctors and commission a study on the effects of CChhaupadi practice on the lives of women and girls in the Chhaupadi practice prevailing districts and identify the health related interventions and submit report to Ministry of Health and to the Supreme Court as soon as possible. Similarly, the Supreme Court gave directive order to Ministry of Local Development to mobilize local bodies in order to create public awareness against CChhaupadi practice, in the same writ petition. Additionally, the Supreme Court gave order to Ministry of Women Children and Social Welfare to develop and implement a guideline within a three months to stop any forms of discrimination against women related to CChhaupadi practice and to inform the Supreme Court about the developed guideline. The Supreme Court also gave order to commission a comprehensive study in relation to formulation of laws and make the necessary law if required. The Supreme Court also draw an attention of NGOs too for the implementation of massive programmes to eliminate Chhaupadi practice.

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<sup>23</sup>UNRHCO (2011). Field Bulletin in Chaupadi

In the context of writ petition, the contemporary government did not seem progressive. In the written response to the Supreme Court for the show cause order, the Ministry of Women, Children and Social Welfare responded that such practices can be removed gradually through the public awareness and requested to dismiss the writ petition. Likewise, the Ministry of Home also gave similar written response saying that such ill-culture is related to perception, mind-sets or spirit of the people, it will gradually go down through social awareness, writ petition is not a right way.<sup>24</sup>

After about two years back of the Supreme Court's decision on writ petition against Chhaupadi practice, government issued the Chhaupadi System Elimination Guidelines in 2064 BS whereas the court had given directive order to formulate guideline within three months. The guideline committed for the immediate and long-term programmes and institutional arrangement in order to eliminate Chhaupadi practice. As the immediate programmes, the guideline mentioned the following:

- Adopt measures of public awareness against existing traditional belief, values and practice related to Chhaupadi practice.
- Provide information about the health and nutrition services available to girls and women directly affected from Chhaupadi practice.
- Felicitate to those individuals, families and communities who are engaged to end Chhaupadi practice.

As the long-term programmes, the guideline declared the following interventions:

- Conduct programmes for proportionate participation of women in all the sectors of national lives by empowering women economically, socially and politically.
- Create an equitable society by fulfilling of women human rights by making legal provisions.

As the programme implementing agencies, the guideline provisioned to form a district, municipality and VDC level committees in the districts where CChhaupadi practice prevails. The district level committee is to be formed in the coordination of District Development Committee with the other members from District Administration Office, District Education Office, District Public-health Office, District Police Office, I/NGOs, Women's Groups representatives, representative of child clubs, and representatives of teachers. The Women Development Office hold the responsibility of member secretary. Likewise, the VDC/Municipality level committee is to be led by VDC/Municipality as the coordinator. The other members shall be representatives of VDC/Municipality level government offices, I/NGOs, Women's Groups representatives, representative of child clubs, and representatives of teachers.

There is no special Act in order to eliminate Chhaupadi system. Different committees are formed to develop an action plan of the programmes to be implemented. The local bodies should include mentioned programmes in the regular annual programme and allocate necessary budget accordingly. Schools, women and girls affected from CChhaupadi practice, community (traditional healers: Dhami, Jhakri, Priests, and Mukhiya), family members including senior members of the families, and political

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<sup>24</sup> Dalit NGO Federation: PIL on Dalit issues and role of the Supreme Court, Writ Petition against Chhaupadi Practice, page 48

parties are the target groups of such programmes. The said committees shall mobilize the resources from local bodies, government, I/NGOs and other resources for the activities to end CChhaupadi system. Additionally, the guideline has given responsibility to public post holders, all family members of Chhaupadi affected girls and women and the mass people to support for eliminating the Chhaupadi practices. The following matrix shows the implementation status of the Supreme Court's decisions:

Directive order of the Supreme Court to different stakeholders	Timeline given by the courts	Responsible Agency	Implementation Status
To declare Chhaupadi practices (keeping women of menstruation period into CChhaupadi shed) as the harmful practice	Within a month of Supreme Court decision	Prime minister and Ministers Council	The meeting of the Council of Ministers has declared Chhaupadi practice as a harmful practice
To form a study team including doctors and commission a study on the effects of Chhaupadi practice on the lives of women and girls in the Chhaupadi practice prevailing districts and identify the health related interventions	As soon as possible	Ministry of Health and Population	No such study has been taken place yet.
To mobilize local bodies in order to create public awareness against CChhaupadi practice		Ministry of Local Development	The Ministry of Local Development has encouraged local bodies to include such intervention in their annual plan and budget. DDC Kalikot conducted awareness against Chhaupadi through CAC in 2071/72. Similarly other districts have also included programme and budget in the district annual plan. However, they are only indicative. There is need of massive and aggressive interventions to end such

			a deeply entrenched malpractice.
To develop and implement a guideline to stop any forms of discrimination against women related to Chhaupadi practice and to inform the Supreme Court about the developed guideline.	Within a three months of issuing order by the Supreme Court	Prime minister and Ministers Council Ministry of Women Children and Social Welfare	The guideline was developed but only after about 3 years of the court decision but the Court had given 3 months' time.
To commission a comprehensive study in relation to formulation of laws and make the necessary law if required.		Ministry of Law and Justice	No such study has been undertaken and no law making process is initiated.
The Supreme Court also draw an attention of NGOs too for the implementation of massive programmes to eliminate Chhaupadi practice.		NGOs	Some NGOs and CBOs have initiated such interventions in the affected districts.

The other major policy intervention is the promulgation of Chhaupadi Practice Eradication Guideline 2007. The following matrix shows the implementation status of the Chhaupadi System Eradication Guideline 2007:

Provisions made in the Chhaupadi System Eradication Guideline 2007	Implementation Status
Formation of Chhaupadi Practice Eradication Programme Implementation District and VDC/Municipality Committees	The guideline has provisioned to form Chhaupadi Practice Eradication Programme Implementation District and VDC/Municipality Committees in affected districts. The District Committee Comprises: DDC (Coordinator), DAO, DEO, DPHO, DPO, I/NGOs, Front-line women activists, Child Club, Teacher, DWCO (member secretary). At VDC/Municipality level, the formation comprises VDC/Municipality (Coordinator), Government representative at VDC/Mun. Level, I/NGOs, Child Club,

	Teacher.
Adopt measures of public awareness against existing traditional belief, values and practice related to Chhaupadi practice.	The district Women and Children Offices, District Development Committees and NGOs have initiated to include such interventions in their annual plan and budget and implemented accordingly. However they are justice indicative, not massively and substantially done.
Provide information about the health and nutrition services available to girls and women directly affected from Chhaupadi practice.	Local Female Health Volunteers are doing this.
Felicitate to those individuals, families and communities who are engaged to end Chhaupadi practice.	NGOs have been doing such activities.
Conduct programmes for proportionate participation of women in the all sectors of national lives by empowering women economically, socially and politically.	NGOs and CBOs conduct lobby and advocacy activities for this.
Create an equitable society by fulfilling of women human rights by making legal provisions.	Local bodies, NGOs and CBOs conduct lobby and advocacy activities for women human rights based on anti-discrimination legislations.

## Chapter III: Research Methodology and Approaches

With understanding the objectives and scope of the entire research work; different methodologies and approaches are applied by the research team to maintain credibility and validity both in research design and commissioning in the real field. The designing of the research work mainly followed the TOR as suggested by AWON and BEE Group, and theories of social research. Similarly, several literature related to research issues as well as project documents were reviewed for designing the research. Then, the research work in real field was commissioned with managerial supports from both implementing organizations. The major approaches and methodologies that were applied in the entire research process are briefly highlighted as follow:

### **3.1 Desk Review:**

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Relevant documents related to Chhaupadi practice, socio-cultural practices of Karnali region as well as policy related documents (both primary and secondary) are reviewed. The review of such documents was targeted for designing the research framework as well as the tools/technique for data collection as expected to meet the research objectives. As an output of desk review, the research team finalized the modality of conducting the research work with specific tools and techniques.

### **3.2 Consultation with AWON and BEE Group:**

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After developing the tools and techniques based on the desk review, the research team organized consultation meetings with concerned officials of AWON and BEE Group. The consultation meeting was planned to finalize tools and techniques developed by the research team; and prepared detailed plan for field activities based on the proposed field plan.

Meeting with AWON team was also conducted for second time after preparing the research tools and detail field plan. The second time, the meeting was mainly focused to agree on selecting of field enumerators, supervisors and final field plan for data collection. Hence, the meeting decided to select local enumerators from each districts to collect household level data based on the developed questionnaires.

### **3.3 Training to enumerators and research assistants:**

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The research team designed a specific training programme for the enumerators and research assistants to provide them basic knowledge and skill of research. Mainly, the enumerators and research assistants were taught on selecting the appropriate sample, technique of data collection using questionnaires, and other approaches such as FGD, individual interview, observation and other qualitative tools. In total, there were 21 enumerators and 3 research assistants selected by AWON and BEE Groups to mobilize in three research districts. The 3 days training programme was organized on 23-27 Feb, 2017 in headquarter of Jumla district.

The training was not only planned to aware the enumerators and research assistants on research techniques, was also to capture opportunities to test the developed research tool. The developed questionnaires were discussed in the training; and as an exercise, it was tested by collecting data/information from nearby location of training venue. That provision gave an chance to finalize the research tools and questionnaires through collective approach in training.

### **3.4 Data collection Processes:**

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On the basis of the designed tools and techniques; both qualitative and quantitative data were collected from different respondents and representatives of different institutions. , The **Quantitative data** were collected by mobilizing the field enumerators and research assistants by using field questionnaire from the selected participants by using the sampling framework. The questionnaires were developed to collect required information from the targeted respondents.

Similarly, **the Qualitative information** were collected by using different participatory tools as per required context of stakeholders and social setting. The field enumerators and research assistants were assisted by the research team to collect and/or generate the qualitative data/information from the research participants as well as from the research site. However, the research team members were also engaged to conduct FGD, interview and discussion among some specific participants in each district headquarter. The enumerators and research assistants were given role to observe the research team gathering qualitative information as learning for them to organize similar types of events in the local level.

Some specific checklist were also developed as a reference to facilitate the data collection process in qualitative approaches. The basic approaches that were applied for qualitative data collection process were:

- **Focus Group Discussion (FGD):** In each VDC, two FGDs were carried out to collect views, ideas and experiences of targeted participants. The first FGD was targeted to the female of reproductive age to collect their perception and practice on menstruation and its consequences. Similarly, another FGD was carried out in a mixed group of male and female. The objective of the mixed group was to collect views from male members regarding menstruation practice. For all these process, a specific checklists was develop to conduct FGD including some thematic questions to be discussed. Hence, in total, 42 FGDs were conducted in 21 research VDCs in three districts.
- **Key Informant Interview (KII):** The data collection process was focused to collect information from key stakeholders, representative of key institutions, social leaders, traditional healer and others as key informant. For making the KII process more effective, a list of possible informant was prepared through consulting with AWON and BEE Groups team members. Similarly, thematic areas of interview for KII were already prepared before going to the field. In total, around 56

representatives of local institutions, youth leaders, social leaders, and others key informant were interviewed in this process.

- **Meeting with Stakeholders:** As data collection process, the research team met with district and local stakeholders (health office, education office, women and children office, police office and other concerned government offices in district and local level) and collected their views through discussion and interaction about the Chhaupadi practice and its effect on women and adolescent girls. Similarly, some consultation meeting was organized with specific institutions, committee such as district child club network, District women and child development office, and others in district head quarter level to assess their view and experiences on Chhaupadi practice in the research location.
- **Observation:** Observations at the field level were carried out to assess the practice of Chhaupadi. The observation was mainly focused for capturing the information of socio-culture practices, daily activities of women and adolescents girls, and the impact of Chhaupadi in life of women and adolescents girls. Similarly, the Chhaupati-hut, Cow-shed and the living places of menstruating women and girls were also observed to capture the status of those places.

### 3.5 Selection of Research Site and Participants

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The research work was a part of a project named "Elimination of *Chhaupadi* practice in Karnali, Nepal" as implementing by AWON and BEE Group in 21 VDCs of Jumla, Kalikot and Mugu district. Hence, the research location (districts and VDCs) are purposefully selected in the same working VDCs of Project.

Regarding the selection of the research participants, the research team followed some basic principle based on the objective and scope of the research. As the research theme is purely related to assess the understanding and knowledge of national laws, policies and Chhaupadi Elimination Guideline among the local people; and assess its implementation; it was assumed that the appropriate participant for the entire research work would be the women, girls, and general people representing from every sphere of the community. Hence, the research participants were selected through three different population groups. They are: (a) Adolescents girls, (b) Women, and (c) General people of community. With assuming these three groups of population as research population; a specific sample was derived from each categories. However, while selecting the respondents from each categories, consideration was given to capture the voice from every categories of people. For example, in the category of general people, the research process focused on ensuring representation from different groups such as local leaders, elderly people, teachers, religious/faith leaders, traditional healers, local health volunteers, women household head, male youths etc.



Beside these primary participant, other relevant participants were also selected for collecting their views through other aspects such as FGD, KII and interview. Some basic criteria was defined while selecting such types of participants . Mainly, the persons who are directly involved to work for women, and girls; and experienced social and cultural issues related to women and girls are considered as appropriate participants. Hence, the relevant government representative, NGO workers, political leaders, women activists and child club members were selected as participants in district level. Similarly, in the community level; the school teachers, FCHVs, health workers, traditional healers, religions/faith leaders, youths, elderly women and other female and male members of local institutions were selected as appropriate participants for research. Required information/data from these participants were collected/generated from applying appropriate qualitative tools/techniques such as FGD, interview, consultation, and meetings.

### 3.6 Sampling Framework

The data collected through using questionnaires was mainly focused for selected key respondents; and those respondents were selected based on the specific sampling numbers calculated through statistical methods. As the research theme was related to menstruation and Chhaupadi practice, the total population of the research areas was categorically divided into three different groups; and the specific number of sample were calculated from each group by using statistical sampling calculation method assuming the confidence level of 99% and margin of error (degree of accuracy) of 5.0% with applying the following formula:

$$\text{Sample size (n)} = \frac{\chi^2 * N * (1-P)}{ME^2(N-1) + (\chi^2 * P * (1-P))}$$

Where

n = required sample size

$\chi^2$  = Chi square for the specified confidence level at 1 degree of freedom

N = Population size

ME = Desired Marginal error (expressed as a proportion)

Hence, the total number of sample was calculated as below:

**Table 1: Total Population in the Research Sites; and Sample Number**

Group of Population and Sample Number	Total Population <sup>25</sup>	Number of SAMPLE
1. Adolescent Girls (10-19 Years)	8619	616

<sup>25</sup>Population Census Report 2011 Nepal CBS.

2. Women (20-49 Years)	8670	621
3. General People (above 10 Years of age)	48363	655
<i>Total Sample</i>		<b>1892</b>

Further, the calculated sample of each group of population are divided into all 21 VDCs based on the ration of population. After that calculation, number of sample in each survey VDCs in each group of population was calculated; and it was considered as final sample number for collecting data using the survey questionnaires.

The below table gives the brief picture about the number of sample collected from each research VDCs.

**Table 2: Sample in Survey VDCs**

Districts	Name of VDC	No of Sample in Population Group			Total
		Girls (13-24 Years)	Female (25-49 Year)	General Groups	
Jumla	1. Lamra	25	30	30	<b>85</b>
	2. Kudari	42	50	46	<b>138</b>
	3. Sannigaun	44	39	45	<b>128</b>
	4. Raralihi	24	24	25	<b>73</b>
	5. Ghodemahadev	22	21	23	<b>66</b>
	6. Malikathata	30	27	32	<b>89</b>
	7. Mahabaipatharkhola	27	27	27	<b>81</b>
	<b>Total in Jumla</b>	<b>214</b>	<b>218</b>	<b>228</b>	<b>660</b>
Kalikot	1. Chilkhaya	41	43	42	<b>126</b>
	2. Phoimahadev	30	32	30	<b>92</b>
	3. Ranchuli	21	22	23	<b>66</b>
	4. Chhapre	32	31	34	<b>97</b>
	5. Jubitha	24	20	24	<b>68</b>
	6. Pakha	39	37	40	<b>116</b>
	7. Dahaphat	47	41	46	<b>134</b>
	<b>Total in Kalikot</b>	<b>234</b>	<b>226</b>	<b>239</b>	<b>699</b>
Mugu	1. Gamtha	23	23	25	<b>71</b>
	2. Khamale	17	14	17	<b>48</b>
	3. Pina	34	35	35	<b>104</b>
	4. Rowa	36	37	41	<b>114</b>
	5. Rara	12	14	14	<b>40</b>
	6. Seri	17	21	21	<b>59</b>
	7. Srikot	29	33	35	<b>97</b>

Total in Mugu	168	177	188	533
Total SAMPLE	616	621	655	1892

While collecting data applying the total calculated sample, it was also considered to capture the representation from diversified ethnicity and social background of respondents. Hence, the total calculated sample number of each VDCs was also divided to specific targeted groups to collect data.

### **3.7 Data Analysis and Reporting:**

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After completion of field activities, the research team concentrated on analysing the data. Both the quantitative and qualitative data were analysed by using specific data analysis technique. First, the quantitative data were analysed using SPSS; and generated useful tables and cross-tabulation. Likewise, the qualitative data were analysed by coding the information in specific theme and area. In addition; some narratives were prepared using the qualitative information to articulate the findings of quantitative data.

Regarding the research report; first, a draft report was prepared and shared for the feedback and suggestion from concerned officials of AWON and BEE Group. Based on the first draft report, a joint meeting between research team and AWON team was organized to discuss on the essence of report. The feedback on the report and the joint meeting suggested the research team to prepare the final research report.

## Chapter IV: Findings and Discussions

### 4.1 Socio-Demographic Characteristics of Respondents

#### Number of respondent in Research Districts and VDCs:

The total number of respondents captured through quantitative data collection process in three research districts were **1892**(Kalikot 699, Jumla 660, and Mugu 533). Similarly, the gender ratio of respondents was found similar in all three districts. However, there were 77.4% female and 22.6% male respondents.

**Table 3: Sex of Respondents**

Name of Districts	Response	Sex of respondents		
		Male	Female	Total
Kalikot	Count	158	541	699
	% within District	22.6	77.4	100.0%
Jumla	Count	148	512	660
	% within District	22.4	77.6	100.0%
Mugu	Count	122	411	533
	% within District	22.9	77.1	100.00%
Total	<b>Count</b>	<b>428</b>	<b>1464</b>	<b>1892</b>
	<b>% within District</b>	<b>22.6</b>	<b>77.4</b>	<b>100.0%</b>

#### Caste, Ethnicity and Religion:

**Table 4: Cast & ethnicity of Respondents**

Name of Districts		Dalit	Janjati	Brahman	Cheetri	Thakuri	Total
Kalikot	Count	185	0	94	142	278	699
	% within District	26.50%	0.00%	13.40%	20.30%	39.80%	100.00%
Jumla	Count	95	20	74	389	82	660
	% within District	14.40%	3.00%	11.20%	58.90%	12.40%	100.00%
Mugu	Count	103	5	31	316	78	533
	% within District	19.30%	0.90%	5.80%	59.30%	14.60%	100.00%
Total	Count	383	25	199	847	438	1892
	% within District	20.20%	1.30%	10.50%	44.80%	23.20%	100.00%

Out of total 1892 respondents, majority of respondents were represented from Cheetri casts (44.8%) followed by Thakuri (23.2%) and Dalit (20.2%). The district wise trend of representation of caste and



### Educational Status:

The education status of respondents vary in different level. Out of total respondents, majority are from illiterate (24.4%) and Literate (19.4%).

**Table 6: Educational Status of Respondents**

Districts		Illiterate	Literate	Primary Level	Lower Secondary	Secondary	SLC	+2 and above
Kalikot	Count	126	151	30	81	106	90	115
	% within District	18.0	<b>21.6</b>	4.3	11.6	15.2	12.9	16.5
Jumla	Count	143	148	48	47	121	67	86
	% within District	21.7	<b>22.4</b>	7.3	7.1	18.3	10.2	13.0
Mugu	Count	192	68	27	41	94	47	64
	% within District	<b>36.0</b>	12.8	5.1	7.7	17.6	8.8	12.0
Total	Count	461	367	105	169	321	204	265
	% within District	<b>24.4</b>	<b>19.4</b>	<b>5.5</b>	<b>8.9</b>	<b>17.0</b>	<b>10.8</b>	<b>14.0</b>

Similarly, there are significant proportion of respondents who have education level of secondary (17.0%), +2 and above (14.0%), SLC (10.8%), lower secondary (8.9%), and primary level (5.5%). District wise, the proportion of level of education of respondents were found similar. However, the majority of respondents in Mugu (36.0%) were from illiterate group; and in Jumla (22.4%) and Kalikot (21.6%) are from literate group.

### Occupational Status:

Regarding to the occupation of respondents and their family, majority of them were engaged in states agriculture & livestock (83.1%) as a major occupation in their family. Similarly, it follows by Service (4.8%), Business (3.0%), and self-employment (2.2%). Similarly, the research has also captured the representation from other

**Table 7: Main Occupation of Respondents and/or their family**

	Frequency	Percent
Agriculture & Livestock	1573	83.1
Service	91	4.8
Business	57	3.0
Self-employment	42	2.2
Labour Work	19	1.0
Social Service/Leader	35	1.8
Traditional Healer/Priest	29	1.5
School Teacher	33	1.7
Other	13	0.7
Total	1892	100.0

economic groups of participants. It is noted that there are some key members such as school teachers (1.7%), traditional healer/priest (1.5), social leaders (1.8%) and others (0.7%) as primary respondents.

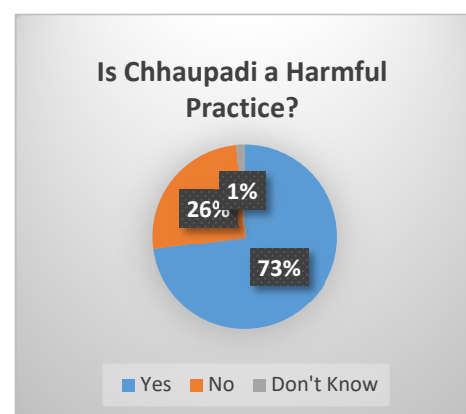
## 4.2 Perception on Chhaupadi System

### 4.2.1 Chhaupadi and Violence against girls

The respondents were asked to assess their understanding and perception of Chhaupai practice through some basic questions such as: whether the Chhaupadi practice is harmful and is the cause of gender based violence. Similarly, they were asked to know their understanding about eliminating the practice.

When the respondents were asked whether the Chhaupadi practice is harmful or not. It was found that the majority of respondents (72.9%) replied "**Chhaupadi as a Harmful practice**". However, it is significant that over one fourth of respondents

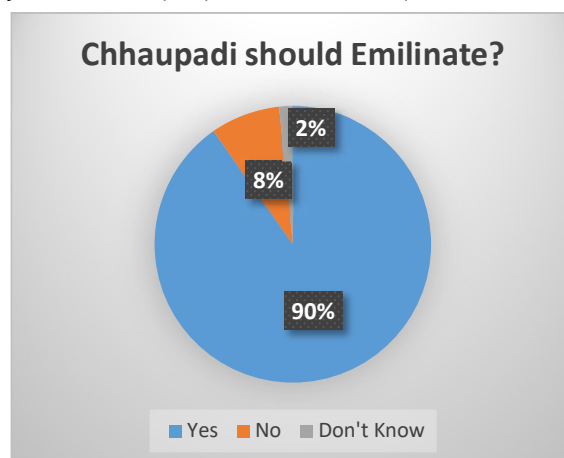
(25.6%) do not consider it as harmful practice. While considering this data from sex-wise, it was found that majority of male respondents (30.4%) did not consider the Chhaupadi as a harmful practice..

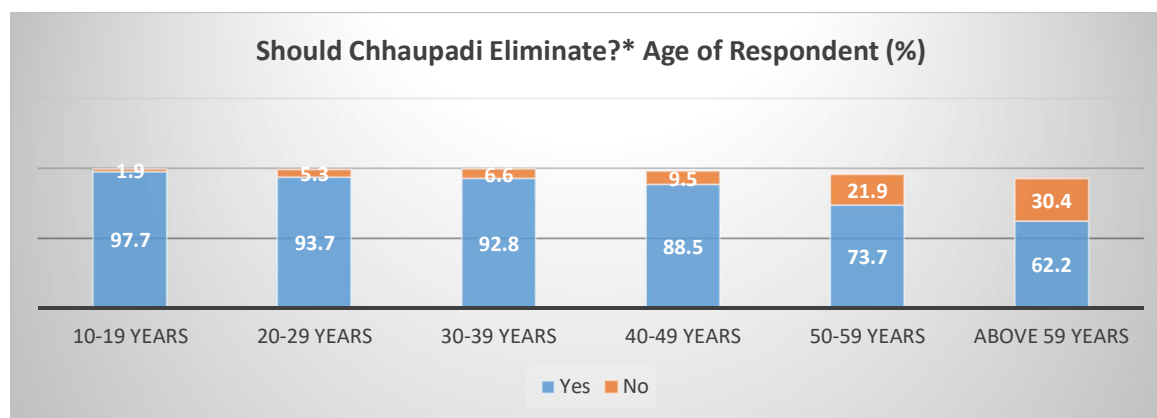


Similarly, the respondents were asked whether the '**Chhaupadi practice is a cause of Gender Based Violence**' or not. It was found that 73.5% of respondents considered it as a cause of gender based violence, whereas 19.5% do not perceive it in such way.

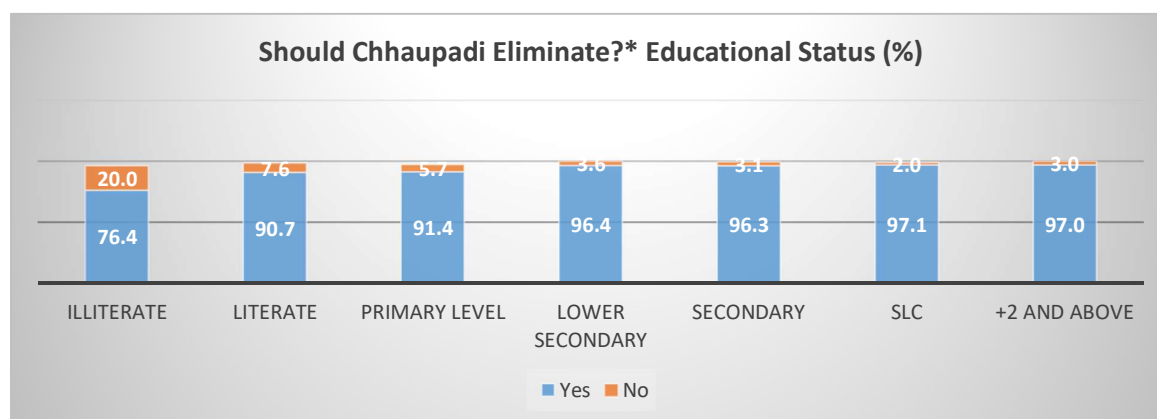
Additionally, the respondents were asked whether '**Chhaupadi should be eliminate**' or not. **90.3%** of respondents seemed to be convinced in eliminating it. However, over 8% of respondents do not think that this practice should be eliminated from the community. And the proportional of respondents who perceive that it should not be eliminated from the community were elderly people and traditional healer and priests.

More clearly it was found that the correlation between higher of age and their consideration of not require to eliminate the Chhaupadi practice is significantly correlated. It was found that significant number of elderly people do not consider that Chhaupadi should be eliminated from their community.





The educational status of respondents was also significantly vary when they perceive to state whether the Chhaupadi practice should be eliminated or not. It was found that the person who have higher level of



education perceived that such practices should be eliminated from the society. However, the majority of the people still consider that it is not required to eliminate. It was found from the research data that around 20% illiterate respondents do not consider that Chhaupadi should be eliminated, whereas only 3% respondents having +2 and above educational status consider it. Such data indicates that the educational level of participants and their understanding and perception on Chhaupadi practice are significantly correlated.

### 4.3 Understanding and Knowledge on Policy, Law and Supreme Court Decision

#### 4.3.1 Implementation of Supreme Court Decision

The Supreme Court of Nepal has declared the Chhaupadi practice as a malpractice and gave the Government of Nepal an order to make a specific plan to eliminate it. From that decision of Supreme Court, the GON considered the Chhaupadi as a harmful practice, and initiated for the joint action for elimination. In this aspect, the respondent were asked whether if they have known the Supreme Court's Decision ? Such questions were included to assess the respondent's knowledge on policy related to Chhaupadi.



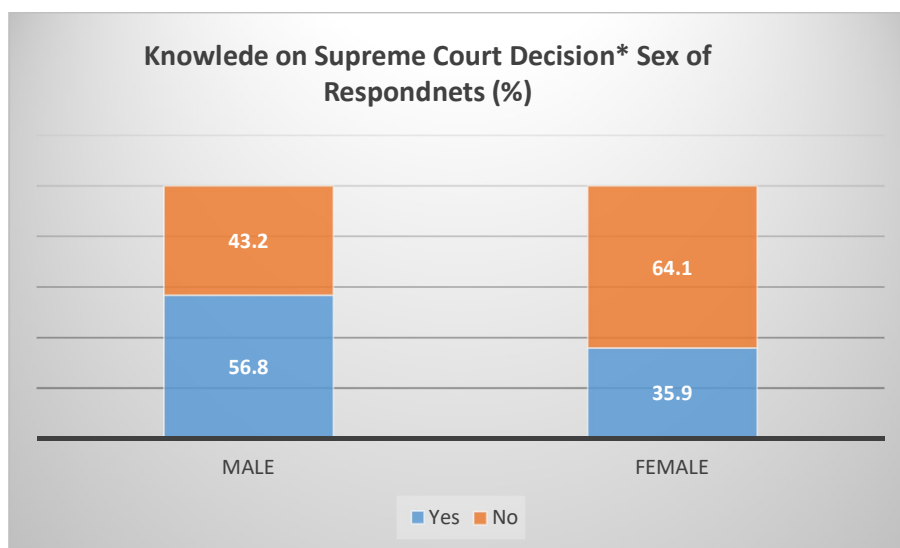
**Table 8:** Do you know that Supreme Court of Nepal has declared the 'Chhaupadi Practice' as malpractice \* District Cross-tabulation

		Kalikot	Jumla	Mugu	Total
Yes	Count	241	290	238	769
	% within District	34.5	43.9	44.7	40.6
No	Count	458	370	295	1123
	% within District	65.5	56.1	55.3	59.4
Total	Count	699	660	533	1892
	% within District	100.0	100.0	100.0	100.0

question was asked, and analysed the responses; it was found that majority of the respondents do not know about the decision. Out of total 1892 respondents, about 60% of respondents do not know about decision of the Supreme Court. However, the proportion of respondents who state 'Yes' is also significantly greater (40.6%).

Looking at the district wise situation, about 55.3% of respondents in Mugu mentioned that they do not have any knowledge of the decision of the Supreme Court. This rate is higher in Jumla (56.1%) and Kalikot 65.5% respectively. This facts reveals that the awareness level is lower in Kalikot district with regards to this decision of the court.

Similarly, the knowledge about Supreme Court decision seems very low in women as compare to men. Only 36% of the total women has knowledge about the Supreme Court's decision on the Chhaupadi. This rate is higher (57%) among men.



Further, when the research team engaged in the research location to have interaction, meetings, and interview with local people, then it became clear that the local people knew about the Supreme Court decision from NGO, CBOs and development organization which are working in the community. Mainly,

the development organization which are working on Women's issue facilitate the women's group and aware them on policy provision related to women's rights.

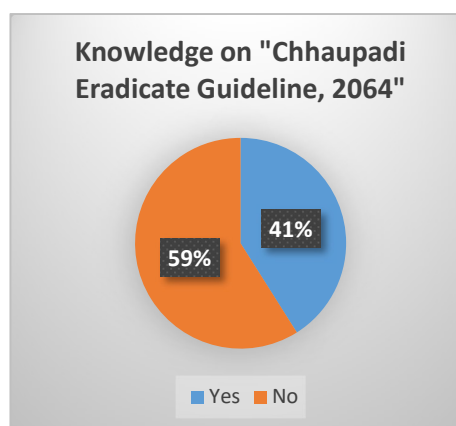
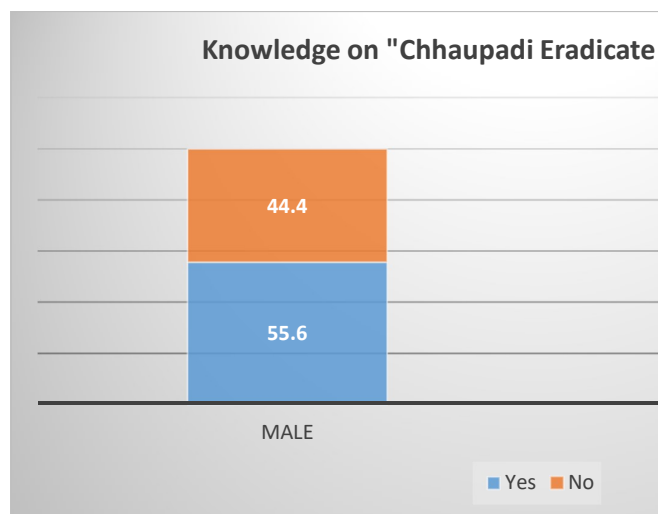
### 4.3.2 Implementation of Chhaupadi Practice Eradication Guideline

The knowledge among the respondents about the "Chhaupadi Eradication Guideline" is seemed poor in the research area. The Chhaupadi System Elimination Guideline was promulgated about one decade back in 2007. The guideline was developed and issued only after about 3 years later of giving order by the Supreme. Though the Court had given order to promulgate the guideline with three months of the court decision. However majority of people are not aware with the guideline. In study area, about 59 % respondents reported that they did not know about the guideline.

**Table 9:** Knowledge about "Guideline to eradicate Chhaupadi practice 2064" \* District Cross tabulation

Response		Kalikot	Jumla	Mugu	Total
Yes	Count	253	292	232	777
	% within District	36.2	44.2	43.5	41.1
No	Count	446	368	301	1115
	% within District	63.8	55.8	56.5	58.9
Total	Count	699	660	533	1892
	% within District	100.0	100.0	100.0	100.0

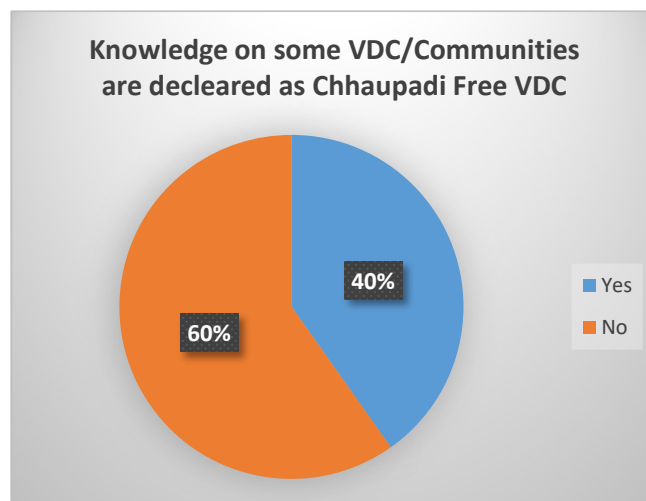
Regarding the knowledge of district wise respondents on Guideline to eradicate Chhaupadi practice 2064, it was found that about 63.8% respondents of Kalikot, 55.8% in Jumla and 56.5% in Mugu districts have no knowledge on it.



And the lack of knowledge on the government's promulgation is even higher in women. In study areas, more than 63 % women reported that they do not know about the guideline. Only about 37 % women and about 56 % men mentions that they knew the promulgation of the guideline. Women are directly affected by the Chhaupadi practice but still they are not aware with the government's initiatives.

### 4.3.3 Declaration of Chhaupadi Practice Free VDC/Community

In the Chhaupadi practice prevailing districts, some VDCs have been declared as Chhaupadi Practice Free VDC/community. It is a special campaign in those areas as a way to eliminate the Chhaupadi practice. In this aspect, the research participants were asked whether "they are known about those declared VDCs Chhaupadi. While responding on this question, a significant proportion of respondents (60%) stated that they(40%) do not know about the Chhaupadi Free VDC/Community. Such data indicates that many people in the survey areas do not know that there are some possibility to declare their VDC/Community as Chhaupadi Free VDC/Community.



District-wise, it was found that, around 71.1 % respondents of Kalikot, 47.9 in Jumla and 59.7 in Mugu told that they do not know about such declaration.

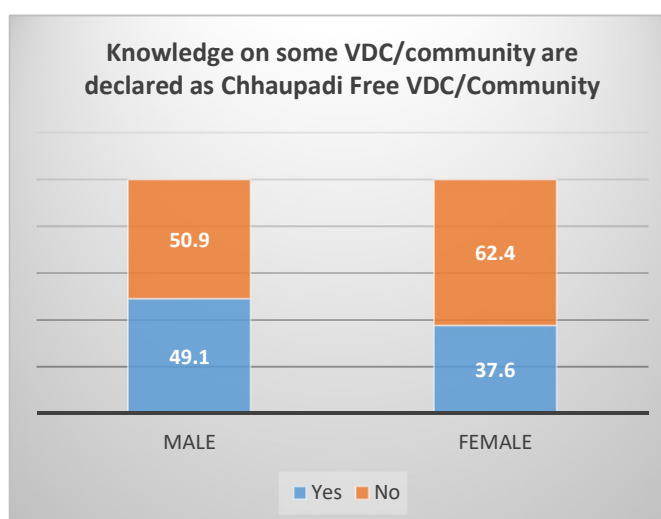
**Table 10:** Knowledge on some VDC/community are declared as Chhaupadi Free VDC/Community

\* District Cross tabulation

		Kalikot	Jumla	Mugu	Total
Yes	Count	202	344	215	761
	% within District	28.9	52.1	40.3	40.2
No	Count	497	316	318	1131
	% within District	71.1	47.9	59.7	59.8
Total	Count	699	660	533	1892
	% within District	100.0	100.0	100.0	100.0

With respect to sex wise respondents, it was found that around 62.4 % of women have no knowledge about the practice of declaring "Chhaupadi Free VDC/Community". However, about half proportion of total male respondents stated such response. In this aspect, it becomes clear that knowledge about elimination practices of Chhaupadi is comparatively lower in women as compare to man.

While talking with a women group in a community of Jumla, it was known that their group was supported by an NGO and facilitated to enhance the groups' member of menstruation hygiene, women's basic rights, policy and provision; and oriented them to raise their voice against negative aspects of Chhaupadi practice. However, it is known from the research data that knowledge among the male and female about the practice of Chhaupadi elimination is significantly varied.



While talking with some male member of a community of Mugu district in an interaction; it was known that the male members were in regular communication and interaction with local and district government such as VDC, DDC and other government offices in district. In such meeting/communication, such information are transferred from one to another. As a result, the male members of community have basic knowledge about policy, provision and other aspects of Chhaupadi while comparing to female.

Although the above research data states that only 60% respondents have knowledge about declaration of other VDCs/Community as "Chhaupadi Free VDC", a large proportion of respondents (92.0%) stated their agreement that their VDC/Community should be declared as "Chhaupadi Free VDC/Community". Out of total respondents who stated that they are not agree for declaring their community as "Chhaupadi Free Community", the proportion of male respondent are higher as compare to female. It was found that out of total male respondents, 11.0% do not consider that their community should be declared as "Chhaupadi Free Community".

**Table 11:** Do your community should declare as 'Chhaupadi Free Community'?\*Sex of Respondent

		Male	Female
Yes	Count	381	1360
	% within Sex of respondents	89.0	92.9
No	Count	47	104
	% within Sex of respondents	11.0	7.1
Total	Count	428	1464
	% within Sex of respondents	100.0	100.0

While analysing the same data with the occupation of the respondents or their family, it was found that there were significant correlation between occupation and the desire of Chhaupadi Free Community. A large proportion of respondent agreed that their community should be declared as 'Chhaupadi Free Community'. Even in such aspect, 100% service holders and labour workers are fully convinced on such

movement. However, in the community, there are also a large group of representation who might not agree on such campaign. It was found from the research data that a large number of respondent (62.1%), who are established as traditional healer/priest in society, do not agree that their community should declare as "Chhaupadi Free Community".

**Table 12:** Do your community should declare as 'Chhaupadi Free Community'?\* Occupation of Respondent or their family

Main Occupation of Respondent or family	Response	Yes	No	Total
Agriculture & Livestock	Count	1454	119	1573
	% within Occupation	92.4%	7.6%	100.0%
Service	Count	91	0	91
	% within Occupation	<b>100.0%</b>	0.0%	100.0%
Business	Count	54	3	57
	% within Occupation	94.7%	5.3%	100.0%
Self-employment	Count	37	5	42
	% within Occupation	88.1%	11.9%	100.0%
Labour Work	Count	19	0	19
	% within Occupation	<b>100.0%</b>	0.0%	100.0%
Social Service/Leader	Count	32	3	35
	% within Occupation	91.4%	8.6%	100.0%
Traditional Healer/Priest	Count	11	18	29
	% within Occupation	37.9%	<b>62.1%</b>	100.0%
School Teacher	Count	31	2	33
	% within Occupation	93.9%	6.1%	100.0%
Other	Count	12	1	13
	% within Occupation	92.3%	7.7%	100.0%
Total	Count	1741	151	1892
	% within Occupation	92.0%	8.0%	100.0%

#### 4.3.4 The measure of eradicating Chhaupadi practice

The research also attempts to explore the view of the respondents about strategies or approaches that are required to eliminate Chhaupadi practice from their communities. In this aspect, several opinions were kept by the respondents. As the multiple responses, 74.5 % believed that Chhaupadi practice can be eliminated by educating the elder people.

*Table 13: Approach to eliminate Chhaupadi practice from society?*

Strategy and/or approach	Response (N)	Percent of Cases
Educate the Elder people	1405	74.5
Educate Family members	640	34.0
Educate Girls/Women	757	40.2
Educate traditional Healer/Priests	1549	82.2
Campaign against Chhaupadi	1162	61.6
Award those who do not practice Chhaupadi	551	29.2
Others	148	7.9

Note: Multiple Response

Similarly, 34% of them mentioned that it can be eliminated by educating the family members. Likewise, 40.2% view that educating the girls and women is a way of eliminating Chhaupadi practice. Educating traditional Healers, campaign against Chhaupadi and awarding those who do not practice Chhaupadi are the other ways for eliminating Chhaupadi practice.

Almost 79 percent respondents of Mugu pointed out that educating traditional healers and priests is the strong way of eliminating this practice. This was also suggested in Jumla and Mugu too. Majority of male and female respondents, 79.3 and 83 percent respectively mention that educating traditional healers and priests is a better way of eradicating Chhaupadi practice from the society. Hence dealing with traditional healers and the priests is a major battle field to fight against Chhaupadi practice.

## Chapter V: Summary, Conclusion and Recommendation

### 5.1 Summary & Conclusion

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The socio-cultural beliefs, norms and values regarding menstruation and *Chhaupadi* are deeply rooted in the research areas. Women and adolescent girls are restricted to enjoy their personal and social life. Similarly, the food habits of female and girls are also controlled by the social norms, and they are forced to stay in separate place in isolation. All these restriction and social boundaries are affecting the life of female and contributing towards bad health condition. In summary, the research finding area as follow:

- Many of the points under the decision of the Supreme Court against Chhaupadi have been initiated to implement such as promulgation of guideline, declaration of Chhaupadi practice as a harmful practice and awareness raising activities etc. However some of the crucial points under the decision are not being implemented, for instance formation of a study team including doctors and commissioning a study on the effects of Chhaupadi practice on the lives of women and girls in the Chhaupadi practice prevailing districts and identify the health related interventions and to commission a comprehensive study in relation to formulation of laws and make the necessary law if required.
- The implementation of the Chhaupadi Practice Eradication Guidelines 2007 is seen positive. As the guideline directed, the district Women and Children Offices, District Development Committees and NGOs have initiated to include such interventions in their annual plan and budget and implemented accordingly. However they are just indicative, not massively but substantially done.
- Likewise, Chhaupadi Practice Eradication Programme Implementation District and VDC/Municipality Committees are formed in affected districts but they are less functional than people's expectation.
- The Supreme Court of Nepal has declared the Chhaupadi practice as a malpractice and gave order to different government agencies. However, 60 percent do not know that decision. This rate is 55 %, 56% and 65 % in Mugu, Jumla and Kalikot respectively. Likewise this rate is 64% in women and 43% in men.
- The knowledge of people on the Chhaupadi Practice Eradication Guideline seems poor in the study area. In study area about 60 % respondents reported that they did not know about the guideline. This rate is 64%, 56% and 56% respectively in Kalikot, Jumla and Mugu. By sex, 63% female and 44.4% male respondents reports that they do not know about the guideline.
- Some VDCs have been declared as Chhaupadi Practice Free VDC. But many people do not know about such declaration. Almost 60% respondents mentioned that they do not know about the declaration of Chhaupadi free VDC. This rate is 71%, 48% and 60% respectively in Kalikot, Jumla and Mugu respectively. With respect to sex wise response 62.4 % women reported that they do not know the declaration Chhaupadi free VDC while it is 51 percent.

- The people's perception towards declaration of VDC as Chhaupadi Practice Free VDC is positive. Predominantly 92 percent of the respondents agree to declare their community or VDC as the Chhaupadi Practice Free. By sex, about 93 percent women and 89 percent men agree to declare their VDC as Chhaupadi practice free VDC.
- There are different opinions of the respondents with regards to the way of eliminating Chhaupadi practice from the society. As the multiple responses, 74.5 % believed that Chhaupadi practice can be eliminated by educating the elder people. 34 percent respondents mentioned that it can be eliminated by educating the family members while 40.2 gave priority in educating the girls and women . Educating traditional Healers, campaign against Chhaupadi, awarding those who do not practice Chhaupadi and the others are the other ways for eliminating Chhaupadi practice, the percentage is 82.2, 61.6, 29.2 and 7.9 respectively to say so.

## 5.2 Recommendation

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Based on the discussion and the findings the following recommendations are made for the necessary intervention through different level of stakeholders:

### Recommendation for National Government

- The national authorities should be accountable to assess the implementation status of Chhaupadi related laws, policies, guideline and decision in national, district and local government level.
- The national authorities are required to capacitate the district and local government on the new policy provision related to Chhaupadi elimination and assist them to replicate the actions in local government plan to incorporate the policies and provision.
- A policy booklet (a brief note about the decision, provision, and guideline related to Chhaupadi elimination) is required to publish from national level; and such booklets should be used to educate the local government (the elected and non-elected bodies) about the provision and policy.

### Recommendation to Local Government

- The role of local government (district, Municipality, rural-municipality and local chapters, etc.) are very crucial to implement the provision as suggested by Chhaupadi Practice Eradication Guidelines 2007. The local government can endorse some special interventions based on the need of the community as suggested by the guideline.
- The existing provisions of the committee formation should be replaced by adequate mechanism as per the present new structure of the local bodies.



- To implement the provisions as mentioned in the guideline, sufficient budget is to be allocated for the massive and aggressive interventions against the practice.
- With certain indicators and criteria, local formal and informal committees have started to declare "Chhaupadi Practice Free Community". The local government is required to join hands with such initiation; and such declaration campaigns should be spread in several communities, localities and districts. Similarly, the regular follow-up and monitoring should be done to ensure the sustainability of such practices in real context.

#### **Recommendation Development Organization working on Chhaupadi Elimination**

- There is the need of strengthening the capacity of new elected bodies of local government on Chhaupadi policy, provision and guideline. In such aspect, special capacity building package should be developed, and implement in the Chhaupadi rooted district to enhance the capacity of those local elected groups.
- A small booklet of policy provision related to Chhaupadi (in local language with some pictorial message) can be used to give message among local people, women, adolescent, and target groups related to policy and provision.
- To address the lower level of awareness on the policies, guidelines and programmes, there is a need of massive awareness campaign in all parts of the affected districts. Use of local medias, result oriented engagement of NGOs, CBOs, CSOs, mobilization of local healers and priest, political cadres, IECs, BCCs and PSAs etc. could be the tools for the awareness.

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