

Gender Assessment and Gender Budget Audit in Seven Ministries

(Compilation of synopsis of executive summary and conclusion & recommendations of the studies)



Jointly Published by



Government of Nepal

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**Ministry of Finance Ministry of Women, Children and
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Foreword

Considering the importance of gender equality, women's empowerment is a key to national development, which has also been guaranteed by the interim constitution of Nepal. National policy of gender mainstreaming has been adopted in all aspects of development. In order to ensure their assess in the policy making level, reservation policy has been in practice in political arenas and public services. Awareness programmes have been developed and implemented in all levels, from grassroots to the policy making levels. Gender Focal Points have been established in all the ministries to create a gender sensitive environment at the work places. National Planning Commission has been developing and executing the women-focused and women sensitive programmes.

Despite all these efforts to include the women in national development process, there are still wide gender gaps in each aspect of the Nepali Society.

However in accordance with the National policy of gender mainstreaming in all aspects of development, efforts are underway to mainstreaming gender in various sectors. Mainstreaming Gender Equity Program (MGEP), a joint program of Ministry of Women, Children and Social Welfare (MWCSW) and United Nations Development Program (UNDP) took the initiatives in mainstreaming efforts. As a part of MGEP, Gender Analysis Studies were conducted in last few years in five ministries. But most of the study reports were not published and there was not initiation to implement the recommendations made by these reports. Coming to this juncture, a lot of importance has been placed on these reports, as we are in the process of restructuring the state and the gender issue is at high.

In this high time in order to make the important portions of the studies available, the compilation of the conclusion, recommendation and the synopsis of executive summary of the study reports of seven ministries (namely Agriculture, Forest, Labour and Transport Management, Local Development, Women, Children and Social Welfare, Health and Education)

have been prepared and published in this book form with the decision of Gender Responsive Committee of Ministry of Finance. It is expected that this material will play a supportive role in formulating the gender friendly projects and programs of the concerned ministries. Besides this, it may also help in developing the gender friendly periodical plan.

It is unfair to not thank those who have worked hard to make the compilation of this book possible. First of all, on behalf of the Ministry, I would like to extend my sincere gratitude to all the individuals and agencies who have contributed directly and indirectly in this process. I would like to thank the Steering Committee formed in the ministry for providing the suggestions and guidance in the process of compilation of the reports. I would also like to thank Mr. Kumar Bhattarai for his effort in compilation of the necessary portion of the reports. My special thanks goes to UNIFEM Programme Office Nepal for its financial and technical support to make this important document possible. As usual we are looking forward to receive the constructive suggestions from the learned readers.

Punya Prasad Neupane

Secretary

Ministry of Women, Children
and Social Welfare

Few Words

It gives me great pleasure to share this Report with you. It is a landmark in the work on gender responsive budgeting in general and specifically, a collective achievement for the Ministry of Women, Children and Social Welfare and the Ministry of Finance of the Government of Nepal and UNIFEM. We value these partnerships greatly.

UNIFEM South Asia is privileged to have been associated with this initiative, which led to the Ministry of Women, Children and Social Welfare undertaking a gender assessment and gender budget audit in five ministries over the last seven years. UNIFEM is equally pleased to have partnered with the Gender Responsive Budget Committee of the Ministry of Finance, and of which UNIFEM is an active member, to undertake a gender audit of two more ministries.

Often, steps towards gender equality are restricted to the Ministries of Women's Affairs. It is a tribute to the Government of Nepal that there was a willingness to undertake this exercise, not only in ministries who are known to be traditional partners on women's rights, but also those, such as the Ministry of Finance, which may be termed as 'non-traditional'.

UNIFEM's work on gender responsive budgeting has its origins in its considerable work on engendering national planning processes. In the course of this, it became glaringly apparent that policy commitments, unless backed by matching resources, meant very little. Responding to this gap, UNIFEM initiated gender budgeting initiatives in select countries of the region, including Nepal – with the over-riding objective of translating policy commitments into actual resources and assisting in the equitable use of existing resources. Our primary partners in this journey are Governments, including the national women's machineries as well as finance ministries, distinguished economists and feminists, research institutions and key NGOs from the region.

Advocated for in the Beijing Platform for Action, the exercise of gender responsive budgeting, essentially calls upon governments to systematically review how women benefit from public sector expenditures

and accordingly adjust budgets to ensure equality. However, such initiatives have gained momentum only recently. Grounded on the principles of equity, equality and justice, the gender concept in the budgetary process raises the issue of a new approach for development planning and civil society participation in the dialogue on policy matters. It is now increasingly being recognized as an effective tool for women's empowerment and for mainstreaming gender in policies and plans, re-dressing inequalities and promoting women's economic and socio-political rights.

Nepal is a signatory to a number of UN human rights instruments, which promote women's human rights and gender equality – and these include the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Beijing Platform for Action (BPFA) and the Millennium Development Goals (MDGs). The concretization of these commitments depends heavily upon mobilizing adequate resources and ensuring that they are distributed equitably through budget processes which are transparent and accountable. This compilation is a trail blazer in its own right and provides an exceptional 'how to' with regard to efforts directed towards meeting these commitments.

This collection of gender assessments and gender budget audit of the Ministries of Agriculture and Cooperative, Education and Sports, Health and Population, Women, Children and Social Welfare, Local Development, Forest and Soil Conservation, Labour and Transport Management, provides an invaluable resource. The exercise builds on the considerable work already there in Nepal with regard to resources on using gender responsive budgeting to address gender imbalances. It reflects a serious effort to use it in the planning and budgeting of the programmes of the respective Ministries. Making it really handy is the fact that the executive summary, the findings and recommendations on all the seven ministries can be found in one place. And they are available in both English and Nepali. The information is user-friendly, as this compilation contains the edited version of the original reports. Key information can be easily accessed. This publication is testimony to meaningful partnerships – this being a result of a partnership among the Gender Responsive Budget Committee (GRBC) of the Ministry of

Finance, the Steering Committee of the Ministry of Women Children and Social Welfare and UNIFEM.

I take this opportunity to extend my appreciation to the Gender Responsive Budget Committee (GRBC) of the Ministry of Finance. I particularly applaud the dynamism and vision of Mr. Krishna Hari Baskota, the Coordinator of the Committee and Chief of the Programme and Budget Division, whose idea it was to prepare and publish this document, so that it could reach many more people and benefit many other Government authorities, who are involved in the processes of planning, programming and budgeting.

To the Ministry of Women, Children and Social Welfare, I extend my sincere gratitude, with especial thanks to the Task Force of the Ministry for undertaking this important task. The tireless efforts of Mr. Rituraj Bhandari, the Under Secretary of Ministry of Women, Children and Social Welfare, went a long way in making this publication possible.

I extend my especial appreciation to Mr. Kumar Bhattarai, who has so expertly dealt with the daunting task of compiling, editing and translating such a wealth of information, into this compact publication. I would also like to thank Ms. Sangeeta Thapa, the UNIFEM Programme Coordinator in Nepal and Mr. Ananta Rijal, the Senior Programme Officer, for their unstinting support and facilitation through the entire process.

Chandni Joshi

Regional Programme Director
and Global Advisor
UNIFEM South Asia

Introduction of the Book

It has been proved that without the gender equality, no society can progress. Thus even in Nepal the gender issue has been established as one of the major political and social agendas. In the context of deplorable situation of women in our society, in last few years the government has formulated a number of policies and implemented various programs through different ministries in order to improve the status of women. Most of them include the programs of making the working environment gender friendly and providing opportunity to women so that their assess may reach to the policy making level and resources.

In last few years the Ministry of Women, Children and Social Welfare, as a concerned ministry, had initiated to analyse the efforts of gender balance made by the five different ministries and the Ministry of Finance initiated to analyse the efforts of the other two. The study was performed on the topic of gender assessment and gender budget audit. In this book the synopsis of the executive summary and conclusion and recommendations of the study reports of seven ministries namely Agriculture, Forest, Labour and Transport Management, Local Development, Women, Children and Social Welfare, Health and Education respectively have been compiled.

Taking a glance over the study reports, we found that the studies are focused on women development and empowerment rather than on the gender perspective. Further more they seem to be limited in the programs and budget allocations in the women development instead of the analysis of gender role in the society and state mechanism, social status, respect and power based role on the sex differences.

Despite a number of limitations in some of the studies, they are obviously beneficial to the policy maker and interested ones.

The major objective of this compilation is to make of the conclusion and recommendations of the studies available and to help the policy makers and the planners to include the gender issues in the planning and

budget.

Since the studies were done in different days, some of the issues included in the studies are irrelevant in the changed context. The irrelevant issues have been either edited or deleted in this compilation. I believe that this book will, as per the objective, be helpful in the process of developing gender responsive program and budget. It is further expected that it will be helpful for all interested people to know the gender situation in the given ministries.

Rituraj Bhandari
Under Secretary
Ministry of Women,
Children and Social Welfare

Message

Gender Responsive Budget (GRB) is an important strategy for examining budgets for their contribution to gender equality. It mainly seeks to ensure that all the needs and interests of various social groups are highlighted in the budget as the women and men have different priorities, due to their separate roles in the society. Gender based assessment of budgetary allocations promotes more equitable results, more targeted and user friendly services. It facilitates efficiency and justice in the distribution of public resources and in sharing the burden of direct and indirect taxation.

Ministry of Finance has introduced Gender Budgeting System from this year (FY 2007/08). The Ministry of Finance has revised budget forms, manual and related softwares to make them compatible with GRB approaches. Under this system government's annual programmes are divided in three categories of gender responsiveness with five indicators as: a) Capacity building of women b) Participation of women in planning and implementation c) Share of women in benefits d) Increase in employment and income generation of women and e) Reduction in women's workload and quality of their time use. As per FY 2007/08 budget estimates 11 percent is directly benefiting women; 33 percent is indirectly benefiting women and remaining 56 percent of the budget is neutral.

Nepal government has sought to address gender imbalances in policies and programmes through the development process, specifically from the Ninth Plan (1997- 2002) which had focused on mainstreaming gender, on eliminating gender inequality and promoting the empowerment of women. With this background, Ministry of Women, Children and Social Welfare (MWCSW) has been effortful from its inception in 1995.

In 2003, UNIFEM had commissioned a Gender Budget Audit in Nepal which is the first effort of Gender Audit. Consequently, MWCSW had completed gender assessments in various five ministries of the government. Adding to this effort, Gender Responsive Budget Committee

(GRBC) of this ministry has completed gender budget audit of other two ministries. Following these efforts, GRBC had decided to prepare a compiled version of the executive summary, conclusion and recommendation of the earlier reports of gender assessment and gender audit reports of seven ministries. Facilitating the decision of GRBC, the Steering Committee of the MWCSW has taken this responsibility to publish the study report in this shape. I hope this compiled publication will help in monitoring the engendering process of the government budget in general and facilitate concerned ministries in specific.

In this reference, I would like to thank all the members of GRBC and the members of the Steering Committee of MWCSW for their efforts in this regard. I would like to express my special thanks to Ms. Sangeeta Thapa, UNIFEM Programme Coordinator and to UNIFEM for providing technical and financial support for this publication.

Krishna Hari Baskota

Coordinator,
Gender Responsive Budget Committee and
Joint Secretary, Programme and Budget Division
Ministry of Finance

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Chapter 1

Gender Assessment Study of the Agriculture Sector 2002

1.1 Synopsis of Executive Summary

1.1.1 Background

In accordance with the national policy of gender mainstreaming in all aspects of development, efforts are underway to mainstream gender in various sectors. In this connection, Mainstreaming Gender Equity Programme (MGEP), a joint program of Ministry of Women, Children and Social Welfare (MWCSW) and the United Nations Development Programme (UNDP) had taken the initiative in mainstreaming efforts. This study was a part of the effort to mainstream gender in the agriculture sector. The study was conducted in 2002.

1.1.2 Objectives

The followings are the main objectives of the study,

- i) To review relevant acts, development policies, plans, strategies, programs, institutions and budget allocation in the agricultural sector from a gender perspective.
- ii) To assess achievements and impacts of programme implementation on the works and lives of women.
- iii) To identify gaps in the implementation of programmes, strategic issues and the areas of improvement and
- iv) To recommend gender redistributive policies and programmes and the implementation framework in the agricultural sector.

1.1.3 Methodology

Methodology adopted for the study included:

- ♦ Use of both primary and secondary data.
- ♦ Review on agriculture sector legislation, plans and policies, institutions,

projects/programmes, service delivery, women in civil/service, training and gender budgeting.

- ♦ Assessment of project impact on the target population using the research tools including field survey through interviews of beneficiary women and focus group discussions in selected districts.

1.1.2 Review of Acts, Development Plans, Policies, Institution Programmes and Budget Allocation

Constitution and Acts

Constitutionally all citizens are equal. It further emphasizes on the protection of women. Coming to the acts there are still some discriminatory provisions.

Plans and Policies

- ♦ Only from the Sixth Plan, there has been initiation for seeking women's participation in the development process. In order to enhance women's participation in the agriculture sector, the quota system was introduced for women in training programmes.
- ♦ The Eighth Plan introduced the concept of "farmers' groups" with emphasis on 'women groups'. The Agriculture Perspective Plan (APP) has emphasized on women's participation in the dairy sub-sector to increase their earnings.
- ♦ The Ninth Plan, in the agricultural sector, has emphasized on the implementation of necessary programmes to develop leadership among women in agricultural activities, increase productivity of women farmers and encourage them to engage in the domain of work related to animal husbandry.

Institutions

- ♦ The National Planning Commission has set up 'Children and Women Development' Section in 1993.
- ♦ Ministry of Women Children and Social Welfare (MWCSW) is the focal Ministry for women's development. Since 1999, the Women Development Division has been shifted to the ministry of Women Children and Social Welfare from the Ministry of Local Development.

Agricultural Projects/Programmes Concerning Women

- ♦ There are number of women empowerment initiatives through various projects in the agricultural sectors. The major ones are Small Farmer Development Program (SFDP), Production Credit for Rural Women (PCRW), Micro-credit Project for Women (MCPW), The Third Livestock Development Project (TLDP), 'Passing the gift scheme' introduced by Department of Livestock Services (DLS), The Department of Forest (DOF) implemented Leasehold Forestry and Forage Development Project (LFFDP), Community Forestry Programme (CFP), The Agricultural Research and Extension Project. Similarly The Agricultural Development Bank and The Gramin Bikas Bank too have the credit scheme.
- ♦ The Ministry of Agriculture and Co-operatives (MOAC) provides agricultural extension to the farmers through the Department of Agriculture and Development of Livestock Services. In this context Women Farmer Development Division (WFDD) has developed a two-tier strategy for gender sensitization of extension services of Department of Cooperatives (DOC) and Department of Livestock Services (DLS).
- ♦ Few women are getting benefits from the trainings related to agriculture and livestock organized by the government. The same case is applied in the vocational trainings by Council for Technical Education and Vocational Training (CTEVT).
- ♦ The activities of NGOs working on the women's issues are not satisfactory in the agriculture sector.
- ♦ The number of women staff in the agriculture sector is only about 2 percent (219) of the total estimated 11,212 women staff.
- ♦ The allocation of budget to Ministry of Agriculture and Cooperatives (MOAC) for the FY 2001/02 is Rs.3927.5 million. Of the total development expenditure of Rs.3763.5 million allocated to the Ministry, Rs.3.9 million (1 percent) is earmarked for WFDD.
- ♦ The Nepal Agricultural Research Council's (NARC) research activities do not have specific considerations to women issues.
- ♦ There are no gender specific provisions for facilitating marketing of agricultural production by women farmers in these markets.

1.1.3 Impact Assessment and Problems

- ♦ Although an increasing number of women have received trainings on raising awareness, savings mobilization, credit flow, vegetable farming, fish farming and livestock rearing; there is a lack of skill trainings in some areas, which are in great demand and could encourage women to take up non-farm occupations as well. The trainings are of shorter duration than expected by the women. Very few women have utilized Village Animal Health Worker (VAHW) trainings in the form of occupations.
- ♦ Many women empowering initiatives, on one hand, are not functioning well and on the other, they are not gender sensitive. There is lack of coordination among the programmes with similar nature.

1.2 Conclusions & Recommendations

1.2.1 Conclusions

On the basis of findings of the review of Acts, policies, programmes and the case studies of women related agricultural development projects/programmes, the following conclusions can be drawn.

An increasingly large number of women's groups have been formed by the District Agriculture Development Office (DADO) and District Livestock Services Office (DLSO) for implementing agriculture and livestock development projects. Besides, other programmes implemented by Women Development Office (WDO) under its regular activities, special programmes like Production Credit for Rural Women (PCRW) and Micro Credit Project for Women (MCPW) are also prevalent in some districts. As reported by DADO and DLSO officials, women farmers' groups are more sincere and active than men's groups. Hill migrant women's groups in Terai are more active than the terai women's groups. Terai women are more reluctant to come out of the houses and form groups. However, Terai women staying closer to hill migrants are relatively more active.

Women's involvement in groups has been instrumental in raising their awareness about health, hygiene and sanitation and schooling both children of both sexes. Such involvement has also led to the decrease in

superstitious beliefs and practices, such as the *Purdah* system, untouchability and so on. Since women have begun to venture out of the home for agricultural marketing and participation in group meetings, trainings and training tours, men's attitude towards women's mobility has changed considerably. Women's position in the family as well as in the society has improved due to their contribution to the family income. There was an overall agreement among the various groups that they were better off than before. Most of the women in the groups could now speak in public and have become more aware of their surroundings. However, with a few exceptions to this general perception, some women opined that a lot may have improved among those who have connections with the authorities and who are well off, but among the poor not much change has occurred.

In some cases men do not support women's groupings and their activities. Women's involvement in group activities are taken as imposing additional burden to the male members of the family and also not considered socially desirable. Some activities undertaken by women, particularly group fisheries in the public pond are perceived negatively by the male members of the community on the ground that pond water, which, would have been used for irrigating paddy field, is blocked.

In groups composed of women of heterogeneous characteristics in terms of education, class, caste, social influence, etc, women with higher status background tend to monopolize the government provided benefits/facilities. The women of lower status are taken into the group to garner resources in their name. On the other hand, these women of lower status are in the group because they feel privileged to sit together and talk to those women of higher status. Trainings other than basic ones i.e. technical trainings in income generating components of the respective programmes seem to be confined to a limited number of women having certain level of education. Various training opportunities have been repeatedly confined to a few influential women in the group, ignoring many others in need of such trainings. Very few women have utilized training in VAHW/VAW in the form of occupations by running agro-vet shops.

Although increasingly large number of women have received training in the areas related to awareness, group formation, saving mobilization, credit operation, farming vegetable and rearing livestock. There is lack of skill trainings which are much in demand like tailoring, weaving and knitting, making of noodles, pickles, jam/jelly/squash, incense, soap, etc. which would encourage women to take up non- farm occupations. However, participation of women in these trainings is largely confined to short duration i.e. one-day program and that also in their own locality. Women are hindered from participating in long duration training outside their village due to their household obligations and traditions.

Lack of irrigation facility is the major problem in vegetable and cereal crop production, more particularly in growing off-season vegetables. The withdrawal of subsidies on small irrigation projects and chemical fertilizers seem to have negative impact on the entire agriculture sector. Material supports so far made available by the concerned line agencies are not of required quantity and quality on time

Evaluation of the programme achievement in terms of quantitative targets (i.e. number of groups formed, number of women members, number of trainings conducted, number of mini-kits distributed, etc.) has sidelined the qualitative aspects of the programme performance. In most of the cases monitoring and evaluation of the programmes seem to be very poor as project staff and technicians do not regularly visit the settlements and carry out participatory discussions with the women farmers. A large majority of group members seem to have no knowledge of the services and facilities, which should have been made available as per the provisions of the schemes, introduced to their groups. Farmers have suffered a great loss due to lack of regular follow-up visits of the programme- introduced experiments even by the concerned technicians of the programme.

Lack of women's ownership of assets particularly land has been a fundamental constraint for their access to institutional credit. The future of group fishery in public ponds seems uncertain, as public ponds may not be regularly available for the purpose. Women's fishery groups have experienced unilateral termination of lease contract by the owners of the

pond much before the expiry of the term without prior notice. Landless women involved in vegetable farming either individually or in group also face the same problem.

Marketing of vegetables and milk is a recurring problem being faced by women farmers. The problem is further compounded by the milk holiday and lack of reservation of space for women farmers in the periodic markets as well as organized market centres. Support from DADO for facilitating marketing of vegetable products seem to be sporadic, ad-hoc and inadequate. The major marketing problems faced by the farmers included among many others, lack of cold storage facility and market price information system. However, marketing of goat, chicken and fish does not appear to be a major problem.

Support under specific scheme like the 'Passing the Gift' scheme does not seem to be sufficient enough to have a significant impact upon the economic condition of women's families due to certain weaknesses inherent in the programme. The provision of two-she goats and the requirement of passing young she- goats even if there is either no birth or birth of he-goats only, is seen to simply exert financial pressure on the beneficiary farmers.

There seems to be cohesion and co-operative feelings among women farmers' groups supported under the regular programmes of line offices. However, they seem to be hostile to the groups receiving project based support.

The lack of effective co-ordination and networking among the district level line agencies with similar programme components have resulted in limited impact of these programmes. Compartmentalization of programmes of different line agencies and even of the same line agency has deprived the farmers from getting the technical services needed for their farm/livestock activities other than the programme component. The usual mode of releasing heavy flow of budget in the last trimester (15 April-14 July) of the fiscal year is not convenient to the farmers as well as to the concerned line agencies, as this period coincides with the farming season.

1.2.2 Recommendations

- ♦ Government policy should focus not only on expanding Women Farmers' Groups, but also on making them active and result oriented. Regular support and assistance should be provided for some years in order to help them grow and build up capacity. They may be :
 - Revolving fund through regular budget to the community based organizations.
 - Continuity to training programmes, follow up trainings and participatory discussions with the farmers.
 - Credit flow from the banks to the group members formed under Micro-Credit Project for Women (MCPW).
- ♦ There is urgent need to formulate land tenure policy to ensure equal land rights for men and women, as agriculture plays a predominant role as export earning and source of employment and will increase economic opportunities.
- ♦ A system of gender based budgeting and auditing should be introduced and practiced.
- ♦ Ministry of Women, Children and Social Welfare (MWCSW) should have a division for documentation, reporting, networking and coordinating of women concerned agricultural activities implemented by line agencies as well as I/NGOs.
- ♦ Provision should be made in the Agricultural Services to provide certain number of appointments to females in the decision making level.
- ♦ Ministry of Agriculture and Co-operatives (MOAC) staff, trainers and other concerned staff at the central, regional, district and local levels should be gender sensitized by incorporating a course on gender issues in the training curricula.
- ♦ Certain seats in Junior Technicians (JT)/Junior Technical Assistant (JTA) training and B.Sc. Agriculture course should be reserved for women candidates with necessary support.
- ♦ The women farmers related to particular scheme should be informed about the facilities and services to be made available to them as per the provisions of the scheme by the concerned officials.

- ♦ NGOs programmes in the districts should be integrated with the concerned district line agencies.
- ♦ Coordination among all district level line agencies having similar programme components should be effective.
- ♦ Both women and men should be encompassed in the trainings related to gender sensitization so as to establish harmonious relationship between women and men and make the men supportive to women's activities.
- ♦ Awareness, skill enhancement and technical trainings must be demand driven and run in the off- agriculture season as well in convenient places identified by the local people.
- ♦ Women receiving skill and technical trainings should be encouraged to utilize such trainings as a profession by increasing their access to necessary services/inputs relating to production and marketing.
- ♦ The local periodic markets existing in various rural parts of the country should be promoted by developing necessary infrastructure. In such market places as well in organized agricultural wholesale market centres, certain spaces/stalls should be reserved for women farmers.
- ♦ Appropriate policies and strategies should be developed to encourage the flow of programmes in remote and inaccessible areas.
- ♦ The present practice of releasing heavy flow of annual budget to the district line agencies in the last trimester should be corrected and larger proportion should be released in the second trimester (Nov-Feb) so as to enable the concerned offices to run the programme during prescribed period.
- ♦ Monitoring of projects/programmes by the line agencies should be made regular and more effective.

Fisheries

- ♦ The government should adopt a policy of awarding contract of public fishery ponds to women groups at 10 percent less than the bidding price.
- ♦ Government, I/NGO funded fishery development projects should encompass larger number of groups in the area rather than tying up with only one group, which would make the other groups feel

discriminated against.

- ♦ The government should provide necessary financial and technical support to the groups for a period of 5 years to enable them to become self- sustained.

Vegetables

- ♦ Irrigation systems initiated and managed by women farmers' groups should be provided with financial and technical support in order to enable them to grow off-season vegetables.
- ♦ Strict quality control measures should be applied to various agricultural inputs, Before supplying them to markets, effective measures should be adopted to make these inputs available to the farmers on time.
- ♦ Farmers co-operative should be provided financial and technical support to construct their own cold storage.

Livestock

- ♦ Milk producer farmers should be encouraged and initiated to form their co-operatives and establish dairy industries for solving the marketing problem of milk. Such industries should be provided with necessary support.
- ♦ The 'Passing the Gift Scheme' should have the provision of living at least 5 she- goats to each member in order to improve the economic status of women within a foreseeable time period.
- ♦ Women farmers should be encouraged to be in group and promote them to produce various traditional milk products like *chhurpi*, *chhena*, *khuwa* etc. in the potential areas. Such women farmers' groups should be supported by training, credit and market information.
- ♦ As there is a high demand for forage and fodder seeds, women farmers' groups should be encouraged to start commercial production of forage and fodder seeds in the community forest area. Necessary technology and foundation seeds should be made available to the groups through the concerned line agencies. Such groups should be encouraged to develop as entrepreneurs and establish their own co-operatives.

Chapter 2

Gender Budget Audit of Ministry of Forest and Soil Conservation 2006

2.1 Synopsis of Executive Summary

2.1.1 Background

In accordance with the national policy of gender mainstreaming in all aspects of development, efforts are underway to mainstream gender in various sectors. In this connection United Nations Development Fund for Women (UNIFEM), has been supporting for mainstreaming gender in various Ministries through Gender Responsive Budget (GRB) Programme. This study was a part of GRB effort to mainstream gender in the Ministry of Forest and Soil Conservation. The study was conducted in 2006.

2.1.2 Objectives

The main objective of the study was to conduct gender assessment and gender budget audit of the Ministry of Forest and Soil Conservation (MoFSC) in order to establish the practice of gender mainstreaming in the Ministry through using tools of mainstreaming gender.

2.1.3 Methodology

Methodology adopted for the study included:

- ♦ Review on forestry sector policies, act and regulations, strategies, annual progress reports of the departments; budgets of last three years, programs, progress and evaluation documents of the MoFSC including monitoring mechanism and process.
- ♦ Consultation meetings with the secretary and joint secretaries of the Ministry. Interviews with departments, division, planning and project chiefs.

- ♦ All 31 program/projects implemented under the MoFSC, both funded by the government, and donors were reviewed and analyzed from gender perspectives. Ten of them, according to the Red Book were further reviewed with their program budgets analysis.
- ♦ Focused group discussions (FGDs) with the concerned officials and Gender Focal Persons (GFPs) of MoFSC and its departments, offices and projects as well as with beneficiaries and stakeholders. Interactive meetings with Community Forestry Users' Federation (FECOFUN), and donor agencies.
- ♦ Three valley based VDCs, each in Kathmandu, Lalitpur and Bhaktapur were visited to assess the differential impact of programs/projects on the lives of real users. The most popular and widely implemented Community Forestry (CF) program was taken as a case study for impact assessment. Community interactions were held to use the tools Gender Analysis Matrix (GAM).

Status of Gender Mainstreaming in the MoFSC

- ♦ There have been various initiatives by the MoFSC to institutionalize gender and social equity concerns in its policies, plans and programs, implementation and monitoring mechanisms.
- ♦ Despite the overall objective, function/scope, directive principles and working modalities of the Ministry are pro-poor and inclusive only. The specific objectives and policies lumping women with poor and disadvantaged groups, do not treat women as equal human being.
- ♦ CF user's committees are gender sensitive to recognize women's potential in program planning and decision-making processes.
- ♦ The Forestry Sector Policy 2000, the Forest Act 1993 and Forest Rule 1995, although based upon the thrust of Master Plan for the Forestry Sector (MPFS) (1989), are basic need oriented and pro-poor only.
- ♦ In Mid-area Sector Management Guidelines 1999, Protected Sector Management Regulation 1996 and Collaborative Forest Management (CFM) Guideline 2003, women's concerns are found incorporated.

- ♦ The Human Resources Management/ Development (HRM/D) strategy 2004 for the Ministry, although lack implementation guidelines, is gender and equity sensitive and promotional for women.

Organizational Structure and Culture

- ♦ Having the five divisions, five departments, five regional directorates and 74 District Forest Offices (DFOs), the human resource compositions of the Ministry and departments show that women's overall participation is very low.
- ♦ The Department of Soil Conservation and Watershed Management (DoSCWM) has a major program of Group Mobilization and Empowerment, with activities on social mobilization and women's empowerment. Where as the Department of National Park and Wildlife Conservation (DoNPWC) is implementing some women focused programs/activities.
- ♦ There is equal participation of officials in the departmentwise meetings.
- ♦ Though the Human Resources and Management/Development (HRM/D) policy guarantees equal opportunity between women and men, genuine nomination of candidate for training is rare.
- ♦ Though there is policy of "affirmative actions for women, in regard to recruitment, promotion, and transfers", there is still bias for women especially in the promotion process.
- ♦ Despite the maternity leave, there is no childcare and breast-feeding facilities for women.
- ♦ Despite the some sexual harassment in the field level, the problem is not noted in the office.
- ♦ Ministry of Women, Children and Social Welfare (MWCSW) and National Planning Commission (NPC) supported set ups of separate gender focal persons to perform all gender-related activities for the Ministry has created confusion in the office.
- ♦ Development of the Gender and Social Inclusion Strategy Paper 2006 is a pioneering step made by the MoFSC.

Program/Budget Planning, Implementation and Monitoring and Evaluation Process

- ♦ Women's participation in planning (program and budget) process is found very low, as there are no women in decision-making positions. In district planning process, women's participation is said to be comparatively high, particularly in Community Forestry Programme (CFP) and Leasehold Forestry Programme (LFP). There is not clarity on gender sensitivity in the implementation phase. The same is applied in monitoring and evaluation process too.
- ♦ In the community forestry, data/information is found to be sex-disaggregated. Public audit is done at the community level but it is not reflected at the central level. There is no practice of redesigning the program after doing impact study.
- ♦ Of the total 31 program/projects of the MoFSC, 18 are categorized as pro-women, and remaining 13 are categorized as gender-neutral programs.
- ♦ Women representation is high (at least 30 percent in users' committees) in the community forestry. This programme has contributed to organize community people into an effective forum for their benefit in addition to conservation of forest resources.

Overview of Forestry Sector Program Budgets

- ♦ The forestry sector recorded around 3.8 percent growth in Red Book expenditure. In FY 2006, the sector expenditure actually declined by 6 percent.
- ♦ In terms of expenditure, National Forestry (NF) is the largest program and is followed by Community Forestry (CF), soil and water conservation, biodiversity conservation, and LFP.
- ♦ Gender rating of top ten forestry sector projects, reveals that almost all Red Book expenditures fall under "general" category; only 21 percent of top10 expenditure go to pro-women projects.
- ♦ Analysis of few selected direct funding donor-supported activities revealed that direct funding is more pro-poor and pro-women.

2.2 Conclusions and Recommendations

2.2.1 Conclusion

2.2.1.1 Objectives, Functions, Policy and Plans, Forestry Act, Rules and Regulations

Gender assessment and gender budget audit of the MoFSC revealed that as per the Tenth Plan objectives and government's national and international commitments towards Gender Mainstreaming (GM), the MoFSC is undertaking various initiatives to institutionalize gender and social equity concerns in its policies, plans and programs, implementation and monitoring mechanisms. An institutional gender audit of the MoFSC, institutionalization of the Gender Focal Point (GFP) for the Ministry, appointments of GFPs for the departments and RDs, formation of a gender and equity working group, development of Gender and Social Equity (GSE) vision and development of gender and social equity strategy paper are some of them. These initiatives show a certain level of preparedness or readiness in the MoFSC to institutionalize gender and social equity as crosscutting issues.

The Master Plan for the Forestry Sector (MPFS) 1989, specifying different priority programs for the MoFSC, has ensured critical representation of women in decision-making process, especially in CF User's committees.

However, the thrust of Master Plan for the Forestry Sector (MPFS) and other GM initiatives are not found reflected in the overall objective, function/scope, and directive principles and working modalities of the Ministry, which are basically pro-poor and inclusive. Though one of the specific objectives and policies of the Ministry mentions women, it just treats women as an excluded category not as equal human being. Similarly, the Forestry Sector Policy 2000, the Forest Act 1993 and Forest Rule 1995, although based upon the thrust of MPFS 1989, are basic need oriented and pro-poor only. Thus there is an urgent need to incorporate/address gender in the objectives, functions, policies, and working modalities of the Ministry in order to make the MoFSC a gender sensitive institution.

Nevertheless, the Guidelines for the CF and LF Operational Plans are gender sensitive as they ensure women's participation in group and committee formation, decision-making, and implementation process with their capacity enhancement.

The HRM/D strategy for the Ministry is gender sensitive and promotional for women as it recommends affirmative action for women in regard to recruitment, transfer and promotion and gender friendly office environments with provisions of maternity and paternity leaves. Whereas the officials of the Ministry and Departments had the view that recruitment and promotion of the staff is done by the Public Service Commission's examination, so, there is no question of favor or bias to women or men. It means that most of the officials did not go through the HRM/D strategy 2004 and from the Ministry also no effort has been made to disseminate the information among its staff members. On the other hand, the HRM/D section of the Ministry is no more offering gender training to its officials, which was previously (up to 2004) organized twice a year. The HRM/D section of the Ministry also lacks clarity about the process of GM and their role on it.

Institutionalization of GFP in the Ministry, Departments, and RDs is a pioneering step taken by the MoFSC, which needs to be reflected in other sectoral ministries as well. However, lack of clarity about the roles and responsibilities of GFP and linkages between their functions are found as the constraints towards institutionalizing gender in the MoFSC.

Regarding the roles of GFP, the GFPs of the department and the Gender Coordinator (GC) of the Ministry opined that appointing an officer as GFP for the whole Ministry or for the whole department and handing over the responsibility of GM to a person of any section/department is not an appropriate way to mainstream gender, because the GFP usually has duties and responsibilities of their own sections/departments. In such situation, additional responsibility of GFP used to be just a formality or sometimes GFP get overburdened. Thus, the officials viewed that GFP should be fully institutionalized, with a separate TOR as well as with full power and authorities. A blanket TOR for all the ministries is not sufficient; the TOR should be specific to the Ministry representing its vision and

objectives. They further viewed that cooperation with GFP should be included in the job description of every concerned officials.

2.2.1.2 Organizational Structure, Culture, and Norms

The MoFSC has a well-defined organizational structure with five Divisions, five Departments, five Regional Directorates, and 74 District Forest Offices (DFOs). However, there is very low representation of women throughout its structure and there are no women in decision-making positions.

All the departments and the Ministry organize regular meetings with their gazetted, non-gazetted and classless officials, where all the officials participate equally. About women's participation in the meeting, it depends on their overall participation. Nevertheless, women are given equal chances to participate or contribute their views in meeting.

The HRM/D policy for the MoFSC guarantees equal opportunity for women and men in regard to capacity development and training. However, genuine nomination of a candidate for training is found rare. Women only get a chance when it is specifically targeted or meant for women. Even GFPs of the departments have not taken any gender related training. Nevertheless, the gazetted and non-gazetted officials of the Ministry agreed that most of them had taken three-day package training on 'gender, RH and social inclusion', organized by UNFPA in collaboration with the MoFSC.

Regarding transfer and promotions, positive discrimination in favor of women was reported about transfers whereas bias attitude was reported in promotion process.

According to HRM/D policy of the Ministry, leave and allowances were also not found, where there is provision of maternity and paternity leaves for women and men. For women staff, there are no child-care and lactating facilities.

2.2.1.3 Planning Process (Program/Budget, Implementation, Monitoring And Evaluation)

Bottom-up planning process is being reported for program/budget planning for the MoFSC, remaining on given budget ceiling. However, some officials reported that still there is no discussion or readiness among them towards gender mainstreaming.

Women's participation in planning (program and budget) process is found very low especially as their overall participation at all levels is low (three percent) and there are no women in decision making positions. In district planning process, women's participation is said to be comparatively high, particularly in CFP and LFP.

About implementation, officials reported that Ministry formulated policies and implementing responsibilities are of the departments and district offices so they should be sensitive enough to mainstream gender in their regular programs and budgeting process. Whereas implementing authorities of Lalitpur district opined that their sensitivity does not matter until and unless the demanded program and budgets from the districts are approved by the center.

Similarly in monitoring and evaluation process, the Focused Group Discussion (FGDs) revealed that no gender sensitivity as such has been realized in monitoring and evaluation process especially for the Ministry and departments. Gender-disaggregated needs and priorities and beneficiaries are recorded at the project level (particularly in donor supported programs) but when it comes to department level it is made according to NPC format. In some district level programs, e.g. for community forestry, data/information is found to be sex-disaggregated. Public audit is done at the community level but it is not reflected at the central level. There is no practice of redesigning the program after doing impact study.

2.2.1.4 Program/project analysis

The MoFSC is implementing 31 programs/projects under its umbrella. Some of them are funded by GoN itself and some are funded by the donors through the Ministry or at the district level directly.

Officials reported that all programs/projects seem gender neutral at the central level. Only at the district level, it can be separated. Particularly, in CFP & LFP, women, poor and other disadvantaged groups' concerns are properly considered.

Reviewed program/project documents revealed that almost all programs/projects of Ministry are basic-need oriented and pro-poor. None of them are women's specific, women only, or women focused. Thus all the programs/projects of the MoFSC are categorized under pro-women and gender-neutral programs.

Of the total 41 program/projects, 18 are categorized as pro-women. The pro-women programs, although not targeted to women, contain components that are likely to benefit women more. During the process of FGDs and Key Informant Interview (KII), it was repeatedly accepted by the officials of the Ministry and departments that CFP & LFP are the most gender sensitive programs of the Ministry particularly at implementation on district level. A field visit of three VDCs of Kathmandu, Lalitpur and Bhaktapur districts, where mostly CFPs are implemented, was commissioned to assess the impact of CF forestry program on women and men.

Other programs/projects are categorized as gender-neutral programs. It does not mean that these programs do not benefit women. It only means, that as far as the reviewed documents show, they do not make specific efforts to involve women in program/project activities and assume that both women and men are getting benefits equally.

2.2.1.5 Gender Budget Audit

Program Budgeting Process in the Forestry Sector

- ♦ At macro level, NPC after holding policy discussions with MoF and line ministries fix the overall budget size, remaining on Ministry-specific and sector-specific budget ceilings and Program Budget (PB) Guidelines.
- ♦ In recent years, Medium Term Expenditure Framework (MTEF) process is playing an important role in budget allocation and project prioritization. It has also started classifying development budget by

gender code since FY 2006; in the forestry sector, three development projects were classified as directly contributing to gender equality, nine as indirectly contributing and 20 as belonging to “other” category. But this classification is yet to be fully integrated into the budgetary system.

- ♦ At the sector level, district units prepare annual program budgets of both regular and development categories in the prescribed formats following the instructions and guidelines from the respective departments. Though some consultation takes place at the district level in the course of programming, there is little gender input.
- ♦ The district program budgets are transmitted to respective departments after review and adjustments at the Regional Directorate level (regional gender contact persons not involved as their role not well defined).
- ♦ Detailed review and consolidation of the program budgets take place in respective departments, where PBs of each project is made complete and consistent with departmental priorities and donors’ agreements (wherever applicable). The GFs, being junior officers, are not involved in this process at the departments.
- ♦ MoFSC further scrutinizes the departmental program proposals for their overall consistency and programmatic balance in relation to the sectoral policies and Programme Budget (PB) Guidelines. In this process, planning division of MoFSC takes the lead in close cooperation with foreign aid coordination division, whereas gender focal point of the Ministry is occasionally consulted but not playing a significant role

Overview of Forestry Sector Program Budgets

- ♦ The forestry sector recorded around 3.8 percent growth in Red Book expenditure. In FY 06, the sector expenditure actually declined by 6 percent; the spending cut was severe on DoF only. Department of National Park and Wildlife Conservation (DoNPWC) has maintained expenditure growth during the review period.
- ♦ Forestry development expenditure accounted for 30-40 percent of the sector spending. Similarly, the share of district expenditure of

the forestry sector is in the range of 16-20 percent. Both development and district expenditures have erratic trends; for instance, spending increase of 28 percent in FY 05 was completely reversed in FY 06. This kind of expenditure management would not assure efficiency and effectiveness of development interventions and, consequently, might not produce desired sectoral outcomes.

- ♦ In terms of expenditure performance, the forestry sector has done exceedingly well, surpassing the performance of total public spending. Whatever is allocated to the sector is fully used up, and in some years spending even exceeded the original budgeted amounts. Thus, at the current level of funding, the sector does not seem to have an absorptive capacity constraint, even in the face of conflict situation in the country.
- ♦ In terms of expenditure, National Forestry (NF) is the largest program and is followed by CF, soil and water conservation, biodiversity conservation, and LFP. CFP and NFP witnessed funding decreases in FY 06, while LFP and soil and water conservation programs have made impressive gains. This may signal a priority shift in government funding from more matured community forestry to pro-poor leasehold forestry.
- ♦ Expenditure data of donor financing outside the Red Book are not readily available. Normally, Red Book funding from donors is used for standard activities like group formation and registration, forest handover, operation plan preparation, and supervision and monitoring while direct funding is for more innovative work, such as social mobilization, income generation activities, forest-based enterprise development, revolving funds, and piloting best practices.

Gender Classification of Forestry Program Budgets

- ♦ Gender rating of top ten forestry sector projects, reveals that almost all Red Book expenditures fall under “general” category; only 21 percent of top10 expenditure go to pro-women projects. Thus, reorienting regular budget or delivery of regular service is important to make forestry Red Book expenditure gender-sensitive.

- ♦ Analysis of few selected direct funding donor-supported activities revealed that direct funding is more pro-poor and pro-women; women are included among the excluded groups under social exclusion; and the poor, is the primary target of livelihood and social inclusion programs.
- ♦ Activity typewise, an increasing proportion of direct funding is being directed to activities reaching poor and excluded. But even in direct funding cases, expenditure performance (i.e. expenditure to budget ratio) of specific programs is said to be considerably less than that of neutral programs because of the difficulty in targeting.
- ♦ Notwithstanding different implementation modalities (or spending units), Red Book and direct funding activities are normally linked at the project, community and/or impact levels, and it is important for policy making to have a total and integrative view of the forestry project portfolio from gender perspective.
- ♦ None of the projects in the forestry sector are for women-only or exclusively focusing on women; and pro-women projects number 14 (out of 41 in the portfolio).
- ♦ Expenditure on pro-women projects averages around 18.7 percent of forestry sector expenditure, and the share remained broadly stable over the review period. But this is only Red Book spending, and if direct funding is included, the share of pro-women projects in total forestry sector expenditure would go up. As to the trend, expenditure on pro-women projects was steadily increasing till FY 05 but reduced by 16.7 percent in FY 06.
- ♦ Pro-women projects are of development category, and mostly are donor-supported district level projects. Ten of these projects received top priority (P1) and four medium priority (P2) in FY 06 budget. According to NPC classification, five projects were categorized as pro-poor, that is, directly benefiting the poor. In terms of strategic criteria, nine pro-women projects belong to “sustainable and broad-based economic growth” category, four “social sector and infrastructure development” category, and only one “targeted program” category.

2.3 Recommendations/The Way Forward

2.3.1 Policy Recommendations

- ♦ In order to institutionalize gender in the MoFSC, its objectives, functions, policies and working modalities should integrate and/or address gender as cross-cutting issue according to the thrust of MPFS, the Tenth Plan and other GM initiatives of the MoFSC.
- ♦ Review and amendments of the Forest Act 1993, Forest rules and regulations, program/budget guidelines and operational plans to ensure women’s effective participation at all levels of planning and decision-making process.
- ♦ The position of GFPs for the ministry and departments and RDs should be strengthened with well-defined roles and responsibilities and proper coordination and linkages between their functions.
- ♦ The role of GFPs, to formulate gender sensitive policy, planning and programming and frequently reporting the progress to their respective ministries, departments and/or NPC, should be strengthened with sufficient financial and human resources. The GFPs of Ministry, department, and RDs should be consulted during annual planning, programming, and budgeting process.
- ♦ GFP should be fully institutionalized, with a separate TOR for the ministry representing its vision and objectives and with full power and authorities.
- ♦ Cooperation with GFPs should be included in the job description of every concerned official of ministry and departments.
- ♦ The HRM/D section of the ministry should be equipped with sufficient human and financial resources so that the section could organize regular gender training, workshops and seminars for the officials of MoFSC and disseminate current study/research finding, policy decisions and recent development in policy and strategy especially related to gender.
- ♦ Further, the section needs an operational guideline and/or action plans in order to translate the gender sensitive HRM/D policy strategy into action.

2.3.2 Recommendations related to organizational structure, culture, and norms

- ♦ Proper implementation of the HRM/D strategy into practice is an immediate solution to address low representation of women in MoFSC structure and decision-making positions.
- ♦ In the long term, the MoFSC should provide scholarship for higher education in forestry and natural resource management discipline and research grants for the student's individual or group research, thesis, etc. especially for the female students in order to develop qualified female human resources in this sector. In this regard, priority can be given to poor female students residing in remote areas as well as from disadvantaged caste/ethnic groups depending upon their needs and priorities.
- ♦ Leave and allowances offered for the staff members should also be according to HRM/D policy of the ministry with the provision of maternity and paternity leaves.
- ♦ To encourage as well as attract female forestry experts towards the MoFSC, child-care and frequent breast-feeding facilities should be provided to female staff members. These facilities are necessary to cancel the handicaps that women face being a mother or performing her reproductive roles. Budget spent on these facilities not only facilitates women (and of course the men) but also empower them to participate equally in forest resource management as well as development process.

2.3.3 Recommendation related to program/budget planning, implementation, monitoring, and evaluation process

- ♦ As per the thrust of decentralization, bottom-up planning should be practiced in real sense in each stage of program planning and budgeting processes.
- ♦ Regular gender sensitization as well as refresher trainings should be provided to forestry officials in order to upgrade their understanding

on gender, gender sensitive/responsive planning, programming and budgeting including gender sensitive monitoring and evaluations.

- ♦ Pre-budget seminar, workshop, and discussions should be organized at least once a year, where progress review as well as gender impact assessment of existing and/or phased-out programs should be done. Whether the program contributed towards improving women's economic, social, and political empowerment, or just improved the immediate condition or reinforced the existing situation, etc. should be assessed during program progress review. Gradually such exercises should be done in program identification as well as prioritization phases too.
- ♦ Adequate amount of budget should be allocated to each prioritized program/projects and/or to those activities, which will directly contribute towards women's empowerment and/or towards gender equality.
- ♦ For the time being some women's specific or women targeted program should be identified and adequate amount of budget should be allocated so that women's concern will be visible to every concerned authority responsible for planning and implementation of forestry sector program/budgets.
- ♦ Implementing authorities of the MoFSC should have full power and authorities with adequate financial resources to mainstream gender in program/budget implementation process and also conduct impact evaluation of prioritized programs.
- ♦ Capacity enhancement of implementing authorities is also recommended especially in regard to gender responsive programming, budgeting and monitoring and evaluation (process, methods, etc).
- ♦ Each and every stage of monitoring (process, impact) should have gender- disaggregated format and information recording.
- ♦ Evaluation of programs/projects should be done separately with their impacts on women, men and in their family and community as well.

- ♦ While gender issue is well recognized in the forestry sector, an appropriate budgetary strategy should be developed to confront the issue in all its manifestations.
- ♦ The sector does not generate relevant data, particularly disaggregated information, for gender analysis and, worse still, whatever data exist are not readily available. Consequently, a meaningful gender budget audit could not be carried out. Addressing these systemic deficiencies is an area needing priority attention of the policy makers, and should be approached in a systematic and sustained manner using a sectorwide concept.
- ♦ The forestry sector spends an amount on gender work far short of the critical level needed to produce aggregate impact, and what is more the spending is not based on conscious sectoral (or sub sectoral) planning with explicit priority assigned to gender. Hence, the current practice of “packaging” gender into a single broad grouping (of gender, Dalit, Jangati and poor) should be revisited.
- ♦ Sectoral en-gendering initiatives should be in consistent and integrated with the national gender initiatives.

Chapter 3

Gender Assessment Studies and Gender Budget Audit of Ministry of Women, Children and Social Welfare 2003

3.1 Synopsis of Executive Summary

3.1.1 Background

In accordance with the national policy of gender mainstreaming in all aspects of development, efforts are underway to mainstream gender in various sectors. As a National Focal Agency for gender issues, the Ministry of Women Children and Social Welfare has been taking a leading role in this regard. In order to carry on the gender mainstreaming efforts, Mainstreaming Gender Equity Programme (MGEP) had been initiated as a joint program of the Ministry and the United Nations Development Programme (UNDP). Within the project structure of the Ministry, MGEP and Joint Initiatives on Trafficking (JIT) Programme was focused on the issue of gender, protection and promotion of women's rights. This study was a part of effort to mainstream gender in the Ministry. The study was conducted in 2003.

3.1.2 Objectives

The main objective of the study is to undertake gender assessment studies and gender budget audit of Ministry of Women, Children and Social Welfare (MWCSW) especially focusing on organization, policies, acts, strategies, program and budget allocation from a gender perspective; monitoring mechanism and processes, impact of programs and policy recommendations for further improvements.

3.1.3 Methodology

This study has broadly followed the basic principles and methodology of gender assessment study and gender budget audit of the Ministry of Women, Children and Social Welfare (MWCSW) including Department of Women Development (DWD) and Women Development Sections

(WDS) at districts and Social Welfare Council (SWC).

Gender Assessment and Gender Budget Audit of MWCSW

- ♦ The Ministry is making effort in developing gender disaggregated information system and successfully en-gendered the last census to a certain extent.
- ♦ The level of clarity in conceptual and methodological aspects of gender among ministry officials is increasing, but needs further training and orientation.
- ♦ MWCSW's commitment towards harmonization of legal instruments in line with Nepal's commitment to international instruments is increasing.
- ♦ International priority and support for institutional capacity development in the field of women's empowerment and gender equality is creating enabling environment for implementing development interventions in the area.
- ♦ Designation and institutionalization of 'Gender Focal Points' in all major line ministries is an achievement, but they need to be institutionalized.
- ♦ The armed conflict had serious implications on the extent of program and the size of budgetary allocations for social development, in general, and gender-related developmental interventions, in particular.
- ♦ MWCSW's budget as against national budget allocation for the FY 2000/1, 2001/02, 2002/03 and 2003/04 was found to be 0.0029, 0.0032, 0.0026 and 0.0024 respectively.
- ♦ The Ministry focuses on programs at district/ grassroots level, which directly benefit women population.

Strength, Weakness, Opportunity and Threats (SWOT)

Strengths

- ♦ The Ministry is responsible for formulating national policies on women and ensure their integration into national development plans, policies and programs. Further more it has the mandate on policy

and legislative development along with coordination, monitoring and evaluation.

- ♦ The Ministry is adequately backed by national priorities and plans on gender equality. It has a permanent structure, staff and budgetary resources.
- ♦ Since gender equality and women's rights are getting priority in international development, the Ministry has been recognized as the institutional platform for governmental intervention, collaboration and partnership building.
- ♦ The Ministry has the strength as a specialized and accountable agency for responding to international society on women's rights and gender equality issues as well as expediting the implementation of international commitments and rights instruments.
- ♦ The Ministry has the institutional network from national down to the village level units.

Weaknesses

- ♦ Marginalization of women's issues across the developmental sectors and lack of the Ministry's capacity to mainstream has been the prime weakness.
- ♦ The Ministry has low level of capacity to meet the compliance to policy and international instruments and weak policy management capability.
- ♦ There is inadequate professionally competent leadership in the policy-making positions of the Ministry.
- ♦ There is lack of clear visibility leading to insufficient focus on gender and women's rights/empowerment within the formal structure of the Ministry.
- ♦ The Ministry has inadequate policy marketing and advocacy capacity.
- ♦ Temporary staffing structure within WDS has resulted in low level of motivation to work among most of the staff of WDS.

- ♦ The Ministry has low capacity to monitor and evaluate programs from gender perspective.

Opportunities

- ♦ National and international development priority for gender and women's rights is increasing.
- ♦ There is supportive and enabling environment for institutional capacity development of the Ministry as a National Focal Agency on Gender and women's rights.
- ♦ There is potential to extend associated and multi-partner structures.
- ♦ Proactive and positive concerns are expressed from civil society and international development agencies.
- ♦ There are enough areas for strategic interventions.
- ♦ International development priority on gender monitoring is encouraging

Threats

- ♦ Low level of professionalism and program integration within the present structure.
- ♦ No strategic planning and management culture introduced within the structure.
- ♦ Threats of alternative modeling coming out of exercises within the government and the civil society fronts, meaning that MWCSW is still to be permanently institutionalized.

Issues and challenges

- ♦ Weak coordination, facilitation, low budget, slow internalization of gender issue in other ministries are the challenges to overcome deep-rooted gender biased social values and norms as well as strong bureaucratic culture in the Ministry.
- ♦ Frequent transfers of policy-making officials have seriously affected the policy efficiency and effectiveness of the Ministry.
- ♦ Lack of clear focus in the envisioning and functioning on strategic

intent because of mixing of role of MWCSW on women, children and social welfare issues.

- ♦ Problem in internalizing gender and women's empowerment issues within the leadership structure hampering the effective performance of the Ministry.
- ♦ Ministry and department tempted towards implementation functions rather than coordination, monitoring, facilitation and gender mainstreaming .
- ♦ Lack of organizational system to use and improve gender tools and techniques in the functioning of the Ministry.
- ♦ Temporary status of majority of WDS staff has been a historical issue and a challenge to the Ministry to make them permanent.

3.2 Recommendations

Based on the findings and outcomes of the study and the urgency felt to develop and improve the policy, institutional as well as the behavioral capacities of MWCSW with respect to effective gender mainstreaming, en-gendering national budget and promoting gender equity and women's rights as the core responsibility and priority of governance, the following areas for reform have been recommended:

3.2.1 Legal

- ♦ Process of amending discriminatory laws should be made more efficient, both in terms of time and procedures. For this effective lobbying, advocacy and coordinating roles of the Ministry should be intensely activated.
- ♦ Higher level of compliance to international instruments and effective implementation of national legal instruments should be ensured.
- ♦ Access to justice should be enhanced and rights framework should be incorporated in the legal system for promoting gender equity and women's rights.
- ♦ System to disseminate information on national and legal instruments related to gender and women's rights should be established.

- ♦ Ratification of Optional Protocol of CEDAW should be taken as a matter of priority to expedite the process of promoting gender equity and women's rights.
- ♦ The legal status of National Commission on Women should be upgraded with separate Act so as to make the Commission high-powered, professional and independent.
- ♦ The Ministry should play an effective role to amend the Civil Service Act in order to make all positions of WDS permanent for women only. A special provision should be included in the Amendment Act to make currently serving WDS staff eligible to appear while competing for such positions. It should also initiate efforts to provide attractive voluntarily retirement schemes to those who want to leave their jobs.

3.2.2 Policy

- ♦ Conduct independent poverty situation analysis and gender assessment studies in all sectors of development.
- ♦ The Ministry should expedite the affirmative measures under CEDAW, in all courses of policy formulation, program development and budget construction.
- ♦ GFPs should be institutionalized as integral part of effective gender mainstreaming and intra-system advocacy within the government
- ♦ In order to strengthen GFPs, intervention capabilities, MWCSW needs, to have regular consultation with them and enhance their knowledge in policy matters.
- ♦ All staff of the Ministry and concerned staff of line ministries should be provided effective training packages of gender mainstreaming and en-gendering budget.
- ♦ MWCSW as well as professional and civil societies should initiate efforts to make policy making level more gender responsive.
- ♦ There should be intensive discussions with all stakeholders on the role of gender responsive monitoring system.
- ♦ To strengthen the policy coordination capability of the Ministry, a

separate "Inter-Ministry Coordination Mechanism on Gender" should be developed and made functional.

- ♦ Policy analysis capability of the Ministry should be strengthened by establishing an independent group of experts as 'development think tank' within the structure of the Ministry.
- ♦ Application of gender audit and poverty measurement mechanism in all stages of budget formulation and implementation should be gradually done in a mandatory way.
- ♦ The gender performance assessments and evaluation should be recognized as the integral part of Annual Economic Survey of the government. However, an initiation was made in the last Economic Survey.
- ♦ A policy of realizing national and international obligations on gender equality, women's rights and empowerment of women should be adopted with due priority while determining national priorities and guidelines for sectoral budget construction.
- ♦ The Ministry should play key role at policy level in integrating the MDG targets on gender and women empowerment into national development policy framework.
- ♦ A supportive culture should be developed in acquiring, processing and utilizing gender disaggregated data in preparing budgets. There should be a mechanism of promoting women's participation in all stages of budget cycle.
- ♦ Gender audit exercises should be applied as the integral component of performance auditing of development programs.
- ♦ Realizing the urgency of gender and development responsibility of the Ministry the GON (allocation of business) rules should be amended to incorporate appropriately the mandate of gender mainstreaming and gender auditing within the scope of work of the Ministry.
- ♦ The organizational structure of MWCSW should be improved and reformed so as to attain clear focus and visibility of gender mainstreaming and research functions within the formal organizational structure of the Ministry. Likewise, in line with the

improvements in the structure of the Ministry, the organizational structure of DWD and WDS should also be improved to enable them to mainstream gender in development activities at district levels. In this respect, the institutional status of the WDS should be upgraded in line with the status of other line agencies in the district.

- ♦ Within the formal structure of the Ministry, a separate mechanism of 'Independent Expert Group on Gender' and a "High-Level Inter-Ministry Coordination Committee" are recommended to be institutionalized.
- ♦ As an associated structure, MWCSW needs to form an "Independent Gender Advocacy Group of Experts" in collaboration with the civil society to assist in internalizing gender issues and en-gendering budget into different agencies of the government including the legislative as well as the judiciary.
- ♦ The institutional capability of National Women's Commission should be strengthened to enable it playing the developmental as well as arbitrating roles more effectively. Within the structure of the Commission, a separate mechanism for 'Arbitration on Women's Cases' should be established.
- ♦ MWCSW should strengthen the capacity of GFPs for effectively mainstreaming gender and expediting women development activities including facilitating for monitoring and evaluation as well as gender capacity building across the structures of line ministries and from center down to the village level interventions. The networking of the Ministry with the GFPs should also be strengthened.
- ♦ There should be participatory and multi-partner organizational frameworks for effective and timely reporting of CRC and CEDAW implementation to UN system and the society. Further, multi-partner structures should be formed for promoting synergic actions enhancing participation of stakeholders in the implementation and monitoring of CEDAW as well as combating trafficking in women and children.
- ♦ A separate 'Gender Budget Cell' should be established in the Ministry of Finance.

- ♦ Coordination, monitoring and evaluation capabilities of Ministry of Women, Children and Social Welfare, Ministry of Finance and National Planning Commission with respective to gender responsive budget and gender auditing of the budgets should be strengthened,

3.2.4 Capacity Development

- ♦ MWCSW should develop capacity by also utilizing professionals' expertise to advocate for developing annual program and budget of all line ministries.
- ♦ The capacity of the staff of the Ministry should be developed targeting to reach a required professional level for policy development, coordination, facilitation monitoring and evaluation on gender issues.
- ♦ Advocacy and communication capacities of the Ministry needs to be strengthened to effectively mainstream issues of gender and women's rights into the developmental administrative frameworks of the government as well as towards strengthening the collaboration with the civil society and international development community.
- ♦ It is essential to develop the institutional capacity of GFPs with conceptual, methodological, informational, managerial and technical support to effectively integrate gender concerns, women's issues and en-gendering budget into the capacities of respective ministries and agencies. The 'Terms of Reference' of GFPs should be approved by the Cabinet to formalize the roles and responsibilities of such agreements.
- ♦ Capacity of WDSs as Gender Focal Points should be developed to enable the offices to mainstream gender in district planning system and expedite women empowerment activities in a coordinated manner. WDS should be upgraded to Women Development Office (WDO) to increase its clout.
- ♦ MWCSW should initiate lobbying with the National Planning Commission and Ministry of Finance for fully operative gender budgeting system.
- ♦ MWCSW should be equipped with staff having conceptual, technical

and behavioral skills on gender and women's rights. Qualities such as 'professionalism', 'willingness to serve', and 'required competencies and skills' should be taken into account during transfers/placements of Ministry staff. The Ministry should develop appropriate retention system as the internal human resource mobilization strategy to utilize and motivate the professional and competent staff.

3.2.5 Monitoring and Evaluation

- ♦ Capacity of Monitoring and Evaluation Cell at the Ministry should be developed with appropriate indicators and formats for information collection, supervision and coordination on gender-related activities across the development sectors and require logistic support and training so as to secure compliance to national and international commitments on gender equality and women's rights. Appropriate data management system should be developed.
- ♦ MWCSW should pay serious attention in systematically developing monitoring capacity of the Ministry. In this respect, the Ministry should develop monitoring expertise within its organizational structure.
- ♦ There should be more utilization of GFPs capability towards harmonization of legal instruments in line with equality and rights framework. There is a need to internalize gender issue into the line ministries regular development, monitoring and evaluation process.
- ♦ The Ministry should try to develop a participatory and independent monitoring system to monitor overall achievement on women's rights, gender issues and en-gendering budget.

3.3 Concluding Remarks

The gender assessment and the gender budget audit exercise of MWCSW gave a larger picture on how gender is understood, not understood or misunderstood within MWCSW among different officials and other stakeholders. By virtue of being the lead focal agency for achieving gender equality in the country, some officials of the Ministry have had conceptual clarity and operational skills on gender. These officials were those who had gone through various gender sensitization

sessions. However, because of heavy turnover of staff and lack of internalization of sensitization program within the Ministry, some officials at various levels have low conceptual clarity about gender. This lack of gender education was observed even among officials of line agencies who are responsible for making crucial decisions regarding gender. Some office was found to have moderate knowledge about gender.

During the consultation process it was also realized that conceptual clarity and operational skill especially on en-gendering budget were lacking among majority of stakeholders ranging from the central to the district level. Those who had understanding had undergone various gender sensitization sessions.

Gender budget audit is fairly a new concept in Nepal. Therefore, majority of respondents were found to have some confusions regarding gender budget but they were quite clear on gender issues. These officials or representatives of line agencies from central to district level need to have further inputs, interactions and training for better understanding of the concept of en-gendering budget.

Though the budget allocation for the Ministry was quite low, based on the various analytical tools used for the study, many women's rights and development and gender indicators was found positive. It was revealed that the total performance achievement in the filed of gender equality and women's empowerment to be 66%. Of this, approximately 38% can be attributed to Ministry's efforts, the remaining being the result of interventions prior to the establishment of Ministry.

Government's commitment to gender budget was found to be low in priority, verified by the minimal share of the national budget allocated to MWCSW, the lead agency for gender equity and women's empowerment and especially by the budgetary cut after the imposition of "emergency".

Furthermore, the steady erosion of the development budget in the recent years is inconsistent when considered that development budget, being more discretionary, represents the real fiscal priority of the government. Decrease of development budget has greatly compromised to programmatic content, range and reach of MWCSW. However, the

district level has got fair priority within the budget allocation of the Ministry.

Salary constitutes a single major component of MWCSW budget and also found to be growing with periodic upward revision in salary, with a decreasing share of complementary non-wage recurrent expenditure, which has constrained the capacity of ministry to mobilize its staff resources fully.

Though the MWCSW budget is small, the gap between allocation and expenditure is the worst. The performance is even less satisfactory in case of development spending. This budget underperformance is not necessarily caused by low absorption capacity of MWCSW, but is rather due to the non-release of budget, especially due to non-availability of money from donor agencies. Though the government has devised a mechanism to protect priority projects and sectors from such shortfalls, MWCSW is apparently not covered by that mechanism.

The inadequacy of the budget may be the cause for MWCSW's central level performance but not in par with the expectation for gender transformative results. On the other hand, those who are in budget decision-making positions and who influence in program budgeting may have low gender sensitivity and understanding about the concept of gender budgeting. Additionally, there seems to be a lack of commitment of budget decision-makers towards fulfillment of the national policy on gender equality and women's empowerment.

Review of the budgetary process leads to the conclusion that there is no provision for women's participation in the budgetary process right from the local level to the central level. The exclusion of women may be the root cause for so little budgetary allocation to achieve the national policy on gender equality and women's empowerment.

Chapter 4

Gender Assessment in Education Sector 2005

4.1 Synopsis of Executive Summary

4.1.1 Background

In accordance with the national policy of gender mainstreaming in all aspects of development, efforts are underway to mainstream gender in various sectors. Mainstreaming Gender Equity Programme (MGEP), a joint program of Ministry of Women, Children and Social Welfare (MWCSW) and the United Nations Development Programme (UNDP) had taken the initiative in mainstreaming efforts. This study was a part of effort to mainstream gender in the education sector. The study was conducted in 2005.

4.1.2 Objectives

The objectives of the assessment study were the followings,

- ♦ To review development policies, laws and regulations, plans and programmes of the education sector from the gender perspective.
- ♦ To analyse the impact of educational policies and programmes.
- ♦ To make recommendations for more effective gender mainstreaming in the education sector.

4.1.3 Methodology

Methodology adopted for the study included:

- ♦ Analysis of the educational status of women was done using latest school educational data available from the Ministry of Education and the universities.
- ♦ Relevant acts and regulations were reviewed.
- ♦ The education sector policies and programmes of the Ninth Plan (1997-2002) were extensively reviewed.

- ♦ Various research documents were reviewed to draw inferences on impact of the programmes.
- ♦ The education sector budget for F.Y. 2000/01 was analysed to see how much the budget allocation benefited the women.
- ♦ Interviews were conducted with education officials at the centre and in 13 districts.
- ♦ Focus group meetings were held in 13 districts.
- ♦ School facilities and classroom teachings were observed in 35 schools of 10 districts.

4.1.4 Educational Status of Girls and Women

a. Primary Education

Participation of girls in primary education has increased considerably over the past two decades with the girls constituting 42 percent of the total primary enrolment. Region wise the Mid-Western and Far-Western Regions have lowest participation of girls. High drop out and repetition rates, mainly at Grade I, mean that only about half of the students (girls and boys) complete the primary cycle. Further, achievement rates of the students (in grade 5 examination) of the public schools are generally low. Because of the government policy of appointing at least one female teacher in primary school, there are 24 percent female teachers in the primary education.

b. Secondary Education

Having the gradual increment of girls participation in secondary education, there are about 40 percent of the girl students in grade 6-10. The Mid-Western and Far-Western Regions have the lowest enrolment of girls. The proportions of female teachers in the total stock of teachers at the secondary levels are quite low, 13 percent of total teachers at lower secondary and 9 percent of total teachers at the secondary level in 1999. The pass rate of girls in SLC examination is lower than that of the boys.

c. Higher Secondary Education

The proportion of female students in the enrolment at this level (based on examination information) is 37 percent. The high fees, being the private institutions, charged constitute an important constraint in the access to this level of education.

d. Higher Education

About 26 percent of all students in higher education are women. The participation of women in higher education is quite low due to various social and economic reasons. Participation of female students is particularly low in technical institutes of the Tribhuvan University except in the Institute of Medicine (IOM).

e. Technical Education and Vocational Training

The participation of women in technical education and vocational training is also not very encouraging. Female trainees are mainly concerned in stereotypical areas like agriculture, health, Assistant Nurse Midwife, Auxiliary Health Workers (ANM, AHW) and in secretarial course.

f. Literary Status

The overall adult literacy rate (literacy among population 15 years and over) for the year 2000 was 51 percent. The literacy rate for men was 66 percent and that for women was 35 percent. Differentials in literacy rates by development and ecological regions are quite significant.

g. Curriculum Review

During the 1990-2000, efforts were made to identify parts of the curriculum that were biased against women and which perpetuated gender stereotypes.

h. Teacher Performance

Limited use of institutional materials, teaching without lesson plans, heavy classroom teaching load on the teachers, lack of system of conducting systematic evaluation of school quality were some of the findings noted in the studies.

4.1.5 Status of Gender Mainstreaming

a. Educational Policies

The spirit of the Ninth Plan for attaining the gender equity has not been captured by the policy statements. Except the pre-primary and secondary education, gender concerns are generally ignored in policy statements with gender neutral languages on higher education, and technical education and vocational training.

b. Acts and Regulations

The provisions of the Education Act 1971 and the Education Regulations 1992 are generally gender neutral and make no specific effort to address existing gender disparities except in some rare instances.

Though the provisions in university acts do not seem discriminatory, no specific provision is made for women representation in the decision making bodies of the universities.

c. Programmes

Through the various mechanisms, The Ministry of Education and Sports (MOES) has been implementing a number of programmes for the promotion of girls' education. Prominent among the programs is the BPEP II, which aims at increased access to basic and primary education, improving quality education and developing capacity of implementing agencies.

d. Budget for Fiscal Year 2000/2001

The budget allocation for the girls/women specific programme is quite low in the F.Y.2000/01. It is only one percent and the rest of the budgeted programmes (99%) are not gender targeted and are not supposed to benefit both women and men.

4.2 Conclusions and recommendations

4.2.1 Conclusions

4.2.1.1 Existing Gender Disparities in Education

Primary Education

Participation of girls in primary education has increased considerably over the past two decades with the girls constituting 42 percent of the total primary enrolment at present.

Yet about 36 percent of 6-10 year aged girls are not enrolled in school. The percentage of primary age group boys are not enrolled is 20 percent. There are regional variations in girls participation in primary education. Mid-Western and Far-Western Regions have lowest proportion of girls in schools. Similarly participation of *dalits* and disadvantaged groups in general and girls from these communities in particular, is very low.

The relatively low participation of girls in primary education is attributed to factors such as poverty, domestic work responsibilities of the girls, low importance given to girls education by parents, involvement of children in income earning activities, discrimination against *dalit* children, etc.

Universal compulsory primary education by the end of Ninth Plan as recommended by the National Plan of Action (NPA) is not going to be achieved. The NPA recommended punitive action against parents who do not send their daughters to schools. But even the pilot Compulsory Primary Education schemes lack legal mandate for such action.

The percentage of the female teachers in primary schools is 24 percent of the total teachers. Still many schools do not have the mandatory requirement of at least one female teacher. The reasons for low representation of teachers are unavailability of qualified teachers, especially in rural areas. Political manipulations have also deprived many qualified women from availing of the employment opportunities as teachers.

Secondary Education

There are gaps between enrolment ratios of boys and girls also at the secondary level. The Gross Enrolment Ratio (GER) of girls at lower secondary level and secondary level is much lower in Mid-Western and

Far-Western Regions compared to that in the other regions. Low primary school completion rates of both boys and girls, prevalence of early marriage, increased responsibility of household works, direct costs of schooling and poverty are some of the factors responsible for lower participation of girls in secondary schooling. Tuition waiver as recommended in the NPA is in operation, but the schools are still charging significant amounts in fees, which inhibits participation, particularly of girls.

Female teachers comprise about 13 percent of the total teachers at lower secondary level, and 9 percent of total teachers of the secondary level. These proportions are obviously low. Shortage of qualified females in the rural and remote areas and preference of urban based educated females for jobs other than teaching account for these low proportions. Further, lack of gender sensitivity in recruitment policy of female teachers is another reason for low proportion of female teachers. The NPA recommended sizeable increment of female teachers in all development regions. However, the Mid-Western and Far-Western Regions have negligible number of female teachers with many schools have none.

Higher Secondary Education

Access to higher secondary education for boys as well as girls is now increasing with the liberal granting of affiliation by the Higher Secondary Education Board. As all higher secondary schools are run under private management with a high fees rate, a vast majority of boys and girls do not have easy access to higher secondary education due to financial constraints. There is no monitoring of instruction in these schools. Female students constitute only about 37 percent of total student body.

Higher Education

Girls' enrollment in higher education is quite low. On the whole, only a quarter of total enrollment in higher education is that of women. Female enrolment is particularly low in technical education. The recommendation made by the NPA that tuition waiver be provided to 50 percent of the girl students has not been implemented yet.

Technical Education and Vocational Training

Female trainees constitute only 28 percent of total enrollment of

Council for Technical Education and Vocation Training (CTEVT) and they are mainly in vocations which are low paying and have low employment opportunities. The recommendation made by Nation Plan of Action (NPA) to increase female enrollment to 50 percent in Technical Education and Vocational Training (TEVT) is not yet realised.

Literary Status

The current literacy rate is 51 percent, 35 percent for females and 66 percent for males. There are wide variations in female literacy rates by regions, lowest rates being in Mid-Western and Far-Western regions. The present trends in literacy rate indicate that Ninth Plan goals of literacy rate of 70 percent by the end of plan period and narrowing the gender gap from 30 percent to 20 percent, as emphasised in NPA, are unlikely to be attained.

4.2.1.2 Assessment of Gender Mainstreaming

Policies

Although gender concerns have been incorporated in educational policies to a certain extent much remains to be done. Policies are usually not stated in a gender sensitive manner. Policy statements from sub-sectors such as higher education and TEVT are gender neutral which does not address the current low enrolment.

Acts and Regulations

Acts and regulations in the Education Sector do not explicitly discriminate against women. In fact, several provisions of Acts and Regulations provide for affirmative actions in favour of women, e.g., recruitment of female teachers at the primary level, paternity leave at TU etc. However, the fact remains that gender neutral provisions of Acts and Regulations indirectly perpetuate low participation of women in the education sector. For instance, since the Acts and Regulations do not specifically provide for gender equality in decision-making bodies, women representations in these bodies are very low.

Programmes

A review of major educational programmes/projects reveals that they

are in general cognisant of the issues. Programmes such as Basic and Primary Education Project (BPEP) and Secondary Education Development Project (SEDP) have taken special steps to incorporate gender issues in their programmes. They have even recruited gender specialists to integrate gender issues in the programmes.

The target setting of educational programmes is generally being done in a gender disaggregated manner. Similarly, the monitoring indicators and information collection is also being done in gender disaggregated manner as envisaged by the Ninth Plan.

Although the programme documents and designs do incorporate gender issues, the ineffective programme implementation blunts much of the impact of women friendly initiatives of the programmes. Part of the problem is the preponderance of male staff of these programmes/projects. As revealed by the interviews they are generally aware of gender issues and hold progressive views on gender issues, but their lack of gender mainstreaming skills and commitments dilutes the impact of gender initiatives. Moreover, the extent of initiatives for mainstreaming gender is fairly limited at the moment.

Budget

Analysis of the programme/budget for F.Y.2000/01 shows that girls/women specific programmes account for only one percent of the Education Sector Budget. Programmes benefiting both gender account for 99 percent of the budget. When specific allocations are disaggregated on the basis of promotion of female participation in the concerned programme, it is seen that the share of girls/women in education sector budget is just 41.6 percent in the year 2000/01. The amount allocated for girls/women specific programmes is too little to cover the real need.

Currently, about 75 percent of the Development Budget in the Education Sector is financed by external assistance. Loans constitute only 25 percent of the development budget and rest of the external assistance is grants. Since, regular budget is entirely funded from internal resources. GON's own contribution in total education budget amounts to 78 percent, which is quite reasonable.

Monitoring

Among various sectors, education is one of the most progressive sectors in incorporating gender concern in its monitoring system. Targets are generally in the gender disaggregated form and monitoring indicators have been developed and gender disaggregated monitoring information are also being regularly collected. However, the reliability of these information is often suspected. Moreover, the monitoring system is weak in analyzing the monitoring information on time (usually takes two years) and using it for necessary remedial actions. This renders monitoring just as a routine ritual rather than something to be used for improving implementation or design of the programmes/projects.

Attitudes of the Education Officials

Education officials are generally well aware of the gender issues and have generally progressive view on these issues. They, however, lack specific skills for mainstreaming gender in their respective areas/activities. The patriarchal upbringing of the officials who are mostly male, also casts doubt in their commitment to gender issues.

4.2.2 Recommendations

- a) To promote equality, it is necessary to provide equal opportunity to all not only in access but also in the conditions for successful completion of the particular level of education. For this it is essential to raise quality of education in public schools and institutions of higher education where most of girls go for their education.
- b) Gender balanced perspectives should be developed among the educational planners, teachers, teacher educators, trainers and officials at central, regional and district levels. Personnel in Ministry of Education and Sports, Department of Education, Technical departments of Ministry of Education and Sports National Center for Educational Development (NCED), Secondary Education Development Center (SEDEC), OCE, and CDC) should be provided orientation on gender issues.
- c) The system of gender auditing should be adopted by National Planning

Commission (NPC) and Ministry of Education and Sports (MOES). In order to institutionalise gender audit system in the education sector, tools for (i) Programme audit, (ii) Budget audit (iii) Curriculum and text book review, and (iv) Monitoring system review should be developed.

- d) Community people and parents should be motivated to provide school education for the girl children. The local people should be informed about the various provisions and facilities made available by the government for promotion of girls and women education through local implementing bodies and local government agencies. The government should take punitive actions against those parents who are not sending their daughters to school.
- e) The policy of appointing at least one female teacher in a primary school should be extended to lower secondary and secondary levels. There should be more female teachers in the public schools. This requires action to include females in teacher training (pre-service and in- service) in large numbers. Gender sensitive recruitment policy such as appointment to schools closer to their own villages/communities, facilitating husband and wife to work in the same village or district, safe and secure quarters, child support etc. needs to be introduced.
- f) From the point of view of making the education sector gender sensitive, a critical mass (33%) of women should be brought at the policy and decision making levels. Similarly, to enhance participation of women in the education sector employment, at least 33 percent reservation should be maintained at all levels of employment.
- g) Provision should be made in Education Acts and Regulations to provide a certain number of appointments for adequate membership of females in the decision-making bodies of educational bodies. Additionally, the university laws should be revised to make them sensitive to reproductive roles of female staff and female students.
- h) Reliability of monitoring data should be enhanced through provision of cross-checking mechanisms and monitored data should be promptly analysed and used for improving programme implementation.

- i) A system of co-ordinating gender mainstreaming efforts in the education sector should be established. The Ministry of Education should have a section responsible for documentation, networking, reporting and co-ordination.

4.2.2.2 Specific Recommendations

Primary Education

- a) As bulk of the illiterates and out of school children are females, the entire approach to "Education for All" has to be female oriented. It is impossible to achieve universal primary education unless concerted efforts are made to reach out to the girl child.
- b) The current pilot scheme of Compulsory Primary Education should be extended to more districts. A Compulsory Primary Education Act should be conceived, enacted, and enforced. An impact study of the pilot districts should be conducted immediately.
- c) The educational needs of the working children, girls, and children belonging to disadvantaged groups should be addressed.
- d) More female teachers should be recruited particularly in rural and remote areas to facilitate girls' education. In this connection, consideration should be given to women's reproductive roles/responsibilities.
- e) Efforts should be made to make parents aware of their responsibility to ensure the completion of primary education by their children (including girl children).
- f) Gender sensitivity training should be provided to all teachers.

Secondary Education,

- a) Considering the low total Gross Enrolment Ratio (GER) at Lower Secondary and Secondary levels (56.9% at lower secondary, and 39% at secondary level in 1999), efforts are necessary to increase enrollment of both boys and girls at these levels. Efforts need to be directed particularly towards raising girls' enrollment since at present as there are wide disparities in the GER levels for boys and for girls at these levels.

- b) Access to secondary education should be increased by setting up new schools in the un-served areas on the basis of school mapping and District Education Planning, and by consolidating and expanding the existing facilities, such as scholarships, free textbooks, hostels etc., with particular emphasis on ensuring substantially increased enrolment of girls. The following measures are recommended:
- ♦ The goal of equity and target of equal participation rates needs to be pursued with high priority being attached to gender issues in all aspects of strategy and programmes for secondary education development.
 - ♦ The single most important action required is the adoption of specific measures to increase the proportion of female teachers. This may involve quotas for admission to teacher education programmes, quotas for direct recruitment to teaching posts in schools, scholarships for female trainees and separate programmes as well as facilities for women in training institutions.
 - ♦ There is a need for separate sanitation facilities for girls in all schools; this need should be met through school renovation and construction programmes.
 - ♦ Training programmes will need to include a component of gender awareness training.
- d) Facilities for attending gender sensitivity training should be made available to teachers.

Higher Secondary Education

- a) Scholarships should be granted to girls from the disadvantaged and low income groups in all higher secondary schools.
- b) The fees charged by the private higher secondary schools should be regulated. Higher secondary education should not be prohibitively expensive.
- c) The opportunities to study Science and Management streams in the higher secondary schools of the rural areas should be expanded and girl students should be facilitated to enroll in these streams.

- d) Open Education System should be developed and implemented to meet the needs of those students who find it difficult to attend the regular higher secondary schools because of distance or because they have to work for a living. Girl students should be facilitated to enrol in open education system.
- e) Facilities for attending gender sensitivity training should be made available to teachers.

Higher Education

- a) Women's access to higher education needs to be increased by adopting following measures:
 - Fixing reasonable and affordable fees and charges in the public institutions of higher education and in the private sector colleges/campuses:
 - Providing scholarships for deserving girl students in higher education institutions.
- b) Open University System should be established to meet the needs of students who cannot join the regular higher education institutions. Female students should be facilitated to join the Open University system.
- c) Attempts to bring about gender balance in the teaching, administrative staff and policy-making positions should be made.

Technical Education and Vocational Training (Under CTEVT)

- a) CTEVT should encourage the participation of girls in vocations which are in demand by conducting a review of its present course offerings. Special assistance should be given to girls enrolling in non-traditional occupational training. As committed in the NPA, 50 percent of the trainees should consist of girls/women and they should be provided with training which girls/women demand.
- b) CTEVT should conduct short duration vocational training courses addressed to the girls, besides its long-term courses.

- c) CTEVT should conduct non-formal vocational courses for school dropouts in the age group of 14-18 years (including girls) who have completed lower secondary education and had not gone beyond Grade 10.

Literacy Programmes

- a) Wide participation of women in the literacy programmes (Women Education Programme, Adult Literacy Programme, and Literacy Campaings) is needed to raise the national literacy rate, and to reduce the gender gap in literacy rates. Mass media including print media and radio broadcasts should be used to disseminate the message of literacy.
- b) Educated women in rural areas should be recruited as instructors/facilitators in the Non-Formal Education (NFE) programmes. Such women should be given priority in the training of NFE instructors/ facilitators.
- c) The campaign approach to literacy programmes should be extended to more districts.
- d) Women representatives should be involved in the local NFE management committees.
- e) Educated women and successful women instructors of NFE classes should be recruited as supervisors of NFE programmes, including literacy programme at local levels.
- f) Co-ordination with local agencies concerned with women development activities is essential. This is particularly needed in implementing functional skill components of WEP II Phase, and Adult Education: Post Literacy Activities with income generating programmes, and the micro credit programmes.
- g) Budgetary provision for literacy programmes should be increased in view of high magnitude of illiteracy.

Chapter 5

Gender Assessment and Gender Budget Audit of the Ministry of Local Development 2004

5.1 Synopsis of Executive Summary

5.1.1 Background

In accordance with the national policy of gender mainstreaming in all aspects of development, efforts are underway to mainstream gender in various sectors. In this connection, Mainstreaming Gender Equity Programme (MGEP), a joint program of Ministry of Women, Children and Social Welfare (MWCSW) and the United Nations Development Programme (UNDP) had taken the initiative in mainstreaming efforts. This study was a part of effort to mainstream gender in the Ministry of Local Development (MLD). The study was conducted in 2004.

5.1.2 Objectives

The objectives of the assessment study were,

- ♦ To assess constitutional arrangements, policy and legal framework, management structure, planning process, relevant Acts, programmes, resource allocations and the implementation strategy pursued by the Ministry from the gender perspective.
- ♦ To analyse gender sensitivity of policies, planning and programming and budgeting process of the ministry and local governments in selected districts to generate district case studies on the local governance process.
- ♦ To study and assess implementation and impacts of gender focused policies, strategies and plans at local government and community levels.
- ♦ To recomend measures for facilitating policy making, programming and budgeting and implementation processes on the basis of the findings.

5.1.3 Methodology

Methodology adopted for the study included:

- ♦ Review of existing materials including sectoral gender assessment studies of agriculture, health and education (MGEP, 2001) and the gender budget study of the macro level budgeting and financial policies (IIDS/UNIFEM, 2002) for identification of the issues and concepts.
- ♦ Review of the MLD budget and expenditure patterns of the last three years to assess their gender sensitivity from secondary materials.
- ♦ Visits to relevant programs like Local Governance Programme /Participatory District Development Programme (LGP/PDDP), Rural Infrastructure Development Programme (RIDP), Rural Community Infrastructure Work Project (RCIW), Decentralized Action for Children & Women (DACAW), Besheshwor Among the Poor (BAP) and departments of MLD for information collection and discussions.
- ♦ Review of Acts and Regulations, MLD's plan and programs like Rural Community Infrastructure (RCI), Rural Infrastructure Development Programme (RIDP), Rural Infrastructure Programme (RIP), Rural Access Programme (RAP), Local Governance Programme (LGP), Participatory District Development Programme (PDDP), BAP and budget from the gender perspective.

Gender Assessment and Gender Budget Audit of MLD

- ♦ The government has made its commitment in the Ninth and Tenth Plans to achieve gender equality through women's empowerment, equity and mainstreaming.
- ♦ Many of the policies and programs under the supervision of the Ministry of Local Development and Acts and rules regulating processes of local governance can be found to have been made gender sensitive in terms of women's minimum representation at local levels.
- ♦ Yet the gender mainstreaming commitment the government is not fully reflected in the objectives, responsibilities and structure of MLD or Local Government Institutions (LGIs).

- ♦ The position of the Gender Focal Person is weak and yet to be formalized.
- ♦ Monitoring formats are not adequately process oriented and gender sensitive.
- ♦ Social security and relief programs like BAP, and human resources and institution development programs like VDP/PDDP/LDP have tried to involve women at all stages of project activity.
- ♦ There is low participation of women and the disadvantaged groups in local level planning and budgeting process.
- ♦ The program for old age and widow allowances was reported to have encountered several problems in implementation and seemed to be not directed towards the target groups.
- ♦ Though the ministry lacked exclusive programs for women for which a separate budget could be allocated, the DDCs had many pro-women programs including Decentralized Action for Children and Woman (DACAW).
- ♦ MLD's allocation to pro women programs has increased annually.
- ♦ Though there were programs having the positive effect in the life of women, they were not effective enough in changing men's attitude towards women's specific needs.
- ♦ Despite many positive provisions, gender concerns are found missing in various parts of the Local Self-Government Act (LSGA).
- ♦ Women's representation was not of critical size, particularly at the executive and DDC level.
- ♦ The plans and budgets of the DDCs and municipalities were still largely infrastructure-oriented, the attention paid to women and disadvantaged groups in these programs was far from enough.
- ♦ Concerned staff members of local bodies were ignorant of the mandatory provision of 30 percent representation of women made in the Financial Administration Section of the Regulations 1999.

- ♦ The DDCs implemented programs were infrastructure development, social programs including health and education, awareness programs on women and child rights, skill training for small income-generating activities for women and various kinds of other incentive schemes.
- ♦ The basic needs-oriented local infrastructure programs and projects benefited all and provided relief to the poor.
- ♦ The visited DDCs were spending 40-60 percent of their own discretionary budget on development activities and the rest was spent in administrative things.
- ♦ Both of the visited municipalities had started adopting policies and programs for the sake of women and disadvantaged people.
- ♦ Women's participation in users committees was slightly higher in municipalities than in DDCs or VDCs.
- ♦ Low participation of women and the people from disadvantaged communities in planning, budgeting and program preparation stages.
- ♦ Although the bottom up planning process had been formally pursued by the VDC and municipal authorities to formulate plans, programs and budget, the traditional caste/ class and gender hierarchies were found standing in the way of successful implementation of the LSGA-1999.
- ♦ In some donor- funded programs like RWSSP, PDDP/DACAW, RCIW/Food for Work and government programs like BAP, the need of women's participation in planning process had been recognized to some extent at the policy level.
- ♦ The quality of women's participation was still low being concerned only with their basic needs such as water, sanitation, health, training in traditionally female-specific skills, small income- generation, micro-credit, etc.
- ♦ The Ministry of Local Development enjoys no direct taxation or resource mobilization powers. LSGIs, on the other hand, have extensive powers to collect revenue locally through taxation, service

fees and property mobilization. Besides, revenue sharing between the central government agencies and DDCs, DDCs and VDCs, and DDCs and municipalities contribute additional sources of revenue to the local authorities.

5.2 Summary of Findings and Recommendations

Gender sensitivity of the program/budgetary processes, structures and institutions are viewed in a three dimensional perspective-participation of women in the structure processes and effectiveness of such participation from a gender perspective, sensitivity of the programs, and the sensitivity of the structures and attitudes of the implementing authorities in general. The following findings and recommendations are based on the close examination of the existing Acts, rules, regulations, plans, programs or projects and the feedback received from DDCs, municipalities and VDC and the community groups.

5.2.1 Findings- Ministry of Local Development

5.2.1.1 Women in MLD Structure, Policies and Processes

Government of Nepal is generally committed to the objectives of poverty alleviation and equitable development. Nepal has expressed its commitment to implement various international human rights instruments that include "Convention on Elimination of All Forms of Discrimination Against Women (CEDAW)", and Beijing Declaration and the Platform for Action. Accordingly, GON has adopted mainstreaming equality and empowerment as its basic strategies for translating this commitment into action. As such, all ministries and other institutions are supposed to reflect these policies and strategies in their objectives, policies, plans and programs.

Many of the policies and programs under MLD supervision, Acts and rules, and regulating processes of governance have been made quite responsive to women's needs in recent years. The need for participation of women and other disadvantaged groups in planning and budgeting practices are incorporated well into the policies, Acts and regulations of local institutions. But there is a still room for further improvement. Particularly:

- ♦ The MLD's objectives fail to specify gender as its area of priority although the concern for disadvantaged groups is clearly noted. The MLD's terms of reference specifying its roles and responsibilities in 13-point Booklet, 2058/59 does not mention women or gender equity. This only shows that the multi-dimensional implications of the mainstreaming are yet to be fully understood in MLD as an institution.
- ♦ The provisions for committees and representation, working style and staff in the ministry do not ensure women's equal representation as an integral part of the system.
- ♦ The position of the Gender Focal Person is very weak and not yet formalized. Besides, she has little resources at her disposal to fulfill her responsibilities. On top of this, as a third class officer, she has little say in the decision-making process at the ministry.
- ♦ Monitoring formats are not adequately process-oriented and gender sensitive. The ministry has prepared two sets of form (i. DDC and ii. municipality monitoring) as a checklist for conducting follow-ups. These monitoring checklists do not require gender- disaggregated data of the staffs or the beneficiaries. The number of women and disadvantaged groups benefited and the women in the user groups should have been regularly monitored through the project implementation monitoring-form and specific monitoring forms for the DDCs, VDCs and municipalities.
- ♦ The DDCs/VDCs/municipalities did not think that monitoring and evaluation of their activities by MLD was effective. Monitoring checklists of neither municipality nor of DDCs and VDCs check whether their secretaries conduct performance appraisal of their staff.
- ♦ Only a loose and informal system of monitoring was followed in the studied DDCs. The monitoring guidelines were not properly enforced. Similarly, VDCs had few staff and they could not manage monitoring as a specific task. The municipalities had some regular review meetings as a monitoring mechanism.
- ♦ Neither VDCs nor municipalities did have gender-disaggregated data in terms of their staff, beneficiaries, user groups, development project and services for women.

5.2.1.2 Gender Sensitivity of MLD Programs and Budget

The Ministry of Local Development is not an implementing agency. Most of its programs or projects are implemented through DDCs, allied committees and institutions under its supervision. It also supervises programs like DACAW (UNICEF) and LGP/PDDP (UNDP) implemented directly by donors together with DDCs.

The Ministry of Local Development had 45 programs under it. They were funded by the government's own budget or/and by the donors. To start with, almost all of them were reviewed. Twenty-five of them were selected for in-depth desk review for gender sensitivity of their vision, goal, objectives, strategies and progresses. A total of eleven programs funded centrally and at district level were explored further during the field sites for their gender mainstreaming successes and problems.

Generally the MLD programs may be classified into human and institution development-oriented (e.g. LGP/PDDP), social security and rural infrastructure development program. While social security programs have women-only components, human and institution development programs try to involve women in all stages of project activity. In recent years, many rural infrastructure development programs (RCIW, RDP, RJDP, RARP, etc) have tried to ensure women's participation and equitable benefit for them. A few of them have gender empowering contents as well. But in practice very few have gone beyond formal participation.

More successful programs among them in involving women and ensuring benefits to women have been classified under pro women programs, while the other programs fall in the "other" category. The impact on women of the last category of programs classified as "other" is yet to be ascertained. They need an in-depth investigation for assessment of their actual impact on women.

- ♦ Of the programs covered in the fields, two were exclusively women-focused (DACAW and widow allowance as part of the Social Security Program) and nine pro women. They contributed more to women's empowerment and gender equity than other programs.

- ♦ DACAW was funded and implemented by UNICEF in collaboration with DDCs. Historically, the Ministry of Local Development was the pioneer ministry introducing the Production Credit for Rural Women way back in 1981/82 when nobody had thought that women and the poor were better credit clients than men or the rich clients. But after the transfer of Women Development Section to the MWCSW, MLD has not planned and executed any exclusively women-focused program.
- ♦ Women get benefit from all rural infrastructure programs, whether pro women or "other" category, as residents of the area since these projects increase access to basic services and market for all residents who could avail of such services. The issue is how to make these programs more responsive and participatory for women and the community at large, rather than for few politically influential leaders. Without specific measures to ensure equal benefits to women, such projects may increase gender disparity in terms of employment and knowledge because of relatively low mobility of women. Infrastructure projects, which have been included in the pro women category, seem to have taken these concerns into account at least at the program level, while, in others, such efforts were not visible.
- ♦ A few programs such as VDP under LGP/PDDP are concentrated on group formation, skill development and small scale income-generating programs likely to empower women. Moreover, they seem to have started to seek women's participation in planning, programming and budgeting exercises. Although these programs have brought some changes in the socio-economic life of a few female group members, women's empowerment and efforts to change gender ideology and gender roles are lagging behind.
- ♦ The mandatory requirement of women's participation in each step of planning and programming is weak in its implementation. The focus has been laid on a few leading women rather than on strengthening the group dynamics. Besides, the LGP/PDDP- implemented area is limited and the program sites are viewed only as model areas.
- ♦ In many pro women programs also, participation of women and the

disadvantaged groups in local level planning and budgeting process was low. Among infrastructure programs, very few went beyond seeking women's participation in program implementation. Mandatory provisions on women's (30 percent in users' committees) and community's participation in planning, budgeting and management of the programs were taken as a mere formality. The issue of ensuring gender equality in sharing project benefits was not followed. Participation was usually limited to contributing labor. Within the group also, some few influential and resourceful men and women dominated the decision making process. It is only they who could fully benefit from the opportunities provided by the programs. Thus, just having pro-poor and pro women objectives, goals and strategies is not enough for bringing about substantial changes towards social equity and women's empowerment. An effective implementation strategy and commitment on the part of the local decision-makers is a must.

As to the budget allocations

- ♦ The ratio of pro women budget was slightly higher as compared with the 13-14 percent allocation to this category in the national budget (IIDS/Unifem, 2002). It ranged between 14.4 to 23.2 percent of the total MLD budget in the three years under review. Moreover, the budget allocation for pro women programs was increasing annually. It increased from 14.4 percent in 1999/00 to 23.2 percent in 2002/03. In actual expenditure also the figure of 23 percent was maintained. The relative ratios of expenditure to allocations indicate an inadequacy of allocations to pro women programs. For example, in 1999/00, 58 percent more than allocated budget was spent on pro women programs as compared to 90 percent of the allocation in other programs.
- ♦ Another big chunk of the MLD's budget goes to supporting relief programs such as Social Security and BAP. The Government of Nepal is trying to provide some social security to the old persons of 75 years and above, the disabled and widows (60 years and above) by providing them a small monthly allowance of Rs 100 and other facilities to the disabled (e.g. scholarship). In the five districts visited

by this team, people made complaints that, "the old-age allowance was not equitably distributed. Only those old people who had citizenships and knew complicated administrative procedures could get the allowances. The program did not try to know whether the person getting allowances really needed it. Thus it is not an effective utilization of the limited public money." BAP's objective is to reduce poverty through social mobilization, employment and income-generating activities for the poor, disadvantaged and scheduled caste communities. The program has been implemented in selected pockets of districts on a nationwide basis. Although BAP was successful in organizing poor people in groups and raising their awareness about health, family planning, HIV/AIDs and reproductive health (Mahottari), education (including girl's education) and community sanitation, it had political as well as practical problems.

5.2.1.3 Program impact

Impact of some programs such as DACAW/RWSSP and BAP was felt to be quite positive in terms of increasing the participating women's self-confidence, bringing about behavioral changes in women towards better public participation and reducing gender and caste-based discrimination. The programs also played an instrumental role in developing group dynamics and empowerment, organizational capacity and leadership and raising awareness about women's and children's rights. But they hardly contributed to changing the gender ideology of men or division of labor at home. The women appreciated the DACAW program for its role in bringing about changes in their lives and through them in the community. But even the DACAW group members in Dang clearly stated that there was no change in the division of work at home and in the attitude of men towards women's health needs.

Awareness about better health practices, specific diseases, family planning, birth registration, child weight and vaccination, child health and sanitation, nutrition, use of iodized salt, child education including that of girls, community sanitation and literacy (DACAW) and access to drinking water (RWSSP) were cited as specific benefits enjoyed by women in the respective program areas.

Generally signs of change were also quite visible with the village women demanding for secondary school in the nearby village/ community, admission of children at school without any fee, literacy classes and adult education classes for women, computer training for girls after SLC and training about women and child rights, leadership and gender training for both men and women etc.

BAP and PDDP were commended for improvement in income and employment opportunities through the development of the saving and credit habit and skill development.

The women also identified several problems which included products of poor quality but high cost with problem of marketing (BAP), low level skill inadequate to develop professionalism, small loan amount and short repayment period (6 months), lack of roads and bridges, poor water quality of various water supply schemes/projects, etc.

5.2.2 Findings: Local Self Governance Initiatives (LSGIs)

5.2.2.1 Gender Sensitivity of LSGIs Structures and Processes as Per Acts and Regulations

The Local Self-Governance Act has introduced women's mandatory representation in councils, executive committees (board) and ward/Ilaka committees of DDCs, VDCs, and municipalities. Section 70 (2) (1) of the LSG financial administration regulations provide for compulsory representation of 30 percent women members in users' committees. These can be taken as positive steps to ensure female political representation.

Nevertheless, the spirit and value of these representations are yet to be fully realized since representation is not of a critical size and the capacity of most of the representatives is very low. In areas with VDP/PDDP/LGP in the case of DDCs, and in UDLE/GTZ and UNICEF programs in the case of municipalities, the social or community development sections and committees had been created for taking care of the interests of women, disadvantaged groups and *Dalits*. But plans and budgets of DDCs and municipalities were still largely infrastructure-

oriented as a result of which the general attention given to women and disadvantaged groups have turned out to be scanty. Many concerned authorities, planning officers, VDC secretaries and other staff of local bodies were even ignorant of the mandatory provision of 30 percent female representation provided for in the Financial Administration Section of the Regulations-1999.

Several points that need attention towards further improvement in the Act itself are as follows:

- ♦ Section 3 of the Local Self-Governance Act-1999 about the principles and policies are gender neutral.
- ♦ Only 20 percent representation at the grassroots level and even lower at higher decision making bodies of LGIs is too low.
- ♦ Filling of positions in executive level through nomination is problematic.
- ♦ Gender concerns are not specified in the Section on coordination of the Act.
- ♦ Provisions made in Sections 51, 96 (3) and 121 for encouragement of NGOs do not specifically accord priority to women and disadvantaged or backward classes.
- ♦ The LSGA provides for formation of different committees and sub-committees like Account Committee, Advisory Committees and Monitoring Committee. But the need of female representation in these committees is not specified, nor has there been a provision made for a committee for gender equality.
- ♦ Sections 55-69 relating to financial provision of VDCs, Sections 125-135 that of municipalities and Sections 215-232 that of DDCs of the LSGA describing taxes, fees, service charges, loan, funds, etc. are all gender neutral, which tend to lead to invisibility of women and the poor in financial matters. These need to be amended to incorporate interests of the women and the poor.
- ♦ Sections 248-257 dealing with administrative organization and employees of the local bodies (DDCs, VDCs and municipalities)

also do not specifically mention anything about women and the disadvantaged groups.

- ♦ All aspects of the LSGA are further elaborated in Regulations-1999. Provisions for VDCs, municipalities and DDCs under the LSGR, however, do not mention women and disadvantaged groups except maternity leave for women.

With little attention being paid to the need of increasing female representation in LGI administration, the staffing pattern in the LGIs is quite gender biased as elsewhere in GON. Very few women are recruited in the DDC, VDC and municipality services. (E.g. 7-10 percent in DDCs, 2-6 percent in VDCs and less than one percent in Dhangadhi municipality). Fewer are in the decision-making positions. Those who are recruited too occupy non-officer level clerical positions or work as lower level support staff.

The local governments' procedures and formalities like council meetings or assemblies and timing of planning and programming as per LSGA were not properly enforced in areas where no specific LGP/PDDP/VDC strengthening programs were implemented.

Lack of elected representatives and Maoist insurgency had greatly disrupted the planning, programming, monitoring and implementation process.

5.2.2.2 DDC Policies and Strategies

DDCs were becoming aware of the need for gender equity for the overall development although no specific NPC directives on gender seems to have been issued for this. At the policy level, one of the objectives of the periodic plans of the visited DDCs was identified as women's empowerment. Tanahun, Dang, Sankhuwasabha and Kailali DDCs had incorporated the gender issue in their budget policies. For instance, Tanahun DDC had included the following policies in its annual budget:

- ♦ Conduct planning and implementation of the DDC programs considering gender effect.
- ♦ Avoid equal distribution of budget and establish a budget distribution system on priority basis and also on the basis of rationality.
- ♦ Focus on vocational and employment oriented education.

All of the districts visited, however, were PDDP/LGP districts with intensive technical input under the project. But even the DDCs with PDDP/LGP had difficulty in translating such gender policies into reality. The problems included:

- ♦ Not all the staff of DDCs/VDCs had clear idea about the programs or projects that were being implemented in their respective areas.
- ♦ Representation of men and women in users' committees was hardly in accordance with the Local Self-Governance Act-1999.
- ♦ A sense of ownership could not be developed in the community, particularly in rural infrastructure projects due partly to lack of enough interaction during the planning phase. The provision of consultations and information-sharing among the community people before starting any new programs/projects and their respective budget was not strictly followed. This resulted in the inefficient and ineffective use, and sometimes even misuse, of resources.
- ♦ There was a severe lack of an effective and strict monitoring and evaluation system.

5.2.2.3 DDC's Programs, Projects and Budget

Besides the specific donor funded projects implemented by the project offices in collaboration with DDCs, major programs of DDCs usually demanded and implemented by the people were of four types (a) local infrastructure development such as rural roads, bridges, culvert, irrigation channels etc. (b) social programs which included health education, religious constructions and awareness and training programs which included legal literacy, legal rights and women's awareness and empowerment; (c) capacity building and skill development; and (d) child rights, income-generation, public awareness and incentives for excellence in various fields. These programs were not only provided by DDCs/VDCs but also conducted through other line agencies and NGOs. Such programs were mainly women-oriented for enhancing their education, raising awareness and developing their income-generating skills.

The basic needs-oriented programs or projects such as rural infrastructures benefit everyone including the poor people. Social programs,

though targeted to both men and women (girls and boys), are welfare-oriented and provide relief to women. Similarly, investments made on basic health and education provide benefits to the poor and disadvantaged sections of the society including girls. Elements of various programs listed in Category III are likely to empower women and change the traditional gender relations. Many elements of such programs, however, are also gender reinforcing.

The four DDCs visited, were found to be spending 40-60 percent of their own discretionary budget on development activities and rest of the budget went to administration. Usually the budget for all development projects was allocated under Public Construction and Improvement heading.

Given the collected budget figures, the portion of the centrally decided programs was about 75 percent. It clearly indicates that DDCs are primarily working as an implementing agency for MLD and a coordinating agency for sector district offices.

Except in Tanahun, no visited DDCs had made allocations for or implemented exclusively women-focused program from their own budgets.

Compared to the exclusively women-focused programs, the proportion of pro women budget was relatively higher and had increased annually in the district budgets. Even then it ranged from 0 to 10 percent of the DDC's discretionary budget in the three years under review.

Although priority of the programming and budgeting were changing, the authorities felt that the allocated amount was inadequate to address the issue of gender equity in all its dimensions. Given the ratio of allocations to actual expenditure, pro women programs were better managed than other programs. Besides, they had greater absorptive capacity indicating more efficiency in expenditure.

5.2.2.4 Gender Sensitivity of the Programming and Budgeting Process of DDC

Since the early eighties, attempts have been made to institutionalize the bottom-up planning/programming process. With the democratic change of 1990, this process got additional impetus. As planning and

budgeting are interrelated activities, annual budgeting process passes through the same steps as programming. District level planning and project prioritization process for the National Plan or Program usually involves all sector offices including the Women's Development Section. The National Planning Commission and concerned ministries are required to approve the DDC plans passed by the district council. But, often some of the programs in the district list are dropped and new ones added by the Center. For instance, Dang DDC officials reported that around 20 percent of programs came directly from the Center.

The planning and budgeting process in DDC starts with selection of projects through VDCs and municipalities. Therefore, women's participation in VDC and municipal level meetings plays a major role in determining the level of women's participation in the district plan at the first place.

Women's participation in DDC policy-making level is much lower than in other local bodies. In some district council meetings, only one nominated member among more than 100 members represents women. DDCs have also only one woman representative. And since even these representatives are nominated and generally lack knowledge and skills about the process of planning and budgeting, it is natural that their voices are not taken seriously.

Budget preparation of DDC is based on line-item budgeting system. DDC officials, especially Account Section chief, prepare the budget on the basis of the plans and programs received from different sections of DDC office. Expenditure budget is classified according to expenditure items, and not as per programs, on the basis of the Local Body Financial Regulations-1999.

The program budgeting system was not properly established in the visited DDCs. The revenue estimation and budget allocation system was rather ad-hoc. The DDCs did not prepare the budget and financial report on program basis, nor did these reports explain targets and progress. Moreover, the DDC's budget presentation and reporting process differed from DDC to DDC. Total development expenditure was shown in lump sum under the headings of Public Construction and Improvement or

Other Construction and Improvement. These headings did not identify the programs proposed under respective headings. Only for larger projects, DDC technicians were to prepare estimates and plans. Usually the DDC allocates its budget to satisfy its all representatives by dividing it among themselves except planning and budgeting for the central level programs.

Since expenditure items were not specified in terms of the program targets, there was no question of gender disaggregation of information or the beneficiaries in the progress reports.

Delayed arrival of the authorization letter from the Ministry of Local Development and budget release in the last quarter of fiscal year were the common problems for all DDCs. Due to this reason, many DDCs could not implement the approved programs in time and usually budgets got frozen.

5.2.2.5 Municipality's Policies, Strategies and Programs Policies and Strategies

The municipalities have started adopting policies and programs for women and disadvantaged people. According to municipality officials, there was no NPC directive for their plans. The Dhangadhi municipality had adopted the following policies on its own.

- Encouragement to women's groups such as *Aama Samuha* and NGOs, and their further mobilization for undertaking various programs.
- ♦ To consult *Aama Samuha* and women's NGOs in their annual planning and budgeting from now onward.
- ♦ Encourage women to hold responsible positions such as chairperson or secretary in users' groups.
- ♦ Specific budget allocation to women-only programs like capacity building of women and their organizations- *Aama Samuha*, and health and sanitation groups.

Programs and the Budget

Like DDCs, programs/projects implemented in Lalitpur and Dhangadhi municipalities also included local infrastructure development

(road, gravel, culvert, electricity, drain, etc), skill development and income-generating trainings, health programs for women and child, education and sanitation. Both Lalitpur and Dhangadhi municipalities had set up community development sections and prepared programs for women and disadvantaged people for skill development, health and sanitation, etc. They were also collaborating with several INGOs and NGOs who were implementing various programs for women.

As observed in the visited DDCs, women's involvement (individual, community and political representation) in development works has increased. Their proportion among the staff was also high in Lalitpur. Dhanagadhi municipality's collaboration with 167 *Aama Samuhas* (Mothers' Groups) with 4,000 members and sanitation committees with 167 women volunteers was exemplary (See the Box). As per the focus group discussion with the members in program area, awareness level of the group participants had increased significantly. Capacity of the members of *Aama Samuha* and sanitation committees also had been enhanced significantly.

Coming to the pattern of municipal budget, administration absorbed about half of the total expenditure. With increase in total expenditure, administrative expenses also increased correspondingly. The visited municipalities were found to be spending only a negligible part (0.8%) of their total expenditure on women-specific programs.

Box: Aama Samuha of Dhangadhi Municipality:

An Example of Collaboration Between LGI-Sector

Agency and CBOs

Aama Samuha was formed in Dhangadhi in March 2002 under the Woman Health Volunteer Directives of Government of Nepal with the support of the District Public Health Office, Kailali and Dhangadhi Municipality. The Community Development Section of the municipality was instrumental in promoting 167 *Aama Samuhas* with around 4,000 members. There were also 167 community volunteers at work at the settlement level. A 15-member Coordination Group at the municipal level provides help in defining policies, strategies, programs, agenda and networking, and

coordinates all *Aama Samuhas* in the municipality. Since *Aama Samuhas* are locally formed, they are fully acquainted with the community needs and are committed to the community's welfare and mobilization of local resources. They are providing services in the areas of public health and sanitation, waste management, saving and credit, income-generation, member support, women's empowerment and other development activities including education. Since last two years, the municipality has had several meetings and together with the coordination committee of *Aama Samuha* implemented programs in public health including woman and child health, waste management, women's skill development and municipal service planning. The Groups had the saving and credit program. They met regularly to discuss problems and issues like drinking water, settlement improvement and roads. They are growing stronger organizationally and financially in Dhangadhi.

The members of the *Aama Samuhas* mentioned that the city's intensive waste management, member counseling, intra-group conflict management, construction of drinking water, drainage and toilets, and leadership development fell within the scope of their work. Other services depended on outside supports and particular needs of the particular *Aama Samuha*. All *Aama Samuhas* had good working relations with the municipality since the volunteer coordinators were active in mobilizing such groups.

Special features identified during the discussion with *Aama Samuhas*:

- ♦ Members belonged to all class, caste, income, profession and political faith,
- ♦ All groups were active and had frequent meetings with the municipality for the improvement in urban services like public health, women's empowerment, etc.
- ♦ The municipality is promoting the *Aama Samuhas*. The community development section of the municipality was regularly supporting them.
- ♦ The municipality involved them in planning and implementation of the municipal projects or services and more specifically in intensive sanitation program that had become effective and regular in the city.

- ♦ Saving-credit and sanitation services were the main elements in the group dynamics.
- ♦ An Emergency Fund had been established to meet health needs.

The members, however, mentioned that *Aama Samuhas* were poor in technical know-how. They received poor responses from the government line agencies, DDCs and other NGOs. Nevertheless, the municipality consults all of them including *Dalits* and poor women from time to time. The women members had started to discuss their concerns in the municipal and group meetings. The municipality provides them trainings in group organization and equipment and tools for waste management. The city people had taken note of their annual city clean-up campaigns and helped increase the capacity of the women members.

On expenditure side, municipalities have more discretionary powers than other local authorities. But, like DDCs, they also absorb most of their development expenditure under the Public Construction and Improvement heading or "Others" meaning other than the administrative. Although some expenses were made for women's welfare under this heading, the details were not recorded regularly, nor was it published in their annual reports even in the LGP/PDPP districts.

Major problems identified included:

- Lack of working relations and coordination among the line agencies, I/NGOs, self-help groups, user committees, local authorities and the private sectors.
- Low participation of women and disadvantaged people in various stages of planning, budgeting and program preparation.

5.2.2.6 VDC's Policies, Programs and Budget

The 12 VDCs visited had no policies of their own except for the LSGA. Programs or projects implemented in the visited VDCs included local infrastructure, social development, training in skill development and income-generation, child health, girl's education and specific project-based programs such as VDP/LGP, DACAW, BAP, RWSSP working with donors and INGO/NGOs. Under social development, one VDC was

found to assist in the construction of a religious school and a place of worship.

As to the budget allocations, only Lalmatiya among the visited VDCs had allocated budget for women and child development programs, but the amount was left unspent. As compared to women-only programs, investment in pro women programs was higher and increasing annually in the visited VDCs ranging between 9 and 24 percent in 2001/02. Funding was reported inadequate to address all gender-related issues.

Although VDCs need not pay expenses of the secretary, 31 to 42 percent of VDC expenditure went to administration in the three VDCs in 2001/02. And the administration budget was increasing annually in the visited VDCs. The low priority given to the mobilization of local revenue and VDC's inability to curtail the increasing administrative expenses were the common problems of all VDCs. During the field visits, lack of financial management capacity was clearly visible at all levels of local authorities.

5.2.2.7 Women in the Program and Budget Planning Process in Municipalities and VDCs

Village and municipal planning process lies at the base of the district as well as the national planning. Theoretically, VDCs and municipalities should follow the participatory planning process for annual plan formulation. The planning process is slightly different in VDCs and municipalities. In VDCs, it starts with the VDC receiving programming guidelines from the DDC and organizing ward-level meetings. The visited municipalities did not follow the timetable in the planning process regularly.

In VDCs, the projects and programs collected from wards are compiled at the VDC level, and discussion meetings with representatives of sector offices and other stakeholders are organized. After such consultations, the VDCs select the projects and programs considering available means and resources, technical capacity and feasibility. Further, they have to also decide which programs or projects the VDC itself can fund, and which ones are to be recommended to be launched from the district level. The village council is required to approve the projects and programs by mid-January and submit them to DDC within the next month.

But the budgeting process in the VDCs visited was not well established as a tool of financial planning. Usually the VDC approves the annual budget only formally. It was not much used as a financial information-system. Financial reports are not prepared on the basis of the approved budget. The insurgency and absence of people's representatives in local bodies had further disrupted the process.

The LGP/PDDP was said to be trying to involve women in planning and decision-making processes in selected VDCs, but these programs were not implemented in all VDCs. In some donor-funded programs like RWSSP, PDDP/DACAW, RCIW/Food for Work and government programs like BAP, the need for women's participation in planning process has been recognized to some extent at the policy level. But the condition was fulfilled only as a formality in many places at the implementation level.

In municipalities, ward meetings identify priorities from the people. The prioritized plans and programs are then submitted to the municipality. The Budget Formulation Committee in consultation with technical, financial and revenue sections decides the programs and works out income and expenditure. The programs are then incorporated into the financial plan (budget). The draft budget including plans and programs is then submitted to the municipal board. With some revisions, if necessary, the board forwards the budget and programs to the council through the mayor for final approval. But some participants also stated that demands often came directly from the people to the secretary and the political representatives. They were discussed in the municipal board and then the feasibility study was carried out by the technical section. Upon deciding the programs or projects, they were passed to the accounts section. Municipal councils are responsible to approve the budget.

As compared to the VDCs, the municipalities visited were self-sufficient in relation to the resources. Most of the municipalities did not demand programs and funds from the DDC officially.

Women's participation in users' committees was somewhat higher in the municipalities (e.g. 25 percent in Dhangadhi) than in DDCs or

VDCs. However, it was still inadequate to make the role of women effective and efficient.

From the interactions with the VDC/municipality officials, ex-representatives and community women, it was learnt that participation of women and disadvantaged groups in program planning and in budgeting processes was generally low or almost negligible. Although the VDC/municipality had implemented the bottom-up planning process to formulate plans, programs and budget, there were still many factors affecting the successful implementation of the LSGA-1999.

- ♦ Besides household responsibilities, hesitation and least priority given to their voices by authorities and executives, the constraints identified as responsible for women's low participation in programming or budgeting process included religion, culture, tradition, and low level of their education and awareness.
- ♦ Yet another reason furnished by the women representatives for their low participation in the planning process at ward level was the VDC/municipality representatives not informing or inviting them to the meetings. Besides, women themselves did not care much about the planning process. In the budget approval process, women representatives participated in the council once a year at municipality and VDC level, but they were not generally aware of the planning and budgeting process. In some cases, women representatives even complained that when they spoke their mind, their male counterparts hardly paid attention to them.
- ♦ From a gender perspective, the quality of women's participation was still low. Most women were concerned only with their basic needs such as water, sanitation, health, training in traditionally female-specific skills, small income-generation, micro-credit, etc. Their demands also depended on the environment of their habitation (e.g. women in Sankhuwasabha demanding roads and in Dhangadhi demanding electricity). These programs will help women to fulfill their basic needs but usually do not impact on gender relations in the domestic or public arena. The DDC/VDC officials saw women's involvement in agriculture road and other infrastructure projects as

a means of improving project performance as they were perceived as more honest and hard working than men. But they expressed the view that women themselves should demand their rights.

5.2.3 Findings: Taxation and Resource Mobilization

The Ministry of Local Development has no direct taxation or resource mobilization responsibilities. Primarily there are two sources of its funding. It receives resources from the Consolidated Fund of Government of Nepal as per the budget allocations. It may also receive funds from donors on project-specific basis. Most of its development funds are received for specific transfers to other institutions or programs or projects. Under the general policy guidance of the ministry, transfers are made to various development committees, training academies or centers, the local government institutions- DDCs, municipalities and VDCs. Transfers to VDCs alone constitute 35 to 51 percent of its total budget.

The local self-governments, on the other hand, have extensive powers to collect revenue through local taxes, service fees and property mobilization. In addition, revenue sharing between the central government agencies and DDC and DDC and VDCs/municipalities contribute additional revenue to the local authorities.

In spite of their revenue mobilizing powers, DDCs and VDCs collect little resources locally as compared to their needs. Even the better-off visited DDCs collected only about 10 percent of their total revenue locally. Other DDCs had far less collections. In the VDCs, the ratio depended on the relative economic activities of the area. For example, in the 7 VDCs of which the data income was available for 2001/02, it ranged between 0.1 percent in Syabun (Sankhuwasabha) and 29 in Lalmatiya (Dang).

Municipalities are much better off in this respect with the local development fee, which is collected at customs office and deposited separately at the Ministry of Local Development. The municipality gets the local development fee regularly from this fund. Municipalities are entitled to levy taxes and fees locally under 11 headings. They may also borrow from the Town Development Fund (TDF) to finance urban infrastructure and income-generating activities, and receive direct donor

funding. The proportion of their own collection from their total resources, was much higher in the visited municipalities. For example, the ratio is 40 to over 50 percent in Lalitpur. Although Lalitpur, located in the valley, cannot represent an average city, cities usually have larger revenue base.

The field inquiries made by this study team on impact of local taxes on women did not yield much result. Women were generally oblivious of the taxes and budgets in general. In one focus group discussion, it was disclosed that the fee imposed on registration of births and deaths by VDCs, after 35 days, was too high at Rs 50. Nevertheless local taxation policy and its use are analyzed from a gender perspective on the basis of previous studies, discussions with garbage collectors in Kathmandu and the general theory of taxation. Taxes on recyclable scrap items (or *Kawadi*), collection and use of dead animals, forest and herbal products, specific taxes on sale of livestock and *Haat Bazar*, etc are regressive and impact on women and the poor adversely and inequitably, given their already low paying capacity and lack of alternative avenues of employment. Some of them are even counterproductive environmentally. There was also a problem with the granting of monopoly powers to contractors to collect taxes on river products.

5.3 Recommendations

The above analyses reveal that efforts have been made to gender sensitize the plans and programs under the ministry's supervision at the policy level and LGI structures have been formed particularly at the grassroots level. It also recommends several measures for improvements to be made. Translating into reality the objectives and strategies of mainstreaming women and other disadvantaged groups in development process requires further improvements in Acts and regulations, structures, and implementation and monitoring mechanisms. The following paragraphs make specific recommendations in these directions.

5.3.1 Making MLD as an Institution More Gender Sensitive

- ♦ The MLD's objectives, terms of reference, policies, directives and monitoring formats need to integrate gender as specified by the Tenth Plan. Gender mainstreaming in development through gender equality

and women's empowerment should form one of the guiding principles in all such efforts. This is required to reinforce the commitments at all levels.

- ♦ Institutionalize regular gender budget audit in MLD and their concerned offices for mainstreaming gender in MLD and its offices (DDCs/VDCs/municipalities), programs and projects.
- ♦ The position of the Gender Focal Person should be strengthened by a Cabinet decision and a person of joint secretary level assigned for this. The joint-secretary's terms of reference should include gender sensitizing the structures, laws, rules, planning, programming and projects under the ministry's supervision.
- ♦ Conduct gender sensitive training/workshop for awareness, orientation and capacity building of the ministry staff, its offices and project partners for translating into reality objectives, strategies and plans or programs of Nepal Government.

5.3.2 Making the System More Gender Sensitive

- ♦ Review and amend the Acts, regulations and guidelines to ensure women's adequate representation and participation at all levels and committees of Local Government Institution (LGI), specifically subject committees, advisory committees and coordination committees at the DDC level, DDC/municipality/VDC boards and their committees, sub-committees, account committees, budget committees, monitoring and evaluation committees and task forces.
- ♦ Making the monitoring system more gender sensitive by requiring:
 - Gender disaggregated data on staff and elected members in all monitoring checklists including municipalities as specified in this study.
 - Regular performance appraisal of the Center, DDC, municipalities, VDCs and their staff from a gender perspective.
 - Provide incentives to DDCs and VDCs, projects and staff for implementing the directives on gender mainstreaming and poverty in a better way.

- Self-monitoring and evaluation of the ministry on the effectiveness and impact of its programs, particularly on gender and poverty, by interaction with stakeholders.

- ♦ Being more gender sensitive to the staff's needs by:
 - Recognizing the hardships and insecurity of the staff at local level.
- ♦ Criteria-based transfer of LDOs and executive officers making it more gender sensitive with reference to staff's family (wife and children).

5.3.3 Increasing Gender Sensitivity of Program Contents

- ♦ Besides physical infrastructure, the Ministry of Local Development should take policy decisions to provide some budget for other types of program so that discrimination against women and the disadvantaged groups could be reduced.
- ♦ Develop a shared vision on gender in each DDC/VDC/municipality with clear objectives regarding men and women, and hold regular interactions, at least twice a year.
- ♦ Organize behavioral trainings and develop a code of conduct for all the political and administrative authorities and staff of Government Of Nepal and LGI by according top priority to the women and disadvantaged sections of society so that they could be comfortably provided with the services when they come for such services.
- ♦ Fix a quota for trainings, education and capacity building for women at all levels of intervention.
- ♦ Introduce specific capacity building measures to increase women's effective participation in policy decision, plan formulation, implementation and monitoring and feedback for areas not covered by VDP/PDDP/LGP and other capacity building programs.
- ♦ Improve social mobilization in infrastructure programs through:
 - Criteria-based better selection of collaborating NGOs,
 - Better communication with the community during the planning phase of the programs and projects.

- Monitoring of the user groups as separate exercise.
- ♦ Amend the Local Self-Governance Act, 1999 format for the household survey for specially identifying the needs of women and disadvantaged groups for better identification of the deprived groups, men and women.
- ♦ Redesign the social mobilization component of the programs in areas where specific capacity building programs are operating to include more elements such as equity and rights issues. For example, women-specific development programs and women's components should pay attention to victims of domestic violence and women's rights and include discussions on this issue with the communities.
- ♦ Redesign skill development and small income-generating training programs making them more economically viable through the use of local resources and appropriate technology.
- ♦ Specific policies or programs should be devised for the deprived groups (*Dalits*) of women and men. Specifically:
 - Some budget should be allocated specifically for them.
 - Rural Developments Banks (RDBs) could be required to provide at least 25 percent of the total loans to the extra-poor.
 - An endowment fund (*Akshya Kosh*) should be established for the helpless and poor people's welfare which should be spent only as per needs and priorities of such women/men.

5.3.4 Making the Monitoring System More Gender and Poverty Sensitive

- ♦ Specifying the number of women, the poor and disadvantaged groups to be benefiting from every proposed and selected program or project of the budget.
- ♦ A more implementation process-oriented gender sensitive monitoring format should be introduced as recommended below for the Center, DDCs, VDCs and municipality, and community or committee levels. Particularly:

- Gender disaggregated information on participation at the community level and beneficiaries should be included. For MLD, the number of gender disaggregated beneficiaries by programs should be introduced in the annual progress report in the existing monitoring formats. For LGIs, new forms have to be introduced as recommended on program budget of this study.
- Standardization of monitoring practices among the DDCs as specified in the guidelines.
- Regular and timely result-oriented MLD monitoring with specially defined terms of reference for a result-oriented mission with objective assessment of the programs as per the budget targets, plans and targeted participatory processes and direct benefit to targeted beneficiaries, women and disadvantaged groups.
- Joint monitoring by the Ministry of Local Development along with key stakeholders and the local bodies.
- Regular consultations with local NGOs across the political spectrum during the monitoring visits.
- ♦ Frequent monitoring of the users' committees to find out whether or not the regulations and directives have been followed properly should be carried out. For this, the Ministry of Local Development should build a users' committee information bank and visit some of them independently without program or project or LGI staff during monitoring.

5.3.5 Increasing the Gender Sensitivity of LSG Structures and Processes as Per Acts and Regulations

- ♦ The principles and policies of the Local Self-Governance Act-1999 should specify men and women in Sections 3 (b) and (d). This will reinforce concerns for gender mainstreaming.
- ♦ Since gender neutrality often results in gender bias against women, the functions, duties and powers of local bodies and their authorities should reflect gender concerns. Every responsible authority should have clearly specified roles and duties in the Act itself to advance the concept of gender equity in practice.

- ♦ At least 33 percent female representation should be ensured at all political levels and the capacity building support should be provided to them. Ward level representation should be increased to 40 percent in VDCs/municipalities. Reservations should be introduced for *Dalits* and other disadvantaged groups as well.
- ♦ Women and disadvantaged group representatives should be elected, not nominated, to higher levels of LGI bodies since nominated representation is not as effective as elected.
- ♦ A committee for gender audit in DDCs/VDCs and municipalities and female representation in all committees as well should be provided for as recommended above. Women's representation should be made mandatory in some Sections like 241 on formation of monitoring committee.
- ♦ Gender and poverty sensitivity should be added to the list of project selection criteria in Sections 46 (VDC), 114 (Municipality) and 202 (DDC).
- ♦ The Section on coordination in the Act should specify the need for including women-related institutions to enforce gender from every aspect possible.
- ♦ NGOs of and for the disadvantaged, *Dalits* and women should be mentioned in the Section on Encouragement to NGOs for promotion and encouragement.
- ♦ Organizational policies of LGIs and the proposed Local Level Service Commission Act and the Metropolitan Act-2060 should have specific clauses to make local structures more representative of women and disadvantaged groups. It could be done, for example, by fixing a minimum quota for recruitment or by providing additional budget for such staff. A more gender-friendly environment must be created at the local level by requiring all line agencies at DDCs, VDCs, and municipalities to have gender focal persons and allocate adequate resources for their work.

5.3.6 Making the LGI Budget, Plans and Programs More Meaningful and Transparent

- ♦ The Ministry of Local Development and the National Planning Commission should incorporate planning guidelines into the LSGA and LSGR itself.
- ♦ To link gender policy, programs and budget effectively since without programs, organizational goals can not be materialized.
 - To support user groups/ Self Help Groups (SHGs)/NGOs and private sectors that provide services to disadvantaged groups or backward communities and women.
 - To not divide budget equally among various claimants but to allocate it to the programs on the basis of eligibility.
- ♦ Unless the Act is amended, NPC/MLD should issue guidelines to LGIs incorporating specific instructions as specified in this study.
- ♦ The DDC, municipality and VDC budgeting and programming method should be mentioned in the LSGA and LSGR for all levels of LGI as illustrated in the forms in the guidelines.
- ♦ The DDCs should be required to have uniform consolidated financial statements. The ministry has to take initiatives in this respect laying down the budgeting format, budget presentation model and consolidated financial reporting as specified in the guidelines. The elements which the comprehensive and uniform format should include:
 - Uniformity in the reporting of DDC's discretionary budget by consolidating all GON grants including the unconditional ones, instead of showing expenditure from each grant.
 - Clear guidelines to all DDCs to incorporate the MLD projects and programs in the district for which LDO is authorized to spend.
 - Mandatory provision to prepare all financial transactions through DDCs in a consolidated form showing all revenue sources under DDC and expenditure with major classification in each fiscal year.

- ♦ These budgets should have accompanying documents to show all programs by expenditure items as subheadings and intended beneficiaries as per the format suggested in the guidelines.
- ♦ Progress reports should also be presented in the similar format.
- ♦ DDCs, municipalities and VDCs should be required to use the programming and budgeting format specified in the guidelines as an additional budgeting format for infrastructure and social development budget. The LSGR has defined sector committees at all levels. This will help local authorities to develop sector-specific programming and priority setting and define the main development sector and sub-sector as per necessity.

The Ministry of Local Development should require regular reporting on council meetings and maintain a chart to see which DDCs are lagging in the process. Further inquiries on the laggards and further monitoring strengthening missions should be undertaken as per necessity.

- ♦ Coordination between local bodies and projects should be improved by making project staff more responsible to LGIs.
- ♦ A better mechanism on coordination of the government line agencies with NGOs/INGOs by DDC and the municipalities should be devised by GON and monitored by MLD. Similarly, an arrangement should be made for incorporation of I/NGO plans and programs into the DDC/municipal annual plan and budget. The sub-metropolitan cities also should develop long-term and periodic plans specifying gender equity objectives and approaches and incorporate plans and programs of I/NGOs and line agencies.
- ♦ Develop an incentive system for LGIs which keep to minimum their administrative expenses. The LGIs can cut down administrative expenses significantly by reducing unnecessary expenses and by adopting a cost effective expenditure process through a program budgeting system.
- ♦ A mandatory legal provision should be made for the local authorities to allocate a certain part of their own budget (at least 33%) for social programs including women-only and pro women programs to address

their needs. Special provisions and separate action plans should be worked out for the women and disadvantaged groups with necessary budget allocations at all levels of DDC, VDC and municipality. This will enable them to benefit from the regular programs, as specified in the guidelines.

- ♦ Some flexibility in the application of the LSGA -1999 and other mandatory provisions on gender may be called for in view of the local customs and practices for some time. For example, it might be more practical to have 30 percent women-only groups in Terai than requiring 30 percent female representation in all groups. It was particularly stated in Mahottari that the LSGA-1999 should be applied in view of the time, place, situation and geographical region.

5.3.7 Making the Budgeting and Planning Process More Gender Sensitive

- ♦ The VDC level planning forms the foundation of district and sector level planning at the national level. If women's participation is weak at this level, their problems and solutions are not properly identified and addressed. Government has to ensure the real and effective participation of women in the planning and budgeting exercises at all levels of LGI. In addition to points mentioned in the guidelines, it is necessary to increase understanding of the laws, Acts and regulations and directives by the DDC, VDC and municipality employees, local representatives and others by:
 - Clearer stipulation of conditions on reaching the women and the disadvantaged groups.
 - Orientation meetings on them and the rights-based approach to such services.
 - Mass campaigns explaining the LSGA-1999 and related provisions for increasing general awareness about them.
- ♦ Orientation programs should be organized for both male and female representatives of LGI at all levels for making them aware of the planning and budgeting process, their responsibilities and rights and the need to focus on equity for the disadvantaged groups and on

gender issues immediately after their elections. Such programs should cover:

- LGI and GON structures, rules, regulations, etc.
 - Clearly stated expected roles of male and female representatives in planning and budgeting process
 - The concept of gender and pervasive discrimination against the disadvantaged groups and the need for greater co-operation in changing such unequal social structures.
 - Leadership building especially for women and disadvantaged group representatives.
 - Special education and awareness program for the women of remote districts and disadvantaged groups.
- ♦ Making mandatory provision to appoint at least 50 percent women from among the social mobilizers in all programs and projects.
 - ♦ Efforts to bring about a change in the social structure through mental modeling programs like mass awareness, program-sharing, district-wise interactions and trainings for all men and women should be organized on a larger scale. Specifically:
 - Awareness raising component in all programs should make the target people aware of available resources, public services, government policies, legal provisions and the socio-economic and political constraints of the community and the country.
 - Such programs should cover the issues of gender, poverty and human rights enabling them to understand the related issues.
 - Special efforts should be made to ensure participation of the disadvantaged and marginalized women in such trainings/workshops by fixing quota for such people and having specific programs for the remote and disadvantaged areas.
 - ♦ All members of the users' committee should be made responsible for planning, management and maintenance of the roads instead of making only the chairperson responsible. All members in such

committees should be made equally responsible and accountable for the use or misuse of public resources.

5.3.8 Making Taxation and Resource Mobilization Gender and Poverty Sensitive

- ♦ Institute a system whereby a part of the MLD grants to DDCs and VDCs can be linked to mobilization of resources for richer districts/VDCs/municipalities.
- ♦ The taxes and fees should be made more progressive, reducing their anti-women and anti-poor impact. Specific studies should be conducted to assess their impact on the poor people and recommend reforms, if required.
- ♦ They should also be environment-friendly and encourage production and use of local resources.

5.4 Data Base for Gender Analysis and Reporting

Since gender mainstreaming is one of the major strategies adopted by the government, the ministry should analyze its own gender mainstreaming efforts regularly and forward the report to NPC/MOF for publication in the annual Economic Survey.

Chapter 6

Gender Assessment in the Health Sector 2002

6.1 Synopsis of Executive Summary

6.1.1 Background

In accordance with the national policy of gender mainstreaming in all aspects of development, efforts are underway to mainstream gender in various sectors. In this connection, Mainstreaming Gender Equity Programme (MGEP), a joint program of Ministry of Women, Children and Social Welfare (MWCSW) and the United Nations Development Programme (UNDP) had taken the initiative in mainstreaming efforts. This study was a part of effort to mainstream gender in the health sector. The study was conducted in 2002.

6.1.2 Objectives

The objectives of the assessment study were,

- ♦ To review relevant development policies, acts, institutions, strategies, plans and programmes including budget allocation from the gender perspective;
- ♦ To analyse the impact of those policies, acts, strategies, plans and programmes, etc. on the lives of men and women, and
- ♦ To make policy recommendations for formulating gender redistributive policies and social budgeting.

6.1.3 Methodology

Methodology adopted for the study included:

The study team reviewed the relevant health statistics, Acts and Regulation and plans, policies and programmes. In addition to this, the team selected 10 districts for primary data collection. In the process of data collection, there had been key informants interview, focus group discussions, consultative meetings and observation of health service delivery.

Status of Gender Mainstreaming in the Health Sector

Nepal has adopted many policy documents mentioning the improvement of women's health but they are failed to recognise the women's special health needs and devise strategies accordingly. Though the Ninth plan (1997-2002) has recognized the health as the basic human right, it does not consider the special needs of women and nor does it consider the fact that women are not in a position to have access to the full benefit of the services offered by the state.

The National Health Policy 1991, emphasis on preventive and curative health services but fails to recognise the women's special health needs and devise strategies accordingly.

The Health Act 1996 has been enacted without the incorporation of gender perspective. the National Reproductive Health Strategy (NRHS) 1997, recognising the health problems of the country, is intent on more reducing fertility than helping women to use contraceptives in order to have babies by choice, not by chance. The Population Policy 1998, has a goal of lowering national population growth rate through mass provision of contraceptives with little attention to the women's health needs. Besides the above ones, some other major policy documents are: The National Policy on AIDS and STD Control, The National Adolescent Health and Development Strategy 2000, Long Term Health Plan (1997-2001), The National Reproductive Health /Family planning, Information Education and Communication (IEC) Strategy (1997-2001).

The government has designed and implemented a myriad of health programmes/projects which can be divided into child health, disease control, curative service and supportive programmes and projects. Most of these programmes have been designed and implemented in a gender neutral fashion and are not analysed in gender- disintegrated manner. However the national health training, health education, information and communication and foreign aid programmes have tried to touch some women-related activities.

In the grass root level, there is lack of women specific disease specialist and at the same time more men than women are benefited from the existing health services.

There is weak implementation of the "health policy" and so far the involvement of women health personnel is inadequate. Having not the gender-specific monitoring indicators in common health problem, it is difficult to assess the impact on both sexes (i.e. the proportion of the service users).

Existing Gender Disparities in the Health Sector

Poverty, the low status of women in the overall social structure, the household drudgery, the culture of son preference, legal age at marriage, women's low level of education and low nutritional status, have triggered the low health status of women in Nepal.

Most nutritional programmes are focused to improve the nutritional status of infants and children having not giving importance to improving the nutrition of women. Though the reproductive health strategy adopts human right-approach at the centre, it neither mentions how this will be communicated to the service providers for its proper implementation nor captures the specific reproductive health needs of men.

The family planning programme has treated women as the creators of population problem and encouraged them to control their reproduction. Fertility needs of women have been ignored and they are deprived of making their own fertility choices. The policy on HIV/AIDS and STDs fails to capture the fact that they have different vulnerability and different needs for prevention (e.g. introduction and promotion of female condoms) levels. The safe motherhood has not addressed several practices for women (e.g. physical segregation of women from the household at the childbirth) and men are not as much involved as they should be.

Similarly, Traditional Birth Attendance (TBA) training curriculum does not include information on the rights-based approach of service delivery. Though the Primary Health Care (PHC) outreach stresses equity, health promotion and prevention of diseases, the service providers are not trained to provide gender sensitive services.

It can be concluded that current health policies are centred around women's reproduction and its control, rather than her overall health and well-being.

6.2 Conclusions and Recommendations

This chapter presents the major conclusions and recommendations for gender mainstreaming in the health sector based on the findings of the present study.

6.2.1 Conclusions

The overall health status of the people in Nepal is poor and even worse in the women's health status. Since the Sixth Five Year Plan, attempts to have been made to emphasise on women's development in the national agenda. National health policy aims to upgrade the health status of Nepalese people focusing on the needs of rural population by expanding primary health care services. The policy is general and does not consider specific health needs of women. Neither does it recognise status of women, gender roles and environmental factors as determinants of women's health.

Women's health in current health policies is more centered around her reproduction and its control, rather than her overall health and well-being. In the strategies, women's occupational health and problems of elderly and disabled women have not received any attention. Interestingly, men's reproductive health concerns do not get any attention in the policy documents. Their role in women's health has been received in limited sense. Men's awareness about their own sexuality, infertility and many such issues directly affect women's health and may increase men's interest in supporting and advocating for women's health.

Reproductive health strategies recognise the seriousness of problems related to abortion and accordingly, there have been efforts in making necessary changes in the law. The promotion of private sector, stressed in the long-term health plan and Ninth Five Year Plan, ignores the socio-economic status of women. Unplanned privatisation of health services has serious implications on women's access to the services due to low purchasing capacity of women. There is still lack of gender specific data on all health problems. In addition, information about health problems particularly related to women, like breast cancer, uterine cancer, uterine prolapse, etc., is inadequate. Although political commitment in assuring

health as human rights is reflected in the policy documents, there is less emphasis on the same in the implementation side. As a result, most of the health services providers are not aware of the rights of women. They lack knowledge and skills to identify, analyse the gender issues and provide quality care from a gender perspective. A functional, meaningful co-ordination and collaboration among the sectors working towards the development of women is inadequate.

A review of the major health programmes/projects has explicitly demonstrated that there is very little or no gender sensitivity in design and implementation. Nonetheless, some of the family health programmes, such as safe motherhood and TBA programme, are exclusively the women focused programmes. Though the family planning programme seems to be gender sensitive, the overall emphasis has been more on women than on men. Likewise, the Female Community Health Volunteer (FCHV) program, albeit also focused on community health, is also geared towards the reproductive health of women.

The principal problem discerned in the design of most of the health programmes (except the women-focused ones) is that the target setting is not gender specific. Analogously, there are no gender specific monitoring indicators and information collection has not been done in a gender disaggregated manner which, in turn, creates difficulty for assessing the impact on the lives of men and women. Even if the health units record the data by sex, they are not analysed using gender perspective which cannot lead us to arrive at a concrete conclusion about the women's and men's actual utilisation of the health services/ resources of health programmes/projects.

The local and district level health institutions, being constrained by the lack of women specific disease specialists, have not been effective in providing the required health services to the women. Though the government has allocated resources for the larger benefit of men and women in the health sector (including the design of the programmes specifically for the women), the impressionistic data generated at the sub-district level have led us to conclude that more men than women are benefited from the existing health services – a function of the control of

men in the household resources, and the consequent greater say in the household decision-making process, greater mobility of men, higher preference to the treatment of men in the household, household drudgery of the women, social taboo, illiteracy/ignorance, poverty, maternal altruism, etc.

The budget expenditure is largely centralised which tends to increase inefficiency of the budget expenditure in the health sector.

6.2.2 Recommendations

Based on the findings of the present study, general and specific recommendations have been made. They are presented hereunder.

6.2.2.1 General Recommendations

- ♦ The root cause of women's poor health should be recognised, that is, discrimination against women. While addressing the health issue, all policy documents, programme design and implementation strategies should recommend to improve the "overall status of women".
- ♦ Gender balanced perspective should be developed among the policy makers, regional health directorate staff and service providers at all levels. Policies and programmes to improve women's status in society should form an integral part of all long-term strategies.
- ♦ The state should strive for a society with social justice. Start could be with equal opportunities to education, employment and health care for both men and women. Household level food security for both women and men should be guaranteed.
- ♦ Efforts at empowering women and ensuring socio-economic, political, demographic, legal and human rights, which provide opportunities for genuine development, would greatly enhance women's control over decisions related to their health and reproduction.
- ♦ It is known that women's health is determined by economic, social, educational, political, demographic, environmental, and legal systems, and variety of other factors. Therefore, functional co-ordination and collaboration among all the line ministries and agencies dealing with these factors is a must to enhance the women's status.

- ♦ The commitments made by the government in international conventions such as Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and Convention on the Rights of the Child (CRC) should be translated into legislation.
- ♦ Provisions of quality services based on women's need should be made available. An understanding needs to be developed which is centred on the right of women. An effort to create an environment, where women's right to information, privacy, confidentiality, dignity and gender equality is exercised as it directly and indirectly affects on health (e.g. access to food, education and control over income).
- ♦ The health workers should be oriented on the rights- approach in order to ensure that women's health needs are met. Efforts should also be made to draw on community inputs regarding priorities for health service and provisions.
- ♦ Specific laws and legislation that affect women's health, in general, need to be enacted, revised and enforced. For example, laws related to abortion, age at marriage, domestic violence, etc. need to be enacted\ revised and enforced.
- ♦ Women's work at home and outside should be recognised. The nature of women work predisposes her to illness. It is essential to introduce and ensure enactment and enforcement of comprehensive laws to regulate work hours for women in all sectors and support for a healthy work environment.
- ♦ The government should create opportunities for women to be at the policy making level.
- ♦ Overall health budget is low which needs to be increased for the benefit of the populace.

6.2.2.2 Specific Recommendations

- ♦ Comprehensive and integrated programme to address women's health is required. For women, one health programme feeds into another. It is essential to recognise that women's health goes beyond reproduction.

- ♦ The government should continue to promote the life–cycle approach to reproductive health needs starting before menarche to post menopausal age.
- ♦ Services should include contraception, maternal health, abortion, STD, HIV/AIDS, sexuality, violence against women, cancer screening, etc. These services should be provided as part of broader primary health care provision so that reproductive health needs are met together with other service needs (such as psychological and mental health and occupational health).
- ♦ Some government policies are limited to documents and these should be translated into action. For example, the "Code of breast-milk substitutes", law reinforcement of age at marriage , law against polygamy, caste discrimination, etc.
- ♦ Current health service delivery structure need to be made women-friendly in terms of staffing, supplies and logistics. All levels of health service providers needs to be aware of the rights based approach and strive for that.
- ♦ Counselling services should be established and promoted to help women build self-confidence to assert their sexual right with their partners and other rights in the society.
- ♦ Organise community-based activities involving men, women and other community members to challenge social inequalities, assist men to understand their own reproductive needs and work with women to exercise their RH rights. This is possible by organising the awareness raising programmes which can develop understanding among the males about the reproductive problems\ complications of the women. Similarly, the elderly women should also be made aware of their health needs and needs of the younger women in the family. This will encourage and enable younger women to seek health services.
- ♦ Efforts should be made to encourage male responsibility. All family planning programmes targeted towards women should include men.

- ♦ Systematic monitoring and supervision of service delivery, assurance of informed voluntary choices regarding family planning and ensuring quality services should be done.
- ♦ Fertility awareness (the knowledge that a woman is fertile only during a specific period during her menstrual cycle, and about how to identify this period and periodic abstinence during the fertile period) among men and women so that absolute dependence on technology is reduced.
- ♦ Female condoms should be introduced and supplies of the same made easily and widely available.
- ♦ Interpersonal communication skills including counselling should be in-built in all service providers training. The service delivery should be made women- friendly.
- ♦ Requirements for optimal care for girls and women should be strengthened, especially in the field of physical health and nutritional status; mental well –being and self worth; autonomy and respect in the family and in the community; workload management and optimal time use and education, access to information and skill development.
- ♦ Specific programme should be designed to create awareness about men's sexuality and reproductive health regarding men's infertility, sex determinants of a child, etc.
- ♦ All the health programmes/projects should be designed in a gender sensitive way. In other words, the objectives, strategies and activities have to be such that they should address or consider the gender concerns. More specifically, they should clearly spell out their objectives, strategies, and activities to address the health needs of male and female sexes of all ages.
- ♦ Gender-specific monitoring indicators should be developed and used in the health programmes/projects so that the impact on women's access to health services can be measured by using them.
- ♦ Review of the health programme/projects shows that the policy makers and programme designers have still gender insensitivity.

Because (as stated above), there is the lack of gender specific objectives, strategies and activities in the designed programmes\projects. Hence, gender sensitisation has to be done among the policy makers for developing health programmes\ projects with sufficient degree of gender reflection.

- ♦ Similarly, the implementers of the health programmes/projects should also be oriented on the very concept 'gender' which will, eventually, contribute to increase women's access to health services.
- ♦ There has been the perception among district and local health personnel that the community health volunteers such as TBAs, FCHVs, etc; need more training for the effective delivery of services to the women (the present training is inadequate).
- ♦ Literacy programmes has to be increased for the women that, by raising awareness on health need, helps women seek the health services.
- ♦ The local health institutions (mainly the health posts and sub – health posts) have the inadequacy of the space so that women have problems to get their reproductive organ/ private parts examined for treatment and have babies delivered .Therefore, the local communities and health personnel have emphasised on increasing the space for providing the treatment to the women.
- ♦ The communities have also an important role to play in the health sector . They can contribute to manage the local health institutions for making them effective and sustainable by generating the financial resources (like in the Community Drug Programme (CDP) and organising women in the mother's groups who can be trained by the community female health volunteers for preventive health aspect.
- ♦ A more decentralised authority for the health sector expenditure will enhance the efficiency of health budget to deliver services needed for women.

- ♦ Given the fact that women have a higher burden of diseases, 60 to 70 percent of the total allocated health budget has to be spent for women.
- ♦ Health expenditure should also be increased to improve the women's health services.
- ♦ There is still relatively low budget allocation for the health administration which should be further increased to provide more and better quality health services in general and women in particular.

Chapter 7

Gender Budget Audit of Ministry of Labor and Transport Management 2006

7.1 Synopsis of Executive Summary

7.1.1 Background

In accordance with the national policy of gender mainstreaming in all aspects of development, efforts are underway to mainstream gender in various sectors. In this connection, Gender Responsive Budget Committee of Ministry of Finance and United Nations Development Fund for Women (UNIFEM), had been supporting for mainstreaming gender in various Ministries. This study was a part of GRB effort to mainstream gender in the Ministry of Labor and Transport Management (MoLTM) . The study was conducted in 2006.

7.1.2 Objectives

The main objective of the study was to conduct gender assessment and gender budget audit of the Ministry of Labor and Transport Management (MoLTM) in order to establish the practice of gender mainstreaming in the Ministry through using tools of mainstreaming gender.

7.1.3 Methodology

Methodology adopted for the study included:

- ♦ Review on labor sector policies, act and regulations, strategies, annual progress reports of the departments; budgets of last three years, programs, progress and evaluation documents of the MoLTM including monitoring mechanism and process.
- ♦ Consultation meetings with the secretary and joint secretaries of the Ministry. Interviews with departments, division, planning and project chiefs.

- ♦ All program/projects implemented under the MoLTM, both funded by the government, and donors were reviewed and analyzed from gender perspectives.
- ♦ Focused Group Discussions (FGDs) with the concerned officials and Gender Focal Persons (GFPs) of MoLTM and its departments, offices and projects as well as with beneficiaries and stakeholders.
- ♦ Interactions with vocational skill trainees were held to use the tool of Gender Analysis Matrix (GAM).

Limitations

- ♦ The frequent transfer of the officials made difficulties to get the proper answers from the new comers in the Ministry.

Gender Assessment and Gender Budget Audit of MoLTM

- ♦ Though MoLTM is the government's policy making apex body on labor and transport management sector, the available physical facilities at the Ministry can best be described as less conducive to a healthy working environment.
- ♦ Out of the total 56 staff, women are 9 (16%) and among them 4 are in the officer level.
- ♦ Though there has been a provision of officer level staff to look after the gender related issues, notable efforts to institutionalize and strengthen GFP were lacking.
- ♦ Ministry is more focused on policymaking, reforming, and coordinating labor, employment, and transportation management rather than being program oriented.
- ♦ Among the two full-fledged departments and two directorates functional under the umbrella of the Ministry, the Department of Transport Management adopts gender-neutral approach while Vocational and Skill Development Training Directorate has many specific provisions for women and other disadvantaged groups.
- ♦ The staff members of the Department of Labor and Employment Promotion are highly taxed and over burdened as they have to

scrutinize hundreds of individual files and verify documents in accordance with the requirement of the Foreign Employment Regulation. Therefore, their function is primarily confined to fulfilling day-to-day administrative and regulatory work. They are not able to initiate any specific program for attracting women and men workers to avail more secure foreign employment opportunities.

- ♦ Having the discriminatory provision in section 12 of the Foreign Employment Act entitled “Restriction against Provision of Foreign Employment”, women wanting to go abroad for employment have become more vulnerable of being trafficked and abused as they have to go through informal channels.
- ♦ The specific positive provisions for the female workers made by the Labor Act, 2042, have not been implemented effectively.
- ♦ Monitoring activities do not take into account achievement or underachievement of social dimensions. As gender disaggregated information was not required by the NPC's reporting format, gender disaggregated monitoring formats are not used. The Ministry monitors from relevant gender perspectives only when the Budget Speech incorporates gender specific activities for the Ministry.
- ♦ The MoLTM gets around 0.2 percent of national budget, which is very low compared to other ministries.
- ♦ Activities in the thematic areas of the Ministry are all under-funded. Donors’ support to the sector is extremely limited; there was only one (bilateral) donor-assisted project in FY 06.
- ♦ Out of the allocated budget the share of recurrent and capital budget is to be the ratio of 70:30 and, donor's contribution to program budget has reached to 32 percent in the fiscal year 2005/06. The percentage seems high but it is because of low program budget in the Ministry and a good amount was supported to 'Child Labor Elimination'.
- ♦ Gender responsive budget is not, in fact, equal share of budgetary provision in the name of male and female but is the analysis of whole impact of budget expenditure to the benefit for male and female. Within the programs of the Ministry, the positive benefit sharing of

the program can be seen in the vocational and skill development training.

7.2 Conclusions and the Way Forward

7.2.1 Conclusions

MoLTM is vested with the responsibility of overseeing labor rights, internal and foreign employment, trade unions, and transport management. Physical facilities and human/financial resource of the Ministry has not been significantly enhanced in alignment with its additional responsibility and scope of work. Initiation of development and promotional intervention in the Ministry is hindered on account of limited budget and lack of adequate human resource. Frequent intra and inter ministerial level transfers has also created a feeling of ambiguity among staff members. Non-gazetted staff members' moral have been hampered due to exclusion in staff meeting and capacity development trainings.

Although, women constitute only 16% of the total staff in the Ministry, percentage of women at the officer level is appreciable as four out of the nine female staff are at the officer level. Though some of the staff had gender orientation/training in the course of their tenure, it was found to be inadequate to meet the requirement to mainstream gender in the Ministry. The staff's perception regarding gender sensitiveness was confined to advocating for women's participation in basic activities perceived as beneficial to women or fulfilling the statistical parameters of women representation in meetings and group activities. Designation of a Gender Focal Point is a positive move towards mainstreaming gender in the Ministry. However, notable efforts to institutionalize and strengthen GFP were lacking due to unavailability of specific mandates, added facilities, and adequate orientation.

Representation of women in all the committees within the Ministry, that play significant roles in framing policies regarding labor, foreign employment, trade unions, and transport management, appears to be virtually non-existent. Thus, discussions and decisions on policies and strategies are likely to be less gender sensitive.

The Ministry is more focused on policymaking, reforming, and coordinating labor, employment, and transportation management rather than being program oriented. Among the ongoing program, the Skill Development Training Program has more gender sensitive provisions. Department of Labor and Employment Promotion is mostly occupied with foreign employment related activities while internal labor management has been ignored. The Department is highly over burdened due to a large number of people going for foreign employment. Hundreds of individual files have to be scrutinized and verified in accordance with the requirement of the Foreign Employment Regulation. Therefore, the department is primarily confined to fulfilling day-to-day administrative and regulatory work and is not able to initiate any specific program for more secure foreign employment opportunities.

A discriminatory provision of Foreign Employment Act entitled "Restriction against Provision of Foreign Employment" has restricted the mobility of women seeking foreign employment. Because of this section, women wanting to go abroad for employment have become more vulnerable of being trafficked and abused, as they have to go through informal channels if they are unable to present the approval of their family and guardians. This is evident by the fact that a large portion of female opting for foreign employment, in comparison to men, are going abroad through the informal channel.

The Ministry's monitoring mechanism is more focused on the budgeting and achievements against set targets. Monitoring activities do not take into account achievement or underachievement of social dimensions. As gender disaggregated information was not required by the NPC's reporting format, gender disaggregated monitoring formats are not used. The Ministry monitors from relevant gender perspectives only when the Budget Speech incorporates gender specific activities for the Ministry.

The MoLTM as a central authority of Government of Nepal has responsibilities for managing internal labor, foreign employment, and transport management including plans, policies and programs formulation and implementation. MoLTM also collects data and conducts analysis,

studies, and research on the labor force and labor market.

Among the on-going programs under the MoLTM, Foreign Employment Credit Program has some women focused provisions whereas Skill Development Training Program has more gender sensitive provisions. Other departments are in more or less gender-neutral situation. In terms of women's participation in the staff structure, there is about 16 percent women staff, which is higher than the national level.

The Ministry's share in the national budget is very low - around 0.2 and out of the total budget allocation about five percent is estimated for capital expenditure. This is mainly because of fewer programs in the Ministry. While analyzing budgetary components and expenditure practice, the vocational training and skill development training center has been found to be more gender focused in which, around 40 percent participants are women. Activities in the thematic areas of the Ministry are all under-funded. Donors' support to the sector is extremely limited; there was only one (bilateral) donor-assisted project in FY 06.

The overall impression in the analysis of gender assessment and gender budget audit of the Ministry is: almost gender neutral except focus on vocational and skill development training and foreign employment program. However, some positive attitude of stakeholders can be realized.

The Ministry has not been able to mobilize enough resources for expanding/ enhancing women development programs. Only few programs are found targeted to women's skill development and empowerment.

Further, the idea of constructing "gender responsive budgets" is not even debated. Strengthening the en-gendered budgetary policy and process has been seen as a major issue. Behavioral and attitudinal changes among key stakeholders, institutional capacity for gender budgeting, monitoring and evaluation system are the basic challenges to be addressed for gender equity and equality. No deliberate and significant effort is made to achieve development goals through budget in a gender-aware and gender-responsive ways. However, there is considerable scope for improvement in the effectiveness of gender program budgets.

7.2.2 The Way Forward

Legal

- ♦ The Foreign Employment Act, 1985 should be amended in such a way that women can easily and safely go abroad for employment. This will encourage women to follow formal channel while seeking employment abroad.
- ♦ The special provision mentioned in the Labor Act, 2042 for the protection and promotion of the rights of female workers should be made compulsory to each and every employer and that has to be effectively monitored. Further, there should be strong punishment provision for those who violet the legal provision.

Policy

- ♦ GFP in the Ministry should be given clear roles in planning, monitoring, and evaluation phases of program/project cycle.
- ♦ More focus has to be given to gender perspective with regard to labor management in formal as well as informal sector so that more women can be mainstreamed in economic activities.
- ♦ There should be labor desk in the countries where many females and males go for employment.
- ♦ The Ministry should have a mechanism to supervise the factories in terms of adopting or implementing legal provisions and policies to ensure equal rights of female workers in working places.

Gender

Gender sensitive objective: Gender mainstreaming is a strategy for making women's concerns an integral dimension of policies and programs. As equity and equality has a significant impact on the success and sustainability of every development intervention, mainstreaming gender concerns should be clearly reflected in the Ministry's objectives.

Gender balance staffing pattern: All possible steps should be taken to ensure gender balance in the composition of Ministry's staffing pattern. The gender balance in the staff composition of the Ministry is highly

tilted in favor of men with the representation of women being only 16 percent. Fresh recruitments at all levels should be focused on achievement of gender balance by recruiting female staff members who meet the required professional criteria for new vacancies. This calls for:

- ♦ Special measures/affirmative actions for the recruitment of females in new vacancies.
- ♦ Review and restructure recruitment procedures such as; advertisements, interview procedure, weightage and selection criteria
- ♦ Assigning quota to specific posts and keeping posts vacant until suitable women can be found to fill them.

Capacity Development of staff members

- ♦ Gender training to all staff members to enable them to understand gender as a cross cutting issue that needs to be addressed in all elements of the program.
- ♦ Capacity development of staff members giving special priority to women staff

Institutional arrangement and work culture: Gender consideration in management perspective and/or institutional arrangement is an important aspect of mainstreaming strategy. To create a gender friendly environment, the Ministry should give strong consideration on the following aspect:

- ♦ Provision of adequate physical and human resource should be made in the Ministry and Departments in order to release excessive workload of the staff
- ♦ Promoting gender-friendly, non-hierarchical, harmonious and congenial atmosphere in the office premises and work-related situations
- ♦ Gender-sensitive language to be used in meetings, official documents and correspondence. Zero tolerance towards harassment and violence in the work place
- ♦ Physical infrastructure to cater to the biological needs and reproductive role of female staffs

Gender Focal Point: An individual as a Gender Focal Point is not very effective to mainstream gender in the Ministry. A Gender Focal Unit should be established in the Ministry. Focusing on;

- i) As the unit needs to have strong presence within Ministry to effectively fulfill its responsibility of framing appropriate policies and ensuring that they are swiftly converted into practice, it needs to be headed by a high level official and supported by qualified professional.
- ii) Unit staff members should be provided clear-cut job description, mandates and appropriate orientation and training. This unit, playing the role of a catalyst, should coordinate, facilitate, share information within networks, and support all programs under the Ministry to integrate gender concerns.

Committees: Emphasis should be given to enable women to actively participate in the decision-making processes. Women representation needs to be ensured in committees and sub committees of the Ministry. This calls for:

- ♦ Specifying percentage or quotas of women representatives in committees, sub committees, and meetings.
- ♦ Nullifying all meetings without representation of specified quota.

Program

The MoLTM has few programs and, among them couple of programs appear to be gender responsive, to some extent. There is possibility of equal access of women and men in almost all programs and projects, therefore, women's equal/significant participation in all project cycle should be encouraged and ensured. The gender sensitivity can also be improved in the on-going foreign employment promotion program, transport management promotion program, and occupational safety and health program.

The Ministry should make special provision for women focused programs. Such as:

- ♦ Enabling environment to enhance women's participation in Skill development training.

- ♦ Awareness raising regarding labor right and provisions made for women in labor Act.
- ♦ Awareness raising with regards to foreign employment.
- ♦ A separate desk with female staff for women in foreign employment department.

Within the Ministry, intensive discussion should be initiated while preparing annual program budget to dig out the issues to be addressed in the planning, implementation, and monitoring process in gender perspective. Further, an intensive discussion should also be organized to make clear about how to make annual program budget gender sensitive/responsive. In this effort, all gender sensitive staff including female staff should be given opportunity to provide technical inputs.

The programs, which can be clearly targeted to women, should be given more focus in coming years. On the other hand, programs should be analyzed as women focused and targeted at the time of program formulating process/phase, and developed some process and output monitoring indicators.

Budgeting

Specific allocation for focused program

Budget is a strong tool for mainstreaming gender in the Ministry. Although gender is a cross cutting issue and has to be in built in the entire budgetary system, a separate budget allocation for women is needed for equity.

Gender Responsive Budget

Beside specific allocation, the entire budget should be gender responsive. This is an important strategy for examining the project's contribution to equality. This requires:

- ♦ Assessment of the implementation of budgetary expense and revenue on the social and economic position of men and women.
- ♦ Examining the situation of women and checking if the policies are gender and inclusion sensitive and also assessing expense to make

sure that it has promoted equality.

- ♦ Identifying differences in terms of access to a range of resources.
- ♦ Adequacy of internal and external funding in all programs in general and women focused programs in particular should be ensured

Monitoring

Gender Incorporation and responsiveness can be effective only when its sustainability is ensured. In order to avoid policy evaporation and invisibility of equality issue, mainstreaming gender must be sustained in the long run. Thus, a monitoring and evaluation system for application of gender sensitive policies should be established by:

- ♦ Maintaining disaggregated data by sex, class, caste, and ethnicity.
- ♦ Focus on qualitative as well as quantitative monitoring. For example, it is not enough to record how many women and men benefited or participated but also how they benefited or participated.
- ♦ Incorporating gender concerns as one of the prime agendas in the review meetings.
- ♦ Impact assessment of the programs from gender perspective.

Institution

Even though NPC's monitoring and reporting formats do not include gender disaggregated information, there should be monitoring mechanism within the Ministry, where program and project could be monitored based on input, process and output monitoring indicators. The Ministry and organization should consider the gender issues not only in budget, program, and participation perspective but mainly also in management perspective. Gender issues should be recognized as integral mechanism of the organizational structure.