

Mandates of the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence; the Special Rapporteur on violence against women and girls, its causes and consequences and the Working Group on discrimination against women and girls

Ref.: AL NPL 3/2023
(Please use this reference in your reply)

15 December 2023

Excellency,

We have the honour to address you in our capacities as Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence; Special Rapporteur on violence against women and girls, its causes and consequences and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 54/14, 45/10, 50/7 and 50/18.

We would like to bring to the attention of your Excellency's Government information we have received concerning **the grave impact of enforced disappearances on women in Nepal, including wives, mothers or relatives of the disappeared**. We have also received information concerning **the failure by the State authorities to effectively search for the disappeared; undertake independent, impartial, thorough and effective investigations; and ensure integral reparations for the families**.

Allegations of human rights violations following the Nepali 1996-2006 armed conflict were already the subject of previous Special Procedures' communications ([AL NPL 1/2023](#), [AL 2/2021](#), [AL 1/2020](#), [OL 2/2019](#) and [OL 1/2019](#)). We would like to thank your Excellency's Government for its responses provided, dated [7 August 2023](#), [29 April 2021](#), [12 June 2020](#), [17 January 2020](#), and [7 June 2019](#), respectively.

According to the new information received:

In February 2015, the Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP) were established in Nepal as non-judicial transitional justice mechanisms to address human rights violations perpetrated by both parties during the internal armed conflict that took place between February 1996 and November 2006.

Although State authorities are required to acknowledge the particular types of harm that women suffer as a result of enforced disappearances, their past participation in transitional justice mechanisms has been especially low. Only two women have ever served as Commissioner of the TRC and CIEDP, one for each Commission. Moreover, the supporting staff is predominantly male, leading to situations in which women victims allegedly had to share sensitive details of their gruesome experiences with male staff members, who were neither adequately trained nor able to ensure a gender-sensitive approach.

In *Meera Dhungana v Nepal Government*, the Supreme Court rejected the petitioners' request to order the TRC to include more women employees so that the complaint mechanism is more accessible to women. The Supreme

Court argued that there was no need to stipulate a separate provision to add more women employees as Section 3 of the TRC Act provided for at least one women member out of the five members of the Commission. By nature of this ruling, the Supreme Court failed to ensure an appropriate gender balance in the appointment of the commissioners as required by international standards.

Further, legislation governing the TRC and CIEDP contains no provision regarding the recruitment of women staff in these bodies. Both Commissions delegated the complaint registration process to Local Peace Committees, which are intended to collect allegations of human rights violations during the conflict from Nepal's different districts. However, the lack of women staff in some of the Local Peace Committees allegedly created an unfavourable environment for women victims, exacerbated by the presence of male staff members that were neither adequately trained nor able to ensure a gender-sensitive approach. In this regard, Nepal reportedly lacked sufficient representation of women in the transitional justice process, which contributed to long-lasting underreporting of complaints by women victims.

However, on 22 September 2022, the Government of Nepal adopted a Second National Plan for the implementation of Security Council resolutions 1325 and 1820, which provided legal recognition to women victims and survivors of conflict-related sexual violence. This represents a significant progress and authorities are encouraged to give full implementation to the new Plan.

In March 2023, the CIEDP reported 2,558 complaints of enforced disappearance registered before the Commission, comprised of 2,355 male "direct" victims and 203 women "direct" victims.

However, bearing in mind that, pursuant to international law, the notion of "victims of enforced disappearance" encompasses the disappeared person and any individual who has suffered harm as the direct result of an enforced disappearance (hence including the relatives), the actual figure of women victims of enforced disappearance in Nepal is believed to be much higher, and the statistics of the CIEDP reportedly do not fully reflect the real magnitude of the problem and its wider ramifications in Nepali society. In fact, it is reported that the CIEDP failed to consider the families of disappeared persons as victims, in contradiction with the Declaration for the Protection of All persons from Enforced Disappearances of 18 December 1992, as well as the International Convention for the Protection of All Persons from Enforced Disappearances of 23 December 2010.

The reported situation concerns both men and women relatives of disappeared persons, although women are disproportionately affected. Although the majority of forcibly disappeared persons are men, the non-recognition of the families of disappeared persons as victims of enforced disappearances revictimizes women relatives, especially when the disappeared men were the heads of their households. As such, women's emotional upheaval by material deprivation has been reportedly made more acute by the family costs incurred, the social stigma compounding their situation, and the disruption of their family structures.

We welcome recent developments and the Nepali Government's ongoing attempts to adopt transitional justice legislation that aligns with international human rights law. We remain ready to support Nepali authorities in these efforts by providing technical assistance within our mandates, such as addressing gendered dimensions of enforced disappearances and specifically supporting women victims.

Equally, the mandate-holders would be willing to provide assistance on these matters in the context of a country visit and remain at disposal to discuss with Your Excellency's Government this option.

Women as victims of enforced disappearances and lack of sufficient State response

Despite the grave consequences of enforced disappearances for women, exacerbated by gender discrimination and structural inequalities in Nepal, it is reported that no gender-sensitive policies have been put in place to address in transitional justice processes. Reportedly, Nepali authorities have frequently overlooked the serious issues concerning women victims and the specific difficulties they face. As such, neither the Government nor society at large have sufficiently addressed the long-term adverse effects of enforced disappearances on women.

Economic conditions and access to property, landownership and education

The enforced disappearance of loved ones, often economic providers, has reportedly imperilled Nepali children's access to education, as the economic consequences of disappearance has left many women unable to afford sending their children to school. In addition, older women may be disproportionately affected economically by the enforced disappearance of their sons, as they are often unable to return to work after the loss of their main family provider.

Regarding access to land and property, Nepali civil law provisions related to inheritance and landownership are only developed in reference to deceased persons, with no consideration for individuals who have been forcibly disappeared. Under Nepali inheritance law, ancestral property cannot be passed on to other family members without evidence of the owner's death, unless the owner has been missing for at least 12 years, when they are presumed dead. Land constitutes an important source of revenue and food in Nepal, and it is required as collateral for loans. The proportion of women registered as owners of land holdings was reportedly low during and in the immediate aftermath of the conflict. The only way for those with a disappeared relative to access the much-needed land and assets has been for them to declare their disappeared male relatives dead.

Additionally, the Banking and Financial Institution Act of 2017 states that the transfer of a person's bank account to another person, normally a relative, is only possible after delivering a death certificate issued by the concerned Governmental authority indicating proof of death. Again, many women were reportedly compelled to take the difficult decision of asking for a death certificate for their relatives to be able to access these bank accounts and receive "single women's allowance," the monthly financial assistance the

Government provides to widows but not to the wives of forcibly disappeared persons as per the Government's rules. These conditions have reportedly caused serious harm to women victims and undermined the efforts of family members, disproportionately women, attempting to establish the fate and whereabouts of their disappeared relatives.

Finally, the search for information regarding the fate and whereabouts of a disappeared loved one in itself has reportedly added a financial burden for the women left behind, requiring time that cannot be dedicated to income-producing activities, as well as associated travel and childcare costs. To provide support in the face of these hardships, an Interim Relief Program (IRP) was created to offer economic benefits to conflict-affected persons. However, the IRP was ultimately at odds with international human rights law on multiple counts and it is crucial that the legislative amendments are made to fully comply with Nepal's obligations.

Under the original IRP, which extended until 2009, the benefits awarded to the next-of-kin of forcibly disappeared persons were worth significantly less than the amount awarded to those of the deceased. Such imbalances reportedly forced relatives of disappeared persons to either face undue financial burden or provide false information to the Registry in order to obtain a death certificate and access the existing benefits in full.

Moreover, among those women and families that were able to receive the IRP relief amount, the Government's decision not to distribute the total amount all at once allegedly reduced its impact significantly, as the relief money was delivered in three instalments spread out across a period of 10 years. As a result of this decision, many families were reportedly unable to acquire a home, property or make a long-term investment, instead constrained to paying small debts or making a series of small short-term purchases.

Reports indicate that many wives of forcibly disappeared persons remain unable to receive a single women's allowance due to their husband's disappeared status. Single women's allowance provides a social security payment of 2,660 Nepali Rupees per month to unmarried or widowed women above the age of 60 or with little to no source of income. In some instances, women have been told by local authorities that the IRP relief money and the single women's allowance were incompatible and that both require a death certificate for their husbands.

Even for those aware of and eligible for the single women's allowance programme, the application process for receiving benefits has created unique challenges. To access relief, women first must prove that the enforced disappearance took place, which is a considerable challenge. Given the secretive nature of enforced disappearance, finding evidence or witnesses can be an incredibly difficult burden for relatives to undertake. Further, filing successful claims requires a lengthy procedure during which most victims need to visit the office of the Chief District Officer repeatedly to inquire about or resubmit their claim. Such journeys reportedly often pose a significant economic and physical burden for women.

It has been reported that these obstacles are most acutely felt by Nepal's most vulnerable women victims, and particularly those who live in remote areas, have minimal income, lack family, are illiterate or have significant language or accessibility barriers. For instance, as all the paperwork must be completed in Nepali language, victims from different ethnic backgrounds have difficulties engaging in the process successfully. Reportedly, no Government assistance is provided for benefit seekers to navigate this process.

The application process also allegedly forces women into public roles that they are normally excluded from, which can lead to negative social consequences and discrimination. In order to establish their relationship to the disappeared, women must interact with male non-family members in public to obtain the relevant documents, which reportedly deepens social stigma and can re-traumatize victims. Requiring women to rely on the assistance of men, both inside and outside the family, exposes women to greater risk of abuse and discrimination.

Like other IRP beneficiaries, some women allegedly encountered difficulties arising from political parties' influence over decisions concerning the eligibility and distribution of funds or the lack of coordination among the multiple entities involved in the process. Many women reportedly found themselves unable to access funds because they lacked relevant connections.

Reportedly, the distribution of these interim relief payments has also encountered difficulties as a result of the program not taking local customs and gender issues into account. Under the IRP, a wife is legally entitled to the entire benefit, but many face pressure to share it with other relatives. Allegedly, in some instances, male relatives have tried to bypass the wives of those forcibly disappeared by approaching the local authorities directly.

Furthermore, the enforced disappearance of a man whose income supports his household reduces his family's economic security and affects the overall livelihood of all members, including mothers. Although Nepali social construction typically considers daughters-in-law as subservient to their mothers-in-law, the interim relief lists the wives as beneficiaries. This allegedly heightened the economic challenges of elderly, widowed mothers whose married sons were disappeared. The Government's social security benefit for a single woman citizen above 60 years old is a monthly allowance of NPR 6,660, which is insufficient to cover their daily needs.

Moreover, it has been reported that the provision of vocational training to help generate income for victims of the conflict was another important component of the IRP. Yet, reportedly, such programs have not been implemented. Indeed, many women regret the Government's failure to provide job opportunities for them and their children. Without the assistance of these programs for victims' families, they risk facing hardship once the relief money runs out.

Social impact

Wives of forcibly disappeared men are reportedly treated as neither fully a widow nor a wife, placing them in a situation of limbo that often exposes them

to multiple and intersecting forms of discrimination and to social and cultural pressures.

Family problems following an enforced disappearance have been widely reported, with the major cause being economic issues. After the loss of the family breadwinner, in-laws facing financial trouble may view their daughter-in-law as a burden. Further, the daughter-in-law may be seen as a danger to ancestral property inheritance through the children if there is disagreement in the family, leading to increased tension and family conflict. In these cases, some fathers-in-law are reportedly hesitant to pass on land titles for fear that the daughter-in-law would take them away if she remarried.

In Nepal, widows or any woman perceived to be living outside of social norms are especially vulnerable to claims of witchcraft as a means of assigning blame for others' misfortune. Although the Witchcraft Allegation (Offence and Punishment) Act of 2014 criminalizes the acts of accusing someone of practicing witchcraft and subjecting the accused to cruel, inhuman, and degrading treatment, it is alleged that such incidents still occur regularly including by members of the local Government representatives. Furthermore, despite being criminalized, these cases are allegedly still subjected to mediation within their communities without legal proceedings.

Additionally, it is reported that women victims are frequently viewed differently and treated with suspicion by their communities in the immediate aftermath of an enforced disappearance. Women's sudden need to venture out of the house to find work, or search for their husbands, and participate in events organized by civil society organizations was reportedly viewed with suspicion by others. Further, women victims' interaction with non-family male members is reportedly viewed as socially unacceptable in many communities. As they started to search for their relative or attend advocacy activities of civil society organizations, many women allegedly face accusations by neighbours of leaving the house to meet other men or questions about the source of their earnings. A large number of these women report having been avoided, cursed, insulted, teased, humiliated, discriminated against, disregarded, spat at, and laughed at by members of their community in some form. They also reported being blamed for allegedly bringing bad luck to their communities and considered despicable and impure to the extent where people refrained from eating food touched by these women.

It is also reported that the wives of forcibly disappeared persons continue to face pressure by the larger community and family members to declare their loved ones as deceased. They reportedly face pressure from neighbours and their communities to perform funeral rituals that will ensure their husband's "spiritual liberation" and also serve to preserve the social order. According to the reports received, women's refusal to perform funerary rituals has in several cases ostracized them from their community.

Further, wives of the disappeared also encounter criticism, questioning, and pressure regarding remarriage, especially if they are young. Reportedly, women who do not remarry face unwanted attention and sexual harassment from local men and male relatives.

Physical and psychological integrity

Enforced disappearances have negatively affected the mental health and psychological well-being of women victims. Common reported symptoms include emotional dysregulation, severe depression, despair, suicidal tendencies, anxiety, constant alertness, and interrupted sleep. The stress of an enforced disappearance frequently manifests physiologically, including persistent fatigue or pain. If left untreated, physical and mental health problems can develop into more serious conditions. Physical health problems have also reportedly arisen from women being unable to prioritize their own health expenses because they lacked financial resources. Moreover, the effect that women's distress has on children's mental health is also concerning, as it can create intergenerational trauma that persists well into adulthood.

A large number of victims are living with physical ailments without receiving any support from the Government. While the psychosocial counselling services offered by the Government between 2013 and 2015 were a positive measure, they were reportedly conceived to be temporary and were thus discontinued. Such services were also considered as a form of psychosocial support and not a form of reparation. Excluding the period mentioned, no other measures addressing the specific psychological needs of the victims of enforced disappearances have been put in place.

While we do not wish to prejudge the accuracy of these allegations, we would like to express our concern for the grave impact of conflict-related enforced disappearances on the families of the disappeared, especially wives, mothers and other women relatives. We are concerned by the alleged failure of State authorities to search for the disappeared adequately and undertake effective investigations, to ensure redress and guarantee their right to full participation in the transitional justice process, as well as to bring those responsible to justice.

We wish to recall that the prohibition of enforced disappearance has attained the status of *jus cogens* under international law, and is one of the most egregious human rights violations, as it entails other serious human rights violations, including torture or other cruel, inhuman or degrading treatment or punishment, or arbitrary deprivation of life. In the case of women, the State faces a strengthened duty to act in due diligence. States have a duty to recognize the particular types of harm that women and girls suffer based on their gender, including sexual violence, psychological damage and social stigma, and the disruption of their family life. Given the continuous nature of the crime, enforced disappearances also impair the full enjoyment of the rights of relatives of disappeared persons, including women and children, especially economic, social and cultural rights. Children victims with forcibly disappeared parents can also suffer long-lasting trauma and carry its adverse effects well into adulthood.

Further, we recall the right of victims and their relatives to obtain redress and adequate compensation, including the means for as complete a rehabilitation as possible and, in the event of the death of the victim as a result of an act of enforced disappearance, the right that their dependents enjoy to compensation, as recognized by article 19 of the Declaration on the Protection of all Persons from Enforced Disappearance, adopted by the United Nations General Assembly in 1992.

In this context, the Working Group on Enforced or Involuntary Disappearances would be available to provide technical cooperation and assistance, including through country visits, were it deemed convenient by your Excellency's Government.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** enclosed to this letter, which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your Excellency's Government's observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the information provided.
2. Please provide information on whether there are plans to introduce in the existing legal framework the possibility of obtaining and presenting a certificate of absence due to enforced disappearance instead of a death certificate in the family, property and administrative matters raised in the allegations;
3. Please provide information on what plans, if any, there are to recognize relatives of disappeared persons as victims of enforced disappearances in their own right – in accordance with international law including the Declaration on the Protection of all Persons from Enforced Disappearance – to determine the number of persons falling within this category, and to act accordingly in terms of relief and reparations;
4. Please indicate what measures have been adopted or are planned to include a gender perspective into the search of the disappeared persons, and in investigations of these cases. Additionally, please describe what measures are being taken to ensure the consideration of the gender dimension while designing rehabilitation, satisfaction and compensation policies;
5. Please indicate any measures or plans envisioned to include women victims and a gender-sensitive approach in the design, implementation, assessment of the transitional justice legislation and policy.

We would appreciate receiving a response within 60 days. Past this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting website. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please accept, Excellency, the assurances of our highest consideration.

Aua Baldé

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Fabian Salvioli

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Annex

Reference to international human rights law

In connection with the above alleged facts and concerns, we would like to remind your Excellency's Government of its international obligations under articles 3 and 26, which recognize States' duty to ensure the equal right of men and women to the enjoyment of all civil and political rights and all persons' equality before the law, read alone and in conjunction with article 2(3) of the International Covenant on Civil and Political Rights, ratified by Nepal on 14 May 1991. Additionally, we refer to articles 3, 11, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights, ratified by Nepal on 14 May 1991, read alone and in conjunction with articles 2(1) and 2(2). The mentioned articles establish States' duty to ensure the equal right of men and women to the enjoyment of all civil and political rights recognized in the Covenant; right to an adequate standard of living for himself and his family, including adequate food, clothing and housing, the right to the enjoyment of the highest attainable standard of physical and mental health; and the right to education.

Further, we wish to make reference to the Declaration on the Protection of All Persons from Enforced Disappearances,¹ which establishes the obligation of States to promptly, thoroughly and impartially investigate any acts constituting enforced disappearance (article 13); to appropriately protect children victims from enforced disappearances (article 20); that the victim and his/her family shall have the right to adequate compensation, including the means for a rehabilitation as complete as possible (article 19); and that acts constituting enforced disappearance shall be considered a continuing offence as long as the perpetrators continue to conceal the fate and the whereabouts of persons who have disappeared and these facts remain unclarified (article 17).

We also refer to the Study by the Working Group on Enforced or Involuntary Disappearances on enforced disappearance and economic, social and cultural rights ([A/HRC/30/38/Add.5](#)), particularly highlighting the section dedicated to the impact of enforced disappearances on the economic, social and cultural rights of the family or other dependents of the disappeared person (paras. 23-32) and the recognition of how, under the Declaration, States are required to provide reparation, social assistance and rehabilitation to the family of the disappeared.

Further, we underscore the General Comment on women affected by enforced disappearances of the Working Group ([A/HRC/WGEID/98/2](#)), particularly its paragraphs 12, 17 and 24. Paragraph 12 stipulates that in many cases, the enforced disappearance of men results in entire families becoming victims of enforced disappearances. As the family structure is disrupted, women are negatively affected economically, socially and psychologically. The emotional upheaval is thus exacerbated by material deprivation, made more acute by the costs incurred should they decide to undertake a search for their loved ones. In such circumstances, these women are deprived of several economic, social and cultural rights enshrined in the Universal Declaration of Human Rights and in other instruments, such as the rights to health, education, social security, property and

¹ [Declaration on the Protection of all Persons from Enforced Disappearance | OHCHR](#)

family life are violated. Additionally, paragraph 17 refers to the concerning legislative provisions that force victims to declare their loved relatives dead while they are still disappeared, and paragraph 20 addresses States' need to consider gender balance in the appointment of commissioners of truth commissions.

It is equally relevant to mention the Working Group's General Comment on the right to be recognized as a person before the law ([A/HRC/19/58/Rev.1](#)), particularly paragraphs 5 to 11, which refer to the relevance of creating the concept of declarations of absentia in legal frameworks, to avoid needing to rely on declaration of death for disappeared persons.

On a further note, we wish to recall Principle 4 of the Guiding Principles for the Search for Disappeared Persons,² which states that, in the search of the disappeared, a differential approach should be adopted in supporting persons who participate in the search, such as family members and other persons close to the disappeared person, considering their particular needs.

Concerning the composition of members and staff of the TRC and the CIEDP, we would like to recall that the Updated set of principles for the protection and promotion of human rights through action to combat impunity (E/CN.4/2005/102/add.1) stressed that in determining membership to commissions of inquiry and truth commissions, concerted efforts should be made to ensure adequate representation of women as well as of other appropriate groups whose members have been especially vulnerable to human rights violations (Principle 7).

In his report on a gender perspective to transitional justice processes (A/75/174), the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, recalled the obligation of States to adopt gender-responsive transitional justice mechanisms in societies that have suffered serious and gross violations of human rights and international humanitarian law. This duty derives from primary and secondary sources of international human rights law. In this regard, he recommended states to ensure that truth-seeking initiatives contain an explicit reference to examining the causes and consequences of sexual and gender-based violence, and to the comprehensive implementation of their work from a gender perspective; and that the selection and appointment of commissioners is gender balanced and include the participation of the communities and populations concerned. He further noted the need to ensure that the typology of serious human rights violations includes gender behaviours; broad definitions that are not limited to physical injuries; a differentiated impact of violations; and a record of primary and secondary violations and their effects on the primary and secondary victims. (paras. 92, 95 and 97).

We would also like to remind your Excellency's Government that the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ratified by Nepal on 22 April 1991, requires States to guarantee substantive gender equality. In fulfilling this obligation, States must adopt a broad definition of discrimination against women; combat harmful gender stereotypes; utilize temporary special measures to accelerate equality of opportunities and treatment; and ensure women's full development, their participation in political and public life, and their enjoyment of specific socioeconomic rights (Arts. 1, 3, 4, 5, 7,

² [Guiding principles for the search for disappeared persons | OHCHR](#)

8 and 11–14).

Further, as stressed by the Working Group in its report on gender inequalities of poverty (A/HRC/53/39), poverty is a gendered phenomenon that is deeply imbricated with other forms of inequality and discrimination. Women's and girls' experiences of poverty intersect with their race, ethnicity, migratory status, age, disability, religion, geographical location, sexual orientation and gender identity to produce distinct forms of discrimination and inequality that vary over time and from place to place. The persistence of discriminatory norms and harmful gender stereotypes affecting women and girls across every area of life, from the family to the community, in businesses and in all branches of public power, contributes to maintaining and deepening these inequalities. To address the feminization of poverty, the Working Group recommended the grounding of all laws and policies in the core human rights principles of equality and non-discrimination; the meaningful participation of women and girls; accountability; and the progressive realization and non-retrogression of economic, social and cultural rights.

We also wish to recall that the Working Group, in its report on participation in public life (A/HRC/23/50), emphasized that transitional justice mechanisms must be designed, implemented, and facilitated in a gender-sensitive manner. In particular, transitional justice mechanisms should provide accountability for gross violations of human rights affecting women, comprehensively analyze gender-based violence and abuse by past regimes, establish means for transformative reparations for women victims, and create the foundation for a gender-responsive reform of the political and legal institutions as part of the guarantee of non-recurrence.

Additionally, we wish to note that secure rights over resources, including property, land, housing, food, water and sanitation, are essential to women's equality and well-being, and to their economic independence and autonomy (A/HRC/26/39). As noted by the Working Group in its report on discrimination in economic and social life, families headed by women, like those headed by children, are more seriously affected by poverty because of the discrimination they suffer. Given that State recognition is often a condition for families to receive services and benefits, such as accommodation and protection provided by the State and/or non-State actors, lack of recognition leads to the marginalization of these families. In that regard, the Working Group called on States and other duty bearers to establish equitable and sustainable systems to finance public spending on gender-responsive social protection systems (A/HRC/53/39).

Moreover, we wish to refer to the report of the Special Rapporteur on violence against women, its causes and consequences on the visit to Nepal, which underscores the need for gender-sensitive approaches to transitional justice legislation and policy (A/HRC/41/42/Add.2). The Special Rapporteur called for the Government to implement effective measures to facilitate the registration and investigation of cases and complaints of conflict-related sexual violence, including extending the statute of limitations and protecting victims when filing cases, providing adequate interim relief measures, such as access to medical and psychosocial care, as well as full reparations, including restitution, compensation and rehabilitation.