

# **CAB, Nepal**

## **Policy of Inclusion, Preventing Sexual Exploitation and Anti-harassment, 2023**

### **Preamble.**

This Cricket Association of the Blind, Nepal's Policy of Inclusion, Preventing Sexual Exploitation and Anti-harassment has been brought into action as per the CAB Nepal's constitutional provision in line with the principle of the United Nation's Convention on the Rights of Persons with Disabilities "UNCRPD and Convention on the Elimination of All Forms of Discrimination against Women "CEDAW" To respect the gender differences and dignity; ensure equality and distribute services and benefits into fair and equitable manner ensure protection of girls/women with visual and other disabilities from sexual exploitation, harassment, negative-stereo-type and stigmatization in and outside work place including play field and ensure full and effective participation of women with visual impairments on an equal basis to their male counterparts without any fear in mind. Nevertheless, this policy equally values the dignity and diversity of male counterparts and defends any sort of probable mental and physical assault, threat and emotional blackmailing on an equal basis to women of all kinds.

## **Chapter-1: General**

### **1. Abbreviations.**

1.1 UNCRPD means United Nation's Convention on the Rights of Persons with Disabilities

1.2 CEDAW means Convention on the Elimination of All Forms of Discrimination against Women

1.3 PIPSEAH means Policy of Inclusion, Preventing Sexual Exploitation and Anti-harassment

1.4 SHG means Self-Help Groups of persons with disabilities.

LGBTI means lesbian, gay, bisexual and transgender persons

CAB means Cricket Association of the Blind, Nepal

### **2. Preliminary.**

2.1."CAB, Nepal, Policy of Inclusion, Preventing Sexual Exploitation and Anti-harassment, 2023" will be the name of this policy and its abbreviated name will be "PSEAH 2023".

2.2. These rules shall come into force from the date of approval by the Executive Committee.



### 3. Definition.

If the subject or context in this policy does not have another meaning:

- (a) "Constitution" refers to the constitution of CAB, Nepal.
  - (b) "Executive Committee" refers to Executive Committee of CAB Nepal
  - (c) "Institution" or "Association" refers to the Association of CAB, Nepal.
  - (d) "Girls" here refers to those above 8 and women here means those with disabilities above age 18 as defined by the constitution of Nepal.
  - (e) Authority means all concerned authorities.
  - (f) Sub-Committee means all Committees formed under the constitutional provision of CAB, Nepal.
  - (g) Self-Help Groups "SHG" here refers to the groups of blind women cricketers formed by this Association and its branches.
  - (H) Sexual harassment here refers to written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin and ages.
  - (I) Sexual exploitation here refers to any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. The examples are it includes black mailing, profiting socially or politically through unwelcoming sexual behavior to another.
- Sexual abuse here means condition of unwanted sexual behavior either through use of force or threaten, such as rape, oral sex and sexual assault.



## Chapter-2: Purpose, objectives and legal bindings.

### 4. The Purpose.

The purpose of this policy is to provide clear guidelines to all affiliated with this Association either professionally or through the project about providing clarity to all on how they should engage with men/ women/girls with and without disabilities while working for them or partnering in some project. It is also to make sure that Executive Committee members, staffs and volunteers have a clear understanding of the matter pertaining to sensitivity of women and fellow members, beneficiaries and show their commitments to ensure women beneficiaries feel included, secure, protected and safe within the office premise and also with the members of this Association. Though women are considered as the victim and male as the perpetrator pertaining to sexual exploitation and harassment but this policy also protects the unusual cases of abuse and exploitation against LGBTI and the male counterparts as well.

### 5. Objectives of the policy.

**5.1** To prevent chances of sexual exploitation and harassment against the women members and players in specific and other with disabilities in general within and outside the Organization and make CAB, Nepal a safe place to work.

**5.2** Make Executive Committee members, staff and concerned stakeholders accountable for reducing abuse and exploitation and unlawful attitude against women/girls with or without disabilities in specific and persons with disabilities in general.

**5.3** To promote inclusion and active participation of women with blindness and other with disabilities in implementation of plans and programs and expansion of status of this Organization.

### 6. The legal binding.

The following persons are legally bound to adopt this policy immediately after its ratification by the Executive Committee;

- (a) Executive Committee members
- (b) Staff of all levels.
- (c) Members of Self-Help Groups of cricket players formed by this Association at the local level.
- (d) Participants of the trainings, cricket competitions and other beneficiaries of this Association.
- (e) Experts, consultants and coaches of cricket hired by this Association
- (f) All the stakeholders working in collaboration with CAB, Nepal.



## Chapter-3: Terms and conditions and other Organizational provisions.

### 7. Terms and Conditions to be abided by the personnel mentioned in clause 6 of this policy.

#### 7.1 Discrimination, partiality and forceful laboring.

CAB, Nepal being an Association working with visually impaired girls/ women cricketers and other women with disabilities in need, believes in making a fair and impartial relationship with every women, men or other with different sexual identity serving to this Organization. Discriminating due to her/his disability, color, caste, creed, sexual identity and religion is considered to be beyond the organizational ethical code. This Organization strongly discourages forceful laboring by menstruating, a pregnant, lactating and women with chronic disabilities. Such an act is highly offensive and those involved shall be penalized as per the labor act of Nepal.

#### 7.2 Rape, sexual, emotional and physical assault.

This Organization adopts the policy of zero-tolerance against rape, sexual, emotional and torture against the women/girls with or without disabilities. A person establishing sexual relationship to a woman under the age 18 even with her prior consent shall be considered as a rape. No staff are allowed to touch, kiss, use vulgar, and double meaning language before the women/girls with or without disabilities. Unwelcome sexual advances, propositions or other sexual comments, such as sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experiences are highly prohibited within and outside the Organization. This Association is serious on preventing chances of sexual abuse and exploitation by the same sex as well. If such activities are being seen, it is the responsibility of the fellow members to report to the focal persons for further action. Hiding or wrong reporting about such activities is considered to be equally unlawful. CAB, Nepal also welcomes anonymous reporting of such cases. Any Executive members and staff under the allegation will be suspended unless they receive clean chit from the investigation. Those receiving the clean chit shall be getting all the benefits and incentives from the very date of suspension. Once his/her involvement in sexual abuse and exploitation is proved, upon receiving the legal punishment, he/she is considered to be unfit to acquire the membership or employment opportunity again in this Organization.

#### 7.3 Maintaining privacy and security.

(a) It is the utmost responsibility of all to ensure that the privacy and security of every individual including LGBTI, marginalized and women and girls with disabilities are maintained at all times and places. No one should publish photos and stories without consent, disclosing the names and other information is highly non-excusable. Lactating mothers are provided a private room to feed their babies. There shall be a separate wash rooms for women and provision of sanitary pads for



The image shows several handwritten signatures and a circular stamp. The stamp is from the 'Nepal Cricket Association' (नेपाल क्रिकेट संघ, नेपाल) and is dated '२०६३' (2063). The stamp also mentions 'महाराजगंज, बागमती' (Maharajganj, Bagmati). There are several handwritten signatures in ink, some of which are crossed out or written over.

menstruating women. There shall be separate changing rooms for the female visually impaired cricketers in the field of play.

(b) Opening of cloths in a public place is highly prohibited unless it is deemed to be beneficial for the women/girls. The door should be kept open or ask guardian for their presence while interviewing or counselling a woman/ girls with chronic, intellectual or psycho-social disabilities. Writing a comment on social media pages with an aim to disrespect an individual's identity or insult the woman in public is highly offensive and shall be liable to cybercrime.

(c) While travelling outside for an official purpose, it is unethical for a male staffs/Ec. Members to stay overnight at the house of a female beneficiary. If it is mandatory, then it is to ensure that a woman has her family members are at the house.

(D) All women members including staffs shall be entitled to get 98 days of leave during her delivery period she is also entitled to get full salary for these period of leave.

#### **7.4 Harassment at the work place.**

CAB, Nepal strongly condemns harassment at the work place against women, men or other with different sexual identities by each other, may be through both verbal and non-verbal communication as harassment ultimately leads to physical and mental harm and destroy an individual's social life as well. Making offensive jokes, bullying, posting derogatory comments on social Medias, physical assaults, intimidation, ridicule, insults, offensive objects or pictures, and interference in work performance against the fellow members are unlawful and unethical and is likely to destroy staff-staff relationship, foster aggression and spoil the good will of the Organization

CAB, Nepal also discourages discrimination between married, unmarried and single women and unnecessary probe into someone's private life is against the ethical code of this Organization.

CAB also discourages unnecessary touch by the male coach or players to the female cricketers in the names of coaching or guiding in and off the field of play.

Specially, women/girls feels uneasy to express what is happening to them and because of this hidden problem, they cannot impart quality performance in the tasks they are assigned. Thus, it is the responsibility of all to create harmonic, peaceful and safe working environment. CAB, Nepal assumes that all our staffs respects dignity and diversity of their fellow members and work in a family environment towards achieving goal of this Association.

#### **7.5 Communicating with the women/girls.**

Respectful language should be used while communicating with the female beneficiary. Use of signs or language that indicates sexual action or that hurts the dignity and integrity of a female is taken as a legal offence. The same rule also applies for male and other with different sexual identity [LGBTI] beneficiaries as well. Information should be relayed in simple and in accessible formats like braille, pictures, captions, videos or sign language as per the specific needs of a



woman and man. It is imperative to take the consent in writing from a person and if possible from the guardians before publishing her/his stories, taking photographs or filming the videos.

### **7.5 Accessibility.**

It is to ensure that the office, workplace, washrooms, training halls and playfields are accessible to all including women/girls with disabilities. Tactile signs, audio and light will be used for easy identification of important places like kitchen, bathroom and way to bed rooms. Teachers, coaches, volunteers and care taker will be trained on method of communicating in sign and tactile language. Reasonable accommodations and individualized support are to be provided to the beneficiaries of both genders as per their specific needs. Safety measures, such as fencing the wall and railing will be installed on the way for easy navigation of the girls/women with blindness and other with chronic disabilities. Necessary assistive devices should be provided to ensure independency and perform their daily chores. Information is to be circulated in accessible formats like braille, pictures, videos, large fronts or by using sign language.

Any breach of these terms and conditions shall be treated as a disciplinary matter, which may result in immediate termination of employment or contract, withdrawal of volunteers and seeking of legal action from police or relevant regulatory authorities.

### **8. Organizational Commitments.**

#### **CAB, Nepal is committed to;**

(a) Establish CAB, Nepal as an inclusive, gender -friendly and accessible Organization for all and have gender responsive budget, plans and programs as well.

(b) Make special provisions to reach out to more girls with visual impairments through its services and benefits and ensure at least 40% of women representation in its all Organizational structure whether it be during the staff recruitment or representing in the Executive Committee.

(c) Provide equal pay, benefits and other facilities including but not limited to compensation to girls/women receiving death or disability during the travel or attending the Organizational events as decided by the Executive Committee.

(d) Organize maximum numbers of cricket training and tournaments from local to national level for the girls with visual impairments so as to make them feel included within the organizational programs.

(E) Considering the potential problem of menstrual and other women health related issue which a woman with disabilities may confront in the play field or at their residence, medical kits, sanitary pads and assistive devices will be arranged.

(e) Provide counseling services and legal support to the victims/survivors of the sexual, mental, physical exploitation and harassment at the workplace by the staffs, coaches, boy's players and other members of this Association.

(f) Allow every woman to travel with chosen one during any events if she feels uncomfortable travelling with others due to mobility or insecurity.

(g) Ensure the safety of all female against rape, sexual abuse, torture or exploitation.





- (h) Deploy Female volunteers to assist girls and give high security while using the toilets, changing rooms and staying at the hostel and hotel during the competitions and trainings.
- (i) Monitor Chances of sexual abuse and exploitation by the same sex at the hostel or during the events.
- (j) Report the cases of women rights violence, rape and physical torture to the concerned legal authorities for legal remedies.
- (k) Make separate stay arrangements for both boys and the girls in the hostel and appoint female staffs/ volunteers to look after girls.
- (l) Provide breast feeding hours for a lactating mother and a child day care service for those unable to leave their children at home. No night stay tasks will be assigned to such woman with special health conditions and priorities.
- (m) Collaborate with parents and guardians while working for woman/girl with intellectual, autism, Down syndrome and other with developmental disabilities.
- (n) Take permission from local administration/authority before admitting a woman/girl at the hostel. Such service shall only be provided to the homeless and survivors of the exploitation.
- (M) Economically empower unemployed and poor visually impaired female cricketers by enhancing their access to vocational, skill development, micro-loan scheme and income generating activities.
- (O) Support in the education of girls with visual impairments through scholarship programs.



## **Chapter 4: Training, monitoring and communication mechanism.**

### **8.1 Orientation/ training on PSEHP to the staff and other concerned stakeholders.**

All the staff, members of SHGs and the board members shall be oriented to PISEAH immediately upon its ratification. There shall be a PSEHP terms of condition lying in a most commonly visible place in each department of the Association. A letter of Commitment will be asked to fill in pertaining to preventing sexual exploitation and harassment by all staff, volunteers, and stakeholders before appointing them to a specific task. Before the start of every cricket trainings and competitions an orientation session on PISEAH will be given to all the players, coaches and volunteers as well.

### **8.2 Monitoring and evaluation.**

CAB, Nepal shall have an inclusion and anti-harassment monitoring and evaluation Committee formed under the coordination of Women Committee Coordinator of this Association. They shall be monitoring the status of its women beneficiary by adopting an inclusive and participatory approach. It is the responsibility of this Committee to reach out to these women by communicating with them physically, counselling or obtaining information through secondary means like interacting with their guardians, social media, and news and complaints being received. It is the responsibility of the focal person to supply information to the women Committee and screen information to the Executive Committee for final decision. There shall be a monthly meeting of the MNE Committee to analyze the current situation of woman rights among the networking of this Association.

### **8.3 Communication mechanism.**

CAB, Nepal is serious in maintaining a fair and equitable relationship with its men and woman/girl beneficiaries through the use of polite, respectful and non-ambiguous languages. The use of derogatory and double meaning language within the Association or by the responsible persons to this Organization is highly non-excusable.

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, human resources, any member of the personnel practices committee or any ombudsman.

CAB, Nepal encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.



The image shows several handwritten signatures and a circular stamp. The stamp is from the 'Nepal Cricket Association' (नेपाली क्रिकेट संघ, नेपाल) and includes the year '२०६३' (2063 BS) and the location 'महाराजगंज, बागमती' (Maharajganj, Bagmati). There are also some handwritten initials and a small mark at the bottom left.



CAB, Nepal prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation of any sort for filing a claim of harassment will not be tolerated.

#### **8.4.1 Procedures for making videos and photographs of the women/girls.**

No, photographs or videos will be recorded or published without the prior consent of the concerned girls/woman or her parents. The general procedures to be followed by the media handlers are as follows;

1. Consent of parents or guardians is required if a girl / woman needs support to make decision
2. Consent of a girl/ woman and guardians both is required if a girl/woman has profound disability and illiterate
3. Consent of a girl/woman is only sufficient if she is above 18 and make decision in her own.

If photographs and videos taken without prior information to the concerned persons are noticed, he/ she will be asked to delete the recordings immediately. In breachment of this provision shall result in a serious Organizational or legal action as per the intensity of the crime.

A policy of zero tolerance will be adopted for all staff or volunteers if reported taking pornographic photos, videos and sharing them through social media. Quick action will be taken to report the cases to the police within 24 hours for legal remedies.

Note: With prior consent of the Organizers, Publication of The photos of the team or the players in the field of play that displays the creativity and talent shall not restricted.

Note: Whatsoever may have been written above, this policy shall equally be applied for both the genders without any discrimination.

#### **8.4.2 Reporting a Physical Threat**

If a staff or other in the Association is reported to be under the threat due to unknown telephone calls, e-mails, message, deterrence or other work issues, then it is the responsibility of the person noticing such happenings at first to help him/her by reporting it to the concern authorities and provide moral support at the instant. It would be sensible enough to take following things into consideration to seek action at the earliest;

-Share with the fellow members at first and report it to the management team;

-Contact local law enforcement. Keep the proper number of nearby police and ward office. Do not forget to dial 100 to get instant support from the police force.

-Always keep the record of e-mails, phone calls, messages or verbal communication which later on may come in use as an evidence.



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#### 8.4.3 Benefits and compensation.

CAB, Nepal is committed to paying a financial benefit in return for her photos/ videos or stories being sold or published for commercial purposes and compensating for the loss or damage that happened in social life due to the publication of such stories/images without prior consent. The Women Committee shall have the authority to probe into the benefit being received by selling the images/videos and recommend to the Ec. Committee for the financial compensation.

#### 8.5 Complain mechanism.

This Association shall have a focal person, designated telephones and emails to receive the complaint on women/girls-related issues and discrimination on the ground of disability within and outside the Organization. The focal person should screen and probe into the matter at the earliest and report to the “Women Committee”. The Women Committee is entitled to handle the case independently, whereas a serious crime needing legal action shall be reported to the Ec. Committee. The duration of taking action is as follows;

- (a) Discrimination and biasness: 72 hours from the day of reporting
- (b) Physical abuses, emotional blackmail and mental harassment: 48 hours from the day of reporting
- (c) Sexual violence, rape and abuses: 24 hours from the day of reporting



## Chapter 5: The Women Committee, interpretation and the amendment of the policy.

### 9. The Committee for Inclusion and Anti-Harassment and its structure

This Association shall have a PISEAH Committee in the Coordination of Women Committee Coordinator of this Association to design and implement programs and policy for women and probe into the cases of abuse and exploitation against girls and women. The structure of the Committee is as follows;

Coordinator- Women Committee Coordinator

Member –Secretary- Ec. Committee

Member-Legal expert

Focal person- Ec. Committee Member

Guardians/ parents of a girls/women-Member

### 10. Interpretation.

For all the clauses or articles found to be unclear or unable to render the actual meaning, the Committee shall have the right to interpret.

### 11. Amendment.

This policy can be amended in every three years by the two-thirds majority of the Ec. Committee members.

### 12. Annexes

#### 12.1 Annex 1: Contact details for complaints.

Name of a focal person:

Mobile no of a focal person:

Telephone no:

E-mail: pahichannepal@gmail.com

What's app/ Viber no.?

#### 12.2 Annex 2: Sample of a consent form

I[myself/ guardian].....[Allow authority of CAB, Nepal to take photographs, make videos about me / family member and publish stories on a public platform for a social cause. I shall be claiming for no financial benefits in return for the voluntary publication.

Name of a person whose photograph is taken:

Age:

Signature [if possible]:

Name of parents/ Guardians for a woman needing support decision:

Signature:

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