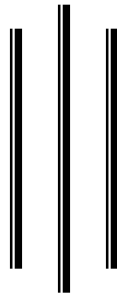


**PERSPECTIVE OF CIVIL SOCIETIES ON HOMOSEXUAL
AND THEIR HUMAN RIGHTS SITUATION IN NEPAL**



**A DISSERTATION SUBMITTED To
THE FACULTY OF HUMANITIES AND SOCIAL SCIENCE FOR PARTIAL
FULLFILMENT OF THE REQUIREMENT FOR MASTER DEGREE OF
SOCIOLOGY**



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This is to certify that Mr. Jaya Shor Chapagain has completed this dissertation work entitle "PERSPECTIVE OF CIVIL SOCIETIES ON HOMOSEXUAL AND THEIR HUMAN RIGHTS SITUATION IN NEPAL" as a partial fulfillment of Master Degree in Sociology under my guidance and supervision.

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To my father and mother.

ACKNOWLEDGEMENT

Date:

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ABSTRACT

PERSPECTIVE OF CIVIL SOCIETIES ON HOMOSEXUAL AND THEIR HUMAN RIGHTS SITUATION IN NEPAL

Sexual orientation or gender identity (SOGI) leads to abuse in the form of discrimination, violence, imprisonment, torture, or even execution, every day, across the globe which contravenes the basic tenets of international human rights provisions. After April uprising 2006, LGBTIs are recognized as a minority group in Nepal but still they are discriminated, disadvantaged, deprived, degraded and denied to justice and human rights.

The current legislation and the Interim Constitution of Nepal are silent on the issues of homosexual. The representation of LGBTI in government offices, the judicial sector, Commissions and local agencies is nil. Since the LGBTIs also fall under Janajatis and come from backward regions; they are doubly victimized. So far, only two persons with Third Gender/Trans Gender background have been able to acquire citizenship certificates according to his/her identity.

Homosexual problem could not be suppressed; feeling of discrimination and violation of human rights might be the cause of violence if State failed to address their problems. To make them able to enjoy the human rights effectively and minimize the impending risk in society State can regulate some conditions while allowing the living together (civil union) rights to homosexual communities. Few I/NGO working in this sectors will raise their finger against the government action but finally they admit the fact that it is the only possible way to gain a highest assurance of the State in order to ensure the human rights of homosexuals community in Nepal.

A total 48 questionnaires were collected from homosexual; 26 from lesbian and 22 from gay members. Similarly, 53 questions were collected from civil society members. Except the questionnaires, semi-structural interview, focused group discussion and case studies were applied to the research methodology. I selected some human rights related NGO's representative from Kathmandu valley to represent the civil society member for this thesis purpose. My study includes those homosexuals who are involved in formal networks and living in and around the Kathmandu valley.

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Acronyms

APA	American Psychiatric Association
BBC	British Broadcasting Corporations
BDS	Blue Diamond Society
CA	Constituent Assembly
CBS	Central Bureau of Statistics
CDO	Chief District Officer
CERD	International Convention on Elimination of All Forms of Racial Discrimination
CPN, U	Communist Party of Nepal, United
ECHR	European Court of Human Rights
FGD	Focused Group Discussion
FSGMN	Federation of Sexual and Gender Minorities, Nepal
GLBT	Gay, Lesbian, Bisexual and Transgender
HRNAP	Human Rights National Action Plan
HRW	Human Right Watch
ICCPR	International Covenant on Civil and Political Rights
IGLHRC	International Gay and Lesbian Human Rights Commission
ILGA	International Lesbian and Gay Association
ILO	International Labor Organization
LG	Lesbian and Gay
LGBTI	Lesbian, Gay, Bisexual, Transgender and Inter-sex
MOWCSW	Ministry of Women, Children and Social Welfare
NGO	Non- governmental Organization

NHRC	National Human Rights Commission
NIU	Northern Illinois University
SAARC	South Asian Association for Regional Cooperation
SANAM	South Asian Network to Address Masculinities
SC	Supreme Court
SLC	School Level Certificate
SO	Sexual Orientation
SOGI	Sexual Orientation and Gender Identity
UDHR	Universal Declaration on Human Rights
UN	United Nations
UNHRC	<u>United Nations Human Rights Committee</u>
USA	United States of America
WHO	World Health Organization