

SEXUAL ABUSE OF CHILDREN

*A Survey Conducted in
Tokha Municipality, Nepal*



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Legal Literacy - Nepal

Sexual Abuse of Children:
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FOREWORD

Child sexual abuse is a widespread and deeply concerning issue, affecting millions of children globally. In Nepal, the impact of sexual violence, especially in schools and public spaces, is a critical concern. Despite legal frameworks designed to protect children, challenges remain in addressing the root causes, supporting victims, and ensuring effective enforcement of protection laws.

This report highlights the prevalence, causes, and consequences of sexual violence against children in Tokha Municipality, Kathmandu Valley, offering insights into gaps in the current protection systems. Through a survey in 10 schools, the report captures the experiences of students, teachers, nursing staff, and municipal authorities, shedding light on the challenges children face.

While Nepal has made progress in enacting protective laws, the report underscores the gaps in their implementation. Cultural taboos, societal stigma, lack of awareness, and institutional barriers hinder reporting and support for victims, with many children, particularly girls, fearful of retribution and distrustful of formal mechanisms.

The findings emphasize the need for a multi-sectoral, child-rights-based approach that includes education, social support, and systemic reforms. Strengthening both formal and informal support systems, empowering communities, and creating safe environments are crucial to ensuring children feel confident in reporting abuse.

Addressing child sexual abuse in Nepal requires collective effort from all sectors—government, education, civil society, and communities. By working together, we can ensure every child grows up free from sexual violence.

This report calls for immediate action to safeguard children’s rights and well-being. We hope it inspires policymakers, educators, and all concerned individuals to prioritize the voices of children and work towards a society that upholds their safety and dignity.

We would like to thank Om Prakash Sen Thakuri, Executive Director of Legal Literacy - Nepal, and Zoe Hauser from University of Edinburgh for leading the research. Special thanks to the students who shared their experiences with us. Likewise, we extend our sincere thanks to Tokha Municipality and schools for supporting us in conducting the survey.

Hari Bhatta
Chairperson

EXECUTIVE SUMMARY

This report explores the prevalence and impact of sexual abuse among children in Tokha Municipality, Nepal, based on a comprehensive survey of 10 schools. Sexual harassment remains a widespread issue in Nepal, particularly in schools and public spaces, with a disproportionate impact on girls' safety, education, and well-being. Despite the existence of legal frameworks to protect children, such as the Sexual Harassment at Workplace Prevention Act and the Children's Act, systemic, cultural, and social barriers undermine their effectiveness.

The study found that sexual harassment is common in both school settings and public spaces, with girls frequently subjected to verbal abuse, unwelcome physical contact, and inappropriate comments. While a significant portion of children reported experiencing harassment, many refrained from reporting due to fear of stigma, retribution, and lack of trust in formal reporting mechanisms. The research highlights a critical gap between legal protections and the reality of reporting abuse, with many students opting to confide in informal support systems, such as family members, friends, or nursing staff.

The study also underscores that while Nepal has legal protections in place for children, enforcement remains weak. Limited awareness, inadequate training for law enforcement, and insufficient victim support services contribute to the ongoing challenge. Furthermore, the school system, intended to be a safe space for children, often fails

to address harassment effectively due to gender biases and inadequate protective measures.

A mixed-methods approach combining surveys and interviews was used to collect data from 421 students, 32 teachers, and nursing staff across community and private schools. The findings reveal a high prevalence of harassment, with underreporting being a significant issue. Many students, especially girls, expressed a need for psychosocial counseling, highlighting the psychological toll of harassment. The report stresses the urgent need for improved legal enforcement, better reporting systems, and enhanced support for victims.

LEGAL FRAMEWORK AND GAPS

Chapter II of the report delves into legal frameworks aimed at protecting children from sexual violence, both internationally and nationally. The United Nations Convention on the Rights of the Child (UN CRC), ratified by Nepal, outlines comprehensive child protection measures, including the prevention of sexual violence. At the national level, Nepal's National Penal Code and The Act Relating to Children 2018 provide robust legal protections against sexual violence. However, gaps remain in the enforcement of these laws, and public awareness is insufficient, particularly regarding the legal protections available to boys and non-binary children.

PREVALENCE AND REPORTING OF SEXUAL VIOLENCE

Chapter III presents the findings from the survey conducted across 10 schools in Tokha Municipality, Kathmandu Valley. Of the 421 students surveyed, 16% reported experiencing sexual harassment, with girls being disproportionately affected (25%). Although teachers were

aware of complaints boxes, the effectiveness of these mechanisms was questionable due to security concerns and limited accessibility. Additionally, many schools lacked structured processes for handling abuse cases, and the presence of female staff members trained to handle such cases was inadequate.

School nurses, while central to addressing the physical symptoms of abuse, lacked training in medico-legal documentation and psychosocial counseling, further complicating support for victims. The study calls for child safeguarding policies, better-trained staff, and comprehensive support systems to ensure the safety and well-being of students. Increased investment in educational programs for students, teachers, and parents is essential to address the gaps in reporting and support systems.

CORPORAL PUNISHMENT AND SEXUAL HARASSMENT

Chapter IV examines the intersection between corporal punishment and sexual harassment in schools. Evidence suggests that environments where violence is normalized, including the widespread use of corporal punishment, can foster an atmosphere conducive to other forms of abuse, including sexual harassment. The report highlights a significant overlap between corporal punishment and sexual harassment, with 88% of students reporting exposure to corporal punishment in schools.

The study calls for schools to implement clear, zero-tolerance policies for both corporal punishment and sexual harassment. It emphasizes the importance of comprehensive awareness programs, teacher training on non-punitive discipline, and the establishment of independent bodies to oversee safeguarding practices. A multidimensional approach that includes preventive measures, victim

support, and effective response mechanisms is essential to create safe, respectful school environments.

IMPLICATIONS FOR CHILD SAFEGUARDING AND POLICY RECOMMENDATIONS

Chapter V explores the broader implications of the research, stressing the need to strengthen both formal and informal support systems for students experiencing sexual harassment and violence. The study identifies significant gaps in school safeguarding practices and advocates for more inclusive and contextually relevant policies, particularly in the Global South. It suggests empowering informal support systems, such as family members and peers, to create a comprehensive network of support that complements formal reporting mechanisms. Gender expectations and societal norms also play a significant role in students' willingness to report abuse, and efforts to empower female staff and provide training for them to bridge informal and formal systems are crucial.

Educational programs such as mother-daughter workshops and student-centered awareness campaigns are vital for building trust, increasing awareness of students' rights, and reducing the stigma around reporting abuse. By decentralizing support networks and strengthening community-based initiatives, schools can ensure that all students have access to the necessary support.

CONCLUSIONS AND RECOMMENDATIONS

Chapter VI synthesizes the findings and stresses the importance of adopting a holistic, child-rights-based approach to safeguard children from abuse. Legal frameworks alone are insufficient to protect children, as many students are aware of their rights but

choose not to report due to a lack of trust in formal systems. A multi-sectoral approach involving government authorities, educational institutions, parents, local communities, civil society organizations, and international agencies is essential to create a supportive and protective environment for children.

Key recommendations for stakeholders include:

- **Government authorities** should strengthen child protection laws, create specialized law enforcement units for child sexual abuse cases, and establish child-friendly courts.
- **Educational institutions** should develop and enforce child safeguarding policies, integrate personal safety education into curricula, and provide training for staff to identify abuse signs.
- **Local governments and community leaders** should establish local child protection committees and encourage community dialogues to reduce stigma.
- **Civil society organizations** should run public awareness campaigns, provide training, and offer support services for survivors.
- **The media and private sector** should promote ethical journalism, support child safeguarding policies, and challenge harmful societal norms.
- **International agencies** should provide technical and financial assistance to strengthen child protection systems and support cross-border collaboration on issues like trafficking and exploitation.

The report concludes that a comprehensive, multi-faceted approach is necessary to address child sexual abuse in Nepal. By integrating legal, social, and community-based solutions, stakeholders can create a supportive environment that protects children from harm and provides necessary support for survivors.

Chapter I

HISTORY OF SEXUAL VIOLENCE AGAINST CHILDREN IN NEPAL

1.1 BACKGROUND:

Sexual harassment remains a pervasive issue in Nepal, deeply impacting girls in schools and public spaces. This form of gender-based violence not only threatens their safety but also undermines their access to education, mobility, and overall well-being. Despite legal and institutional frameworks to combat such abuses, cultural, social, and systemic challenges hinder the effective implementation of these measures.

1.1.1 HISTORICAL PERSPECTIVE ON GENDER AND VIOLENCE IN NEPAL

The roots of gender-based violence, including sexual harassment, can be traced to Nepal's entrenched patriarchal societal structure. Historically, Nepal's feudal system perpetuated power imbalances, marginalizing women and reinforcing gender discrimination. The lack of educational and economic opportunities for women during the Rana regime (1846–1951) and the Panchayat era (1960–1990) further solidified gender inequality. Post-1990 democratic reforms and the promulgation of the Constitution of Nepal (2015) marked progress in gender rights, yet societal norms continue to undermine these legal advancements.

1.2. PREVALENCE AND CONTEXT

1.2.1 SEXUAL HARASSMENT IN SCHOOLS AND PUBLIC SPACES

According to studies and reports, many girls face harassment on their way to school, in classrooms, and public spaces such as markets and public transportation. Forms of harassment often include verbal abuse, unwelcome physical contact, and inappropriate comments, leaving victims traumatized and fearful.

In schools, where teachers and peers are expected to create a safe environment, the presence of harassment can erode trust and compromise the quality of education. Public spaces are similarly fraught with challenges, as harassment in public places limits girls' mobility and participation in social and economic activities, perpetuating gender inequality.

1.2.2 UNDERREPORTING OF INCIDENTS

The underreporting of incidents further compounds the problem. Many girls refrain from speaking up due to societal stigma, fear of retribution, or distrust in formal reporting mechanisms. Families often choose silence to protect their reputation, further isolating victims and allowing perpetrators to act with impunity.

1.2.3 SOCIAL TABOOS AND STIGMA

Deep-seated cultural norms and taboos surrounding discussions of gender-based violence prevent open dialogue on sexual harassment. Victims often face victim-blaming, leading to underreporting and a

lack of support for survivors. Cultural beliefs and the fear of social ostracization have discouraged many from speaking out.¹

1.2.4 CASTE AND ETHNIC DISCRIMINATION

Women, including girls, from marginalized communities have reportedly experienced heightened vulnerability to sexual violence due to systemic oppression and limited access to justice. Historical inequalities further exacerbate their plight in the absence of targeted interventions to address these intersectional challenges.

1.3 LEGAL FRAMEWORK AND CHALLENGES

Nepal's legal system includes provisions to address sexual harassment. The Sexual Harassment at Workplace Prevention Act 2015 and the Children's Act 2018 aim to protect children and women from abuse. Similarly, Nepal is a signatory to international conventions, such as the United Nations (UN) Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

However, the enforcement of these laws remains weak. A lack of awareness, inadequate training for law enforcement and judicial personnel, and insufficient support services for victims often result in justice being inaccessible. Schools, while governed by child protection policies, rarely enforce robust measures to address harassment, leaving students vulnerable.

¹ Women's Rehabilitation Centre, 'Annual Factsheet On Gender Based Violence Against Women And Girls' (July 2021 to June 2022) < https://www.worecnepal.org/uploads/publication/document/1190717651Annual%20Factsheet%20on%20Gender%20Based%20Violence_2022%20%282%29.pdf?utm_source=chatgpt.com > accessed 11 October 2024.

In the context of schools in Nepal, traditional disciplinary structures like corporal punishment often create an environment for sexual harassment of children. Likewise, prioritizing maintaining the institution's image over addressing grievances often undermines the seriousness of the issue. Gender biases within school administrations and among faculty exacerbate the issue, particularly when male authority figures dominate reporting and disciplinary processes.

Since the late 90s, there has been a significant international movement to combat violence against children, gaining traction within the UN, major non-governmental organizations (NGOs), and other international organizations.² The role of NGOs has been debated as an alternative to the traditional human rights and aid work, sheds light on how they can best make a difference and how their involvement comes with risks.³ Critics have pointed out how the UN system was not structured to account for all of the violence experienced by children.⁴ It was noted that the UN “could deal with issues like torture, but violence in work settings, and especially violence in the home and family are beyond its existing framework”.⁵ NGOs played a crucial role in advocating for greater resources and comprehensive studies to recognize and incorporate within the UN sphere and to be included in the international agenda.⁶ This discussion underscores

² Jo Becker, *Campaigning for Justice: Human Rights Advocacy in Practice* (2020), Stanford, CA. Stanford University Press, 96.

³ Bebbington, Hickey, and Mitlin, ‘Introduction: Can NGOs Make a Difference? The Challenge of Development Alternatives(2007)’, in *Can NGOs Make a Difference?* United Kingdom. Bloomsbury Academic and Professional, 33-34.

⁴ Jo Becker, *Campaigning for Justice: Human Rights Advocacy in Practice* (2020), Stanford, CA. Stanford University Press, 96-97.

⁵ Jo Becker, *Campaigning for Justice: Human Rights Advocacy in Practice* (2020), Stanford, CA. Stanford University Press, 97.

⁶ Jo Becker, *Campaigning for Justice: Human Rights Advocacy in Practice* (2020), Stanford, CA. Stanford University Press, 98-101.

the importance of identifying gaps in research and practice in child rights work.

1.4 METHODOLOGY

For this research, the following research questions and approaches to gathering and analyzing the data were involved.

1.4.1 RESEARCH QUESTION

Is banning sexual harassment and violence against children enough to end these practices? And how does the relationship between corporal punishment and sexual harassment impact these practices?

1.4.2 APPROACH

The approach chosen for this research was a mixed methods approach. This approach was selected because researching sexual violence against children is a very complex, personal, and emotional subject to research, especially among children under the age of 18. Administering a questionnaire that included yes / no questions as well as free responses allowed students the opportunity to share their experiences in more detail if they felt comfortable doing so. Engaging in more ad hoc interviews with key experts on this subject, as well as the principals of the schools, teachers, and nursing staff, offered an opportunity to understand their perspectives on sexual violence and the schools' reporting mechanisms and provided suggestions for how to advance this research. All questionnaires were anonymous to help participants feel more comfortable sharing details on a challenging subject and assure them that neither their family members, friends, nor school staff would have access to their responses and data.

1.4.3 DATA COLLECTION PROCESS

Data was collected from 10 schools in the Tokha Municipality of Kathmandu Valley. Five of these schools were community schools, which means they are funded by government money, and the other 5 schools were private schools funded by tuition from students in attendance. Data was collected from students in Grade 10 because it was determined they could comment on past experiences from their childhood and understand the content of the study. The participants included 421 students, 32 teachers, and select nursing staff.

The process of collecting data from the students included an orientation meeting that explained the legal provisions in Nepal regarding sexual harassment and violence, as well as a more general discussion about the international provisions. Following these orientation meetings, students were given the questionnaires to complete. They were separated in the examination style or kept in separate rooms to prevent other students from looking at their responses, and boys and girls were moved to separate parts of the rooms to create more comfortable environments. A sample study was completed before the start of the data collection, and it was found that students sitting directly next to each other in class, specifically next to their friends, did not yield strong results as students were looking at each other's surveys and did not understand the importance of this data collection and research project. Following this sample study, the approach to administering the questionnaires was shifted to reflect the previously discussed seating arrangements and testing environment.

The findings of data was validated by organizing a sharing meeting with Tokha Municipality, teachers, school management committee and guardians.

1.4.4 DATA ANALYSIS PROCESS

The data collected was organized by class, school, and answers to the survey's free-response questions. Then, the data was separated based on gender because the students who experienced sexual harassment and violence were predominately female. Each response was individually reviewed to identify if requests for support were included and to analyze the free-response answers. The next step required separating the relevant data sets for this paper, including the questions focused on the reporting practices available to students and the avenues they pursued for reporting such violence (or, in many cases, did not pursue).

Furthermore, with the inclusion of qualitative ad-hoc interviews with school staff members and conversations with key practitioners within this field of child safeguarding, we were able to gather more context on the reporting systems for such violence in Nepal and the challenges faced when implementing such systems and policies. Overall, the data analysis process combined the quantitative and qualitative research gathered in the field and through the literature review to provide the research backing and evidence on which our argument and key suggestions are based.

1.4.5 ETHICAL CONSIDERATIONS

Substantial time was dedicated to determining how to ethically approach and gather research related to children, and specifically, the sexual harassment of children. This topic requires consent, confidentiality, and approval from local municipalities and schools. Ethical approval was received from these parties, and the research proposal was provided before their consent. Legally, in Nepal, children under the age of 18 cannot give consent, which is why no

individual students were interviewed for this paper. Additionally, confidentiality and anonymity were of the utmost concern, which is why, as previously discussed, neither names nor identifiable personal information was requested from the students in the survey. At all times, staff members were in the room with the students during the orientation programs and the survey administration to ensure all school rules and testing policies were followed. The collected research was only shared with the direct team working on this project and stored in a secure database for safety and security reasons. These considerations were essential for protecting the students and making them feel comfortable sharing potentially traumatizing experiences.

Chapter II

LEGAL PROTECTION OF CHILDREN AGAINST SEXUAL VIOLENCE

2.1 INTERNATIONAL LEGAL FRAMEWORK

The United Nations Convention on the Rights of Child (UN CRC) was adopted on 20 November 1989 and Nepal ratified it on 14 September 1990.⁷ It provides a comprehensive framework for the protection of children against sexual violence. The Convention sheds light on the responsibility of States Parties to safeguard children from all forms of violence, including sexual abuse, through effective legislative, administrative, and educational measures.

Article 19 (1) of the Convention provides that the States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child. The broad obligation entailed by the provision aims to shield children from harm in all environments and relationships.

Building on this obligation, Article 19 (2) states that such protective measures should, as appropriate, include effective

⁷ Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3 (CRC) < <https://www.ohchr.org/en/instrumentsmechanisms/instruments/convention-rights-child> > accessed 11 October 2024.

procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement. The provision further stresses the importance of follow-up actions and, when appropriate, judicial involvement to ensure accountability and justice.

CRC serves as a cornerstone for child protection, urging member states to integrate its principles into their national frameworks and prioritize the well-being of children through a holistic approach to prevention and intervention.

2.2 NATIONAL LEGAL FRAMEWORK

Understanding the legal provisions in place in Nepal regarding sexual harassment and sexual violence against children requires analyzing two key documents: (a) the National Penal Code of 2017⁸, and (b) The Act Relating to Children 2018. The National Penal Code dedicates Chapter 18 to Sexual Offences. The specific sections relevant to the research include Section 219 (Prohibition of committing rape) and Section 225 (Prohibition of child sexual abuse).

2.2.1 NATIONAL PENAL CODE 2017

A. PROHIBITION OF COMMITTING RAPE

Section 219 (1) of the National Penal Code states that “No one shall commit rape.” Likewise, Section 219 (2) states that “Anyone who has sexual intercourse with a woman without her consent or with a

⁸ National Penal Code 2017 (came into effect in 2018).

girl child below eighteen years of age even with her consent, then such person shall be considered to commit rape on such woman or girl child.”⁹

Understanding that even if an underage girl gives consent, the person is still guilty of committing rape of the girl. The specific focus on gender here also highlights how the laws were intended to protect girls, which has been flagged as a significant issue to focus on in Nepal.¹⁰ This section is relevant to the research because the orientation programs and the questionnaire specifically ask whether students knew about this law (yes, no, just learned). We further expand on the data relevant to this questionnaire and the knowledge of this law by students surveyed.

B. PROHIBITION OF CHILD SEXUAL ABUSE

Section 225 (1) of the National Penal Code states that "No person shall commit, or cause to commit, child sexual abuse." Moreover, Section 225 (2) further provides that "a person shall be considered to commit child sexual abuse if the person takes to any lonely place in an unusual manner, or holds or touches any sexual organ of, gets his or her sexual organ to be touched or held by, or makes any form of unusual sexual behavior with, a child, with the motive of having sexual intercourse with the child. Also, Section 225 (3) stipulated that if a person who commits the offence referred to in subsection

⁹ National Penal Code 2017 (came into effect in 2018) (Nepali Version) <<https://supremecourt.gov.np/web/assets/downloads/मूलकी-अपराध-संहिता-ऐन-२०७४.pdf>> accessed 11 October 2024.

¹⁰ Amiya Bhatia, Nancy Krieger, Cesar Victora, Sumnima Tuladhar, Jacqueline Bhabha, Jason Beckfield, 'Analyzing and Improving National and Local Child Protection Data in Nepal: A Mixed Methods Study Using 2014 Multiple Indicator Cluster Survey (MICS) Data and Interviews with 18 Organizations (2020)' Child Abuse and Neglect, 13.

(1) shall be liable to a sentence of imprisonment for a term of three years and a fine of thirty thousand rupees.¹¹

As previously discussed regarding Section 219, the questionnaire also surveyed students on their knowledge of this law (yes, no, just learned), expanded upon in the next chapter.

2.2.2 THE ACT RELATING TO CHILDREN 2018

The Act Relating to Children 2018 provides a comprehensive list outlining children's rights, protections, and offenses, with Chapter 8 focusing on offenses against the child. It specifies the acts of violence and sexual abuse that, if committed by a person, are guilty of such offenses. For this research, Section 66(3) has been targeted, which focuses on sexual abuse against children and provides a comprehensive list of what qualifies as such abuse.¹² These include exposing children to obscene materials or gestures, involving them in the production or distribution of explicit content, and using them for purposes of sexual arousal or gratification. The section also criminalizes acts such as coercing or threatening children into sexual activities, exploiting them for sexual services, and engaging in child prostitution or exploitation. By outlining these offenses, the Act demonstrates a strong commitment to holding perpetrators accountable and creating a safer environment for children.

This list of sexual abuses against children is what was included in the questionnaire when asking students about the forms of sexual harassment and abuse they had experienced, if any. Further details

¹¹ National Penal Code 2017 (came into effect in 2018) (Nepali Version) <<https://supremecourt.gov.np/web/assets/downloads/मलकी-अपराध-संहिता-ऐन-२०७४.pdf>> accessed 11 October 2024.

¹² Act relating to Children 2018 (Nepali Version) <<https://cjcc.gov.np/pdf/बालबालिका-सम्बन्धी-ऐन-२०७५-६६६-८७७>> accessed 11 October 2024.

are provided on this discussion in the next section when discussing the questionnaire results.

2.2.3 UNDERSTANDING NEPAL'S LEGAL FRAMEWORK

The National Penal Code of 2017 and the Act Relating to Children 2018 represent critical advancements in Nepal's legal framework to combat sexual harassment and violence against children. The Penal Code's explicit criminalization of rape, including cases involving minors irrespective of consent, and the detailed provisions against child sexual abuse demonstrate a significant effort to address the nuances of power dynamics, consent, and exploitation. These laws not only provide clear definitions of offenses but also impose stringent penalties, reflecting a commitment to deterrence and justice. However, the gender-specific focus of certain provisions raises questions about whether boys and non-binary children are afforded equal protection under the law, an area requiring further evaluation to ensure inclusivity in safeguarding children's rights.

The Act Relating to Children 2018 complements the Penal Code by offering a more detailed and child-centric approach, emphasizing the accountability of perpetrators and the comprehensive protection of children from various forms of sexual abuse and exploitation. By defining a wide range of abusive behaviors and focusing on the rights and well-being of children, the Act underscores a preventative and victim-centered approach to justice. Despite these advancements, the effectiveness of these laws depends heavily on public awareness and implementation. The inclusion of these legal provisions in research questionnaires provides valuable insight into the level of legal literacy among young people, highlighting the need for targeted educational programs and stronger enforcement mechanisms to bridge gaps in understanding and application.

Chapter III

PATTERNS OF SEXUAL VIOLENCE AGAINST CHILDREN IN TOKHA

3.1 DATA ANALYSIS

This section discusses the findings from the sample data collected from 10 schools running in Tokha Municipality. Located in the northern part of Kathmandu Valley, Tokha Municipality includes 24 higher-level secondary schools¹³ The municipality includes 9 government-run community schools and 81 privately funded institutional schools serving students from diverse socio-economic backgrounds. Community schools are often less funded than private schools.¹⁴

The surveyed students lived in hostels run by their schools or off-campus with family members or guardians. While their living conditions were not a primary focus of the research, they provide context for identifying students who may have experienced sexual harassment or sexual violence as well as the potential perpetrator/s.

¹³ Alisha Gautam, Krishna Sharma, Sunita Dhakal , Sarmila Dhakal , Anugraha Chand, *Adolescent-Parent Communication On Sexual And Reproductive Health And Its Associated Factors Among Higher Secondary School Students Of Tokha Municipality, Nepal: A Cross-Sectional Study*. JPH Recode (Journal of Public Health Research and Community Health Development) 7 (1) (2023) 13.

¹⁴ Micheal Hutt, 'The Changing Face of Nepal' vol. 119. Philadelphia: University of California Press (2020) 145.

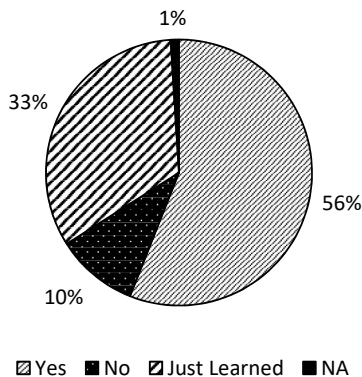
The surveys also collected relevant data and insights from teachers regarding students' reports of sexual harassment and violence, the existing reporting mechanisms, and the presence or absence of child safeguarding policies in their schools. A total of 421 students (142 boys, 279 girls) participated in the survey from among over 600 students from grade 10 who participated in the orientation classes. Additionally, 32 teachers from the 10 schools (5 community schools and 5 institutional schools) participated in the survey. Finally, ad hoc interviews were conducted with selected nursing staff from the surveyed schools and staff from Education, Youth and Sports Department of Tokha Municipality.

A. FINDINGS FROM STUDENTS

This section examines the findings from the student participants, including their responses to yes/no questions related to the research, their free-response answers, and their engagement during the orientation and discussions.

Question 2.1 of the student questionnaire asked the following question:

2.1 Do you know that having sexual intercourse with a child below 18 years even with consent is rape?



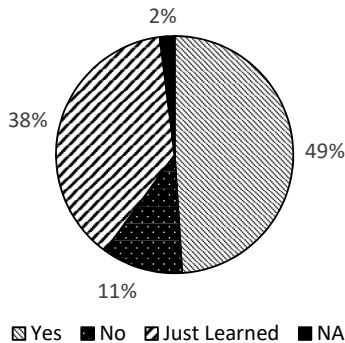
The data revealed that 56% of the students were aware of this law, while 33% answered they just learned about it during the orientation class conducted by the research team. Additionally, 10% answered they did not know about this law, and 1% of the surveyed students did not answer this question.

The findings indicate that just over half of the students knew about the statutory rape laws in Nepal before the orientation classes while the remaining participants were largely unaware of such legal protections. During the orientation classes, when students were asked about their knowledge of the Act Relating to Children 2018 almost all students remained silent. However, the orientation classes significantly increased the overall awareness, with 88% of students ultimately gaining knowledge about the statutory rape laws.

At several schools, students expressed the misconception that child rape laws cease to apply once the individual turns 16. The research team clarified this misunderstanding, explaining the relevant laws and their implications.

Question 2.2 included the following question:

2.2 Do you know committing sexual harassment is punishable with imprisonment for upto 3 years or a fine upto thirty thousand rupees?



Based on the collected data, 49% of the students answered yes to knowing this law before the orientation class while 38% responded that they had just learned about it following the orientation class, 11% answered that they did not know, and 2% did not answer to the question. Although there are slight differences compared to Question 2.1, the findings from Question 2.2 highlight that the orientation class significantly increased students' overall awareness to 87%. The fact that only about half of the students knew their legal rights concerning sexual harassment, violence, and sexual abuse by Grade 10 signals the need for expanded outreach to other schools within the municipality to ensure students are better informed about their rights. Moreover, it is important to recognize that simply knowing Nepal's laws may not equip students with the legal, psychological, and social support they need. Further analysis in this section explores the knowledge and practice gaps and provides additional recommendations.

Next, students were instructed on consent, and many students communicated with the research team following the orientation meetings that they did not know consent, especially when they were younger. One student wrote these responses in her survey form:

"I have never complain[ed] about it. I have just discussed it with my friends. At the age of 6,7 I didn't know what is [a] bad or good touch as I grew up and [then] I realized that Oh! I have been sexually harassed."

"I would like to share another opinion that when kids are at primary level. Teachers should teach them about good or bad touches and encourage them to tell their parents what they have ever been through. I would like to suggest that children at the age of 5, need to know about it."

These responses illustrate that many students lacked awareness during their early years about what constitutes acceptable and

unacceptable physical interactions, often described as “good and bad touches.” This highlights an urgent need for orientation programs targeted at younger students to enhance their awareness and understanding of their rights and the protections available under Nepali law. However, implementing sexual education can be challenging, particularly in communities where it is taboo to talk about sex.¹⁵

In addition to awareness of laws and protections, students need a broader understanding of appropriate and inappropriate behavior, particularly in interactions with adults and those older than them. Even if they choose not to report incidents of abuse, students should be able to recognize such violations and understand that they are neither acceptable nor something they must suffer alone in silence. Providing this knowledge and exposure to their rights and available support helps to strengthen the accountability mechanisms that need to be embedded in the child safeguarding policies.

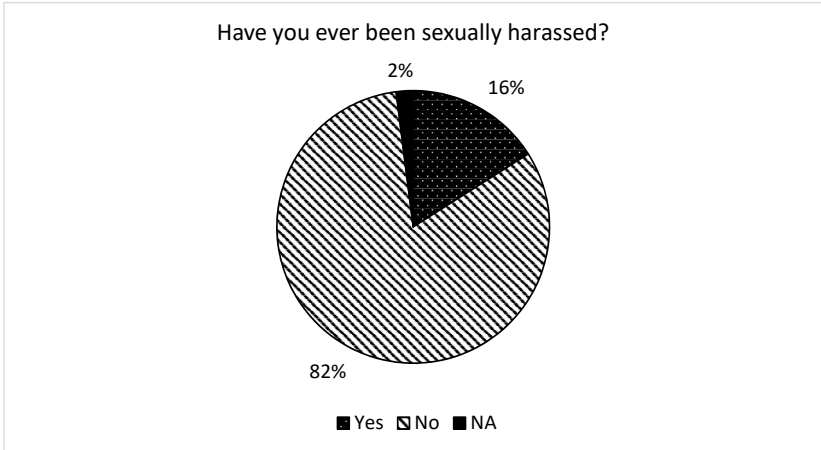
The following charts show the breakdown of sexual harassment reported by students. Chart 1 includes all participants and Chart 2 includes only girl participants. Further discussion later in the report explains the importance of separating data by gender.

Among the 421 participants, 70 (16%) students reported experiencing sexual harassment. This data highlights a significant problem among children and further analysis is needed to understand whether or not the school’s reporting mechanisms and support systems are adequate to address students’ needs and provide them

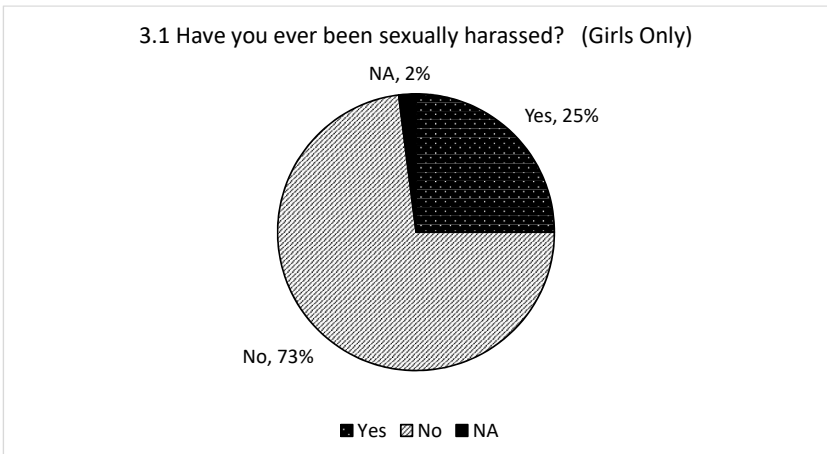
¹⁵ Alisha Gautam, Krishna Sharma, Sunita Dhakal , Sarmila Dhakal , Anugraha Chand, *Adolescent-Parent Communication On Sexual And Reproductive Health And Its Associated Factors Among Higher Secondary School Students Of Tokha Municipality, Nepal: A Cross-Sectional Study*. JPH Recode (Journal of Public Health Research and Community Health Development) 7 (1) (2023) 19.

with the necessary support. Among them, 344 (82%) said they have not experienced sexual harassment in their life while 7 (2%) didn't respond to the question.

(Chart-1)



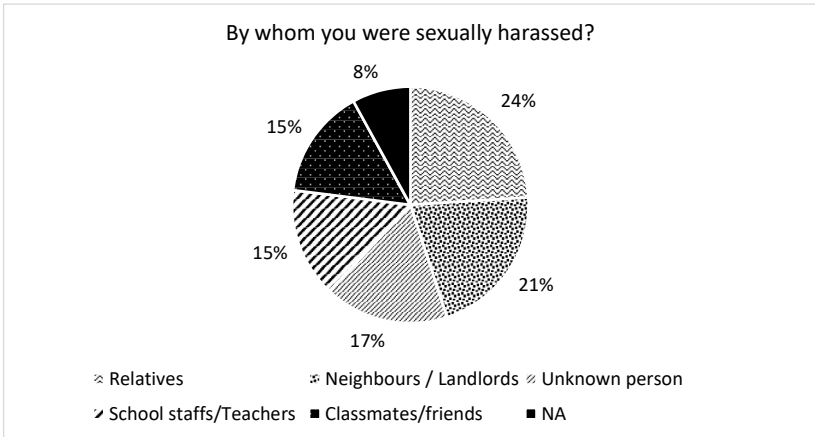
(Chart-2)



Of the 279 girls surveyed, 70 girls reported experiencing sexual harassment and violence. As the chart shows, 25% of the girls surveyed faced sexual harassment and violence. Among the 279 girls, 204 (73%) mentioned that they have not faced sexual harassment while 5 (2%) did not mention anything.

This outcome justifies the decision to focus primarily on girls after a sample study showed that girls were reporting such violence while boys were not. Additionally, boys aged 14-16 presented challenges due to their disruptive behavior during the orientation classes and surveys. Boys were often laughing while completing these surveys when seated next to one another and were looking at what their female classmates were writing when completing the surveys. These observed behaviours in the sample study prompted the separation of boys and girls in either separate rooms or in different parts of the lecture halls and classrooms. Consequently, more girls were randomly selected to complete the surveys since they were more willing and able to discuss their experiences with sexual harassment and violence.

In the question 3.2 by whom you were sexually harassed, among the 70 girls, 17 (24%) girls reported that they were sexually harassed by their relatives including father, elder father, uncle, distant uncle, brother, distant brother, fupaju, sister-in-law, brother's friend etc. Following the number, 15 (21%) girls reported that they were sexually harassed by neighbours and landlords. Similarly, 12 (17%) girls complained that they were sexually harassed by unknown person in public places, public vehicles, marriage party etc. Likewise, 10 (15%) reported that they were sexually harassed by their classmates, friends, friend's friend etc. Similarly, 10 (15%) girls complained that they were sexually harassed by school staffs, teachers, security guards and driver. But 6 (8%) girls didn't mention their perpetrators.



Question number 3.3 asked that you faced physical or online sexual harassment, 40 (57%) girls responded that they faced both physical and online harassment. Likewise, 14 (20%) girls said that they faced only physical sexual harassment while 8 (11.5%) girls mentioned that they faced online sexual harassment. However, 8 (11.5) girls didn't mention about it.

In the question number 3.4 we had asked what form of sexual harassment you faced. We had listed the forms of sexual harassment based on the list provided by the Act Relating to Children 2075 (2018). Among the 70 girls who claimed of facing sexual harassment, 39 (56%) said that they faced the sexual harassment of "To touch, kiss, hold sensitive parts of body of him or her, embrace him or her with sexual intent or cause him or her to touch or hold sensitive parts of own body or body of another person or render him or her unconscious with sexual intent or display, or cause him or her to display sexual organs." Likewise, 18 (26%) girls said that they faced the sexual harassment of "To show or cause to show, him or her an obscene picture, audio visual recording or other material of similar kind or

displays, or cause to display, such expression or gesture that reflects obscene or sexual conduct or behaviour to him or her or displays, or cause to display, child pornography." Similarly, 12 (17%) girls ticked on "To purpose, lure, coerce or threaten him or her for sexual activity." Likewise, 7 (10%) ticked on "To use, or cause to use, him or her for the purpose of sexual gratification." However, 10 (14%) students didn't mention the forms of sexual harassment they faced. (See Annex-1 for more details)

In question number 3.5 we had asked how old were you the first time it happened to you. Responding to the question, 18 (26%) girls said that they were below 10 years age when they experienced the sexual harassment while a large number of girls i.e. 30 (43%) girls responded that they were between 10 to 14 years old when they were sexually harassed. Only 6 (9%) girls responded that they were between 14 to 16 years old when it happened to them. Likewise, 7 (10%) girls said that they can't remember their age when it happened to them. Among them 9 (12%) girls didn't mention their age group when they faced the sexual harassment. This data shows that the perpetrators find the younger girls easy prey.

When we asked how many times they faced sexual harassment (Q.3.6), 23 (33%) girls said one time, 27 (38%) girls said a couple of times, 7 (10%) girls said many times and 13 (19%) girls didn't mention about it. This data shows that the high percentage of frequency of violation i.e. 57% girls facing it couple of times or many times, points to a serious concern that needs attention in terms of prevention, support systems, and creating safer environments to encourage them to make complaints.

In the question (Q 4.1) if they made complaints about the sexual harassment they faced, 30 (43%) said that they shared about it with their friends, aunts, relatives and made complaints with their parents

and teachers. But 40 (57%) said that they could not make complaint as they were too young or afraid of retaliation from the perpetrator or parents won't believe them etc. None of the students reported pursuing legal action. This data demonstrates the deeply gendered nature of sexual harassment and violence in Nepal.

The following statements provide qualitative insight into students' experiences and the substantial impacts it has on their well-being:

“No one supported me so I needed to leave my home and family.”

“I haven't said to anybody [else] cause I'm afraid of sharing this. What people will think about me? I don't have my virginity. I have been suffering this sexual harass[s]ment when I was 9 years old and still I am suffering this.”

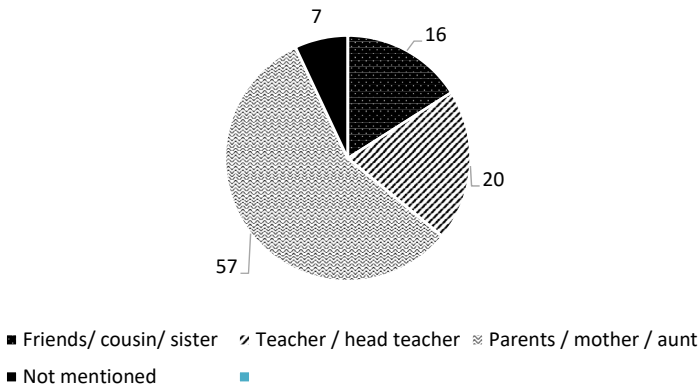
“My friend and I were quiet because we were not sure that people would trust us or teachers would take action.”

“Yes, he threatened me to kill, and defame in society”

These responses show that some students do not feel comfortable pursuing legal actions against those who harassed them. Likewise, some of them do not know their abusers, especially from random people on the road, on public buses, or social media. Some of them responded that they did not know their legal rights to pursue actions against their abusers. More importantly, it became increasingly apparent that students did not feel their schools had adequate or trustworthy reporting processes for such abuse. Furthermore, a small percentage of students expressed a desire for psychosocial counseling support, which was not currently available at any of the surveyed schools.

In the question (Q 4.2) the students were asked with whom they had made complaint, among the 30 students who said that they made complaints, 17 (57%) responded that they made complaints with parents and close relatives. And 6 (20%) claimed complaining with teachers whereas 5 (16%) claimed of sharing with friends, cousins and sisters. However, 2 (7%) didn't mention with who they had made complaints. This highlights the trust on their parents and close relatives. Likewise, most of them said that they have shared about it with their friends before complaining with their parents or teachers. It highlights the crucial role of peer relationships in forming informal support networks for those who have experienced such harassment and violence. The support friends provide to the survivor underscores the potential to strengthen these networks by increasing students' awareness of their rights and protections, emphasizing that such actions against them are unacceptable. While knowledge is often shared through informal conversations, incorporating more formalized orientation sessions and discussions could further enhance student's understanding and ability to one another effectively.

4.2 With whom you made complaints?



In question number 5 we had asked what happened after you filed the complaint. We got mixed responses that some of them said that their problem was resolved but some of them have said that their words were not believed by their parents whereas some of them said nothing happened. (See annex -1 for detailed information.

In question number 7 we had asked if they are still facing sexual harassment. Among the 70 girls who claimed of experiencing sexual harassment, 6 (9%) girls claimed of still facing sexual harassment. But majority girls i.e. 47 (67%) girls claimed not facing such problems now. However, 17 (24%) girls didn't mention about it. As some of the girls are still facing the problems, it signals that there is a need for ongoing attention to prevent and address sexual harassment. This should be addressed with more targeted interventions, support, and possibly stricter policies.

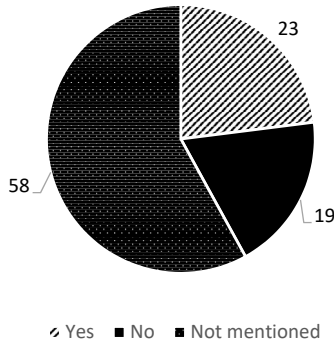
In the question (Q 8) we had asked them if they need any kind of support, 1 (1%) student said that she needs medical support whereas 14 (20%) girls said that they need psychosocial counseling. Likewise, 2 (3%) said that they need other support where 7 (10%) girls said that they do not need any kind of support. But the majority of girls i.e. 46 (66%) did not respond to the question. While a significant number of girls are seeking psychosocial support, the high non-response rate signals the need for better communication and trust-building around available resources. Addressing these gaps and ensuring a range of support services are accessible could better serve the needs of all the girls involved.

Of the 70 girl students, 57% of them reported harassment and violence to their parents specially to mothers and aunts, who then handled the issue by confronting the accused and ensuring they left home. Although no official complaints were filed, the students felt the situation was resolved and no longer posed an immediate threat to their

comfort and safety at home. Notably, none of the students reported informing their fathers about the assault, nor did they mention their mothers sharing this information with their fathers. This observation is important, as it highlights how gender expectations and norms in these communities shape students' reporting choices. Understanding these dynamics is crucial for developing practical and culturally sensitive child safeguarding policies.

In this context, gender expectations and norms refer to how gender affects the comfort levels of participants when sharing their experiences of trauma. Specifically, these norms shape with whom participants feel at ease discussing sensitive issues. Female students appeared more open and willing to complete the surveys when a female facilitator handed them the questionnaire compared to the male facilitator. Their comfort around female figures when discussing topics like sexual harassment and violence aligns with the data showing that participants often confided in their mothers.

To the question (Q 9) have you witnessed your friends being sexually harassed, 16 (23%) girls claimed witnessing their friends being sexually harassed where 13 (19%) said not witnessing such incidents. But the majority of respondents i.e. 41 (58%) girls didn't respond to the question. Additionally, participants who were girls shared that their friends had also encountered similar harassment and violence, with some participants stating that their friends had not reported such experiences and lacked the necessary support to do so. More specifically, many of them interpreted the word "Witnessing" to include situations friends had shared their experiences of sexual harassment and violence.

9. Have you witnessed your friends being sexually harassed?

While previous studies suggest that adolescent girls do not always feel comfortable sharing their experiences with their family members, including their mothers and aunts, may indicate a shift in gender dynamics.¹⁶ This trust could reflect growing conformity among girls in sharing these experiences within female-centered spaces. The reliance on mothers and female facilitators highlights the importance of informal support systems and their potential to provide meaningful assistance to survivors.

This research underscores the value of informal management processes in addressing abuses. By understanding how these systems function and resonate with participants, we can identify alternative support methods that may be more effective for students experiencing harassment and violence. The data provided by the students is crucial for grasping the realities within these communities and designing interventions that align with their needs.

¹⁶ Tiwari et al (2022) 'Our mothers do not tell us: a qualitative study of adolescent girls' perspectives on sexual and reproductive health in rural Nepal', *Sexual and Reproductive Health Matters*, 29(2) (2021) 361.

B. TEACHERS' RESPONSE

The data collected from the teachers focused on their roles in the complaint-handling process within the schools and their perspectives on the effectiveness of these mechanisms in providing complainants with the necessary support and resources.

When examining the complaint-making system in schools, it became clear that the process was neither straightforward nor uniform across the schools.



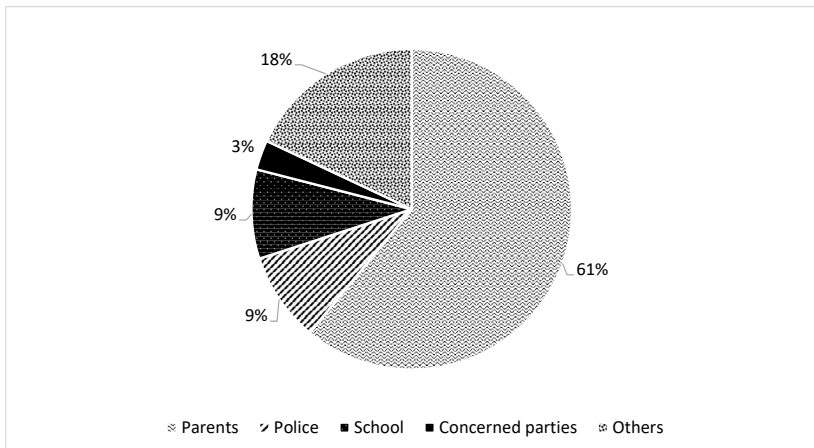
When asked if they have a complaint box to report cases of abuse in your school, 87% answered that their schools have a complaint box for reporting such cases of abuse, with the remaining 13% answered no to this question. However, after reviewing the schools' premises, it was found that all schools had some form of complaint box displayed publicly near the administration office, but it was not always secure and located very publicly. In some schools, despite teachers claiming to have a complaint box, it was not found and in some schools, the complaint box was damaged and not workable.

Likewise, when asked if they have a committee to review the complaints received? If yes, how many members (Male/Female) are there, 18 (56%) reported that their schools have committees to review the complaints received while 9 (28%) indicated that no such committees exist. Additionally, 10% of teachers stated that they were not aware of the presence of such a committee in their school and 6% of teachers didn't respond to the question. This data demonstrates the inconsistency among schools in the municipality regarding the existence of regulated complaint review processes. Moreover, the possibility that students may avoid reporting abuses through insecure complaint boxes and the lack of proper review by these committees raises significant concerns about the effectiveness and sustainability of these reporting mechanisms.

Likewise, when asked how many complaints of sexual abuse do you receive per year, the maximum number of complaints of sexual abuse reported to the teachers was four in a year, with 13 teachers stating they had not received any complaints from students. These low numbers of reported complaints to teachers challenge the assumption that teachers could make a good, both a formal and informal, avenue for students to report their complaints of sexual abuse. Identifying alternative parties who could support the students is what the next

set of research analyzed from the nursing staff supports, as well as the previous discussion regarding mothers' role in supporting some of the participants.

Likewise, on complaint handling procedure, among the 32 teachers surveyed, 20 (61%) responded that informing parents would be part of their response to received complaints. Nine percent of the participants suggested such complaints should be reported to the police while another 9% recommended reporting them to school, and 3% said they should be resolved by talking to the concerned parties. The remaining 18% either did not respond, were uncertain, or believed no further action was necessary.



This emphasis on informing the parents highlights the central role of family within these communities and the importance placed on the parental responsibility for a child's protection, even within the school environment. Coupled with the earlier findings that students often report incidents to their mothers and seek their support, this data reinforces the need to organize orientation and sensitization programs

for the parents. Such programs could help parents to support their children when dealing with these challenging violations of their rights.

C. SCHOOL NURSES' RESPONSE

Some informal discussions and interviews were conducted with some nursing staff. These interviews shed light on the nursing staff's role at the school, number of cases of sexual harassment or suspicious of sexual harassment they face, how they handle such cases, medico-legal documentation of such cases, do they refer such cases to the psychosocial counsellors etc. However, it was found that they are not trained for medico-legal documentation of sexual abuse cases and none of the surveyed schools have psychosocial counselors or any formal support for students who experienced such violence and harassment.

One nurse working in a community school shared an example where a female student visited her office with physical symptoms of vomiting and nausea. When asked about their well-being, some students disclosed experiences of sexual harassment and violence. However, the nurse expressed concern about her lack of training in providing appropriate support or guiding students toward available support.

In one instance, a nurse from community schools shared that after contacting a student's parents to suggest their child might need additional support or need to talk to them, she was told that such nausea was common for their child and would go away within a few days. The parents neither showed interest in understanding the root cause of this physical illness nor wanted to provide additional support for their child, given that the physical symptoms would resolve quickly. Such behavior overlooks the deeper causes of the student's

distress and fails to address their broader needs for emotional and psychological support.

The nurse also expressed interest in orientation programs and training on medico-legal documentation and psychosocial counseling to better equip school health staff to handle such situations and provide the necessary support to needy children. Although not initially a focus for interviews, it became evident that nursing staff play a critical role in supporting students who have experienced harassment and violence. Being predominantly female, they can also be more approachable to female students.

Beyond formal structures, their role highlights the need to address both the physical and emotional impacts of such violence. The findings also emphasize the necessity of psychosocial support in schools, whether through child psychosocial counsellors, trained nursing staff, or other avenues, to ensure students feel comfortable sharing their problems and receiving the care they need.

D. MUNICIPALITY RESPONSE

The findings of this survey was shared with the Deputy Mayor and staffs from Education Youth and Sports Department, Social Inclusion Department (Women and Children Wing) and Health Department of Tokha Municipality along with the teachers from the surveyed schools. The municipality representatives said that there is a need of Child Safeguarding Policy in schools and they will be working on it. They are investing more on children and their education and safety.

E. STUDENT'S PARTICIPATION IN SURVEY

This study relied extensively on input from students, who were actively encouraged to participate not only by completing questionnaires but

also by engaging in orientation sessions. At various schools, students were invited to share their learning from these sessions with the research team and their peers.

Additionally, teachers noted the positive impact of these orientation sessions on students' understanding of their rights and protections. One teacher highlighted that previous sessions on gender inequality and gender-based violence conducted by Legal Literacy – Nepal (LLN) were particularly effective in educating students, especially girls, about gender-based violence and broader gender inequalities. The knowledge proved beneficial during a municipality-level inter-school essay writing competition on gender-based violence and inequalities, where girls who attended the orientation program organized by LLN excelled and won awards.

These outcomes illustrate how direct participation, exposure to relevant information, and engagement with challenging topics can significantly enhance students' knowledge. This increased awareness encourages them to engage in meaningful conversations and fosters comfort in addressing sensitive issues like gender violence. While gender violence and sexual violence against children are distinct topics, the ability of students to articulate their thoughts on gender violence reflects a deeper understanding of the challenges faced by many girls and women.

These examples highlight a growing sense of empowerment among students. As they become more comfortable discussing and writing about such difficult and personal topics, their participation has the potential to inspire action and build confidence in advocating for peers who have experienced sexual harassment or violence. Recognizing the critical role of their involvement and engagement in these sessions underscores the transformative power of participation in driving meaningful change.

The surveyed schools revealed that students predominantly depend on informal reporting mechanisms, indicating a gap between the existing systems and their capacity to adequately support students. The next chapter delves into the broader implications of these findings and outlines potential steps to reform and enhance the effectiveness of these reporting processes.

An analysis of informal interviews with Municipality staffs, teacher's responses and inputs from nursing staff highlights significant shortcomings in the existing reporting mechanisms and the need for child safeguarding policies in place. These systems, or their absence not only fail to meet school's obligations but also leave many students in need without adequate support. Alternative approaches and outreach strategies could provide more effective assistance to students requiring help.

Chapter IV

SHARED DYNAMICS OF POWER AND CONTROL: CORPORAL PUNISHMENT TO SEXUAL HARASSMENT

4.1 DEFINING CORPORAL PUNISHMENT AND SEXUAL HARASSMENT

The intersection of corporal punishment and sexual harassment requires a comprehensive understanding of how environments rooted in punitive practices can serve as breeding grounds for other forms of violence. Research conducted in Uganda highlights this connection, exploring the overlap between corporal punishment, sexual violence, and authority figures.¹⁷ While not universally applicable, the findings reveal significant parallels, shedding light on how institutional and structural inequalities within schools exacerbate the prevalence of violence experienced by students.

Blurred boundaries between corporal punishment and sexual harassment were evident in the Ugandan study, which identified instances of sexualized corporal punishment within the schools surveyed.¹⁸ This suggests that violence cannot always be neatly categorized, as one form often overlaps with or leads to another.

¹⁷ Ellen Turner, Jenny Parkes, Shakilah N. Nagasha, Dipak Naker, Janet Nakuti, Sophie Namy, and Karen Devries, *Sexual Violence Through Corporal Punishment: Rethinking Siloes in School Violence Prevention Using Feminist Theory and Data from Uganda*. SSM. Qualitative Research in Health. 5100413 (2024).

¹⁸ Ibid.

Addressing such violence, therefore, demands a holistic approach that considers these complexities.

Existing literature reinforces this perspective, demonstrating that isolated treatment of different forms of violence—such as corporal punishment and sexual harassment fails to offer an inclusive or effective framework for intervention.¹⁹ Instead, recognizing the interconnected nature of these issues is critical to understanding their underlying causes and identifying strategies that address them comprehensively.

4.2 OVERLAPPING PATTERNS OF VICTIMIZATION IN CHILDREN

A. DATA INSIGHTS: SCHOOL STAFF AS PERPETRATORS

The collected data highlights troubling patterns of victimization within schools. Among the 70 students who reported experiences of sexual harassment, 15% identified school staff or school-affiliated individuals as the perpetrators. This statistic raises urgent questions about the role of authority figures in perpetuating violence within educational settings.

Further complicating this issue is the high prevalence of corporal punishment in schools, with previous LLN reports revealing that 88% of students experienced such punishment.²⁰ Although this study did not explicitly examine the overlap between sexual harassment and corporal punishment, the correlation warrants deeper investigation.

¹⁹ David Finkelhor, Richard K. Ormrod, and Heather A. Turner, 'Poly-victimization: A Neglected Component in Child Victimization' *Child Abuse & Neglect*, vol. 31, no. 1 (2007)7–26

²⁰ <https://lnn.org.np/storage/files/sDaR60aDV3YVxaf4f6FZT1XoeNBjydMPBKpBbNuD.pdf>

Most students who reported school staff as perpetrators were female and in Grade 10, with the perpetrators predominantly being male staff members. This gendered dynamic points to deeper systemic issues within the school environment, where power imbalances and cultural norms perpetuate cycles of violence and silence.

B. THE ROLE OF REPORTING AND BARRIERS EXPERIENCED

Among the students who identified school staff as perpetrators, 58% reported their experiences to parents, head teachers, school committees, or friends. This level of reporting is encouraging, but it also highlights significant barriers to achieving justice or adequate support. Students' reluctance to report more formally, especially in cases involving authority figures, underscores a critical issue: the lack of trust in institutional mechanisms.

The intersection of corporal punishment and sexual harassment further complicates students' ability to report. The fear of retaliation, compounded by the normalization of punitive behavior in schools, silences many victims. Additionally, the societal stigma surrounding gender-based violence further discourages students-particularly girls-from coming forward.

C. LINKING CORPORAL PUNISHMENT TO SEXUAL HARASSMENT

The data underscores the need for more targeted research into the potential connection between corporal punishment and sexual harassment. For example, is sexualized corporal punishment a hidden yet pervasive issue in schools? How does the normalization of physical violence create a culture where other forms of abuse can thrive?

Exploring these questions requires gathering qualitative and quantitative data to illuminate the lived experiences of students. Such research would also provide insights into how schools can create safer, more supportive environments for students by addressing these interconnected forms of violence.

4.3 IMPLICATIONS FOR INTERVENTION

Addressing school-based violence requires a multidimensional approach that tackles both immediate practices and the underlying structural and cultural factors contributing to abuse. The findings underscore the urgency of reforming the punitive environments that perpetuate violence, including corporal punishment, while simultaneously addressing the systemic gaps that allow sexual harassment to occur unchecked. Below is an elaboration of key strategies to combat this issue effectively:

A. STRENGTHENING CHILD SAFEGUARDING POLICIES

Robust child safeguarding policies must be introduced that serve as the cornerstone of any intervention aimed at reducing violence in schools. These policies should explicitly prohibit all forms of corporal punishment and sexual harassment, with clear definitions and zero-tolerance mandates. Specific measures include:

- Establishing standardized reporting mechanisms for all forms of abuse, ensuring students and staff can report incidents confidentially and without fear of retaliation.
- Requiring mandatory reporting by school personnel who witness or suspect abuse, with clear guidelines on how to escalate concerns.

- Incorporating student-centered approaches in the policy framework, emphasizing their protection, dignity, and autonomy.

B. EMPOWERING STUDENTS WITH KNOWLEDGE OF THEIR RIGHTS

Education is a critical tool in empowering students to recognize and respond to violence. Comprehensive awareness programs should focus on:

- Teaching students about their rights, including the right to a safe and supportive educational environment.
- Providing information on how to report abuse and the resources available to support them, such as counselors, child protection agencies, or helplines.
- Promoting peer-to-peer education, where students share knowledge and strategies for addressing abuse in their communities.
- Encouraging student participation not only strengthens their confidence in dealing with abuse but also fosters a culture of openness and mutual support.

C. TRAINING TEACHERS AND STAFF

Teachers and school staff play a pivotal role in shaping the school environment. Providing them with the necessary training ensures they can recognize and respond to the intersection of corporal punishment and sexual harassment. Training programs should include:

- Awareness of the psychological and physical impacts of corporal punishment and sexual violence on students.
- Strategies for creating positive, non-punitive disciplinary practices that foster mutual respect and trust.
- Guidance on how to support victims of violence, including trauma-informed approaches that prioritize the well-being of affected students.
- By equipping staff with these skills, schools can shift from punitive models to nurturing environments conducive to learning and development.

A. CREATING INDEPENDENT OVERSIGHT BODIES

Establishing independent oversight bodies is essential to ensure accountability and transparency in how schools address complaints of violence. These bodies should:

- Investigate allegations of abuse impartially and ensure perpetrators are held accountable.
- Monitor the implementation of safeguarding policies and recommend improvements where necessary.
- Provide regular audits and public reports on the state of child protection in schools, fostering trust among students, parents, and the community.

B. HOLISTIC APPROACH TO SCHOOL SAFETY

A comprehensive and integrated approach to interventions ensures schools evolve into spaces where students feel safe, respected, and empowered. Combining preventive measures with effective response mechanisms addresses the root causes of violence while providing immediate support to victims.

Moving forward, schools must adopt a student-centered approach that values their voices and experiences. By fostering an environment of trust, transparency, and accountability, schools can become transformative spaces where children thrive, free from the shadows of violence and abuse.

Chapter V

IMPLICATIONS OF RESEARCH FINDINGS

This chapter delves into the implications of the research findings and highlights their contributions to the field of child safeguarding. It underscores the critical need to enhance both formal and informal support systems for students who have experienced and reported sexual harassment and violence. The findings reveal a significant gap in how schools currently integrate these systems, emphasizing the direct connection between reporting mechanisms and the availability or lack of adequate support. The particular section also explores the broader implications for child safeguarding practices, particularly in the Global South, demonstrating how these findings can inform more inclusive and contextually relevant policies.

5.1 IMPORTANCE OF INFORMAL SUPPORT SYSTEMS

The research highlights that informal support systems, such as family members or peers, play an essential role in encouraging students to report abuse. These systems must work in tandem with formal reporting mechanisms to create a comprehensive network of support. While formal systems often emphasize procedural accuracy, they sometimes lack the empathy and accessibility that students, particularly girls, seek when reporting sensitive issues like sexual harassment. Strengthening informal support channels can bridge the gap and make reporting a less intimidating process for victims.

Key strategies include:

- Empowering mothers and daughters: The data shows that girls are more comfortable confiding in their mothers than using formal systems dominated by male figures. Programs that foster open communication within families can strengthen these relationships.
- Peer support initiatives: Encouraging peer-to-peer dialogue can create a supportive environment where students feel validated and less isolated in their experiences.

5.2 GENDERED DIMENSIONS OF REPORTING

The findings demonstrate how gender expectations and societal norms shape the willingness of students to report abuse. While there has been progress in girls' access to education in Nepal, persistent gender inequalities continue to affect their experiences in school environments.

A. GENDER BIAS IN FORMAL SYSTEMS

Most formal reporting mechanisms are male-dominated, as evidenced by the high number of male principals in the surveyed schools. This imbalance can deter female students from seeking help, especially in cases of harassment involving male authority figures.

B. CULTURAL AND SOCIAL NORMS:

Girls who report abuse risk being stigmatized or ostracized within their communities, further discouraging them from coming forward. Strengthening informal avenues, such as family-based reporting, offers a culturally sensitive solution that aligns with existing social structures.

C. EMPOWERING FEMALE STAFF:

Female nursing staff can play a pivotal role in bridging the gap between informal and formal reporting systems. Training programs tailored for these staff members could equip them with the tools to support and advocate for students effectively.

5.3 ENHANCING EDUCATION PROGRAMS

Education is a powerful tool for increasing awareness and confidence among students to report abuse. Orientation programs that involve both students and their families can create a supportive ecosystem for addressing these issues.

A. MOTHER-DAUGHTER WORKSHOPS:

Joint educational sessions for mothers and daughters can foster trust and improve communication, enabling girls to feel more comfortable discussing their experiences.

B. STUDENT-CENTERED AWARENESS CAMPAIGNS:

Campaigns should emphasize the rights of students, the resources available to them, and the importance of speaking out against abuse. By focusing on empowerment and agency, these initiatives can help dismantle the stigma associated with reporting.

5.4 LOCALIZING SAFEGUARDING PRACTICES

The research demonstrates how a country in the Global South, like Nepal, can contribute valuable insights into child safeguarding practices. The emphasis on informal support systems and culturally

rooted solutions challenges the one-size-fits-all approaches often promoted by international frameworks.

A. INCORPORATING LOCAL VOICES:

Policies should be informed by the lived experiences of students, particularly their preferences for support systems and reporting mechanisms. Listening to and implementing their suggestions ensures that safeguarding practices are grounded in reality.

B. DECENTRALIZING SUPPORT NETWORKS:

Strengthening community-based initiatives and informal channels creates a decentralized approach that complements formal systems and ensures no student falls through the cracks.

5.5 OVERCOMING BARRIERS TO REPORTING

The reluctance to use formal reporting systems stems from fear, distrust, and the perception of increased vulnerability. Addressing these barriers requires systemic changes, including:

A. IMPROVING TRANSPARENCY AND ACCOUNTABILITY:

Independent oversight bodies can ensure complaints are handled with fairness and integrity, building trust among students and their families.

B. PROVIDING SAFE SPACES:

Establishing dedicated support centers within schools, staffed by trained female personnel, can offer students a secure environment to share their experiences.

5.6 RESISTANCE AND EMPOWERMENT

Wendy Harcourt's concept of resistance as a daily practice resonates strongly with the role of female nursing staff in schools. By taking small, consistent actions to support students, these staff members can help foster a culture of resistance against systemic violence.

A. REDEFINING NORMS:

Social norms around gender and sexuality are often inscribed on the body. By challenging these norms through daily interactions and advocacy, nursing staff can empower students to resist oppressive systems.

B. ENCOURAGING AGENCY:

Providing platforms for students to voice their concerns and experiences helps them reclaim agency and resist the normalization of violence in their lives.

Overall, gender remains a central theme in understanding and addressing the findings of this research. To create safer school environments, it is crucial to develop interventions that are both gender-sensitive and culturally relevant. By prioritizing the voices of students and strengthening both formal and informal support systems, schools can foster environments where students feel empowered to report abuse without fear of reprisal. Ultimately, these efforts can contribute to a broader cultural shift toward accountability, transparency, and respect for children's rights.

Chapter VI

CONCLUSIONS AND RECOMMENDATIONS

This chapter synthesizes the research findings and their implications, emphasizing how the focus of human rights documentation on legal protections may not be enough to ensure effective safeguarding from violence and abuse²¹ The research highlights that the mere existence of legal frameworks does not automatically lead to increased reporting of abuse or the support needed for victims, as evidenced by the study where over 50% of students were aware of these protections but chose not to use formal reporting channels. Instead, many opted for informal methods such as confiding in family members, friends, or nursing staff.

The study underscores that child-rights-based approaches must consider the concept of embeddedness, which acknowledges that children are influenced by their families and the environments they are part of outside of school.²² This approach proved to be particularly relevant when analyzing how family dynamics, especially mother-

²¹ Claire Moon *What One Sees and How One Files Seeing: Human Rights Reporting, Representation and Action*. Sociology (Oxford). 46 (5) (2012) 880.

²² Ellen Turner, Jenny Parkes , Shakilah N. Nagasha, Dipak Naker, Janet Nakuti, Sophie Namy, and Karen Devries, *Sexual Violence Through Corporal Punishment: Rethinking Siloes in School Violence Prevention Using Feminist Theory and Data from Uganda*. SSM. Qualitative Research in Health. 5100413 (2024)2; Sarah C. White, *Being, Becoming and Relationship: Conceptual Challenges of a Child Rights Approach in Development*. Journal of International Development. 14 (8) (2002) 1096.

daughter relationships, impacted reporting behavior. Children who grew up in more open households were more likely to report incidents to their mothers, while those in less communicative households were less inclined to do so. This indicates that creating safe spaces for students to share their experiences is crucial, and promoting active child participation in schools can encourage reporting.

Addressing child sexual abuse in Nepal requires a collaborative, multi-sectoral approach that involves all stakeholders. By integrating formal and informal support mechanisms and promoting a culture of accountability, Nepal can make strides in safeguarding children and ensuring their well-being across all spheres of life.

RECOMMENDATIONS FOR STAKEHOLDERS

A. GOVERNMENT AUTHORITIES

- Ensure comprehensive child protection laws with specific provisions addressing sexual abuse.
- Harmonize national laws with international conventions, such as the UN Convention on the Rights of the Child.
- Establish specialized units within law enforcement agencies for investigating child sexual abuse cases.
- Train police, prosecutors, and judges to handle cases with sensitivity and urgency.
- Create and implement a national strategy focused on preventing and responding to child sexual abuse.
- Allocate sufficient resources for child protection services.
- Judiciary to establish child-friendly courts and procedures to protect survivors during trials.

- Judiciary to expedite the resolution of cases involving child abuse to minimize trauma for survivors.

B. EDUCATIONAL INSTITUTIONS AND PARENTS AND GUARDIANS

- Establish strict reporting mechanisms for abuse.
- Conduct regular training for teachers and staff on identifying and addressing signs of abuse.
- Integrate age-appropriate education on personal safety and body autonomy into school curricula.
- Parents and guardians to teach children about consent, body safety, and how to recognize inappropriate behavior.
- Parents and guardians to foster open communication to encourage children to report abuse without fear.
- Parents and guardians to supervise children's interactions, both offline and online, while respecting their autonomy.

C. LOCAL GOVERNMENTS AND COMMUNITY LEADERS

- Develop and enforce child safeguarding policies in schools
- Establish and support local child protection committees to monitor and report cases of abuse.
- Encourage community dialogues to break the stigma around discussing sexual abuse.
- Partner with influential community figures including religious and cultural leaders to challenge harmful norms and promote child safety.

D. CIVIL SOCIETY ORGANIZATIONS (CSOS) AND NGOS

- Run public campaigns to educate communities about the rights of children and the consequences of abuse.
- Provide training for parents, teachers, and caregivers on preventing and addressing abuse.
- Establish shelters, counseling services, and legal aid for survivors of sexual abuse.
- Develop rehabilitation programs for survivors, and collaborate with health professionals to ensure availability of child-friendly medical examination facilities for survivors.
- Train healthcare workers to identify signs of abuse and provide trauma-informed care.
- Strengthen mandatory reporting mechanisms for suspected cases of sexual abuse in collaboration with health professionals.

E. MEDIA, PRIVATE SECTOR, AND GENERAL PUBLIC

- Promote ethical journalism practices to protect the identity and dignity of child survivors, and run campaigns to educate the public about reporting abuse and accessing resources.
- Collaborate with law enforcement to prevent and address online exploitation of children alongside the development of child-safe digital platforms with parental controls and robust monitoring mechanisms.
- Private Sector to ensure that businesses, especially those interacting with children, have clear safeguarding policies and programs focused on child rights and protection.

- General public to encourage bystanders to report suspected cases of abuse.
- Challenge societal norms that silence victims and protect abusers.

F. INTERNATIONAL AGENCIES AND DONORS

- Provide technical and financial assistance to strengthen Nepal's child protection systems.
- Facilitate cross-border collaboration to address trafficking and exploitation.
- Fund studies to understand the prevalence and causes of child sexual abuse in Nepal.
- Use evidence-based approaches to design interventions and policies.

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ANNEX-1

A. STUDENT DATA

GENDER-WISE DATA:

Gender	No. of Students	Percent
Boys	142	34
Girls	279	66
Not mentioned	0	0
Total	421	100

AGE-WISE DATA:

Age	No. of Students	Percent
13 years	2	0.5
14 years	54	13
15 years	212	50
16 years	122	29
17 years	22	5
18 years	7	2
Not mentioned	2	0.5
Total	421	100

B. LEGAL KNOWLEDGE:

2.1 DO YOU KNOW THAT HAVING SEXUAL INTERCOURSE WITH A CHILD BELOW EIGHTEEN YEARS OF AGE EVEN WITH CONSENT IS RAPE?

Yes / No / Just learned	No. of Students	Percent
Just learned	138	33
Yes	234	56
No	45	10
Not mentioned	4	1
Total	421	100

2.2 DO YOU KNOW COMMITTING SEXUAL HARASSMENT IS PUNISHABLE WITH IMPRISONMENT FOR UP TO 3 YEARS OR A FINE UP TO THIRTY THOUSAND RUPEES OR BOTH?

Yes / No / Just learned	No. of Students	Percent
Just learned	161	38
Yes	206	49
No	47	11
Not mentioned	7	2
Total	421	100

C. SEXUAL HARASSMENT DATA:

3.1 HAVE YOU EVER BEEN SEXUALLY HARASSED?

A. BOYS AND GIRLS DATA

Yes / No / Just learned	No. of Students	Percent
Yes	70	16
No	344	82
Not mentioned	7	2
Total	421	100

B. GIRLS ONLY DATA:

Yes / No / Just learned	No. of Students	Percent
Yes	70	25
No	204	73
Not mentioned	5	2
Total	279	100

3.2 BY WHOM YOU WERE SEXUALLY HARASSED?

Alleged Perpetrators	No. of Students	Percent
Relatives (father, elder father, uncle, brother, distant brother, distant uncle/ fupaju, brother-in-law, brother's friend, etc.)	17	24
Classmates/ friends, friend's friend	10	15
School staffs (male teacher, school staffs, security guards, driver)	10	15
Unknown person in public places, public vehicles, marriage party etc.	12	17
Neighbours / landlords	15	21
Not mentioned	6	8
Total	70	100

3.3 IF YES, IN PERSON OR ONLINE OR BOTH?

Physical / online / both	No. of Students	Percent
Physical	14	20
Online	8	11.5
Both (online and Physical)	40	57
Not mentioned	8	11.5
Total	70	100

3.4 WHAT FORM OF SEXUAL HARASSMENT YOU EXPERIENCED?

Forms of Sexual Harassment	No. of Students	Percent
To show or cause to show, him or her an obscene picture, audio visual recording or other material of similar kind or displays, or cause to display, such expression or gesture that reflects obscene or sexual conduct or behaviour to him or her or displays, or cause to display, child pornography.	18	26
To distribute, store or use any actual or fictitious obscene pictures or audio-visual material of him or her.	5	7
To purpose, lure, coerce or threaten him or her for sexual activity.	12	17
To use him or her in the production of an obscene act or material.	2	3
To touch, kiss, hold sensitive parts of body of him or her, embrace him or her with sexual intent or cause him or her to touch or hold sensitive parts of own body or body of another person or render him or her unconscious with sexual intent or display, or cause him or her to display sexual organs.	39	56

Forms of Sexual Harassment	No. of Students	Percent
To use, or cause to use, him or her for stimulating sexual lust or sexual excitement.	5	7
To use, or cause to use, him or her for the purpose of sexual gratification.	7	10
To engage, or cause to engage, in child sexual exploitation.	2	3
To use, or cause to use, him or her with the intent of providing sexual services.	3	4
To use, or cause to use, him or her with the intent of engaging in sexual abuse.	4	
To use him or her in prostitution or other sexual work.	1	1
Not mentioned	10	14

Note: Most of the students ticked in two or more than two forms of sexual harassments.

3.5 HOW OLD WERE YOU THE FIRST TIME IT HAPPENED?

Age Group	No. of Students	Percent
Below 10 years old	18	26
10 to 14 years old	30	43
14 to 16 years old	6	9
16 to 18 years old	0	0
Can't remember	7	10
Not mentioned	9	12
Total	70	100

3.6 IF YES, HOW MANY TIMES HAVE YOU FACED SUCH HARASSMENT?

One time / couple of time / many times	No. of Students	Percent
One time	23	33
Couple of times	27	38
Many times	7	10
Don't remember/ Not mentioned	13	19
Total	70	100

4.1 DID YOU MAKE ANY COMPLAINTS ABOUT IT?

Yes / No	No. of Students	Percent
Yes	30	43
No, I was too young to realize	40	57
Total	70	100

4.2 IF YES, WITH WHOM DID YOU MAKE THE COMPLAINT?

With whom you made complaints?	No. of Students	Percent
Friends/ cousin/ sister	5	16
Teacher / head teacher	6	20
Parents / mother / aunt	17	57
Not mentioned	2	7
Total	30	100

5. WHAT HAPPENED AFTER YOU FILED THE COMPLAINT?

S. No.	Responses by Students
1	Counselled me but didn't support.
2	My mother threatened him to complaint to police and he apologized to me.
3	Action was taken.
4	Nothing, I got secured by my mom and brother in law were moved from my home.
5	I haven't say to anybody else because I was afraid of sharing this thinking what peoples think about me. I don't have my virginity. I have been suffering this sexual harassment when I was 9 years old and still I am suffering this.
6	My mother scolded him and he apologized and said he was drunk.
7	My complained got submitted and my mother defended me.
8	My mother consoled me and took me to therapy. She then later, talked with the person.
9	In my old school, I was molested by a dance teacher. I complained to the school committee and he was fired.
10	I had complained with my mom but said that if we complain to police our prestige will be ruined.
11	My parents trusted to the relatives rather than their daughter. They ignored my complaint believing that I am a child and I don't understand such things. Talking about the teacher, this isn't informed to my parents. We both are trying to be apart from each other. Belief in a person compelled me to engage in those tasks but remembering my same family, I couldn't dare to do so. Now, I have no courage facing myself in the mirror.
12	I was afraid to make complaint at first. But I encouraged myself and I told my mom about what happened and she listened my problems and she tried to talk with him but that guy wasn't there. He shifted to another city.

7. ARE STILL FACING SEXUAL HARASSMENT?

Yes / No	No. of Students	Percent
Yes	6	9
No	47	67
Not mentioned	17	24
Total	70	100

8. DO YOU NEED ANY KIND OF SUPPORT?

Support type	No. of Students	Percent
Medical support	1	1
Psychosocial support	14	20
Other support	2	3
No support needed	7	10
Not mentioned	46	66
Total	70	100

9. HAVE YOU WITNESSED YOUR FRIENDS BEING SEXUALLY HARASSED?

Yes / No	No. of Students	Percent
Yes	16	23
No	13	19
Not mentioned	41	58
Total	70	100

Legal Literacy - Nepal (LLN) was established in 2023 by a group of young, energetic, and experienced professionals in the field of law, human rights, and social work.

The organization is working to promote the rule of law and human rights standards in Nepal. It aims to achieve this objective by enhancing legal literacy and developing access to justice for children, women, and people from marginalized communities. The organization focuses on children's rights and juvenile justice, including their rights to quality education, to be safe from corporal punishment, to have a safe learning environment, to equal and fair treatment and full enjoyment of human rights, etc.

To achieve its mission, vision, goal, and objectives, the organization works with children's clubs, Child Correction Homes, schools, teachers, wardens, parents/guardians, and marginalized communities, as well as federal, provincial, and local government entities, courts, public prosecutors' offices, Bar Associations, Local Judicial Committees, the Nepal Police, and likeminded national and international organizations.

The organization files Public Interest Litigation (PIL) for policy and institutional reform for the protection and promotion of human rights in Nepal.



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