

Gender Policy

NEPAL FEDERATION OF
INDIGENOUS NATIONALITIES



NEFIN

Gender Policy, 2020



NEFIN

NEPAL FEDERATION OF INDIGENOUS NATIONALITIES

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ACRONYMS

BPfA	Beijing Platform for Action
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CESCR	ICESCR International Covenant on Economic, Social and Cultural Rights
ICCPR	ICCPR International Covenant on Civic and Political Rights,
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ILO	International Labour Organization
MoWCSW	Ministry of Women, Children and Social Welfare
NEFIN	Nepal Federation of Indigenous Nationalities
NPA	National Plan of Action
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples

PREAMBLE

'Gender concern' as a crucial imperative is established in all development and human rights conventions. Women, who make up more than half the world's population, were invisible and ignored in the development context prior to the 1970s. Different negative impacts, especially on women and girls in development activities, showed that 'gender neutral' laws and approaches in the development field failed to ensure equality as the laws were unable to perceive women as different and historically disadvantaged, and that they needed special treatment and protection. 'Gender neutral' approaches did not question a person's gender constraints or his/ her access to resources and participation in decision-making processes. The shift to rights-based approach emerged with the United Nations Declaration on the Right to Development in 1986 which embraced gender equality as a central component in development.

The four world conferences on women starting from the Mexico Conference (1975) to the Beijing Conference (1995) also helped identify and analyze women's concerns worldwide. The Third World Conference on Women (1985) held in Nairobi, Kenya, forged the common ground that women as a category are not a 'homogenous group'. They converged on a common platform based on 'diversity' rather than 'homogeneity' (Kabeer, 1994).¹ So, the global feminist movement also introduced 'gender' as the central theoretical concept in development research. A 'gender perspective in development' was then brought into the center stage of development. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) at UN in 1981 also added impetus to the advocacy of gender equity and equality.

Women empowerment and women's rights were established as the key to development during the 1990s (Harcourt, 1999).² Nepal has also enacted national laws in compliance with these international laws. The Ministry of Women and Social Welfare (MoWSW) was established in Nepal immediately after the Fourth World Conference on Women in Beijing, China, in 1995. Soon after its establishment, the ministry declared 'gender equality and women empowerment' as the cornerstone of its policy and became active in program formulation and implementation, drafting of bills and awareness-raising to realize the goals of gender equality and women empowerment. The ministry also formulated 'Gender Equality and Empowerment of Women: National Plan of Action (NPA)' to operationalize the Beijing Platform for Action (BPfA) in 1996. The Ninth Five-Year Plan (1997-2002) reiterated commitment to gender mainstreaming to achieve gender equality and women empowerment.

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1. Kabeer, N. (1994). *Reversed realities: gender hierarchies in development thought*. New York
 2. Harcourt, W. (1999). *Linking up Cairo, Copenhagen, Beijing +5: reviews towards the 21st Century*. Ede, The Netherlands

Gender equality is based on human rights and the inherent value of all individuals regardless of sex, social background, religion and belief, disability, age and sexual orientation. In the later years, indigenous societies themselves recognized 'gender' as an important factor as gender-blind development had left indigenous women far behind in development, led to loss of their identity and worsened their overall situation. Indigenous societies in cooperation with UN agencies and other development partners felt the need to address these gender-related issues through specific gender sensitive approaches.

The application of gender-based approach has helped to expose discrimination and other human rights abuses indigenous peoples, particularly indigenous women, face in their own community and society at large.

In accordance with international instruments on human rights and gender equality, the Nepal Federation of Indigenous Nationalities (NEFIN) imbuing the international human rights standards has developed this Gender Policy, 2020 in line with NEFIN's mission, vision, objectives and norms.

Part I

1. Introduction

1.1. Background and rationale

Indigenous Peoples and human rights

According to the International Labor Organization (ILO) and the United Nations Declaration on the Rights of Indigenous People (UNDRIP)'s definitions, Indigenous Peoples are those who are distinct from the dominant society, who have their own lands and territories, distinct language, traditions, cultures, belief systems, customs, and customary laws and practices, and have the right to determine their identity. They are also called First Nations. In this Policy, the term 'Indigenous Peoples' has been used.

Indigenous Peoples' rights are based on the international human rights framework. Despite the adoption of various international human rights laws and conventions such as the Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights, International

Convention on the Elimination of All Forms of Racial Discrimination (ICERD), International Covenant on Economic, Social and Cultural Rights (CESCR) in the international scenario, Indigenous Peoples' conditions remained unchanged as the instruments were not fully recognized, respected and mainstreamed into the development process. Regardless of geographical and regional differences, Indigenous Peoples across the globe possess the common indigenous status, sharing the same feelings, concerns and experiences of hatred, abuse and denigration by the outsiders and the state. They also face the same challenges of poverty, human rights violations, and lack of access to education, healthcare and other basic facilities provided by the state. Therefore, they stand as a marginalized, vulnerable, suppressed and non-dominant group in society. They face discrimination, social injustice and exclusion in every mechanism of the state. After adoption of ILO Convention 169 by UN General Assembly in 2007, advocacy for Indigenous Peoples' rights and dignity gathered momentum. It was UNDRIP (2007), in particular, that was crucial in establishing Indigenous Peoples' distinct legal status and has so far been instrumental in securing their special rights through advocacy, lobbying and activism.

Gender and Indigenous Peoples

Notably, there exists a wide socio- economic and political gap between indigenous women and men. Indigenous women lack political and policy-level representation and are far behind in terms of socio- economic development, particularly in South Asia and other developing countries of the world. Indigenous women continue to face various forms of discrimination based on sex, class, race, ethnicity, geography, religion etc. Indigenous women are in a very difficult and vulnerable condition both within and outside their communities. Indigenous women face discrimination both at the hands of the state and within their own community. Within their own community, indigenous women face discrimination with regard to access to education, healthcare, nutritious food, reproductive rights, land rights, property rights, workload and many

other things. Unlike non-indigenous women, indigenous women are entitled to 'individual' and 'collective' rights. They are entitled to 'specific rights' or

'collective rights' by virtue of being indigenous women, while they also have 'individual' or 'common' rights based on human rights principles.

Traditionally, indigenous women were generally respected by indigenous men and had equal access to and control over collective land and natural resources. However, their gradual loss of collective ownership of lands and other natural resources, development actions and mainstream socialization and urbanization have destabilized indigenous women's identity and worsened their life conditions. Many works in the world literature, oral narratives and discussions on Indigenous Peoples show that initially indigenous communities enjoyed social justice and equal distribution of power between women and men. Indigenous scholars, activists and experts insist that matriarchy existed in their community, a claim which remains contentious, but some semblance of gender balance can still be seen in the matrilineal communities that exist even today in some parts of the world. Unlike patri local pattern of residence which is common in non-indigenous patriarchal society, remnants of patri local residence can still be traced in some indigenous communities.

It is claimed that when matriarchal system was in practice, women were powerful and they enjoyed equal or even higher status than men. Women were the decision makers and had equal share in property and access to and control over collective land and natural resources. Therefore, gender roles and relations were not viewed as important issues in their societies. Instead, they viewed the gender dimension as 'interference with culture' and 'imposition of western values'. With the advent of globalization, capitalism, liberalization, open and free market policy and rapid expansion of communications and other technologies, indigenous peoples have gradually lost their autonomy, rights to ancestral lands, customary laws and practices. This has placed indigenous women in a difficult situation.

The influence of dominant cultures has lowered women's position and status and let patriarchy thrive in indigenous communities too. As a consequence, indigenous women face injustice and inequality in the forms of socio-cultural, political and economic discriminations. The UNDRIP paved the way for indigenous women to fight for their rights as it specifically talks about

human rights of Indigenous women and guarantees protection against all forms of violence and discrimination.

Article 21(2) of UNDRIP states that States shall take particular attention to the rights and special needs of indigenous women, while Article 22 (1) is about the rights and special needs of indigenous women. Likewise, Article 22 (2) states that States shall take measures in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy full protection and guarantees against all forms of violence and discrimination.

Internationally, indigenous women were not mentioned in the CEDAW, a key instrument on women's rights. CEDAW viewed indigenous women homogenously with the essentialist approach meaning 'all the women of the world are same'. In the context of Nepal, the CEDAW Committee issued the concluding observations to the Government of Nepal on July 20, 2011.

1.2. National context

Nepal is a signatory to several international legal instruments and conventions. The government of Nepal has developed its national laws and policies in compliance with these international instruments. After the fourth International Conference on Women (1995) in Beijing, China, Nepal adopted 'gender mainstreaming' as a strategy to implement BPfA in order to reduce gender inequality. Gender mainstreaming became of prime importance to reduce inequality in development paradigms and institutional structures to be reexamined and restructured from the gender perspective.

In Nepal, the concept of 'gender equality' was introduced in 1998 with the formulation of the 'Gender Equality and the Empowerment of Women' National Plan of Action (NPA) on 12 critical areas of concern of the BPfA (1998) and the topic was espoused in the Ninth Five-Year Plan (1997-2002). The constitution of Nepal rewritten and amended from time to time also conferred on women and other marginalized groups, including Indigenous Peoples of Nepal, their rights to equality and justice.

The Constitution of Nepal, 1990 prohibited discrimination on grounds of sex and advocated for special legal provisions to protect and advance

the interests of women and other socially excluded groups. The Interim Constitution of Nepal, 2007 guaranteed individual freedom for every citizen. It also ensured right to equality and formulation of laws to make special provisions for protection, empowerment or advancement of backward persons or community, including women, Dalits, Madhesis, and Indigenous Peoples from the economic, social or cultural perspectives. Article 21 enshrined under the right to social justice ensured the right of women to participate in state structures on the basis of the principle of proportional inclusion.

The Gender Equality Bill passed in 2006 introduced several provisions for the protection of women's rights. The National Plan of Action on CEDAW and National Plan of Action on Gender Equality and Women Empowerment was formulated by MoWCSW for the implementation of CEDAW and human rights related instruments as well as all the 12 critical areas of concern identified in BPfA in Nepal.

2. Institutional background

NEFIN, established in 1991, is an organization of Indigenous Peoples. It is the only representative umbrella organization of the government-recognized 59 indigenous nationalities in Nepal. It is an autonomous organization, which advocates for social justice, equity and rights of Indigenous Peoples in Nepal. NEFIN has its networks extended nationally and internationally.

Nationally, it has Province Coordination Councils in all the seven provinces, District Coordination Councils (DDCs) in more than 71 districts, more than 3,000 Village Coordination Councils (VCCs), seven affiliated-organizations of indigenous women, indigenous journalists, indigenous youths, students, film makers, lawyers etc, and foreign-chapters in more than 19 countries.

NEFIN aims to act strongly for holistic development of the Indigenous Peoples and establish Indigenous Peoples' rights and identity. It aims to stay functional in order to achieve collective rights of Indigenous Peoples to their lands and territories, natural resources and protect their traditional knowledge and skills, arts and intellectual property as recognized by the UN.

The core objectives of NEFIN are:

- i. To protect and promote languages, scripts, literature, religions and cultures of Indigenous Peoples and to secure equal rights in coordination with all stakeholders. It strives for the development of world relations and fraternity by expressing solidarity against discriminatory practices based on race, class/ethnicity, language, religion, etc.
- ii. To build and help build nation and nationality on the basis of reciprocity, unity, goodwill and fraternity among all Indigenous Peoples in the country.
- iii. To develop leadership and make policy regarding common issues of Indigenous Peoples in coordination with their organizations.
- iv. To take initiatives to empower Indigenous Peoples and their organizations by formulating plans and programs, and implementing them with the objective of all eviating poverty.

Organization's efforts to promote gender equality

NEFIN since its inception has incorporated the concept of gender equality in its organizational structure, policies, programs, and projects.

a) Gender balance in the selection of members

NEFIN has adopted gender balanced policy in the selection of members of its various structures such as the Federal Council, foreign chapters, and provincial, district, local level and ward coordination councils.

The Federal Council is the supreme regulatory body of NEFIN and its networks. The Federal Council, along with all other councils, has two representatives from member organizations chosen on the basis of gender-balanced participation.

b) Provision of 33 percent women representation

NEFIN ensures 50 percent women representation in its Federal Council and 33 percent women representation in its organizational structures such as Secretariat, foreign chapter secretariats, Election of Federal Council Secretariat, Election Committee, management departments, provincial coordination councils, Council Secretariat, ward coordination councils, although in different 10 departments³ the provision of 33 percent women representation has not been effectively implemented. All these organizational structures have provisions of 33 percent women representation to make them gender-balanced. However, powerful and decisive posts such as chairperson, general-secretary and treasurer are held by men alone and women get their share in posts such as vice-chairperson and secretary which are held by several candidates.

c) Advise, recommendations, suggestions

A committee of advisors gives advice, recommendations and suggestions for achieving the objectives of the organization. The Federal Council, foreign chapter secretariats, and province, district, special structure, local level and ward coordination councils have their own advisory committees. Each member organization can send only one representative as member of advisory committee. This is a gender-neutral policy which increases the probability of male members enjoying the opportunity. However, during the member selection process, priority is given on the basis of gender and geography.

d) Participation and representation in General Assembly, Assembly

Gender balance is maintained in the participation and representation in General Assembly and Assembly of the NEFIN. Two representatives, including a male and a female, from the Secretariat of the NEFIN, Foreign Division, and province, district, special structure, local level

3. See Annex

and ward coordination councils participate in the General Assembly and Assembly.

e) Meetings of offices, councils and Secretariat

There is no provision of maintaining gender balance in the meeting of offices, councils and secretariat.

f) Voting rights

Only one person can vote in the election to the General Assembly or Assembly of the central, provincial, district, special structure, local level and ward coordination councils. There is no mandatory provision for woman to cast vote.

g) Candidacy

Only one person can be the candidate for election to the General Assembly or Assembly of the respective councils, secretariats and departments. There is no mandatory provision for woman to be the candidate; however, gender balance is maintained in participation during the time of election.

h) Observation

Representatives from different branches/departments of councils and secretariat participate in the General Assembly and Assembly as an observer.

Having a female representative as an 'observer', gender balance is maintained during the time of election to General Assembly and Assembly. Two representatives, comprising a male and a female, from each of the different councils, organizations/institutions affiliated to the NEFIN participate as an observer.

i) Financial Management

At the provincial and local level, coordination councils have their own funds. A joint bank account is opened in the name of chairperson, chief secretary and treasurer and banking transactions can be carried out using the signatures of two of the three joint account holders.

3. Need for gender policy

NEFIN has been consciously integrating the gender perspective into its statute and activities. This experience has led NEFIN to acknowledge that Indigenous women's empowerment and the recognition of women's rights as human rights are essential for the overall development and betterment of Indigenous Peoples. There are several Indigenous women's organizations that have been working to create equitable and just societies for Indigenous women.

In this regard, NEFIN considers engendering gender equality in all its working policies, programs, projects and infrastructure through gender mainstreaming. Acknowledging the cause for the establishment of Indigenous women organizations, and the rights of women secured by the Constitution of Nepal, and in accordance with NEFIN's statute, NEFIN, as a matter of policy, integrates gender policy into all facets of its work. Furthermore, this action is also in harmony with Article 30 of NEFIN's statute that grants it the authority to promulgate rules and regulations, directives and policies as per necessity.

Goals and objectives

The goal of this policy is to safeguard equal access to and benefits from NEFIN programs for women, men, persons with disabilities, sexual and gender minorities from the indigenous community by imbuing affirmative action at its best. The policy ensures especial attention to investment in creating gender-balanced, gender-just, gender-friendly and gender responsive processes in the overall organizational development and working environment. The policy aims to adopt gender mainstreaming in all areas and at all levels of policies and programs.

The gender policy aims to ensure gender equality and women's empowerment central to NEFIN's:

- Organizational development;
- Programs/policies/ projects/ planning at all levels;
- budget and resource allocation;
- Human resources;
- Capacity development &enhancement;
- Monitoring and evaluation; and
- Implementation and accountability.

NEFIN will take gender into account in all of its activities in order to achieve the following objectives:

- i. Redress all forms of gender discrimination, injustice and unfair treatment within NEFIN;
- ii. Ensure human rights of individual organization's staff to enjoy equal opportunity and treatment at work;
- iii. Carry out gender analysis and monitoring of work;
- iv. Execute gender-specific actions to redress inequalities;
- v. Promote equality and equity between women and men, throughout the life course, and ensure that NEFIN's interventions do not promote inequitable gender roles and relations;
- vi. Support member organizations to undertake gender-responsive planning, implementation and evaluation of policies, programs, trainings and activities; and

- vii. Implement gender policy as a cross-cutting policy in NEFIN's institutional structure, planning, programming and activities.

Policy strategies

The goals and objectives of the policy shall be achieved by employing dual approach – gender main streaming and gender-targeted approaches.

Gender mainstreaming is a policy concept of addressing all the existing inequalities in development paradigms and institutional structures by using different tools in order to increase women's involvement in the decision-making processes, development activities and resource allocations. To address gender gaps, special measures have been developed by the government to uplift the status of women and achieve the goal of gender equality. To achieve gender equality, NEFIN also acts in accordance with the government's rules and policies.

NEFIN shall follow minimum standards for gender mainstreaming and gender-targeted approaches.

Minimum standards for gender mainstreaming approach

- i. NEFIN shall systematically gather, analyze and use sex disaggregated data and gender indicators in all of its major data sources at all levels.
- ii. Gender analysis shall systematically be incorporated in the analysis of contexts and situations of indigenous nationalities considering specific needs, vulnerabilities, access to resources, knowledge and skills, and managing strategies of women and men.
- iii. Outcomes of gender analysis shall be fundamental to needs assessment, design, implementation, monitoring and evaluation, program cycle, quality control systems and all types of documents.
- iv. NEFIN shall constantly consult with member organizations for improvement and mutual accountability in integrating gender equality and women's empowerment into NEFIN's programmes.

- v. All project budgets shall be driven by gender analysis and include specific lines for gender-related costs.

Minimum standards for gender-targeted approach

- i. Any activity, project or programme that targets specific gender shall be based on the report or findings of gender analysis that identifies their specific needs.
- ii. Need and context-based infrastructural facilities shall be ensured for female staff and members at the workplace. (Well-lighted rooms, separate/friendlier lavatory, child-care room).
- iii. NEFIN shall use technologies, services and infrastructures to support specific gender with respect to leave and payment.

Part II**4. Operational guidelines**

The operational guidelines of gender related work will include the following aspects.

1.1. Capacity development and institutional establishment for gender mainstreaming

- i. Provide gender sensitization training to office staff and all stakeholders of NEFIN at all levels--from central to local-- as well as in its foreign chapters for a common understanding on gender, women's human rights and empowerment, technical training on gender mainstreaming and technical training on collecting sex disaggregated data, gender data/ statistics, reporting and dissemination.
- ii. Set up institutional establishment by appointing gender focal persons in the NEFIN and in all of its various branches and networks nationally and

internationally. Gender balance must be considered while appointing gender focal persons. They should be provided gender sensitization and technical training on gender main streaming.

- iii. Put gender responsive planning system in place to establish the institutional arrangements for implementation of gender policy and strategies, planning, budgeting, monitoring and auditing.
- iv. Set up Gender Implementation Committees and Gender Mainstreaming Coordination Committees in the NEFIN and all of its various branches and networks nationally and internationally.
- v. Educate all the office staff, members of the Federal Council and the Secretariat about gender-responsive budget. Gender-responsive budget is not a separate budget allocated for women.

1.2. Gender balance in all councils, secretariats, committees and departments:

- i. While ensuring 33 percent reserved seats for women, it shall be ensured that women get powerful and decisive posts such as chairperson, chief or general-secretary, divisional secretary and treasurer.
- ii. It shall be ensured that the Advisory Committee of Federal Council, foreign chapter secretariats, and provincial, district, special structure, local level and ward coordination councils are gender-balanced to give advice, recommendations and suggestions.
- iii. Gender balance or at least 50percent women representation shall be ensured in the formation of 13-member province-based departments and three-member Internal Account Committee and Subcommittee of the Foreign Division.

1.3. Human resource management

- i. NEFIN shall take into account the gender dimension while hiring staff, temporary consultants, resource persons and issuing subcontracts.

- ii. The inherent values and/or competencies in gender equality and women's empowerment of all employees, including employees in decision making positions in committees, missions and advisory bodies shall be assessed.
- iii. NEFIN shall maintain gender-balanced participation in meeting, training, panel discussion, advocacy activities, research and workshop.

1.4. Participation of women in policy processes, programs, projects, planning, execution and decision-making

In this regard, NEFIN shall:

- i. Ensure girls' and women's participation in all of its development activities, projects and programs.
- ii. Ensure women participation while formulating the NEFIN's future plans, policies and programs.
- iii. Ensure women participation in the NEFIN's proposal writing and approval, policy and program planning, monitoring & evaluation and production of requisite programs.
- iv. Ensure women participation at the time of approval and endorsement of any decisions made by the Secretariat.
- v. Ensure women participation in the General Assembly.
- vi. Ensure women participation in the execution of the tasks by history, linguistic, religion, culture and research divisions.
- vii. Ensure women participation in the execution of work related to protection and promotion of indigenous communities, member organizations of the NEFIN, affiliated organizations, and traditional organizations of history, language, religion and culture.
- viii. Include women while executing work related to Indigenous Peoples' issues with the state machinery and political parties.

- ix. Include women in the execution of work of all the organizations/ bodies that work on issues of climate change and the rights of Indigenous Peoples' to land and natural resources.
- x. Include women in the execution of work with all the collaborative organizations working on Indigenous Peoples' issues with regard to Federal affairs and new infrastructures.
- xi. Include women to perform all work regarding occasional trainings on Indigenous Peoples' issues.
- xii. Include women in the execution of work related to academic, legal, human rights and research-related recommended organizations, indigenous communities and members.

1.5. Participation of women in preparation of proposals, report writing, documentation and publications

In this regard, NEFIN shall:

- i. Maintain all the documents and publications, including research work, reports in a gender-inclusive way.
- ii. Ensure the system of keeping gender disaggregated data for gender analysis, the practice of embracing gender sensitivity in the course of data collection, filing and report writing.
- iii. Maintain a clear and definite filing system for files and documents related to gender or women' issues. NEFIN shall prepare a separate annual gender programme report, including results of the implemented projects and investment plans.
- iv. Include women at the time of implementation of the proposals and decisions of Federal Council Secretariat.
- v. Include women at the time of implementation of proposals and decisions approved by the Foreign Division.

- vi. Ensure women participation at the time of approval of implementation of proposals and decisions taken by the General Assembly.
- vii. Include women at the time of implementation of decisions of the Federal Council.
- viii. Ensure participation of women in preparation of progress and finance reports to be presented in the Assembly organized by Foreign Division.
- ix. Ensure women's participation in the preparation of progress report and financial report presented by Federal Council in the General Assembly of the Federal Council Secretariat.
- x. Ensure women participation at the time of submission of yearly and financial reports by the General Secretary and Treasurer in presence of the Federal Council.
- xi. Encourage women participation in preparation of progress report and financial report presented by the Federal Council in the General Assembly.
- xii. Include women while preparing documentation of Province Coordination Councils and District Coordination Councils and all the organizations affiliated to the NEFIN.
- xiii. Include women in the documentation of NEFIN-affiliated foreign organization.

1.6. Participation of women in Selection and Discharge committee

In this regard, NEFIN shall:

- i. Include women in the selection and discharge committee in selecting bonafide representative/s from member organizations for representation in national and international conferences.

- ii. Ensure women participation in the selection and discharge of bonafide candidates as officers and the auditor of the Federal Council Secretariat.

1.7. Participation of women in monitoring and in offering recommendations & suggestions In this regard, NEFIN shall:

- i. Ensure women participation in monitoring all tasks of District Coordination Councils and issuance of instructions.
- ii. Include women in monitoring and evaluation of all the member organizations and in offering recommendations and suggestions.
- iii. Ensure women's participation in regular monitoring and coordination with all collaborative organizations working on indigenous issues with regard to Federal affairs and new infrastructures.
- iv. Ensure women's participation in regular monitoring of Province Coordination Councils and District Coordination Councils and all organizations affiliated to the NEFIN.
- v. Ensure women's participation in regular monitoring regarding the protection and promotion of indigenous communities, member organizations of the NEFIN, affiliated organizations, and traditional organizations of history, language, religion, and culture.
- vi. Ensure women's participation in regular monitoring of indigenous organizations that work in the field of education and health of indigenous communities.
- vii. Ensure women's participation in regular monitoring of affiliated organizations and members who work for NEFIN's communication, publication and public relations.
- viii. Ensure women's participation in regular monitoring and evaluation of members and affiliated organizations.⁴

4. Affiliated organizations/departments of indigenous women, indigenous journalists, indigenous youth, students, film makers, lawyers, etc.

- ix. Ensure women's participation in regular monitoring of NEFIN-affiliated foreign organizations.
- x. Ensure women's participation in regular monitoring of academics, advocates, human rights and research related recommended organizations, indigenous communities and members.
- xi. Ensure women's participation in regular monitoring of all organizations/bodies that work in the field of climate change and the rights of Indigenous Peoples' land and territories and natural resources.
- xii. Ensure women's participation in monitoring and coordination of indigenous organizations associated with Foreign Division.
- xiii. Ensure women's participation in the extended subordinate branches.
- xiv. Ensure women's participation in regular monitoring, coordination, relationship building with all the collaborative organizations working on indigenous peoples' issues with regard to Federal affairs and new infrastructures.

1.8. Participation of women as organizers of meetings, programs, elections and a selection candidates

In this regard, NEINF shall:

- i. Ensure women's participation in organizing programs of different departments.
- ii. Ensure women's participation in calling meetings as per necessity.
- iii. Ensure women's participation in formulating programs and policy of divisions, departments.
- iv. Ensure women's participation as organizers of election of foreign chapter secretariats through unanimous Assembly decision or through election process.

- v. Ensure women's right to cast ballot in the election of General Assembly and Assembly.
- vi. Ensure women's right to file candidacy in the election to General Assembly and Assembly.

1.9. Communication, knowledge and information

In this regard, NEFIN shall:

- i. Give thoughtful consideration to the use of gender-sensitive and gender-neutral language in writings (letters, electronic communication, press release, job announcement, etc.), and conversation within organization and in public domain (social media posts, group messages, interviews, meetings, colloquial and everyday language).
- ii. Follow gender-based communication styles that help develop employees' understanding of gender and NEFIN's contribution to gender equality and women's empowerment.
- iii. Prohibit the use of language, in any forms of communication or correspondence that discourages, demotivates and underestimates women's knowledge, capacity and agency.
- iv. Remain committed to producing communication materials in several languages if required from the gender perspective.

4.10. Financial management

In this regard, NEFIN shall:

- i. Integrate gender equality and women's empowerment in all its organizational procedures, including financial procedure.
- ii. Discourage gender pay gap within itself and its member organizations, and ensures equal pay for the employees of same post.
- iii. Shall include gender equality and women's empowerment activities in all its documentations and project budgets.

- iv. Ensure allocated budget for women specific activities such as awareness programs on women's human rights, Indigenous women's rights, national and international laws and instruments.
- v. Ensure at least 33 percent of women's participation in opening and running bank accounts.

4.11. Zero tolerance for VAW at the workplace

Violence against Women (VAW) is a major obstacle in attaining equality, development and peace. Sexual harassment and physical, mental and psychological abuses are some of the forms of violence that place at the workplace.

NEFIN shall work for the prevention of all types of abuse and harassment. NEFIN shall ensure zero tolerance for all forms of gender-based violence, violence against women and sexual harassment at the workplace.

Action against sexual harassment and gender violence at workplace:

Sexual harassment at the workplace is a persistent problem. General Recommendation No. 19 of the CEDAW Committee recommends the government to impose strong penal sanctions, employ civil remedies and introduce compensatory provisions to protect women against sexual harassment at the workplace. In this regard, NEFIN shall:

- i. Ensure protection of all its female employees from any kind of sexual, derogatory remarks, requests, and intentions while taking employment decisions.
- ii. Pursuant to the Sexual Harassment at Workplace (Prevention) Act, 2015, shall work toward prevention of all types of abuse and harassment. NEFIN shall ensure zero tolerance for all forms of gender-based violence, violence against women and sexual harassment at workplace.
- iii. All staff members, members, volunteers, participants, contractors or

any person associated with NEFIN shall be subject to penalisation policy for sexual harassment. 1414

- iv. Sexual harassment denotes any unwelcome conduct based on sex, gender, colour, age, hierarchy, economic power, geographical origin or physical disability.
- v. Some occurrences of sexual harassment include, but are not limited to:
 - a. unwanted body touching with sexual intention or physically molesting a person
 - b. proposal for sexual activity;
 - c. obscene, evocative and offensive communication in written, verbal, gestural or any non-verbal means;
 - d. staring at women with a maliciously leering intent;
 - e. showing or displaying of pornographic or offensive materials, viz, posters, handouts, videos or screensavers and;
 - f. Sexual jokes and anecdotes;**

Provided that if any such act of sexual harassment is reported,

- a) Complaints will be treated as serious and critical issue of concern and prompt action will be taken with sensitivity;
- b) Confidentiality will be highly maintained;
- c) In case of transferral, the choice of victim will be prioritised;
- d) The alleged harasser also has the right to respond fully to any form of allegations;
- e) There will be no presumptions of guilt and no determination made until a full investigation has been completed;

- f) Consequences of committing acts of sexual harassment may include counselling, apology, dismissal, failure to promote, transfer, termination or other forms of justifiable punishment depending upon the severity and pervasiveness of the case;
- g) But, in case the complaint turns out fake, the previously alleged person will be deemed as victim and consequently the complainer will instead be punished.

Where and whom to complain

Anyone who believes that they have been sexually harassed shall be able to directly complain to the chairperson of the organisation, or drop the complaint in the complaint box or complain via electronic mail.

Use of gender sensitive language

- a. NEFIN shall ensure that its employees use gender-sensitive language among coworkers.
- b. NEFIN shall ensure that all its male staff and seniors are mindful while using the language that discomfords its female employees.

4.12. Creation of enabling environment & making offices women-friendly

- i. All the offices shall have the availability of separate and decent toilets for women with sufficient water supply, the latches and bolt in good condition and bag holder on the wall or door.
- ii. Time for office meeting shall be managed according to women's convenient time because usually morning time is difficult for women.
- iii. Women's confidence and self- esteem shall not be belittled by patronizing behavior of other male staff or seniors.

4.13. Provision of maternity/ paternity/ family leave

- i. NEFIN shall provide maternity leaves as per the Labour Act and Rules (1993) with full pay for women employees.
- ii. NEFIN shall provide paternity leave to share responsibility of reproductive functioning.
- iii. NEFIN shall be committed to enhancing implementation and tracking of gender-aware and family-friendly policies for the NEFIN workforce.

4.14. Child crèches/breast feeding room and break time

NEFIN shall provide a separate and healthy room for children and also provides break time for mothers to feed milk to their child.

Part III**5. Implementation and Accountability**

- i. NEFIN's Chairperson and Secretariat members shall be accountable for the implementation of the organization's policy.
- ii. NEFIN's staff and all individuals associated with NEFIN shall be equally responsible for implementing the policy.
- iii. NEFIN's member organisations shall also be accountable for implementation this policy in case they have not formulated gender policy in line with this policy.
- iv. The Executive Director shall report on the implementation process to the Federal Council Secretariat.

6. Policy and legal reforms

NEFIN shall bear full rights to evaluate and amend Gender Policy as per necessity. All member organisations shall develop and implement gender policy in line with this policy.

7. Operational definitions:

Gender refers to socially constructed roles, responsibilities and identities of men and women as well as the power relationships between them. These gender roles and responsibilities are created in our households, families, communities, societies and cultures. Gender roles can change over time, vary within and between cultures. Gender roles can be the result of different factors such as intra-community dynamics, traditional practices and customs, socio-political status, class, ethnicity, age, and the like.

Gender discrimination operationally defined as “social discrimination against women just because a person is a woman/ girl”. It implies any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Gender gap refers to disproportionate difference between men and women particularly as reflected in the attainment of development goals and access to resources and levels of participation. A gender gap indicates gender inequality.

Gender audit is the examination of the specific details of the programme/project through a gender lens. It checks during programme formulation and implementation how gender issues are addressed. It is to ensure gender equity, gender equality and the empowerment of women through development intervention.

Gender equity is a means to achieve gender equality. It involves the use of temporary special measures to compensate for historical or systemic bias

or discrimination. It refers to differential treatment that is fair and positively addresses a bias or disadvantage that is due to gender roles or norms or difference between the sexes. Gender equity is measured by variables like affirmative measures such as reservation/ quota, positive discrimination, capacity development of women, enabling working environment and zero tolerance for VAW at the workplace, female staff's view for making offices women-friendly, proportion of the budget allocated for women specific activities and its use, types of activities under women's budget and practices providing priority to women.

Gender equality means the treatment of women and men as equal human beings in equality in opportunities for women and men in representation and participation. Women and men have equal conditions, treatment and opportunities for realizing their full potential, human rights and dignity, and for contributing to and benefitting from economic, social, cultural and political development. It means that structures and decision-making processes neither privilege nor discriminate women or men, in all their diversity.

Sex and age disaggregated data are data that are broken down according to each person's sex and age or age group, presenting information separately for women, men, girls, boys and person with diverse gender identity, otherwise it becomes more challenging to identify real and potential inequalities.

Women empowerment refers to increasing the personal, political, social or economic strength of individuals and communities. Empowerment of women and girls concerns women and girls gaining power and control over their own lives. It involves awareness-raising, building self-confidence, expansions of choices, increased access to and control over resources and actions to transform the structures and institutions which reinforce and perpetuate gender discrimination and inequality. The core of empowerment lies in the ability of a person to control their own destiny. This implies that to be empowered women and girls must not only have equal capabilities (such as land and employment), but they must also have the agency to use these rights, capabilities, resources and opportunities to make strategic choices and decisions (such are provided through leadership opportunity

and participation in political institutions).

Gender balance refers to equal participation of women and men in all areas of work (international and national staff at all levels, including at senior positions) and in programmes that agencies initiate or support (e.g. relief distribution programme). Achieving a balance in staffing patterns and creating a working environment that is conducive to a diverse workforce improves overall effectiveness of policies and programmes and enhance agencies' capacity to better serve the entire population.

Gender analysis examines how differences in gender roles, activities, needs, access to and control over resources, affects decision making power of women and men within the household, in the community and in the larger society. It guides towards realizing potentials of men, women, boys and girls that can be enhanced through development interventions leading towards empowering all members of the household and the larger society. It also examines the relationship between females and males and the constraints they face in relation to each other.

Gender responsive refers to planning, programming and budgeting by an organization that contributes to the advancement of gender equality and the organizations of women's rights. It entails identifying and reflecting needed interventions to address gender gap in all sectors and levels.

Gender mainstreaming is a strategy aimed at ensuring that both women's and men's needs, priorities and experiences are taken into account in all development planning, policies and programming. It is the strategy to access gender equality by means of implicating concerns and experiences of women, girls, men, boys and LGBTIQ+ as integral dimension of the design, implementation, monitoring and evaluation, and impact assessment of policies and programmes so that women, girls, boys, men and LGBTIQ+ benefit and inequality is not perpetuated.

ANNEX – I**List of 10 departments:**

1. Department of Organization
2. Department of History, Language, Religion and Research
3. Department of Education, Health and Research
4. Department of Information, Communication, Publication, and Social Contact
5. Department of Affiliated Organisation
6. Foreign Chapter
7. Department of Academics, Law, Human Rights and Research
8. Department of Land, Natural Resources, and Climate Change
9. Coordination Department of State Management and Political Parties
10. Department of Federal Affairs and Training

