



State and non-state justice systems in Nepal

A review of existing relevant laws and policies from a civil society perspective

July 2012

About the project

State and non-state partnership for accessible and accountable justice

This review of existing relevant justice policies and laws was carried out to look into existing policy rulings and into creating an environment for accessible justice in Nepal. It forms part of an ongoing initiative which envisages an improved state justice system able to operate with a greater understanding of the justice needs of all the Nepali population. It further aims to enhance coordination and cooperation between different justice mechanisms to increase access and accountability of the justice sector towards the Nepali population, particularly poor, vulnerable and marginalised groups and communities. The initiative does this by generating greater clarity of the roles and responsibilities of the state and non-state justice sector, supporting non-state justice actors to act in a way which respects human rights and upholds the principle of gender equality, and building and strengthening relationships between state and non-state justice providers.

The EC-funded initiative is led by a three-member consortium of both international and national civil society organisations. The members of the consortium are the Forum for Women, Law and Development (FWLD), International Alert, and the Legal Aid and Consultancy Centre (LACC).

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Designed and Printed by:
PagePerfect, Kathmandu, Ph.: 4442191

Acknowledgements

This paper was developed by International Alert with inputs from Forum for Women, Law and Development (FWLD) and Legal Aid and Consultancy Centre (LACC) The lead writers were Sadhana Ghimire and Rabina Shrestha, with the introduction written by Rebecca Crozier. The analysis section was written by Sadhana Ghimire and Charlotte Onslow, who was also the lead editor. Special thanks go to Tanka Dulal and Bimal Poudyal, advocates, for providing background research and technical assistance throughout the study.

This publication has been produced with the assistance of the European Union. The contents of this publication are the sole responsibility of International Alert, FWLD and LACC and can in no way be taken to reflect the views of the European Union.

Acronyms and Abbreviations

ADR	Alternative Dispute Resolution
AG	Attorney General
CAMC	Court-annexed Mediation Centre
CBM	Community-based Mediation
CDO	Chief District Officer
CEDAW	Convention on Elimination of All Forms of Discrimination Against Women 1979
CeLRRd	Centre for Legal Research and Resource Development
CIAA	Commission for Investigation of Abuse of Authority
CSO	Civil Society Organisation
DAO	District Administration Office
DFID	Department for International Development
DFO	District Forest Officer
FIR	First Information Report
FWLD	Forum for Women, Law and Development
ICCPR	International Covenant on Civil and Political Rights 1966
JICA	Japan International Cooperation Agency
JSCC	Justice Sector Coordination Committee
LACC	Legal Aid and Consultancy Centre
MoWCSW	Ministry of Women, Children and Social Welfare
NBA	Nepal Bar Association
NDC	National Dalit Commission
NGO	Non-Governmental Organisation
NWC	National Women's Commission
PLC	Paralegal Committee
SC	Supreme Court
TAF	The Asia Foundation
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
VDC	Village Development Committee
WCO	Women and Children Officer

Executive Summary

This review looks at existing justice policies and processes governing the justice sector in Nepal, including operational processes of key informal mechanisms. The paper forms part of an ongoing initiative which seeks to strengthen access to justice by strengthening linkages and coordination between Nepali state and non-state justice actors. The report does not seek to recommend but rather provide an analysis and insight into current justice policy directions and dynamics. Key points of analysis show that (i) there is limited but increasing state recognition of non-state justice mechanisms; (ii) there is an absence of systemic guidance for informal justice methods and bodies despite their being increasingly recognised by the state; (iii) if supported, gender justice interventions could be used to learn lessons for new integrated justice models; (iv) promising opportunities exist for strengthening harmonisation between state and non-state systems in Nepal.

Background

The current transitional period in Nepal from conflict to sustainable peace highlights the need for basic state services to adapt to respond to the changing needs of the Nepali people. Central to the consolidation of peace is the need for the state to ensure accessible and accountable justice provision to all of its citizens. Given geographical, financial and other constraints this will be a mammoth challenge for the judiciary; one which needs to be tackled on a long-term basis.

One major question to be dealt with in ongoing reform processes will be how the state judiciary recognises and interacts with the many non-state justice mechanisms which operate across the country. Such mechanisms include donor-funded initiatives, paralegal committees and community mediation committees, as well as traditional indigenous mechanisms.

This review looks at existing policies and processes governing the justice sector, including the operational processes of key informal mechanisms. It forms part of an ongoing initiative which seeks to strengthen access to justice by strengthening linkages and coordination between state and non-state justice actors. The report reviews policies from this perspective and aims to identify the extent to which non-state justice mechanisms are recognised within formal policy and vice versa. This review is not meant to provide a comprehensive policy analysis; it is rather a review of relevant policy frameworks and processes, and if and how they support engagement between different justice mechanisms. The overview will be used to inform programmatic work and, in turn, analysis will be deepened by such subsequent work.

This review is best read in parallel with the International Alert's 2012 district assessment report *Integrated or isolated? How state and non-state justice systems work for justice in Nepal*.¹ This district assessment paper aimed to understand the ways in which state and non-state justice providers currently corresponded in six Terai and hill districts and how formal and informal mechanisms were used by those seeking justice.

The intended audience for both of these reports is primarily those involved in supporting the non-state justice sector (particularly the donor community), and state justice and security providers.

This review begins with an overview of relevant laws, policies, plans and international conventions. It then goes on to explore key structures and mechanisms within the state justice system, before providing an overview of non-state justice mechanisms. The final section highlights key points of analysis emerging from the review.

¹ International Alert (2012). *Integrated or isolated? How state and non-state justice systems work for justice in Nepal. District assessment report*. London/Kathmandu.

Section 1

Review of national laws, policies, plans and international instruments

The laws, policies, frameworks and plans reviewed in this section are those designed to strength Nepal's justice system and to enhance access to justice for all Nepalis. As the purpose of this review is to provide a foundation for future work in this area, only existing policies and laws relevant to the objectives of the project are summarised and key gaps and opportunities identified with a view to supporting future policy advocacy. In particular, the following policies and laws are those which directly or indirectly contribute to fostering linkages between the formal and informal justice systems, and those which are seen to maintain and nurture gaps between the two systems.

Interim Constitution of Nepal, 2007

The Interim Constitution of Nepal has institutionalised international human rights standards, including rights related to justice (Article 24), the right against preventive detention (Article 25), and the right not to be tortured (Article 26). These rights are enshrined in the Constitution to ensure fair trial, access to legal aid, and protection of human rights during judicial processes. Constitutional law is supreme and should therefore have the highest level of recognition, whereby any law which contradicts the provisions of the Constitution will be null and void to the extent it contradicts the law. Informal justice mechanisms are not formally recognised or acknowledged by the Constitution of Nepal.

Muluki Ain (General Code), 1963

Named the *General Code 2020*, this is the Act of Nepal which incorporates the criminal and civil cases,² guides court proceedings, and sets out the degree of punishment for crimes and other standards for evidence and jurisdictions. The Act has been amended twelve times to address discriminatory and contradictory provisions. It provides that, for all cases, other than those of a criminal nature, litigants may enter into compromise at any stage prior to judgment by making an application, setting out the points of their compromise to the office where the case had been filed.³ This has widened the opportunity for the Community-based Mediation (CBM) centres and Paralegal Committees (PLCs) to play a role in bringing disputing parties to settlement, which relieves the court from the burden of prosecution.

Local Self-Governance Act, 1998

Based on the principles of democracy and decentralisation of power,⁴ the 1998 Local Self-Governance Act (LSGA) is the first Act of Nepal which explicitly identified Alternative Dispute Resolution mechanisms as a means of settling disagreements at the local level. Sections 33 and 101 delegate certain judicial powers to the Village Development Committees (VDCs) and Municipalities;⁵ mediation is the chosen mechanism for such cases. The LSGA makes it clear that the local body is responsible for publishing a list of mediators to assign mediators to each case, as accepted by the disputing parties. Existing popular mechanisms such as CBM or PLCs are not directly referred to by the Act. However, as required by the Act itself, Sections 33 and 101 are not legally implementable until the government announces its commencement in the Nepal Gazette; this has not happened to date.

² Nepal Law Commission (2011a). 'Muluki Ain (General Code) 2020, Number 9, Chapter 1 on Court Proceedings', accessed 5th March 2012. Available at [http://www.lawcommission.gov.np/en/law-archives/old-acts/Prevailing-Laws/Statutes---Acts/English/Muluki-Ain-\(General-Code\)-2020/](http://www.lawcommission.gov.np/en/law-archives/old-acts/Prevailing-Laws/Statutes---Acts/English/Muluki-Ain-(General-Code)-2020/)

³ Ibid., Number 182.

⁴ Nepal Law Commission (2011b). 'Preamble of the Local Self-governance Act, 1999', accessed 5th March 2012. Available at <http://www.lawcommission.gov.np/en/documents/prevailing-laws/prevailing-acts/Prevailing-Laws/Statutes---Acts/English/orderby,2/page,8/>

⁵ This has been explained in detail above, under the other key actor section.

This has given the opportunity for trained CBM and PLC group members to play a role in the settlement of local disputes by listing them alongside the other mediators listed by local government bodies. This has widened the possibility for local people to resolve their disputes and seek justice by providing a varied list of locally trusted community members.

Five-Year Strategy Plan of the Nepal Judiciary, 2009-2014

The second five-year strategy plan for the Nepal Judiciary is directed towards enhancing the judiciary and improving access to justice. This plan reiterates strengthening mediation processes to resolve disputes that are sub judge. To this end, the Judiciary has established Court-annexed Mediation Centres (CAMCs) in all 75 district courts, 16 Appellate courts and the Supreme Court, and provides mediation training for judicial personnel through the Supreme Court and the National Judicial Academy.⁶

The main purpose of CAMCs is to provide speedy and less costly justice through mediation. Judges refer sub judge cases to the centre in agreement with disputing parties. Requests for CAMC resolution can also be made directly by conflict parties if the case has not already been filed in the Court.

Furthermore, with a view to developing working relations and coordination with stakeholders within and outside the justice sector, the five-year plan requires the establishment of Justice Sector Coordination Committees (JSCCs) in the Supreme Court (SC), 16 appellate courts and district courts. According to the Terms of Reference the main objective of the Committees is to 'enhance access to justice; coordinate with stakeholders for effective implementation of court decisions/directives; judiciary strategic plan and security of court; and to build linkages and coordination between justice mechanisms and civil society'.⁷ District JSCCs require the engagement of eight stakeholders, including representatives from the police, the attorney general's office and the Nepal Bar Association (NBA), as well as one representative from civil society.⁸ At the central level, the JSCC president is the SC senior judge and members include representatives from the Appellate Court, the District Court, the National Judicial Academy, NBA, the Judicial Council, the Nepal Police (NP), the Ministry of Law, the Ministry of Finance, the National Planning Commission and one civil society representative.

Mediation Act, 2011

Enacted by Parliament in 2011 after a lengthy process and multiple revisions, the Mediation Act 2011 is the first of its kind to acknowledge informal methods as a form of dispute resolution. The preamble to the Act identifies mediation as a speedy, cost-effective and easily accessible mechanism in favour of the common person.⁹ In terms of defining mediation, the Act has identified it as a process of resolving disputes between parties in consultation with appointed mediators under the Act.¹⁰

The Act explicitly mentions the procedure, jurisdiction and basic criteria for a mediator. It further recognises informal CBM practices and sets the criteria for the composition of CBM¹¹ and training for mediators.¹² The act requires that a written record of the result of all settlements be registered with the local body (VDC or Municipality). Section 35 of the Act places responsibility on District Development Committees, VDCs and Municipalities to provide all necessary technical input to community-based mediators to build their capacity for settling disputes. The Act sets out where linkages and coordination should occur between local bodies and CBM centres.

⁶ Supreme Court (2009). 'Second Five-Year Strategy Plan of The Nepal Judiciary', accessed 5th March 2012. Available at http://www.supremecourt.gov.np/download/2nd_plan_English.pdf, pp.25-27.

⁷ Supreme Court (1992). Supreme Court Rule, Article 13, 11th amendment. Nepal

⁸ Ibid.

⁹ Nepal Law Commission (2011c). 'Preamble of the Mediation Act 2011', accessed 15th March 2012. Available at [http://www.lawcommission.gov.np/en/documents/prevailing-laws/prevailing-acts/Prevailing-Laws/Statutes---Acts/English/Mediation-Act-2068-\(2011\)/](http://www.lawcommission.gov.np/en/documents/prevailing-laws/prevailing-acts/Prevailing-Laws/Statutes---Acts/English/Mediation-Act-2068-(2011)/)

¹⁰ Ibid., Section 2(8).

¹¹ Ibid., Section 33(2).

¹² Ibid., Section 34

The LSGA is explicitly referred to in the Mediation Act. Specifically, Section 46 provides that courts or quasi-judicial bodies may refer a sub judice case to a local body for mediation if deemed necessary and if disputing parties consent. Furthermore, the act requires a Mediation Monitoring Committee¹³ to be established; however, no further details are provided as to how or who is responsible for this. Likewise, although the Act requires a Mediation Board¹⁴ to be established, there are no provisions which clarify the function of the Board in monitoring and evaluating the conduct of the mediators or the centres. Finally, government is yet to announce the Act in the Nepal Gazette, leaving it in legal limbo.

Domestic Violence (Crime and Punishment) Act, 2009

Following a decade of debate, the Domestic Violence (Crime and Punishment) Act was adopted in 2009 by Parliament to legally define domestic violence and to bring the perpetrators of such violence to justice. The Act allows victims to file complaints against the perpetrator at one of four institutions: a local body (VDC or Municipality), the police, the National Women Commission (NWC) and the district court.¹⁵ If a complaint is filed with the police, the NWC, or a local body, the perpetrator must come forward within twenty-four hours, excluding travel time, and if he/she refuses to appear to make a statement, he/she must be arrested.¹⁶

The Act recognises mediation as an ADR mechanism but is dependent on the victim's wishes. It does not, however, refer explicitly to informal ADR bodies such as PLCs or CBM centres. According to Section 4(11), if a victim wants to be reconciled with the perpetrator, police or local body officials may mediate the case within days of registration.¹⁷ If the case is not resolved through mediation, with the consent of the complainant, the police or local body have days to forward the case to the court with details, evidence and legal documents.¹⁸

Legal Aid Act, 1997

To constitutionally address the principle of the right to fair trial, the Interim Constitution of Nepal has recognised the right to legal aid for financially vulnerable parties seeking justice.¹⁹ The Legal Aid Act, which regulates legal aid services for those unable to afford legal costs, was promulgated in 1997.²⁰ The Act provides for the establishment of Legal Aid Committees in districts as well as one at the central level for policy and budgetary oversight. The central Legal Aid Committees include the Ministry of Law and Justice, the Nepal Bar Council and NBA as members. They receive a budget from central government and have the power to decide who is eligible for aid and to list legal practitioners who provide services. The Act only refers to state-provided legal aid and does not refer to informal or civil society provision of legal aid. However, it does note that civil society organisations (CSOs) can contribute to the Legal Aid Committee Fund.

Caste-based Discrimination and Untouchability (Offence and Punishment) Act, 2011

In 2011, the Caste-based Discrimination and Untouchability (Offence and Punishment) Act was promulgated to criminalise racial discrimination and untouchability in Nepal. The act outlaws discrimination, exclusion, restriction and degrading treatment based on race or caste, particularly "untouchability". It states that caste-based discrimination and untouchability crimes shall be dealt with under the State Cases Act 1992 and that perpetrators will be punished with up to 3 years imprisonment and fined up to one hundred thousand

¹³ Ibid., Section 29, Supranote 34.

¹⁴ Ibid., Section 26.

¹⁵ Nepal Law Commission (2011d). 'Section 4 and 5, Domestic Violence (Crime and Punishment) Act, 2009', accessed 8th March 2012. Available at [http://www.lawcommission.gov.np/en/documents/prevailing-laws/prevailing-acts/Prevailing-Laws/Statutes---Acts/English/Domestic-Violence-\(Crime-and-Punishment\)-Act-2066-\(2009\)/](http://www.lawcommission.gov.np/en/documents/prevailing-laws/prevailing-acts/Prevailing-Laws/Statutes---Acts/English/Domestic-Violence-(Crime-and-Punishment)-Act-2066-(2009)/)

¹⁶ Ibid., Section 4(4).

¹⁷ Ibid., Section 4(8).

¹⁸ Ibid., Section 4(11).

¹⁹ Nepal Law Commission (2011e). 'Interim Constitution of Nepal 2007, Article 24(10), Right relating to Justice', accessed 8th March 2012. Available at <http://www.lawcommission.gov.np/en/documents/prevailing-laws/constitution/func-startdown/163/>

²⁰ For more information, please refer to <http://celrrd.org/prog2.php>

rupees for victim compensation. The Act does not refer to informal justice mechanisms or bodies for the resolution of caste- and race-based disputes. It only refers to statutory bodies for the resolution of such crimes, whereby: cases should be first registered with the police (Section 5) and, if the case is not pursued, then a First Information Report (FIR) can be filed at the National Dalit Commission or local bodies (section 5(3)) in order that the case be prosecuted in accordance with the law (Section 5/5).

Government National Action Plans on Gender-based violence (GBV), 2010 and implementation of UN Security Council Resolution 1325/1820, 2011

At the end of 2009, the Office of the Prime Minister launched the Plan of Action for the “Year Against Gender Based Violence, 2010”. The plan had six specific objectives, divided into two sections; the first seeks to respond to GBV in Nepal and the second sets out measures to prevent GBV.²¹ Of particular interest under the first objective to ensure legal and institutional reform and the implementation of laws for improved access to justice for survivors/victims of GBV, the plan specifically sets out to build the capacity of service providers to implement laws in a gender-sensitive manner by mobilising and establishing PLCs in each Municipality and VDCs to address GBV.²² Here the state makes clear reference to support donor-funded informal justice mechanisms for improving access to justice for women.

In 2011 Nepal adopted a National Action Plan (NAP) on UN Security Council Resolutions 1325 and 1820. The plan addresses a broad range of issues and some of the 3000 action points put forward during local-level consultations. Actions include the strengthening of the Women and Children Service Centres within police stations; the provision of legal assistance; medical services and psycho-social counselling for survivors of sexual violence and GBV. A wide variety of actors have been identified as key for implementing the NPA, including government ministries, national and international CSOs and donors. Although there is no explicit reference in the plan to linking formal and informal justice bodies to support access to justice, the engagement of donors and non-governmental organisations (NGOs) in the plan’s implementation may leave space for synergies between donor-lead access to justice programming for women and access to formal justice support.

International Instruments and Legal Frameworks

Nepal has ratified twenty-one international human rights Instruments.²³ The ratification of such conventions has promoted particular human rights within Nepal, including ensuring that legal and judicial processes and outcomes are fair, just and equitable. Being party to these conventions, Nepal is obliged to ensure human rights approaches are written into government policy and programming. Some conventions require the establishment of a monitoring body which has the authority to hear cases relating to the violation of the human rights protected by the convention. This means that, if people are denied justice from national judicial bodies or mechanisms, they can also file cases with the treaty body. The following list provides examples of some of the leading conventions to which Nepal is party:

- International Convention on the Elimination of all Forms of Racial Discrimination (1965);
- International Covenant on Economic, Social and Cultural Rights (1966);
- International Covenant on Civil and Political Rights (1966);
- Convention on the Elimination All Forms of Discrimination Against Women (1979);
- Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (1984);
- Convention on the Rights of the Child (1989);
- Convention on the Rights of Persons With Disabilities (2006);
- International Labour Convention No. 169 on the Rights of Indigenous and Tribal Peoples (2007).

²¹ Government of Nepal Office of the Prime Minister and Council of Ministers (2009). Plan of Action for “Year Against Gender Based Violence, 2010”. Singhadarbar, Kathmandu. Available at http://www.engagingmen.net/files/resources/2010/lbelbase/National_Plan_of_Action_for_Year_Against_Gender_Based_Violence_2010.pdf

²² Ibid., p.5

²³ Human Rights Treaty Monitoring Coordination Committee (HRTMCC) (2008). NEPAL Status of Ratification of Key International Instruments. Kathmandu. Available at http://www.insec.org.np/files/documents/Nepal_Treaties.pdf

Section 2

Overview of the formal justice sector and non-state justice mechanisms and how they interact

2.1 Formal Justice Sector

The formal justice sector consists of state-justice mechanisms through which justice is delivered by a variety of institutions and actors. Some institutions and actors form part of quasi-judicial mechanisms. The following mechanisms are key institutions in Nepal.

The Judiciary

The constitutional power for exercising judicial rights and responsibilities resides in the three tiers of court: the Supreme, appellate and district courts.²⁴ Across Nepal there are seventy-five district courts (one per district), sixteen appellate courts in different zones and districts across the country and one Supreme Court at the capital. In addition to the three-tier court system, several specialist courts have been established (see Annex 2 for a detailed list).

The Supreme Court is the apex court and is also a court of record. Under the Supreme Court are the appellate and district courts. Appellate courts are mandated to review judgments dispensed by the district courts and the decisions rendered by quasi-judicial bodies (see below). Appellate courts also have the authority to try certain cases as specified by law. Likewise, this court has authority to try the cases transferred by the Supreme Court (from among the cases filed in the District Courts) taking into consideration the complexity of the issue, or to provide speedier justice in prolonged disputes.²⁵ District courts are the court of first instance and have jurisdiction over both civil and criminal cases.²⁶ It is here where people first access the state justice system (except writ jurisdictions exercised by the Appellate Courts and Supreme Court *habeas corpus*). The jurisdiction of the district court has been extended to writ petitions with the powers of entertaining habeas corpus and injunction writs.²⁷

Ministry of Law and Justice

Ministry of Law and Justice is the state body responsible for framing governmental policies for the administration of justice. It formulates legislation and policies which are then asserted and adopted by the state's legislative authority. It drafts ordinances, rules and state orders; monitors the implementation of existing laws and international legal instruments to which Nepal is party. The Ministry has an active Justice Administration Section, led by the Under Secretary, which specifically looks into formal affairs of the Ministry of Law and Justice. The Ministry also coordinates with the judiciary and other legal agencies, such as the Law Reform Commission, which selectively researches legal reform issues and develops draft legislation. In some cases, the Ministry reaches out to local communities. In particular, the Legal Aid section, which oversees and monitors legal aid provision, is mandated to raise awareness on legal aid provisions.²⁸

No particular section or personnel is responsible for working specifically on informal justice coordination or policy. However, there is reportedly increased interest within the Ministry to work with PLCs and ADR methods. There have been two task forces established, the first of which was to look into systematising PLCs

²⁴ Nepal Law Commission (2011e). Op. Cit., Article 101.

²⁵ Nepal Law Commission (2011f). 'Administration of Justice Act 1991, Section 8 (3)', accessed 8th March 2012. Available at <http://www.lawcommission.gov.np/en/prevaling-laws/prevaling-acts/Prevailing-Laws/Statutes---Acts/English/>

²⁶ Under the UNDP Rule of Law Programme, there has been a pilot initiative in seven District Courts to separate benches for criminal and civil cases; however, an impact is yet to be seen. See Supreme Court (2009). Op. Cit.

²⁷ Ibid., Section 7(2).

²⁸ Interview with Indira Dahal, Under Secretary, Ministry of Law and Justice, Kathmandu, 2nd July 2012.

and including them within the Ministry's justice portfolio. A report was then submitted to the Prime Minister's Office and that task force dissolved; there is no further information regarding next steps. The second task force is to review the exiting Mediation Act (2011) and to propose a modified act which deals more comprehensively with community mediation.²⁹

Quasi-judicial bodies

Besides the state court system, in some specific cases, arbitration power is delegated from the judiciary to the executive, mostly ministerial departments and government offices (see Annex 3 for a detailed chart illustrating types of judicial responsibilities delegated to specific government ministries). At the district level, the District Administration Office (DAO) holds some judicial powers in accordance with the 1971 Local Administration Act to maintain peace and public security in the district, and punish offences prescribed under various acts such as the 1989 Public Security Act, the 1970 Public (Crime and Punishment) Act, the 1962 Arms and Ammunitions Act, etc.³⁰ They are not formally mandated to engage or link with existing informal justice mechanisms across the district. However, International Alert's research reveals that the DAO is a popular point of entry for justice seekers; some informal bodies, such as PLCs, request DAO support in registering cases which they are unable to mediate. Lastly, evidence suggests that the District Forest Office, which is responsible for managing forest resources and for supplying forest products to the people, is unable to work in particular communities without consulting with traditional justice actors and community leaders.³¹

Other Key Actors

Nepal Police. Nepal Police is recognised as the first entry point for people to seek justice on criminal cases.³² The Nepal Police has a direct link to local communities in order to work towards public security and peace. The police are mandated to perform the activities set out in the State Cases Act and to receive FIRs; the resulting reports, along with the necessary recommendations from police, should be submitted to the Government Attorney for further action.³³ The Women and Children's Service Centre of the Nepal Police can receive petitions on domestic violence cases.³⁴

Although this review does not find any explicit reference in the Acts or policies mandating the Nepal Police to formally coordinate or work with informal justice bodies, in practice they do liaise with such bodies when necessary in investigating and filing cases. For example, NP's Women and Children Service Centres informally contact PLCs and community leaders when collecting evidence on GBV crimes.³⁵

Local Self-governance Bodies. Local bodies such as VDCs and Municipalities are granted governing power and responsibilities to promote local development and to deal with local affairs, including disputes and conflicts. They are key information points where local people can take their concerns and request they be resolved. More specifically, laws such as the LSGA and the 2009 Domestic Violence (Crime and Punishment) Act identify local bodies as points of entry for community disputes and some crimes, such as domestic violence (see Annex 3 for more details on case types). VDCs and Municipalities have, in theory, the judicial power to register and settle cases within their geographical jurisdiction and, under the 2011 Mediation Act, they are entitled to hold lists of registered mediators and all cases must be resolved through the Mediation Committee. In spite of this, the delegation of power set out in the 1998 LSGA requires the government to

²⁹ Interview with Narendra Man Shrestha, Joint Secretary, Ministry of Law and Justice, Kathmandu, 2nd July 2012

³⁰ More details can be found on MOFA the website at <http://www.moha.gov.np/np/>

³¹ Research validation meeting with District Forest Officer, Kailali, 20th May 2012

³² Nepal Law Commission (2011g). 'State Cases Act, Section 3(1)', accessed on 10th March 2012. Available at <http://www.lawcommission.gov.np/en/prevailing-laws/prevailing-acts/Prevailing-Laws/Statutes-Acts/Nepali/orderby2/page,11/>

³³ Ibid., Sections 6 and 17.

³⁴ Nepal Law Commission (2011d). Op. Cit.

³⁵ International Alert (2012). *Integrated or isolated? How state and non-state justice systems work for justice in Nepal. District Report*. London/Kathmandu.

publish the delegation in the Nepal Gazette. This has yet to be done and, as such, local bodies remain legally powerless to mediate. They are not mandated to engage or link either local informal justice bodies, mediation groups or traditional bodies although, as with the police, there is some evidence of informal liaison.³⁶

Nepal Bar Association. The NBA is an umbrella organisation for Nepali legal practitioners and was established on 21st December, 1956. NBA and its subordinate committees have been given due recognition by the 1997 Legal Aid Act. Due to some statutory responsibility, NBA is not merely a professional organisation but also a statutorily recognised institution, which has the responsibility to perform some legally specified duties.³⁷ As an institution, little evidence suggests systematic outreach to informal justice groups or mechanism; however, there is evidence of ad hoc linkages between PLCs and District Bar Association lawyers in order to provide legal aid to victims of GBV crimes.³⁸

National Commissions. There are a number of national commissions, including the National Human Rights Commission (NHRC), the National Women's Commission (NWC) and the National Dalit Commission (NDC). There is not enough evidence to demonstrate systematic linkages between such commissions with informal justice bodies in support of access to justice.

2.2 Non-state justice delivery mechanisms

Non-state justice delivery mechanisms, popularly known as informal justice mechanisms, include both donor-funded bodies such as CBM centres and traditional dispute settlement unique to different Nepali communities.

A. Informal justice mechanisms (donor funded)

Community-based Mediation

Over the years, international stakeholders have looked to understand informal mechanisms, how they work and who they serve in order to support access to justice for marginalised groups. Donor-supported CBM has played an increasingly important role in dispute resolution in rural parts of Nepal over the last decade. It is one of the most recognised and maintained ADR mechanisms by local communities and is heavily supported by actors such as UNDP, DFID, JICA and TAF. There is some clear evidence of these programmes linking with formal justice systems. For example, UNDP partners, with the Supreme Court, through its "Enhancing Access to Justice" Project, has been implementing CBM programmes in the districts of Kailali, Dang, Surkhet and Udhayapur, covering a total of thirty-six VDCs and four municipalities.³⁹ Neutrality is the key element of all donor-supported CBM and, although different interventions follow varying working modalities, procedures and mediator guidelines, disadvantaged groups continue to use and benefit from services provided by the programmes.

Paralegal Committees

PLCs are also donor supported and have flourished at the village level across Nepal since 2002/03, and are now present in all fifty-nine districts. All PLCs have been established to address gender inequality issues, particularly sexual violence and GBV at the local level. There are different paralegal guidelines prepared by

³⁶ Ibid.

³⁷ Nepal Bar Association (2012). 'Introduction of Nepal Bar Association', accessed 3rd April 2012. Available at <http://www.nepalbar.org/intro.html>

³⁸ International Alert (2012). Op. Cit.

³⁹ More details can be found on the Supreme court A2J Project website: <http://www.a2j.org.np>

⁴⁰ Enhancing Access to Justice Project UNDP/Supreme Court (2009). Community Based Paralegal Programme Support Handbook. Kathmandu: Nepal.

UNDP⁴¹, UNICEF and also the Ministry of Local Development, however, all guidelines provide information regarding working and operating modalities and the mediation and facilitation of justice process.⁴¹ PLC members' main role is to facilitate victims in accessing justice from formal bodies. While not formally trained as mediators, basic legal training is provided to PLC members, and some cases are mediated when requested.

The Ministry of Women, Children and Social Welfare (MoWCSW) has begun to delegate roles and responsibilities to PLCs in order that they play a role in dealing with women and children's issues at the local level. Guidelines prepared by the Ministry for PLCs are evidence of this. PLCs liaise with state justice providers at the local level such the Women Development Officer (WDO), VDC, District Police Office and DAO in accordance with the needs of the victim. Examples of referred cases include registering rape, domestic violence, trafficking cases with the police and recommendation for citizenship from the VDC. Over the years, research conducted by International Alert reveals that PLCs can be very effective at the community level and that they have been particularly successful in tackling violence against women.⁴²

B. Traditional dispute settlement mechanisms

In addition to state justice services and donor-funded informal justice mechanisms, traditional mechanisms have long sought to provide justice to community members by resolving disputes through social dialogue processes at the local level. Traditional justice mechanisms administer justice in accordance with social, cultural, ethnic and religious value systems of specific groups such as within the Muslim, Tharu, Limbu and Dalit communities (see annex 4 for a more detailed list of traditional justice mechanisms in practice among different Nepali communities). Although processes and traditions differ greatly across groups, there is very little evidence to show that Nepali traditional mechanisms refer to or know about international human rights standards such as CEDAW or ICCPR when rendering justice.⁴³

Traditional justice mechanisms have no formal documents guiding their functions, mandate or working modality, and are particular to each community. It is therefore not possible to state if traditional bodies systematically interact and engage with the state justice system. Although not necessarily the only example, ongoing International Alert research observed only one instance of traditional justice groups engaging with the formal justice system, whereby Muslim community leaders took local community cases to the district court.⁴⁴

⁴¹ Ministry of Local Development (2010). Formation and Operational Procedure of Paralegal Committee. Lalitpur: Nepal.

⁴² International Alert (2012). Op. Cit.

⁴³ Ibid.

⁴⁴ Ibid.

Section 3

Points of significance and conclusion

Limited but increasing state recognition of non-state justice mechanisms

There have been some attempts by the Nepali legal and justice sectors to acknowledge and engage with non-state justice providers. The resolution of local disputes of a non-criminal nature predominantly occurs in the informal domain through mediation, either through donor-funded mechanisms or traditional justice-dispensing groups. From a policy perspective, the promulgation of the 2009 Domestic Violence Act and the 2011 Mediation Act, with the subsequent establishment of CAMCs, are the clearest examples of state promotion of mediation as an ADR method. In addition, the provision in the LSGA to set up mediation committees within VDCs to settle cases of a civil nature was an early example of state recognition of mediation, although local bodies are still yet to be formally given that power (until the government notice is placed in the Nepal Gazette). There are also small signs of recognition of PLCs in state policy, most notably in the Prime Minister Office-lead 2010 NAP on GBV and the MoWCSW Paralegal Committee guidelines on PLCs; however, this cannot necessarily be taken as wholesale state support for donor-lead informal mechanisms.

Despite this trend, not all non-state ADR bodies are being formally acknowledged in state policy or planning. There is little, if any, indication of systematic, institutional recognition or support for traditional dispute settlement mechanisms in delivering justice to the Nepali people. This has created and nurtured a gap between the judiciary and informal mechanisms, despite the fact that those who are working for the formal sector know about the existence of traditional mechanisms and their effectiveness on the ground. Despite the existence of occasional coordination and practical working relationships at the local level between formal and informal actors, systematic coordination remains absent.

Absence of systemic guidance for informal justice methods and bodies despite their being increasingly recognised by the state

The state's slow recognition of the role of ADR methods and informal justice bodies as justice providers is exposing the dearth of universal guidelines and operational mandates. Formal justice systems are mandated to oversee justice delivery mechanisms, a role they are yet to fulfil with regards to overseeing informal justice delivery and ADR methods; informal mechanisms are yet to be governed by set standards and behaviours. Firstly, there is a lack of conformity in how informal mechanisms manage disputes and a divergence in roles, responsibilities and training of informal justice actors. For example, NGOs with support from the donor community have designed different training schemes and modalities for some of the informal sector such as PLC guidelines and the community mediator's code of conduct. Secondly, there remains significant variety in how and when state bodies seek to interact with non-state justice bodies. Furthermore, traditional mechanisms are neither informed by any state justice policies nor monitored by the state. The only mandate they have is to work informally and voluntarily to solve non-criminal problems within their communities and refer criminal issues to the local state authorities.

The lack of monitoring means systematic data collection is absent and there are no official records determining who tends to use these systems and for what cases; how many cases have been dealt with and resolved; the extent to which the law, human rights and gender sensitivity is observed during resolution of these cases. Indeed, the absence of state monitoring systems for informal mechanisms hinders the answering of a critical question: in what ways does the informal sector act as an obstacle to some people's access to justice (which ultimately means formal state justice systems)?

Are gender justice interventions pioneering a new integrated justice model or are gender issues just being banished to the sidelines?

Some laws and subsequent plans to regulate local self-governance in Nepal have opened up space for the informal sector, such as PLCs and mediators to serve the basic justice needs of local people. They are expanding across Nepal with, for example, PLCs in all 59 districts. It is noticeable that women tend to favour such (donor-funded) mechanisms over state justice systems.⁴⁵

The strongest evidence of policy and actor linkages between state and non-state justice is found in the area of gender justice. The state's approval of the role of PLCs and ADR methods in facilitating justice delivery for women is apparent in the creation of the MoWCSW PLC guidelines, the support to PLCs identified in the NAP on GBV and the Domestic Violence Act, which explicitly identifies ADR (mediation) as a way to resolve domestic violence. More specifically, PLC members are directed to facilitate women's access to state justice bodies when seeking resolution of gendered crimes and legal issues, when dealing with violence, or when solving citizenship issues. The informal interaction between mediation groups, PLCs, the WDO and the police over gender justice issues is promising. This nascent coordination could reflect a justice zeitgeist in Nepal: is the gender justice model spearheading the way for better formal-informal justice sector coordination and uptake of ADR methods more broadly? It is too early to say but is a promising prototype which could be enhanced and replicated. However, a note of caution from a gender perspective is needed; if the coordination remains ad hoc and fails to shift towards a more systematic formal-informal harmonisation, gender justice runs the risk of remaining an issue only addressed by the informal system and not seriously addressed by the law, the state or society. Lastly, the Women and Children Service Centre, which is responsible for dealing with GBV cases within the NP, is yet to be granted the power to register cases brought to it by informal bodies and its capacity to mediate remains poor due to little state investment.⁴⁶

Promising opportunities for strengthening harmonisation between state and non-state systems

There are a number of spaces where potential coordination could be nurtured, including JSCCs, Women Children and Development Offices (WCDOs) and CAMCs.

Firstly, JSCCs have been recently established within the Supreme Court, as well as appellate and district courts, and are a unique space where sector-wide discussion and action planning can take place on how to work more effectively with informal justice-dispensing mechanisms. District JSCCs would offer ideal fora to plan how quasi-judicial bodies, the police and the judiciary can strengthen capacity gaps, refine referral mechanisms, monitor mandates and ensure legal protocols are followed both by formal justice actors as well as traditional leaders, PLCs and CBM groups. JSCCs could also play a central role in monitoring and evaluating ADR mechanisms at all levels. As it currently stands, there is only one space for civil society in district JSCCs; however, as JSCCs become more established they could potentially be expanded to include key informal justice actors.

Secondly, the handing over of PLC funds to the MoWCSW is a positive example of informal justice coming under the remit of the state. It provides the WCDO in each district with an opportunity to link PLCs with the formal justice sector. However, the true potential of the WCDO at the district level to link with other local bodies and local ADR mechanisms will only be realised if the plan is coupled with both financial and human resources. However, the WCDO is the secretary of the District Resource Committee on GBV, established by the

⁴⁵ International Alert (2012). Op. Cit.

⁴⁶ Ibid.

Office of the Prime Minister and Council of Ministers in all districts. This high-level committee, which consists of formal justice actors, civil society and local bodies, should serve as a forum for linking informal and formal mechanisms working to tackle gender justice issues.

Lastly, CAMCs are a further example of the state recognising and promoting an ADR method as important for dispensing justice. Although relatively new, as district CAMCs develop they could potentially serve as a hub for groups working on mediation across the district, including donor-funded CBM groups. They also could serve as information centres, play a monitoring role and maintain relations with those formal bodies and informal groups which facilitate local mediation processes.

Conclusion

Existing policies and procedures governing the justice sector, including operational guidelines of key informal mechanisms, reveal how the state is beginning to recognise some informal mechanisms and their methods as important for dispensing justice in Nepal. As this recognition grows, the need to improve coordination and to develop harmony and clarity between the sectors with regard to roles, responsibilities, mandates and methods will become more pressing. There are spaces and opportunities which can be exploited to ensure the improvement of state--non-state working relations. Of particular significance are JSCCs, which could, for example, provide the vital watchdog role currently absent from the informal sector.

Annexes

Annex 1

This table lists Nepali special courts and tribunals and their major responsibilities.

Other Existing Courts and Tribunals	Major Responsibilities
Constitutional Assembly (CA) Court (within the Supreme Court)	<ul style="list-style-type: none"> ▶ To resolve complaints regarding election of the constituent assembly – Article 118, Interim Constitution of Nepal 2063 ▶ To hear and settle petitions regarding election of CA members, invalidation of elections, and to settle disputes and offences related to CA elections – Section 4, Constituent Assembly Court Act 2064
Administrative Court	<ul style="list-style-type: none"> ▶ To hear and settle disputes regarding departmental action taken by the departmental authority in the course of exercising power in the matter of administrative functions ▶ To hear and settle all disputes of appeals against the departmental action given by the departmental authority to the civil servant – Section 69, Civil Servant Act 2049
Military Court	<ul style="list-style-type: none"> ▶ To hear disputes regarding military crimes under Section 68 of the Military Act 2063 ▶ To determine punishment for military crimes committed by military personnel under the Military Act 2063
Special Court	<ul style="list-style-type: none"> ▶ To hear cases of special nature – Article 101(2), Interim Constitution of Nepal / Special Court Act 2059 ▶ To hear cases on corruption and money laundering
Labour Court	<ul style="list-style-type: none"> ▶ To hear and settle labour disputes between management and employees – Section 72 Labour Act 2048 ▶ To hear appeals on disciplinary action/order taken by management or other authorities under Chapter 8 of the Labour Act 2048 – Section 60(c)
Revenue Tribunal	<ul style="list-style-type: none"> ▶ To hear appeals on matters of revenue such as income tax, value-added tax, customs and excise duties, etc. on the decision of the inland revenue department, customs department, etc. – Section 6, Revenue Tribunal Act 2031 ▶ To settle disputes between tax payers and state – Section 6, Revenue Tribunal Act 2031
Foreign Employment Tribunal	<ul style="list-style-type: none"> ▶ To hear and settle disputes arising under the Foreign Employment Act 2064, Section 64 ▶ Has the original jurisdiction on the matter of this act except the jurisdiction of the department – Section 64, Foreign Employment Act 2064
Debt Recovery Tribunal	<ul style="list-style-type: none"> ▶ To hear and settle disputes of the debt recovery of banks and financial institutions under the Debt Recovery of Bank and Financial Institution Act 2058 – Section 4

Annex 2

This table outlines key quasi-judicial bodies and their major responsibilities.

The Executive Body	Offices with judicial authority	Major Responsibilities
Ministry of Home Affairs	Department of Immigration	<ul style="list-style-type: none"> ▶ To regulate immigration and visa-related issues, and to investigate and prosecute immigration crimes under the Immigration Act 1992
Ministry of Finance	Inland Revenue Department	<ul style="list-style-type: none"> ▶ To administer the value-added tax (VAT), income tax, and excise duty. Also responsible for monitoring non-tax revenue of the government. (Acts related to Tax and VAT) ▶ Hears applications of the review on the matter of tax assessment by the tax officer under the Value-added Tax Act 2052 – Section 31a
	Department of Customs	<ul style="list-style-type: none"> ▶ Major responsibility is to collect customs duty, VAT, excise and other taxes at border points (Custom Act 2064) ▶ Investigates and prosecutes custom crimes under Chapter 8 – Custom Act 2064
Ministry of Land Reforms and Management	Department of Land Reform and Management	<ul style="list-style-type: none"> ▶ Responsible for regulating land reform, land administration and management function, and for monitoring and supervising the functions of the district land reform office
Ministry of Forests and Soil Conservation	District Forest Office, Office of the National Park and Wildlife Reserve	<ul style="list-style-type: none"> ▶ Responsible for managing the country's forest resources for the conservation of the natural environment and to supply forest products to the people
Ministry of Labour and Transport Management	Labour Office	<ul style="list-style-type: none"> ▶ Responsible for regulating the Labour Act and rules in Nepal (Labour Act 2048, Bonus Act 2030, Child Labour (Prohibit and Regulate) Act 2056, Transportation Act 2949, Trade Union Act, etc.)

Annex 3

Examples of non-criminal cases which can be heard by local bodies:⁴⁷

Boundary of land, public land, *Sandhi Sarpan* (inconvenience with respect to boundary or way-outs), *Aali Dhur*⁴⁸, canals, dams, ditches or allocation of water and encroachment of roads or way-outs;

- ▶ Compensation for damage of crops;
- ▶ Beth-begar (forced labour) and cases under the Chapter on Wages;
- ▶ Cases under the Chapter on Paupers;
- ▶ Cases under the Chapter on Missing and Finding of Animals;
- ▶ Cases under Nos. 8 and 9 of the Chapter on Construction of Houses;
- ▶ Hidden and unclaimed properties (under the Chapter on Kalyan Dhan)
- ▶ Cases under the Chapter on Deposits, except those under No. 5 of the Chapter
- ▶ Providing Expenses for Food and Clothing According to Status and Income under No. 10 of the Chapter on Partition;
- ▶ Case on use of water banks and security of public property
- ▶ Cases under the Chapter on Quadrupeds other than the killing of a cow;
- ▶ Pasture land, grass, fuel wood;
- ▶ Entering into, illegally occupying or attempting to enter into or occupy another person's house forcefully;
- ▶ Except those cases referred to in Annexes 1 and 2 of the Government Cases Act, 2049 (1993), other cases assigned by the Government of Nepal by publishing a notification in the Nepal Gazette.

⁴⁷ Nepal Law Commission (2011e). Local Self-Governance Act, Section 33, accessed on 12th March 2012, available at <http://www.lawcommission.gov.np/en/prevaling-laws/prevaling-acts/Prevailing-Laws/Statutes---Acts/English/orderby,2/page,8/>

⁴⁸ This is a legal term to describe boundaries of the fields, lands and and terraces, which basically means fixed assets such as house and land property.

Annex 4

Examples of key traditional justice-dispensing mechanisms across Nepali communities:

- ▶ **Anjuman.** This is a three-man committee within the Muslim Samaaj responsible for resolving disputes within the Muslim community;⁴⁹
- ▶ **Baara Basne.** Dispute resolution mechanism of the Maauth people of Magantapur, Banke district – adopts the Baara Basne dispute resolution for the resolution of the disputes;⁵⁰
- ▶ **Badghar.** A dispute resolution mechanism among the Tharu people of Nawalparasi, Banke and Bardia districts;⁵¹
- ▶ **Bhalmansa.** Tharu communities in Kailali use indigenous dispute-resolution mechanisms to access justice. A democratically-elected village chief, or Bhalmansa, is responsible for community cohesion, dispute resolution and general social work;⁵²
- ▶ **Bhatuwai.** This mechanism for dispute resolution is adopted by the Kunwars community of Sunawal VDC, Nawalparasi district;⁵³
- ▶ **Katkandaar and Matawa.** The Tharu community living in Dang district belong to the group of Dangaura, a sub-group of the Tharu community. They practice Katkandaar and Matawa, traditional dispute-settlement mechanisms.⁵⁴
- ▶ **Kisan's Court.** This traditional dispute resolution mechanism is popular among the Kisan people who live in Jhapa, Morang and Sunsari districts. Disputes relating to minor assault, domestic violence and marriage issues fall within its jurisdiction.⁵⁵
- ▶ **Mukhiya.** The Mukhiya is traditionally a position of cultural importance held by an influential Thakali elder who performs a variety of communal functions, particularly the observance and approval of marriages and the resolution of community disputes. The Mukhiya system refers to the dispute resolution practices of the Thakali communities in the Mustang and Manang districts of Nepal, where the majority of the Thakali community resides.⁵⁶
- ▶ **Pancha Bhaladmi.** Pancha Bhaladmi is a traditional informal justice system operating in eastern Nepal. Traditionally, Pancha Bhaladmiare, a Council of five elders from the community, would sit together to arbitrate disputes in their community. The committee is led by a Subba, a historical title originally given to all Panchayat leaders. Over the past 50 years, the Pancha Bhaladmi has changed significantly to include other authority figures and people within the community who are respected as impartial, fair, and educated.⁵⁷
- ▶ **Pancheti.** The Dalit communities of Saptari and Siraha and the Khang-Khatwe people resolve their disputes through Pancheti mechanisms.⁵⁸
- ▶ **Samaaj.** The Satar people of eastern Nepal, such as the Jhapa and Morang, adopts and practices this system in the resolution of their disputes.⁵⁹
- ▶ **Shir Uthaune.** One of the traditional justice mechanisms among the Rai communities, practiced mainly in Dhankuta, Okhaldhunga, Bhojpur, Sankhuwasabha, Udhayapur and Khotang districts. It is used in the resolution of individual disputes.⁶⁰
- ▶ **Tamudhi.** Tamudhi is a traditional dispute-resolution system in Gurung communities. It is a community group which organises cultural functions to involve local people in dispute-resolution activities.
- ▶ **Thakali Sewa Samaj.** The Thakali sewa Samaj is a dispute-resolution mechanism among the Thakali people.⁶¹

⁴⁹ D. Coyle and S. Dalrymple (2011). Snapshots of informal justice provision in Kaski, Pathar, and Dhanusa districts, Nepal. Saferworld, p.iv.

⁵⁰ Centre for Victims of Torture (CVICT) (2004). Dispute Resolution in Nepal. Nepal, p.16.

⁵¹ Ibid., p.18.

⁵² International Alert (2009). Security for Whom? Security Sector Reform in Nepal. London/Kathmandu.

⁵³ Ibid., p.18.

⁵⁴ Adv. G. Sapkota (2011). Study on assess of people to justice through informal mechanisms in Dang District: Internal Report. International Alert Nepal.

⁵⁵ Ibid., p.13.

⁵⁶ Ibid.

⁵⁷ D. Coyle and S. Dalrymple (2011). Op. Cit., p.iv.

⁵⁸ CVICT (2004). Op. Cit., p.14.

⁵⁹ Ibid., p.15.

⁶⁰ Ibid., p.11.

⁶¹ Ibid.

The Consortium Partners



Forum for Women, Law and Development (FWLD) (partner) was founded in 1995 with the aim of protecting and promoting women's human rights enshrined within CEDAW. To this end, FWLD's work focuses largely on the implementation of international instruments protecting these rights, such as UNSCR 1325. Main activities include research into the legal status of Nepali women, rights-based advocacy, public interest litigation, public education, media campaigning and training. At the community level, FWLD has a strong community support network of well-trained activists. This includes running over 450 "paralegal groups" in 23 districts across Nepal, comprised of 15 local women trained in gender awareness, GBV legislation provisions and community mediation. At the national level, FWLD works in close collaboration with government and is as a member of the government's GBV steering committee, which also includes police and army representatives. For more details, visit www.fwld.org.np.

International Alert.

International Alert is a 26-year old independent peacebuilding organisation. We work with people who are directly affected by violent conflict to improve their prospects of peace. We seek to influence the policies and ways of working of governments, international organisations, such as the UN, and multinational companies to reduce conflict risk and increase the prospects of peace. Our policy work focuses on several key themes which influence prospects for peace and security: the economy, climate change, gender, the role of international institutions, the impact of development aid, and the effect of good and bad governance. We are one of the world's leading peacebuilding NGOs with more than 148 staff based in London and 14 field offices. International Alert has worked in Nepal since 2002, with a focus on developing local capacity for peace, particularly within the fields of community security and economic recovery. To learn more about how and where we work, visit www.international-alert.org.



Legal Aid and Consultancy Centre (LACC) established in 1986, is an independent NGO with the aim of promoting and protecting the rights and interests of women and children in Nepal. At the policy level LACC lobbies government and policy bodies for legislative changes; at the macro and micro levels it provides free legal aid and services for women and children and conducts rights awareness and gender-sensitisation programmes. LACC has networks in 12 districts across Nepal, providing paralegal advice and legal aid to women and conflict victims, which include local lawyers, civil society activists and political parties. LACC is working in close coordination with the Nepal Bar Association at the central and district level to provide legal services for marginalised women and conflict victims. For more information, visit www.laccnepal.org.

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This initiative is supported by

