

Women Constituent Assembly 2009 (2065)

Suggestions presented by the Women Constituent Assembly

Context

The programme on Women Constituent Assembly, 2009 was organized by *HimRights* from 2065 Chaitra 13 to Chaitra 17 at Naxal, Kathmandu with the main slogan as, *“Women’s meaningful participation, and assurance of women rights in the forthcoming constitution”*. The programme collected and presented the following suggestions with regard to include the issues related to the fundamental rights of women in the forthcoming constitution. Women from Dalit, Indigenous, Janjati, Madhesi, women with disabilities, third gender, minorities, Muslim, and from Bahun and Chhetri communities of ages from 18 to 63 years, representing more than 30 districts participated the programme.

The Rights of Women

1. **No discrimination should be made between men and women for social, cultural, religious, legal and other reasons.**
2. **All painful and discriminatory acts or treatments against women including all forms of physical, mental, sexual, social domestic violence as well as witchcraft allegation and dowry practices on the basis of traditions and customs should be made punishable.**
3. **The state should make special provisions for identification, representation, access, protection and respect to single, dalit, madhesi, Muslim, indigenous, janjati, sexual and gender minorities, third gender, and women with disabilities, and all people or group should be provided the opportunities from the state in the proportional system.**
4. **An appropriate (Cordial) environment should be guaranteed in the constitution for meaningful representation of and effective access to employment in government, public and private services to single, dalit, madhesi, Muslim, indigenous, janjati, sexual and gender minorities, third gender, and women with disabilities.**
5. **Special priority in services, facilities and opportunities provided from the state should be given to poor, indigenous/janajati, single, dalit, marginalized, sexual and gender minorities, madhesi, and women with disabilities within the women.**
6. **Except under proper and adequate legal basis, an act of abortion to terminate the foetus when learned the sex of the foetus is female after identification should be made the punishable offence same as the murder of a person.**
7. **All rights related to decision on reproductive health should rest with a woman.**

8. **Women victims of conflict should be guaranteed with proper opportunities, counseling and security in employment.**
9. **Fifty-one percent women participation should be ensured at all decision and policy making levels in the state should be ensured to women.**
10. **The state should eliminated all the traditional and customary practices such as, *Kamalari*, slavery, *Badi*, *Deuki*, *Jhuma*, *Gauna*, *Chhaupadi*, foetus killing and child-marriage/multiple marriages/dowry, *jari*, etc. and the violence against women by making the strict laws, and the state should make special arrangement for the women victimized from these malpractices.**
11. **The constitution should ensure the representation of women for their fully participation in the political parties.**

The Rights regarding Justice

1. **No one should be discriminated in the constitution with regard to dispensing the justice.**
2. **Special and easy procedure should be ensured for easy and effective access to justice to women.**
3. **Women's case should be finalized with priority.**
4. **Provision of strict punishment should be made for criminals and supporters of human trafficking and sales.**

The Right to Property

- 1. Women and men should have the equal right to the parental property.**
- 2. The right of single women and widows to property should be established.**
- 3. Special policy and plan relating to making women self-dependent as well as in order to upgrade the economic status of women should be formulated and implemented.**

The Right to Education

- 1. Women should be provided with free and appropriate opportunities in formal, vocational and technical education from primary to higher level.**
- 2. Special arrangement for education, health and livelihood for displaced and injured women, people with disabilities and children due to the armed conflict.**
- 3. Women and children should be guaranteed the education in the language of their interest.**
- 4. Provisions of free education should be made for the street children and the children of parents with disabilities**
- 5. Arrangement for employment should be made for the uneducated and school drop-outs by providing them with vocational and skill-based training.**

The Right to Citizenship

1. Children who have attained the age to acquire Nepali citizenship should have the right to get citizenship in the name of their mother also.
2. The names of both husband and wife should be mentioned in the citizenship certificate.
3. Appropriate arrangement should be made to provide the citizenship certificate in an easy and convenient way to the children born to *Badi*, unmarried and single women.

Special Rights for Women

1. The State should provide loan and other facilities in order to encourage the industries and businesses run by women and the industries that provide significant jobs.
2. The State should make necessary arrangements to protect the opportunities it provides for women who belong to the Dalit, indigenous, and ethnic groups, women with disabilities, poor women, single and Madheshi women, as well as sexual and gender minorities.
3. A congenial environment should be created for women's representation and effective access of women to employment, public and private services, as well as for the first priority in employment to women who belong to the Dalit, indigenous, and ethnic groups, women with disabilities, poor women, single and Madheshi women, as well as sexual and gender minorities as according to their education and qualification.
4. The State should apply special policy to provide the security to women.

The Language Policy

There should be arrangement of interpreters in all offices (Ethnic, Brail Script, Symbolic Language).

The Right related to Health

- 1. There should be a provision of free health and treatment facilities for women living with HIV/AIDS.**
- 2. Maternity clinics should be set up and Female Health Workers should be compulsory made available in every village. The provision should be made that the rights relating to decision on reproductive health mainly, when, where and how to reproduce, should rest with women.**

Miscellaneous Rights

- 1. The State should take up the responsibility to look after helpless children.**
- 2. Arrangements of rehabilitation for trafficked women should be made after their return.**