

ACCESS TO JUSTICE THROUGH SOCIAL ENTERPRISE IN NEPAL



BEYOND BEIJING COMMITTEE NEPAL



Photo courtesy: Manushi - Family Supporter: Manushi Weaving Producer, Rita Shrestha working with hand spinning with her father in law in Lubhu, Lalitpur.



Interview session at Solve Nepal



Interview with Mr. Pramod Chalise from RUPREDUS

ACCESS TO JUSTICE THROUGH SOCIAL ENTERPRISE IN NEPAL

**Beyond Beijing Committee (BBC) Nepal
and
Alliance For Social Dialogue
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ABSTRACT

Concept of social enterprises in the selected organisations was found to be adopted in four different ways in this study: Organisation registered as CSO and working as enterprise with entrepreneur spirit; Organisation registered as CSO and entrepreneurship becomes the part of charity; Organisation registered as CSO and enterprise separately; and Organisation registered as company. Whatever the way of meeting the compliances indicated by the government, all of these organisations were found doing social good for the communities they have targeted. Though, all of the selected CSOs have objectives on social justice not a single social enterprise born by these CSOs are directly providing services on justice till now. The selected social enterprises were found established with the goal to uplift the socio-political and economic leadership and empowerment of the poor, indigenous, youths and marginalised people especially women, senior citizens, children and socially excluded communities of Nepal. The working approaches and strategies however differed by the nature and type of the organisations. An umbrella act for CSOs ensuring CSOs as not profit sharing can address the dilemma seen on those CSOs running enterprises as charity or by opening up a separate company. CSOs are to be promoted to work entrepreneur spirit to make them less donor driven and more oriented to work with the local communities.

ACKNOWLEDGEMENTS

A social enterprise is a profit making business of civil society organisations (CSOs) with specific social objectives to serve its primary purpose. Social enterprises seek profit maximisation to generate a fund and use for the social causes. They may exist at the intersection of the private and volunteer sectors by seeking a balance with financial gain and the social goals.

Social enterprises primarily obtain fund by selling goods and services to consumers. However, it may obtain some fund through grants. Because profit-maximisation is not the primary goal, a social enterprise operates differently than a traditional business company. The concept of a social enterprise was developed in the UK in the late 1970s to counter the traditional commercial enterprise.

In Nepal the concept of social enterprise is not much flourished and the social enterprise spirit of civil society organisations is being criticized as 'dollar harvesting'. There is the lack of a clear-cut policy and law in the country to promote social enterprise, albeit some of the CSOs are demonstrating their social enterprise spirit for the social cause. In fact the stakeholders including the government, international development partners and civil society organisation have to join to make collaborative efforts to create an enabling environment for social enterprises to run like business and invest their profit for the socio-economic, political and legal empowerment of marginalised women, Dalit, indigenous peoples, Madhesi, Tharu, minorities, persons with disabilities, marginalised communities, Muslims, Sexual and gender minorities, youths, farmers, labourers, oppressed or citizens of remote regions. Otherwise, the government alone cannot deliver equity and justice to these groups who are the victims of historical discrimination and exclusion.

In order to achieve the 2030 sustainable development goals, the government must work in partnership with CSOs in order to 'Reach the Furthest Behind First' to put the principle of 'Leaving No One Behind (LNOB)' in practice at all spheres of development. Social enterprise spirit of the CSOs may be instrumental to ensure social, cultural, economic, political and civil rights of the right holders and enhance their access to justice.

In the meantime, in the part of the world where 'individual interest' is overriding the 'social interest' and corruption is rampant, CSOs and social enterprise should be cautious to prove themselves as the fastest moving vehicle to

reach out to the socially disadvantaged and economically poor citizens, if the social enterprises really adhere to the principle of integrity, ethics, transparency and accountability by considering the multiple-discrimination and gender and inter-sectionality of the targeted population.

While there is virtually no literature to take account of the social enterprises, BBC has initiated this study with the support of Alliance for Social Dialogue (ASD) to map-out the contributions of CSOs/social entrepreneurs to promote access to justice in Nepal with gender perspective. I like to extend my sincere thanks to the study team Ms. Shanta Laxmi Shrestha, Mphil, Prof. Bindu Pokharel, PhD, Mr. Padma Prasad Khatiwada, PhD, and Ms. Karuna Amatya for their efforts to successfully complete this study and Ms. Neetu Pokharel, Programme Officer, ASD and Mr. Som Niroula, Programme Officer, ASD for their professional and organizational inputs. Similarly, I like to thank the advisory committee members Ms. Sharmila Shrestha, Advocate and Women's Right Activist, Ms. Mangala Karanjit, Gen-Sec of FBPW, Prof. Jagjit Kour, Tri-Chandra Multiple Campus and Ms. Sarada Subba, Advocate and Social Activist for their support. Likewise, my thanks go to field researchers who had put their efforts to collect data for this study.

I like to acknowledge the tireless effort of Ms. Kopila Kandangwa, Coordinator of the study to complete this study. I also like to acknowledge the support of BBC Board members, Staff members and all other for making this study a seminal one.

Last but not the least, my sincere gratitude goes to the CSOs and respondents who have been the part of this study and supported with invaluable information. I congratulate those CSOs and social enterprises who are really devoting their sincere efforts for the betterment of disadvantaged communities.

This is the first attempt of BBC to ignite on the need of social enterprises of CSOs in Nepal. Any suggestions and feedback to this report from any corner will be highly appreciated. We wish to engage further in this area for making CSOs' social enterprise as a means to fulfil its primary objective continually by not sharing the profit of social enterprise.

Shanta Laxmi Shrestha

Chairperson

Beyond Beijing Committee (BBC) Nepal

EXECUTIVE SUMMARY

Access to justice through social enterprise is a crucial aspect of development model in connection with marginalised, poor people and women. Although, the term social enterprise is structured as for both the profit-making and non-profit making, social enterprises are found to be open in different forms such as cooperatives, micro-finance, civil society charity, social business or community interest company in Nepal. These enterprises have both business and social goals. Social enterprises in Nepal are playing a vital role in implementing various projects and programmes targeting various communities, sectors and campaigns, they have to bear confusions and legal hurdles which is hampering their images as contributors.

An overall objective of the study is to assess the current efforts, practices and opportunities of running the social enterprises for social causes and their contribution to promote the access to justice, especially for the economically poor and socially disadvantaged groups. The study was conducted applying descriptive qualitative study approach in three major geographical areas: Kathmandu valley, hill and the Terai. The rationale behind this selection is to make a comparative analysis on the contributions of social enterprises in promoting access to justice for the targeted beneficiaries. Extensive information were collected from 12 organisations through in-depth interview (IDI) and focus group discussion (FGD) using IDI guideline and FGD guideline respectively. Some secondary data were also collected through desk reviews to substantiate and triangulate the information collected.

MAIN FINDINGS:

Adoption of concept of the Social Enterprises in four different ways

The idea of social enterprises in the selected organisations was found to be adopted in different ways which can be categorised into the following four ways: (i) Organisation registered as CSO and working as enterprise with entrepreneur spirit, such as, Tewa; (ii) Organisation registered as CSO and entrepreneurship becomes the part of charity, such as, Manushi, BPWN, Mitini Nepal; (iii) Organisation registered as CSO and enterprise separately, such as, WHR, NIWF, Solve Nepal, SCDC, Jagaran Mahila; and (IV) Organisation registered as company, such as, Sukhawati, Bihani.

Whatever the way of meeting the compliances indicated by the government, all of these organisations were

found doing social good for the communities they have targeted. The selected social enterprises were found to be established with the goal to uplift the socio-political and economic leadership and empowerment of the poor, indigenous, youths and marginalised people especially women, senior citizens, children and socially excluded communities of the country. The working approaches and strategies however differed by the nature and type of the organisations.

Social enterprises in Nepal are playing a vital role in implementing various projects and programmes targeting communities, sectoral groups and campaigns. The main aims of these enterprises are to create a conducive environment and opportunities, eliminating poverty for the poor and marginalized people to claim their rights and tackling the growing national inequalities. The gender equality is taken as specific objective of the social enterprises for encouraging and enhancing more women leaders and entrepreneurs for the transformative change of the society and country as a whole.

All the social enterprises are expanding their working areas as sustainable development of the target groups and organisations itself. In Nepal, according to the domestic law, CSOs cannot make profit but can make efforts to develop social enterprises as separate entity which needs to be registered in Cottage and Small Industry Office or Company Registrar Office as per the Company Act for social cause and profit making.

Access to Justice through Social Enterprise

All of the selected CSOs have objectives on social justice but till now not a single social enterprise born by these CSOs are directly providing services on justice. They are working for the empowerment of poor, women, sexual minorities, single women, senior citizens and Dalit. They also consider access to justice as an important area to work, but no one have any particular policy/guideline/rules and regulation in connection with promoting access to justice. Some of the ways (informal) that they are practicing may create complications. Most of these enterprises related to CSOs were registered for the purpose of marketing the products produced by their beneficiaries. Social enterprises are not being able to fund CSO yet. All the participants of IDI expressed that if the government makes subsidized tax policy their enterprises can reduce donor dependency. The profit from the enterprise can be used to fund CSO's activities. Individual

stories of the community people while associated with the selected social enterprises further justify these facts.

Main strength of the selected social enterprises is the trust. They think the community or their members trust them and accept their decisions. The next strength is the collective effort for organisations like Tewa, that is, the concept of modern philanthropy. The selected organisations highlighted coordination and networking as their major areas of improvement. Efforts of these organisations also rely on awareness rising of the people to change their perception of social enterprise. Current political change in Nepal which is manifested as Federal Democratic Republic of Nepal is the major opportunity expressed by the selected study participants. Present federal system can be the opportunity for local level enterprises. The Local Governments can work with social enterprises that can support the state on service delivery. However, Nepal does not have separate policy related to social enterprise. Social enterprises have to compete with private sector and this is considered as a big challenge faced by the campaigners and entrepreneurs. Similarly, gender inequality in the society as well as lack of good governance and rampant corruption are other challenges perceived by these communities.

Gender sensitivity of the enterprise personnel is another area to be examined as the men and women of old age and Dalits have different types of issues and problems the same mechanism may not bring equality. Community people's poor knowledge of the legal and judicial system is the areas of future intervention in order to tackle these challenges.

RECOMMENDATIONS:

To the government

1. **Broaden the definition of justice:** CSOs are involved in social enterprises activities and contributing to economic, political and social justice to victims of violence and disaster. By these activisms, they have been able to gain trust of the public and can have formal objective related to access to justice. In this connection, the definition of access to justice need to be broadened to encompass various types of activities contributing to human happiness and dignified life through the concept of social enterprise.
2. **Develop policies ensuring CSOs' self-sustenance and entrepreneurial spirit for social good:** State policies and programmes should reflect and ensure that CSOs are self-sustained and the way-out is creating and motivating them for entrepreneurial spirit for social good. These policies further

need to ensure that CSOs are self-organized and autonomous in nature. In view of their sustainability and continuous functioning, the profit they make are to be utilized for their own planning, policies and programmes in relation to public benefits and should be free from the government's tax system and other any payments in the local, provincial and federal levels. However, if the personnel earn income by involving in the organisation, they should be liable of paying Tax/VAT as per the government's rules and policies.

3. **Establish GESI policies monitoring mechanism:** State policies should have clear monitoring mechanism to ensure implementation of GESI policies in CSOs.
4. **Enact an umbrella act for regulating CSOs and creating enabling environment for CSOs' non-profit sharing social enterprise:** State should encourage paradigm shift from CSOs as not-profit-making to CSOs as not-profit-sharing organisations by sustaining self to be able to do their primary duty, and not being donor-driven. For this, state should enact an umbrella act to ensure that the profit gained by the CSOs with entrepreneurship spirit is utilised for social development.
5. **Allocate challenge fund by line ministries:** The line ministries should provide seed money for operating enterprises and businesses with innovative knowledge, skills and capacities in order to enable them to focus on the value chain-based forward and backward linkages. In order to provide seed fund for such noble initiation, the line ministries should allocate some amount as "Challenge Fund".
6. Mobilize CSOs further for fighting poverty and growing national inequalities by encouraging and enhancing more women leaders and entrepreneurs for the transformative change in the society and country.

To the CSOs and private sectors

7. The CSOs need to enhance networking among various social enterprises. It can develop a mechanism to ensure access to justice to the member organisations, activists and campaigners. These include cross programme visits, design the joint projects among various social enterprises which can develop a mechanism to ensure access to justice to the member organisations, activists and campaigners.
8. The CSOs are to be cautious themselves that informal ways of providing justice and solving conflict can bring complications.
9. The CSOs should work for enhancing cooperation and coordination with local government bodies,

- law enforcement agencies and the judiciaries which some of the CSOs are already applying.
10. The CSOs should have mechanism to make their members aware on gender issues and the importance of gender equality.
 11. The CSOs need to revisit and strengthen their policy documents such as the strategy paper, gender and child protection policies and enterprise policies to make them more effective and give fine tune with the spirit of entrepreneurship.
 12. The CSOs should apply the 'Fair Trade' principles as these are applicable to all the CSOs and other departments to maintain good governance system.
- To the international community/partners organisations**
13. Provide Grants/subsidies to CSOs for maximizing the work on psychosocial support, counselling, legal services and emergency shelter provision, especially for the most vulnerable people.
 14. Promote CSOs to work in an entrepreneur spirit to make them less donor driven and more oriented to work with the local communities.
 15. Mobilise CSOs for fighting poverty against growing national inequalities by encouraging and enhancing more women leaders and entrepreneurs for the transformative change in the society and country.
 16. Acknowledge that CSOs can also play an effective role as service provider to the most marginalised people to enhance social justice.
 17. Encourage to engage in entrepreneurship to enable them to cope with problems of the funding crisis and donor driven tendency.
 18. Support in creating an enabling environment by the state authorities for CSOs to play a vital role in increasing access to justice for the common people.
 19. Support in changing the current policy of CSOs as not-profit making to CSOs as not profit-sharing organisations.
 20. Support the government to enact an umbrella act for CSOs ensuring CSOs as not-profit sharing repealing the existing National Direction Act 2018 B.S., Organisation Registration Act 2034 B.S., Social Welfare Act 2049 B.S., and some portions of the Non-profit Making Company Act 2063 (B.S.).
 21. Strengthen the capacity of CSOs/social enterprise to work on the justice, disaster, pandemic, VAW, and etc. adopting social enterprise approach.

ACRONYMS

AIDS	Acquired Immune Deficiency Syndrome
AORACSA	Atlantic Ocean Research Alliance Coordination and Support Action
APWLD	Asia Pacific Forum for Women, Law and Development
ASD	Alliance for Social Dialogue
BBC	Beyond Beijing Committee (BBC) Nepal
BSC	Business Service Centre
CBRC	Community Based Rehabilitation Centre
CSO	Civil Society Organisation
FBPWN	Federation of Business and Professional Women Nepal
FGD	Focus Group Discussion
FINGO	Financial Intermediary non-governmental Organisation
GESI	Gender Equality and Social Inclusion
HIV	Human Immunodeficiency Virus
HBS	Home Based Service
IDI	In-depth interview
IFBPW	International Federation of Business and Professional Women
INGO	International Non-governmental Organisation
IPM	Integrated Pest Management
IPO	Indigenous Product Outlet
LGBTIQ	Lesbian, Gay, Bisexual, Transgender, Intersex, and Queer
MSE	Micro and Small Enterprise
MOU	Memorandum of Understandings
NGO	Non-governmental Organisation
NIWF	National Indigenous Women Forum
PCC	Patient Centred Care
RUPREDUS	Rural Poverty Reduction and Dalit Upliftment Society
SANWED	South Asian Network for Widows Empowerment in Development
SCDC	Shrijana Community Development Centre
SDG	Sustainable Development Goal
SLBSL	Solve Laghubitta Bittiya Sanstha
SOLVE	Society of Local Volunteers' Effort
SWC	Social Welfare Council
SWOC	Strength, Weakness, Opportunity and Challenge
TIMAI	Tewa Model Adaptation Initiative
ToR	Terms of Reference
UN	United Nations
USAID	United States Agency for International Development
VAW	Violence against Women
WFTO	World Fair Trade Organisation
WHR	Women for Human Rights

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1

INTRODUCTION

1.1. BACKGROUND

Access to justice through social enterprises is a crucial aspect of the development model in connection with the marginalised women and poor. The deeply enrooted inequality and exclusion of these groups further deteriorate their day-to-day lives¹ and thus the study on this issue has been felt as an urgent need.

“Social Enterprise” is globally known as a business that engages people and earns income for achieving perceived social goals. Social enterprises are structured both as profit making and non-profit making which may depend on the country’s legal framework. Social enterprises are found to be open in different forms such as cooperatives, micro-finance, civil society charity, social business or community interest company.² The enterprises have both business goals and social goals. The social goals are embedded in their objective, which differentiate them from other organisations and corporations (Mathew, 2008). The main purpose of the social enterprise is to promote, encourage, and make social change (Lane, 2011).

In Nepal, social enterprises are playing vital roles in implementing various projects and programmes targeting various communities, sectors and campaigns. The aim of these enterprises is to create a progressive environment and opportunities for the poor and marginalised people to combat poverty, claim their rights and tackle the growing inequalities.

1.2. STATEMENT OF PROBLEM

The contributions of social enterprises had been highly held for the 2015 earthquake responses and recovery programmes, which also led the opportunity for the enterprises to scale up their interventions in larger scale, especially on livelihood enhancement and access to justice from human rights perspective. The key aspect is to strengthen the three dimensions of development, i.e.

social, economic and political (legal) empowerment of the people. Evidence shows that economic empowerment of women and marginalised groups bring changes in their lives specially improving the income level, livelihood, gender equality and access to justice.

The Constitution guarantees access to justice as the fundamental human right which is essential for the protection and promotion of all other civil, cultural, economic, political and social rights and is delivered through provision of community-based justice services. Article 20 has guaranteed the legal aid right as the fundamental right, “Any indigent party shall have the right to free legal aid in accordance to law” (Nepal Law Commission, 2015). Moreover, people must be capable of understanding and claiming their rights to protect their livelihoods, income and assets or see a remedy against exploitation irrespective of their gender, class, caste, income, age, ethnicity and other identity, and that they should be able to live a dignified life with full participation in the decision-making that affects their lives.

Inequality, discrimination and exclusion are the severe obstacles in accessing to justice. Next, due to funding constraints justice services are not easily reached to poor, marginalised and women. Social enterprise models are emerging to help fill the funding gap with innovative strategies to reinvest the earned revenue to support the access to justice initiatives. ‘Busan Global Partnership for Effective Development Cooperation’ recognized Civil Society Organisations (CSOs) as independent development actors since “CSOs play a vital role in enabling people to claim their rights, in promoting rights-based approaches, in shaping development policies and partnerships, and in overseeing their implementation”³ Furthermore, the CSOs’ sustainability is important from the perspective of social enterprises to be involved in the advocacy of the provisions set-forth in SDG Goal 5 (gender), Goal 10 (inequality) and Goal 16 (access to justice), that is, the concept of SDG 16 plus.

1.3. RATIONALE FOR THE STUDY

The idea of “social enterprises” from civil society perspective is to pursue both social and economic goals with an entrepreneurial spirit. They are engaged in delivery of social services and work integration services. The aim is to ensure access to justice and improve the livelihood of communities (poor, women, marginalised and disadvantaged groups). The concept of social enterprise is found emerged in the provision of community services (education, cultural promotion and enabling environment). Some of the problems that push back the poor and marginalised women entrepreneurs are: a) Poor access to finance, b) Lack of skills and experience, c) Weak business relationships, d) Demotivation and low mobility of women, 3) Family resistance, and f) Low incentives and facilities from the government side.

Although a variety of toolkits and research papers exist explaining specific sustainability strategies, many CSOs continue to struggle in developing and maintaining the resources required for fulfilling their missions. This constraint limits organisational autonomy by inhibiting long-term planning, and flexibility in designing and implementing their activities.

With the aim of understanding the role of social enterprises on strengthening access to justice of the poor and marginalised people, the study will map out CSOs and current practices, strengths, gaps and challenges of social enterprises working for access to justice.

This study aims to identify the obstacles faced by the poor and marginalised people in accessing justice, and propose some remedies for addressing those problems through social enterprises. This study gathers some evidences on the causes of ineffectiveness to get access to justice through social enterprises, including the evidences on the importance of socio-economic empowerment for leading the targeted beneficiaries to political empowerment.

In the country there is the lack of research literature in relation to the social enterprises’ initiatives on access to justice. Therefore, this study can be a baseline for policy makers in terms of evidence generation as well as a foundation for furthering surveys on social enterprises’ initiatives of access to justice. This study also presents some recommendations for improving Nepal’s commitments towards SDG 16 plus and Goal 5.

The Beyond Beijing Committee (BBC) Nepal is a national network organisation of over 225 women-led CSOs in Nepal and has a sound relation with other organisations and stakeholders. BBC Nepal upholds its ambition to contribute on global SDGs Goal 5 (Gender Equality) and Goal 16 (Peace Justice Inclusion and Strong Institution). Besides, BBC Nepal is the convener of the Women Major Group for sustainable development in Nepal for Women and Girls constituency and gender justice theme, CSOs forum for Sustainable Development which is beneficial for this study.

This research is carried out to explore the current practices of social enterprises and their involvement and contribution towards ensuring access to justice. The theory of change lies with the dream of the marginalised people’s enhanced access to justice through interventions of social enterprises.

1.4. RESEARCH OBJECTIVES

The general objective of the study is to assess the current efforts, practices and opportunities of the social enterprises which exist for the social causes, and their contributions towards enhancing the access to justice for the women, poor and marginalised groups.

The specific objectives of the study are:

- i. To map out the social enterprises run for social causes (type, nature of work, right holders, partners) of poor, marginalised socially excluded people;
- ii. To assess the social enterprises with respect to their current practices on entrepreneurship and their contribution in access to justice; and
- iii. To identify the strengths, opportunities and gaps in access to justice from social enterprise perspective.

Main contribution: The analysis of current trends of social enterprises and their contribution to enhance access to justice for the poor and marginalize people will provide a model for CSOs that are working for the empowerment of marginalised people.

Theory of change: This study is an attempt to map out the social enterprises established for social causes (type, nature of work, right holders, and partners) for the benefit of the poor, marginalised and socially excluded people. Political empowerment lies under socio-economic empowerment of the people and the organisations. And for this, mobilisation of CSOs in the changed political context is essential by creating an enabling environment, i.e., the paradigm shift of the CSOs’ image as ‘non-profit making’ to ‘no-profit sharing’ strong institutions.

1.5. RESEARCH OUTLOOK

This study comprises of six chapters. The first three chapters encompass the rationale behind conducting the study with objectives, review of literature and methodology used. The fourth chapter presents a cursory review of social enterprise policies in Nepal. The fifth chapter establishes linkage between social enterprises and social justice highlighting scope, support mechanism

and governance structure of the country. This Chapter also includes success stories on access to justice through social enterprises. The sixth chapter concludes with summary findings and recommendations. The recommendation part in this report comprises some propositions of actions to be taken for change, which may serve as a recipe for the CSOs in the changed political and social context with discourse for their activism from the angle of social enterprises.



First Research Assistants Training



Consultation meeting with the Research Participant Organisations

2

REVIEW OF LITERATURE

2.1. CONCEPT OF SOCIAL ENTERPRISE

A social enterprise, also known as social business, is defined as a business that aims to achieve specific social objectives and reinvests the majority of its profits in achieving the primary goals and objectives. Social enterprises seek to maximise profits for the benefit of the society and creating an enabling environment for the same. Their profits are principally used to fund social programmes, but not to serve the individual interest.

The concept of a social enterprise was developed in the UK in the late 1970s. The purpose was to counter the traditional commercial enterprise. Social enterprises exist at the intersection of the private and volunteer sectors. They seek to balance activities that provide financial benefits with social goals, such as providing housing to low-income families or job training and so on⁴.

The funding for social enterprises is obtained by selling goods and services to consumers, although some funding is obtained through grants. However, profit-maximisation is not the primary goal. A social enterprise operates differently than a standard private company.

While earning profits is not the primary motivation behind a social enterprise, revenue still plays an essential role in the sustainability of the venture. Sustainable revenue differentiates a social enterprise from a traditional charity that relies on outside funding to fulfil its social mission. This goal does not necessarily mean social enterprises cannot be profitable, their priority is to channel profits into their social mission, rather than fund pay-outs to shareholders. In Nepal, the social enterprises run by the CSOs do not have to introduce the concept of shareholders.

The Organisation for Economic Cooperation and Development (OECD) identifies social enterprises as being highly participatory, with stakeholders actively involved and a minimum number of paid employees⁵. Accordingly, in social enterprises (also known as social businesses), entrepreneurial behaviour is combined with a desire to use the market as a tool for meeting social needs, serving the general interest and common good for the benefit of the community.

- i. Working with social enterprises and promoting their development can result in achieving short-term and long-term gains for public budgets through reduced public expenditures and increased tax revenues compared with other methods of addressing social needs. Social enterprises can also often be more effective in meeting public goals than either of purely private and purely public sector actors owing to their local roots and knowledge, and their explicit social missions.
- ii. Starting a social enterprise is not that easy since they face many challenges like other entrepreneurs. On top of that they have also to face challenges which stem from the social dimension. This can be compounded by unfavourable environments characterised by the lack of understanding of the dual economic and social foci of the social enterprises. The policies providing an enabling ecosystem for social enterprises, not only at start-up stage but also beyond, is crucial if these businesses are to fulfil their potential. These policies should focus on promoting social entrepreneurship; building enabling legal, regulatory and fiscal frameworks; providing sustainable finance; offering business development services and support structures; supporting access to markets; and sponsoring further research into the sector⁶.

The emergence of social enterprises has evolved against the institutional backdrop of welfare states' reforms towards a mixed economy of private, public and third sector service providers. In this context, social enterprises have emerged as an effective tool to deliver policy objectives in two key areas of social and economic policy: (i) service delivery, and (ii) social inclusion⁷.

In summary, a social enterprise is a business with social objectives that serve its primary purpose. Maximising profits is not the primary goal of a social enterprise as is with a traditional business. Unlike a charity, social enterprises pursue endeavours that generate revenues, which fund their social causes. Regarding employment, preference is given to job-seekers from at-risk communities. In Nepal,

the social enterprises are found to be run by the CSOs which are non-profit making and not in the share-holding concept.

2.2. ACCESS TO JUSTICE

According to the UN, access to justice is a basic principle of the rule of law. In the absence of access to justice, people are unable to have their voice heard, exercise their rights, challenge discrimination or hold decision-makers accountable. The Declaration of the High-level Meeting on the Rule of Law emphasizes the right of equal access to justice for all, including members of vulnerable groups, and reaffirms the commitment of Member States to taking all necessary steps to provide fair, transparent, effective, non-discriminatory and accountable services that promote access to justice for all⁸.

In strengthening access to justice, the UN system works with national partners to develop national strategic plans and programmes for justice reform and service delivery. UN entities support Member States in strengthening access to justice in areas including: monitoring and evaluation; empowering the poor and marginalised to seek response and remedies for injustice; improving legal protection, legal awareness, and legal aid; founding civil society and parliamentary oversight; addressing challenges in the justice sector such as police brutality, inhumane prison conditions, lengthy pre-trial detention, and impunity for perpetrators of sexual and gender-based violence and other serious conflict-related crimes; and strengthening linkages between formal and informal structures.

One of the major obstacles in accessing justice is the cost of legal advice and representation. Legal aid programmes are a central component of strategies to enhance access to justice.

The Constitution of Nepal defines access to justice in the following two perspectives:

- i. The perspective of social justice; and
- ii. The perspective of goods and services

2.3. THE PERSPECTIVE OF SOCIAL JUSTICE

Article 42 of the Constitution defines social justice and explains that the socially backward women, *Dalit*, indigenous peoples, *Madhesi*, *Tharu*, minorities, persons with disabilities, marginalised communities, Muslims, backward classes, sexual and gender minorities, youths, farmers, labourers, oppressed or citizens of backward regions shall have the right to participate in the State bodies on the basis of inclusive principle. The

constitutionally defined social justice and inclusion policies mentioned in Article 51 aims to keep on making appropriate arrangements for the livelihoods of the helpless single women, while according priority to them in employment on the basis of skills, competency and qualification. This article also dedicates to make the women, who are vulnerable and subjected to social and family exclusion, self-dependent; and victims of violence self-reliant by ensuring their rehabilitation, protection and empowerment, and ensure enjoyment of requisite services and facilities at the reproductive stage⁹.

The policy also addresses to create a conducive atmosphere for the full enjoyment of political, economic, social and cultural rights, while enhancing the participation of youths in national development, seeking their personality development, while providing special opportunity in areas including education, health and employment for their empowerment and development and provide them with appropriate opportunities in achieving overall national development goal.

The state policy aims to make the indigenous peoples able to participate in decision-making that affects their lives. For this, special provisions of opportunities and benefits are set in order to ensure the right of indigenous peoples so that they can live their life with full dignity, along with their identity, and protection and promotion of their traditional knowledge, skill, culture, social tradition and experience. The policy also aims to make special provisions for opportunities and benefits to minority communities to enjoy social and cultural rights, with maintaining their identity. On 19 September 2018, 16 bills¹⁰ had been endorsed by the Federal Parliament (House of Representatives (HOR) and National Assembly), which were officially approved by the President as per the Constitution arrangement which stipulates that laws related to fundamental right should be enacted within three years from the dates of its proclamation on 20 September 2015.

The Government has also developed important frameworks for women's human rights, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Beijing Declaration and Platform for Action, 2030 Agenda and its Sustainable Development Goals, and UN Security Council Resolutions 1325 and 1820 on Women, Peace and Security. These commitments are enshrined in the Constitution and efforts are being taken to ensure that all laws and policies conform to the constitutional provisions on gender equality¹¹. The Constitution in various Articles such as 40 (7) - Rights of Dalit Women; Article 42 - Rights to Social Justice; Article 43 - Right to Social Security; Article 51 (j) (1) & (2) - Policies of the State; Article 18 - Right to Equality; and

Article 38 - Rights of Women specifically address the intersecting and multiple forms of discrimination against women and girls on the basis of caste, class and ethnicity. Article 215 (4) of the Constitution stipulates that the members of the Rural Municipality Executive shall also include four women members elected by the members of Rural Municipal Assembly from amongst themselves and two members elected by the Rural Municipal Assembly from the Dalit or minority communities. Similarly, Article 216 (4) of the Constitution stipulates that the members of the Municipal Executive shall also include five women members elected by the members of the Municipal Assembly from amongst themselves and three members elected by the Municipal Assembly from the Dalit or minority communities. Local Level Election Act, 2017, Section 6 (2) provides for reservation for two women including a Dalit woman to be elected at each Ward Committee of Municipality and Rural Municipality. The Caste Based Discrimination and Untouchability (Offence and Punishment) Act, 2011, the Tharu Commission Act, 2017, and the Indigenous Nationalities Commission Act, 2017 aimed at addressing the intersecting forms of discrimination against women. Section 10A (b), (d), (e), (f) of Scholarship Regulations, 2003 provides special scholarship quotas to women, indigenous peoples, Dalit and people residing in backward areas. Major acts to implement these constitutional provisions are the following:

- i. National Civil Code Act, 2017 (Civil Code)
- ii. National Penal Code Act, 2017 (Penal Code)
- iii. Domestic Violence (Offense and Punishment) Act, 2009
- iv. Human Trafficking and Transportation (Control) Act, 2007
- v. Child Protection Policy 2014
- vi. National Women Commission Act, 2017
- vii. Citizenship Act, 2006
- viii. Some Nepal Acts to Maintain Gender Equality and End Gender Based Violence Act, 2015

The National Civil Code Act, 2017 (Civil Code) provides for equality of all citizens, right against discrimination, and include provisions of positive discrimination. Section 19 of the Civil Code clearly provides that special measures ensured by the law for the protection, empowerment and development of the citizens including the socially or culturally backward women, Dalit, indigenous peoples, Madhesi, Tharu, Muslim, and others. Similarly, National Penal Code Act, 2017 (Penal Code) criminalizes discrimination. Section 160 reads "Except otherwise provided for by a law in force, no public official shall, while exercising the authority according to law can exercise discriminatory treatment against any citizen on the grounds of origin, religion, race, sex, caste, tribe, physical condition, condition of health, marital status, pregnancy,

economic condition, language or region, ideology or on similar other grounds."

Executive, Legislative, Judiciary and other state mechanisms are responsible for ensuring gender equality and non-discrimination. The parliamentary oversight mechanism (Women and Social Committee of the House of Representatives) is in place to address the concerns of women and children and to oversee the government functions relating thereto specifically to make the government accountable and to ensure the implementation of the policies and legislation in furtherance of women's rights.

The Ministry of Women, Children and Senior Citizen (MoWCSC) at the federal level is entrusted with the roles and responsibilities of formulation of policies and laws concerning gender equality and women's rights standard development, implementation and monitoring of the plan of actions relating thereto. There is the Social Development Ministry in each of the seven Provinces which is responsible for formulation of Province level policies, laws, women's rights standard development, implementation and monitoring of plan of actions, development and implementation of plans to address Gender Based Violence (GBV) issues along with ensuring gender responsive budget. All 753 local level governments are responsible for the protection and promotion of the rights of women.

All three tiers of the Judiciary (Supreme Court, High Court, and District Court) are empowered to promote and ensure principle of equality and non-discrimination. The SC has a power of judicial review of each of the laws made and administrative actions taken. In addition, there are 13 Constitutional Commissions out of which eight (namely the National Human Rights Commission, National Women Commission, National Dalit Commission, National Inclusion Commission, Indigenous Nationalities Commission, Madhesi Commission, Tharu Commission, and Muslim Commission) deal with issues related to human rights, women's rights, rights of Dalit and indigenous communities, Madhesi, Tharu and Muslim communities/people, and also deal with the issues of inclusion and intersectional elements.

The National Gender Equality Policy is in the drafting stage. Similarly, Second National Strategy and Action Plan on Gender Empowerment and Ending Gender Based Violence is also in the process of drafting at the Office of the Prime Minister and Council of Ministers (OPMCM). In order to ensure substantive equality in health, employment, education and social security through affirmative measures, the MoWCSC has been working for needful amendments in the relevant laws.¹²

2.4. THE PERSPECTIVE OF GOODS AND SERVICES

Followings are the perspectives assured by the Constitution related to education, health, agriculture, public services and facilities, and information technology.

- i. Access to basic education (Article 31)
- ii. Access to basic health such as clean drinking water (Article 35)
- iii. Access to land for agro activities (Article 42)
- iv. Access to public services and facilities especially for the disabled persons (Article 42)
- v. Access to information technology (Article 51)

2.5. STATUS OF RESEARCH ON SOCIAL ENTERPRISE

Very limited research exists specifically on social enterprise in the global and regional level. In Bangladesh, the Bangladesh Enterprise Institute (BEI) produced a report in 2010 looking at social enterprise as a means of the private sector addressing poverty, making a number of policy and ecosystem development recommendations (BEI, 2010¹³, British Council, 2016¹⁴). These reports presents about the social enterprise ecosystem and existing policy support context in Bangladesh. The reports conclude that social enterprise activity in Bangladesh is growing. Bangladesh Rural Advancement Committee (BRAC), the largest development organization, is dedicated in alleviating poverty by empowering the poor to bring about change in their lives¹⁵, started out in Bangladesh in 1972, and over the course of the evolution, BRAC has been established as a pioneer organisation in recognising and tackling many different realities of poverty through social enterprise. A number of organisations like Grameen Bank have been providing support for social enterprises (for example, Bangladesh Krishi Bank and Social Islamic Bank Ltd.). As a result, Bangladesh has a wide and growing range of social enterprise actors, particularly based in Dhaka. They have been contributing to create more jobs especially for youths with utmost feelings of social enterprise, and anticipating more staff and higher turnovers.

According to the British Council report, despite being home to two world-famous social enterprises, there are currently no such policies to explicitly and directly govern the social enterprise activities in Bangladesh.

Over the past years, number of social enterprises has been increased in Ghana despite no specific legislation directly mentioning or supporting social enterprises. It has been the “the battle of the SEs” ranging from

diverse backgrounds: food and agriculture, technology, telecommunications, media, fashion, finance, business, sanitation and education. This is the proof that more and more people, especially the youths have become very passionate about using social enterprise models to solve the socio-economic and unemployment issues that the country face. Social enterprise models in Ghana are typically hybrid business firms. In order to provide support to those business firms, which are distinct from mainstream SMEs, recognition and encouragement of such models will be important. Hybrid social enterprise firms can occupy niches that NGOs, the state and the mainstream private sector struggle to reach, and for this reason in particular they may merit particular support. Many social enterprises are small and experimental – this is an important phase of business development, but for impact, hybrid models need to be designed from the outset of scale and funding; and support is required to encourage enterprises and ideas with strong expansion potentials – the ability to either go wide or go deep with what they do (British Council, 2015)¹⁶.

Like in other countries, social enterprise activity in Pakistan is also growing. Despite this growth, there is no law to directly govern the social enterprises. They are mostly impacted by many existing laws. The Centre for Social Entrepreneurship in Planning Commission of Pakistan is in its early stages and has not yet created any policy or procedure for the promotion of social enterprises. The enterprises are run by people who are in average are young and are entrepreneurial in nature. A range of bigger and well established social enterprises with significant number of staffs and high turnover have achieved maximization of products and satisfactory service delivery; and it is indicating that there is also considerable impetus for innovation. Available literature further suggests that significant trend in terms of the role of women is seen in social enterprise in Pakistan. Female-led social enterprises are also more likely to recruit more numbers of women staffs than their male-led counterparts – this may help understand improving gender parity. The social enterprise leaders who are senior in age (45 years and above) are less likely to be female (British Council, 2016)¹⁷.

Social enterprise activity in India is also found to be growing fast and they are regulated by specific laws like ‘National Skill and Entrepreneurship Policy’ announced on 15 July 2015 by the Ministry of Skills and Entrepreneurship. The policy includes a section on social enterprises that aims to foster social entrepreneurship and grassroots innovation (British Council, 2016). This finding shows that India has specifically addressed the issues of social enterprise through laws and policies. British Council (2016) further mentions,

India has witnessed considerable growth in its social enterprise activity. The number and quality of innovative ideas and business plans has improved due to growing awareness, support, and quality training and workshops available for social entrepreneurs and social enterprise leaders. The social enterprise ecosystem has evolved with support organisations providing direct, indirect, financial, and advisory assistance to social enterprises. Despite the developing ecosystem and valued potential of the sector, the literature on social enterprises in India is small. The number of social enterprises in India, their contribution to India's GDP and workforce, and the characteristics of social enterprise leaders are not at all clear. Moreover, a holistic understanding of the government policies that seek to support the social enterprise sector in India is lacking.

The above cursory review of the literature suggests that the issue of social enterprise has emerged worldwide and many countries do not have specific laws and policies to govern and manage this sector. Although India is ahead in regulating this sector by promulgating laws and policies, the link to social justice is almost nil in most of the countries.

2.6. SOCIAL ENTERPRISES POLICIES AND PROGRAMMES

This section deals with the state policies and programmes on social enterprises. By highlighting the expert views of the selected participants of the key informants, it presents the policy scope of the social enterprises in Nepal.

The Social Welfare Act 1992 is related to social welfare activities which focus on humanity to helpless individual, class and community in order to make them capable in the society and develop co-ordination between social welfare-oriented institutions and organisations. This act defines social welfare activity as an activity which is focused for the economic and social welfare and self-reliance of people who are in a need. The act defines

social organisation and institution as an organisation operated under the existing law with the purpose of carrying out different social welfare or socially oriented activities. The act defines social welfare programme as the one to serve children, senior citizens, helpless or persons with disability - to protect rights and interest of the women, unemployed, poor and illiterate people, to manage religious place and trust Guthi institutions, to uplift backward communities and classes. After the formulation of this act, a huge growth of NGOs and INGOs has been observed in Nepal.

The Government of Nepal has given top priority for entrepreneurship programmes by developing enterprises in the agriculture, industries, education, forestry and other sectors. The budget speech of the Minister of Finance for the fiscal year (FY) 2019/20 states enterprises to be promoted in the forest management, vocational and skill-enhancing education, cooperatives, and youth self-employment promotion. The FY 2020/21 budget states that "poor families will be involved in agriculture and herbs processing and other small and medium enterprises through cooperatives. The cooperative model will be promoted in milk processing, consumer fair price shops, housing development and renewable energy development."

The budget also focuses on establishing micro, cottage, small and medium industries based on local raw materials through entrepreneurial and productive culture among citizens, value chain-based forward and backward linkages by allocating challenge fund for providing seed money for operating enterprises and businesses with innovative knowledge, skills and capacities. This budget aims to provide the Dalit community with the interest subsidy for undertaking modern enterprises through cooperatives or community production systems based on a guideline. Budget has been allocated for the skill enhancement and Development Centre for protecting traditional skill and business. This budget also stresses the need for public enterprise to be efficiently managed through an integrated law in enhancing their performance and effectiveness and provisioning strategic partners alongside institutional reforms and effective regulation. The budget also focuses on the public enterprises to be operated through public-private and cooperative partnerships for increasing the ownership of citizens¹⁸.



IDI with Anuja Shrestha at Tewa



Observation visit to Mahila Jagaran Samuha Nepal



Observation visit to Mitini Nepal



Focus Group Discussion at FBPW



Visit to NIWF's Indigenous Product Outlet Pvt. Ltd.



Collecting information from Informants at Shrijansil Samudayik Bikash Kendra

3

METHODOLOGY

3.1. STUDY APPROACH

This study adopted descriptive qualitative method mainly using in-depth interview (IDI) and focus group discussion (FGD). These tools were designed on the basis of the proposal and as specified in the terms of reference (ToR). The study design was thoroughly consulted with BBC, ASD, and selected CSO members and modified based on the valuable support provided during pre-consultation and the expert ideas received during orientation of the research assistants. All these inputs were cross-verified with the desk review carried out as conceptualisation of the study.

3.2. STUDY AREA AND ITS JUSTIFICATION

This study was conducted in three major areas: Kathmandu valley (Kathmandu and Lalitpur), one from the hills (Kavre) and two from the Terai districts (Siraha and Saptari). The rationale behind this selection is to make a comparative analysis on social enterprises' contribution on access to justice with respect to geographical area, cultural diversity and religious diversity.

The enterprises involving as a social campaign through CSOs were given priority in this study, and the rationale for it is to explore the contributions of CSOs in enhancing access to justice through the concept of enterprise, and create its scope as a model for future intervention. To this end, the national CSOs based in Kathmandu, Kavre, Lalitpur, Siraha and Saptari districts were selected as target organisations for the study. Whereas the selected social enterprises are inquired to identify their level of involvement in the issue, the right holders targeted by these enterprises were approached to identify the level of contribution made by the enterprises in enhancing the access to justice for the targeted beneficiaries¹⁹. As per the new arrangement, a social enterprise is required to be registered in the local government unit, while some others are affiliated with federal level government entities (ex-micro-enterprises, fair trade, and cooperatives).

Before the final selection of the CSOs a half day pre-consultation meeting was held in Kathmandu. A total of 14 CSOs participated in the consultation. List of the participants is attached in Annex II. The participating CSO representatives described the objectives and models of their respective enterprises. It was known that four types of social enterprises are in operation in Nepal:

- i. Organisation registered as CSO and working as enterprise with entrepreneur spirit
- ii. Organisation registered as CSO and entrepreneurship becomes the part of charity
- iii. Organisation registered as CSO and enterprise separately
- iv. Organisation registered as company

All these organisations are working for the benefits of the poor and marginalised groups and located at rural parts of those selected districts. On the basis of this consultation, 12 social enterprises were selected for the case study.

3.3. DATA COLLECTION TOOLS AND TECHNIQUES

This study adopted qualitative research method utilizing both the primary and secondary data. The primary data were collected through in-depth interview (IDI) and focus group discussion (FGD) using IDI guideline and FGD guideline respectively. The standard guidelines were developed by reviewing different literatures. The pre-consultation meeting also helped to identify issues and finalize the guidelines. These guidelines were pretested among the similar study population at the similar settings for the validation and reliability of the tools.

Secondary data were collected through desk reviews, from government record (registration) system such as cottage and small industry, Federation of Nepal Chambers of Commerce and Industries (FNCCI), Fair Trade Group and National Federation of Cooperatives of Nepal and organisation's websites and other various published and unpublished documents.

3.4. STUDY POPULATION

The study population was included as CSOs and their right holders. In-depth interview was conducted with representatives of CSOs who are the focal person for the Social Enterprise and Access to Justice Programme. Likewise, FGDs were conducted with right holders of CSOs from three sectors; they are micro-credit groups, community-based women's group and women entrepreneurs.

3.5. SAMPLE SIZE AND SAMPLING TECHNIQUE

Purposive sampling was used to interview the CSOs in Kathmandu Lalitpur, Kavre, Siraha and Saptari districts. The sample organisations were selected based on their registration as social enterprise and their involvement with right holders. For FGD, the right holders were selected purposively in coordination with the respective CSOs. The right holders are defined as those supported by the selected CSOs for income generating activities or for joint advocacy and campaign on the issues of social justice. In total 30-36 right holders were covered while conducting four FGDs. Similarly, 24 in-depth interviews from 12 CSOs were conducted. List of the participants of the FGDs and IDIs is presented in Annex II.

3.6. DATA ANALYSIS

Qualitative data were analysed on thematic basis according to specific objectives. Recorded interview and FGD were transcribed and categorized on thematic basis manually. The field notes were transcribed, translated and synthesized accordingly. Qualitative information collected from different sources and the define indicators above of access to justice and social enterprises were used to describe or analyse according to specific objectives. The questionnaires for the IDI and FGD were also designed in line with the qualified indicators especially in line with SDG 5 (Gender Equality), SDG 10 (Reduced Inequalities) and 16 plus (Peace, Justice, Inclusion and Strong Institutions) which were supported to develop the qualitative and analytical reports/findings. The success and failure stories and concerns are included to add value to the qualitative

data analysis. The report covers key issues/concerns related to social enterprise and access to justice in line with inequality and inclusion, social enterprises, property and legal rights, violence, services, etc.

3.7. ETHICAL CONSIDERATIONS

The research team obtained informed consent of the participating respondents before proceeding to the interview. BBC issued the official letter to CSOs for their cooperation and assistance in smooth operation of the study. A pre-communication mechanism was developed to clarify the aim of this study and the support from the selected CSOs, and other relevant stakeholders. The successful tips for this study on administering the questionnaire and FGD Guidelines were given to the research assistants through orientation training. The participants were assured the confidentiality of their recorded views.

3.8. LIMITATION OF THE STUDY

As this study is conducted in only five districts and is qualitative in nature, the result cannot be generalized to the entire group of CSOs and its beneficiaries in Nepal. CSOs may have different projects/programmes on social enterprises and access to justice, but may be difficult to find the social enterprises programme, which have direct contribution to promoting access to justice. CSOs may not have self-funded enterprises, and hence, less priority accorded to promoting access to justice.

3.9. SUPERVISION AND MONITORING

The Team Leader and the members made field visits for monitoring and ensuring the smooth operation of the study and field work. The contact details of core CSO members were collected for the verification of the required information. During field work, a quick review was done with the research assistants who were well oriented on the data collection, in depth interview and obtaining important and useful resource materials. They were mobilised for the whole study period for cross-verification of the collected data.

4

SOCIAL ENTERPRISES OUTLOOK: THE GENERAL MAPPING

This Chapter comprises three parts. The first part deals with the brief history of the selected social enterprises followed by their key objectives and the work approaches adopted by them. The poor and marginalised groups, especially the excluded women, face multiple forms of discriminations deeply enrooted with caste hierarchy, religious and racial discrimination, and exclusions. These poor and marginalised communities often fall under vicious circle of poverty, illiteracy, ill-health, economic deprivation, political exclusion and victims of patriarchal mind-set. These issues were made the main bases for the selection of the social enterprises. The history of the establishment of the selected CSOs/Social enterprises and their expansions were found inspiring as they made remarkable contribution.

4.1. SITUATIONAL ANALYSIS

This section deals with mapping of the selected social enterprises run for social causes, that is, type, nature of work, partners and right holders: the poor, marginalised and socially excluded people.

1. National Indigenous Women Forum (NIWF) was established during people's movement of 1990 which paved a way for non-governmental organisations to contribute for the empowerment and strengthening of socially excluded, marginalised, indigenous peoples, especially women, in various sectors. Some selected indigenous women groups started their efforts in achieving their key objective to empower indigenous women through raising awareness, to intensify advocacy campaign for securing rights of indigenous women, and to strengthen political leadership and economic empowerment of the targeted right holders.

NIWF strongly felt necessity to promote skills, knowledge, art and occupation of the indigenous peoples who have their own social enterprise, which can help to conserve such skills and traditional occupation and expand the economic opportunities. Indigenous Product Outlet Pvt. Ltd. was registered in 2018 to meet those objectives and doing the business though it is operating in small scale. The main products are handicrafts, food products and training and management²⁰.

2. Manushi Nepal started its journey 27 years ago with a mission to promote traditional Nepali arts and crafts. Manushi has proven itself as a strong institution and Fair-Trade Leader through the diversification of its activities, incorporating management and skill training with entrepreneurship development and smoothly operating the Manushi Pvt. Ltd. and Manushi Micro Finance.

Padmasana Shakya, the Founder and Chairperson of Manushi recalled the history and said, "If a sweeper woman can sustain her livelihood from small earning, why not I. Even being well educated I depended on my family, which used to strike my mind". Ms. Shakya further added as money is power and can bring changes in patriarchal society, women also need to be socially, economically and politically empowered²¹. Manushi arts and crafts for design and production were registered under cottage and small industry, and now, promoting more and more women on entrepreneurship with regard to handicrafts from home to business. Women economic empowerment has changed the identity of women in nation and enhanced the knowledge demanding rights and gender equality. The major objective of Manushi Nepal is to promote Nepali Handicraft production and business worldwide as source of livelihood and foreign exchange through developing and empowering, especially the women entrepreneurs. The organisation is expanding its working area in agriculture sectors to work with more women farmers for the better life and livelihood.

3. Tewa means 'support' in Nepali, the kind of support used to prop up leaning walls and buildings. It is the name of a non-governmental organisation initiated right after the fourth World Conference on Women in Beijing in 1995. The vision of the organisation is to establish a truly sustainable development model in overly aid dependent Nepal, a historical beginning was made – for development work and feminist action in Nepal, and for the women's funds in the world which are certainly beginning to grow. The way they did their work in Tewa remained true to feminist principles and values.

The philosophy and values of Deep Yogini (Tewa Centre - residential facilities) is aligned with Tewa – the Nepal

women's fund. As such transparency, accountability, respect, diversity, and frugality are its on-going values. However, as a purely service delivery centre, it intends to infuse love, gifting, and caring into practices. It drives to generate income, but not simply for "profit". The profit needs to ensure dignity, self-sufficiency, abundance, sharing and gifting, and on-going self-reliance for all who are engaged in this process²².

4. Women for Human Rights (WHR) was established and registered in 1994. At the beginning, along with the founder, some of the single women met together every Sunday in a room and started some tailoring and other work to collect a small joint fund. WHR itself is a reality of the single women who often face social stigma, harassment, violence, psychosocial distress, dependency, and problem of insecurity. They have less access to service opportunities. During the time it was established, thousands of women were displaced and forced to work in the informal sector with nominal wages. In this context, the purpose was to fight for socio-cultural, economic and political rights of single women.

WHR defines 'widows' as 'single women', a change in terminology that has been put into force since the word 'widow' is viewed with much disdain in Nepali society, thus inflicting a lot of humiliation and agony upon the women. Exclusion and violence against single women have prompted WHR to develop Chhahari - a 'safe space' - in 2016 besides other interventions, where women from all backgrounds and societal classes get the temporary shelter and have a level ground upon which to nurture their skills and become self-sufficient. Lilly Thapa, Founder and Chairperson of WHR said, "WHR strives to create a just and equitable society where there will be "no discrimination on the basis of marital status"²³.

The initiation of Chhahari in 2016 is known as safe space for single women. WHR has its own administration office and resource centre. The Chhahari also provides counselling, legal services and skill training for the single women. With technical support from Nepal government and financial support from Embassy of India WHR has constructed Chhahari building in Kathmandu. WHR has also constructed Chhahari in 19 districts by raising local funds.

WHR is successful to establish the *Aadhar* savings and credit that provides loan and capacity building to the single women to move as entrepreneurs and start the enterprise for their quality life and livelihood.

5. Shrijana Community Development Centre (SCDC), Choharwa, Siraha was established with the efforts of

the local community youths. Founder Lilanath Shrestha organised a picnic and sports to assemble the youth for the development of their communities and established SCDC. Due to registration problem at the beginning it was established as the Nabayubak Library, later as Shrijana Club and finally as Centre for Self-Help Development, that is, the institute for micro-finance and cooperative development in support of Save the Children²⁴.

SCDC, thus, has established the micro finance programme in 2003 and now is being run in three districts: Siraha, Sindhuli and Udaypur. SCDC has been a member of Micro Finance Association of Nepal since 2055 B.S. SCDC was encouraged to expand its programme from the loan of 3.2 million rupees from Rural Micro Finance Development. This programme provides loan to poor women aged between 18-60 years old and school leaving youth aged between 16-24 years old for starting business and income generating activities in the guarantee of the group.

6. Society of Local Volunteers' Effort (SOLVE) Nepal was established in 1989. The organisation, conceptualized and initiated in a critical period of political uncertainty by youth having their representation from different ethnic communities and geographic regions of Nepal, is fostering sustainable community development. The mission of Solve Nepal is to empower and mobilize youths on different dimensions of society including social justice, sustainable peace, human rights and sustainable development and to mobilize youth volunteers to help the development of the society.

The SUSASAN project of SOLVE Nepal aims to empower the women, Dalit and poor & marginalized people to increase their access on information specially on the various government funds at local level so that they can get access to it and utilize it to improve their lives. They have used the means of Sparrow messages in order to increase the awareness on these areas and Techno Hubs in the Rural Municipalities and women cooperatives of project areas.

7. Bihani Social Ventures Pvt. Ltd. is Nepal's first social enterprise established to address the societal barriers and exclusions based on age; that is, senior citizens to live with dignity. As aging is a growing issue, most of the times senior citizens are neglected from their family or communities. Bihani's innovative and diverse services and activities related to health, social engagement and participation, and organisational development promote the formation of new bonds and exchange of knowledge/capacities across generations. Bihani provides care home and services to elders and students. It also provides benefit to their members and elders; like providing

markets for the members to sell their products and goods on outlets, stall etc. Bihani applies need-based person-centric/family-centric approach to achieve targeted and efficient outcomes through Home Based Service interventions. Bihani supports mainly four Social Impact Partners through Wrinkles and Smiles projects by organising social engagement activities and providing/supplying necessary materials for the overall health and well-being of the clients. They also collaborate with other organisations and agencies working in the field of ageing to spread awareness about ageing and issues faced by older and adults around the world.

8. Sukhawoti Store Foundation is the first registered national charity shop in Nepal that works under the model of social enterprise. Sukhawati, means “Land of Bliss” as per the teachings of Mahayana Buddhism (Rospatt, n.d.). The Sukhawoti Store Foundation is a very special place for the people to practice sharing. The donated goods await new owners. So many memories and stories are sent to the Sukhawoti Store Foundation every day. They do not reach in the form of dialogue or handwriting but of used items. All are donated by people willing to give them to their neighbours in need. These items represent marriage memories, memories with children, presents from loved ones etc. One can experience “Happiness by Sharing”.

History of Sukhawoti starts from a story of its founder Chijman Gurung, which follows in this way - “during my stay in Korea, I got an opportunity to work in a charity shop called the Beautiful Shop. That was an ideal social enterprise, a second hand shop which was dedicated to serve poor people in Korea and other countries including Nepal. That motivated me to replicate in my own country when I returned back to Nepal in 2012 and established Sukhawoti Store. During the beginning of our work, we especially sold the clothes in street and carnivals followed by temporary sale store in garage of one of our board members with the support of family and friends. In these 8 years we were ups and downs but we (relatives, friends, staffs, interns) all were working hard to make it happen from various techniques and use of social media. The foundation is running a small livelihood project on Pharping Dakchinkali as well”²⁵.

9. Federation of Business and Professional Women Nepal (FBPWN) was established with the two ambitions of empowering the urban youths for professional jobs, and empowering the rural women by providing literacy. In 1972 it was founded as Business and Professional Women’s Club (BPWC) with the initiation of Ms. Ambica Shrestha along with Ms. Lucille Dunham of IFBPW and a handful of other women from different businesses and professions. Federation of Business and Professional Women Nepal (FBPWN) was re-registered in 1991. It has

been a member of International Federation of Business and Professional Women (IFBPW) since 1985. It is also affiliated with Social Welfare Council, Nepal. FBPWN is known as “Professionalism for Empowerment”. Presently, it has 15 chapters in 12 districts within the country.

10. Mahila Jagaran Nepal was registered as the Social Enterprise in 1996 in Nala, Kavre. The background of the establishment of this organisation justifies that women were suffering from the alcoholic and violent behaviour of the community males with power and their husbands. The aim was to reduce this social problem and enhance women’s economic capacity, Agriculture was chosen as the main income source of the target population. So Mahila Jagaran focused on agriculture related capacity building and grants provision for seasonal and off-season products. This campaign helped hundreds of women associated to their awareness and capacity building for cultivating organic farming. These women get seed money from the cooperative established by the Mahila Jagaran’s founder members. Now it has developed the Women Entrepreneurship Consumer Cooperative and all together 122 organisations are associated with this cooperative.

11. Mitini Nepal (MN) is led and driven by community-based organisation for the rights of people who identify themselves as lesbian, bisexual and transgender. The main objective of Mitini Nepal is to provide psychosocial support, counselling, legal services and emergency shelter provision. It helps lesbians reintegrate into society and their families and establish their gender identity without fear. It is working in 3 provinces of Nepal. MN was established in 2006 with a mission to advocate for the access to political, legal, social, economic and educational rights of LBT people by strengthening coordination, collaboration, network and by developing mutual understanding among all concerned stakeholders, as well as by capacitating excluded and vulnerable LBT individuals in order to create an egalitarian environment for sexual and gender minorities. The organisation is the outcome of the world-wide strong movement and networking with stories of sufferings and discrimination. Mitini has direct experience and understanding of inter-sectionality within their own lives and within the women’s movement in Nepal.

12. Rural Poverty Reduction and Dalit Upliftment Society (RUPREDUS) was established in Saptari in 2003 for the wellbeing of farmers on agriculture sector with new technology and market management. At the beginning, the youth founders established the cooperative. However, they felt they could not get support for the community development. From the beginning, Founder Pramod Chalise was impressed with Heifer International’s work

and concept. He returned to his village after 10 years stay in Kathmandu. In coordination with District Education Office, RUPREDUS successfully launched the literacy class for 1263 women which encouraged them to work in the women empowerment sector. It is very difficult in the Terai for the women to obtain their citizenship. The cases of violence against women (VAW) were also rampant in the rural communities. So they worked closely with women police cell and other authorities. They prioritized for the legal support mechanism for the poor and socially excluded people, especially women.

4.2. KEY OBJECTIVES OF SELECTED CSOs/SOCIAL ENTERPRISES: A GESI PERSPECTIVE

The selected social enterprises were found established with the goal to uplift the socio-political and economic leadership and empowerment of the poor, indigenous, youths and marginalised people especially women, senior citizens, children and socially excluded communities of Nepal. These objectives were found interlinked with access to justice. Their overall goal was found focused on transforming changes in their lives, i.e., living with dignity, increased access to services, and economic and political empowerment of the community people. Major strategic activities to fulfil these goals were found advocacy and lobby on various specific rights to support women and other socially excluded people and communities. This included raise their voices collectively and eliminate discriminatory policies, systems, norms and practices. Their campaigns were found focusing more on enhancing decision-making and leadership capabilities so as to amplify women's voices and make their concerns visible.

Some of the founders of the women organisations Like Tewa, WHR and Manushi were found making their career as feminist activist believing on transfer of leadership or developing successor and making a transition to new leadership for transformative change. The organisations' objective/theory of change explores the challenges of empowering more and more women from social enterprises that enhance women's dignity, justice and recognition of their equal rights in practice. Their missions were found concentrated on social and political empowerment of women through the enhancement of entrepreneurship skills and strengthening the national networks for advocacy and lobbying.

FBPW, for example, is renowned as the promoter of women in business and professional sector. Its objective is not only providing the loans to needy women but also developing entrepreneurship skills, new techniques, creating market, demand-based production and design,

exposures for the sustainability of the enterprises. On the other hand it promotes educated youth and women for professional/service sectors parallelly. Its Kathmandu Chapter capacitates many women as successful entrepreneurs and self-reliant. The women entrepreneurs are supported by their family in the business after seeing the profit and bringing change in their home, community and enhanced the leadership capacity of women on promoting social enterprises.

RUPREDUS's legal support programmes are focused to awareness raising, case referral, counselling, mentoring, legal document management, support to get legal documents. Though they are managing from revolving fund, it is always a challenging work for them to survive out of the fund crisis.

Tewa, WHR and Mitini Nepal were found focusing on sustainability of the gender focused issues such as to raise local, national and international fund for the equitable social, economic and political empowerment thorough providing the grants to urban and rural women and women organisations/cooperatives all over the country. It is a challenging work for them to promote the modern philanthropy with a difference in keeping with the needs of present times and to enhance women's social, political and economic voice, visibility, capabilities and credibility.

Mitini Nepal was established by the first lesbian couple of Nepal Laxmi Ghalan & Meera Bajracharya. MN advocates for the access of political, legal, social, economic and educational rights of LBT people by strengthening coordination, collaboration, network and by developing mutual understanding among all concerned stakeholders, as well as by capacitating excluded and vulnerable LBT individuals in order to create an egalitarian environment for sexual and gender minorities²⁶.

The major consolidated thematic objective of the selected social enterprises is to bring the transformative change of the target people, women, marginalised groups, communities and contribution on sustainable development.

4.3. WORK APPROACHES/STRATEGIES

Tewa, WHR, Mitini Nepal and SSBK were found getting the grants from the international communities/donors and supporting the women-led organisations established in the grassroots. Their major approach is to develop and strengthen more and more women entrepreneurs. Bihani Social Venture was found working on need based approach as a service provider. The strategy of Bihani is to highlight the issue of ageing with prime focus to social, health and

organisational service for the senior citizens. RUPREDUS was found providing loan from cooperative to the women for their enterprises or income generating activities which helped women to learn and gain confidence on their economic empowerment process. In Terai though men also come with women to get loan, they have to ask women for the money. It is believed that women will not misuse money as men spent in their alcoholic and other habits. This strategy is found working well.

Tewa has adopted the approach of encouraging and enhancing capacity/leadership of women entrepreneurs at grassroots. Tewa provides grants to the women cooperatives to make them empowered on social, economic and political sectors as the strategy of bringing professional women and others into the mainstream of development and economic empowerment. Mahila Jagaran and many other women organisations have been supported by Tewa in their forming stage.

Almost all of the selected organisations/enterprises adopt the right based approaches, focusing more on socio-economic empowerment, leadership development and capacity building. Along with the social enterprise also those CSOs/social enterprises are integrating the advocacy, lobbying and networking on rights of the people and enterprise related issues.

All CSOs and social enterprises are applying the human rights perspective on strengthening non-discrimination, inclusion, ownership, participation and accountability while delivering capacity development, projects/programme and business implementation.

FBPWN's women and youth empowerment strategy is to encourage more and more academically deserving and economically underprivileged young women and girls to pursue their studies and increasing the literacy rate of women by promoting and providing a relevant functional literacy programme through its Chapters which contribute to enhancing identity of women and young girls.

The group collateral approach for taking grants on entrepreneurship is also seen as easier access to loans and resources from micro finance and credit. From this, women are becoming confident to utilize the loan for scaling up their business by maintaining accountability. The grant giving approach is found encouraging in FBPWN, WHR, Manushi and Srijanshil Samudayik Bikash. FBPWN's strategies to promote the career of the young entrepreneurs, out of school girls/women in Kailali, Makwanpur and Lalitpur was also one of the best employment approaches for encouraging girls and women in employment sectors.

Fair Trade 10 principles are promoting and expanding for the institution development on creating good governance of international standard to sustain in the global market. Manushi Nepal uses the strategy of developing outlets in different places creating the wider marketing network and demand of the products. The coordination and collaboration with other similar organisations is also taken as strong component in the organisations/enterprises. The standard of accountability and transparency is substantively maintained.

Sukhawati, Manushi, NIWF, WHR, Tewa, Srijanshil, Solve Nepal, and FBPWN are promoting their work through social media like Facebook, websites updating, publication, and sharing information through social audit, annual report, exposure visits, and other events. The approach of good governance on maintaining accountability, transparency, strengthening the monitoring and evaluation mechanism, and years of trust among the national and international donors can be considered as their strengths.

4.4. PROCESS AND PROCEDURE FOR ESTABLISHMENT OF SOCIAL ENTERPRISE

Social enterprises in Nepal are playing a vital role in implementing various projects and programmes targeting communities, sectoral groups and campaigns. The main aims of these enterprises are to create the progressive environment and opportunities for the poor and marginalised people in claiming their rights, combating poverty and tackling the growing national inequalities. The gender equality as specific objectives of the social enterprises are encouraging and enhancing more women leaders and entrepreneurs for the transformative change in the society and country's development. Some of founders of Tewa, WHR, Sukhawati, and Manushi had already got the recognition and awards at the international level.

All the social enterprises are expanding their working areas in order to ascertain sustainable development of the targeted beneficiaries and their organisation as the main agenda. Social Enterprises are the integrated part of the CSOs to work more closely and practically with the communities and achieving the SDG goals 5, 10, and 16 plus. All interviewed stakeholders accorded highest value to the roles of social enterprises that they can enormously contribute to achieving SDG goals nationally.

As social enterprises Manushi Micro Finance, WHR Micro Credit, and Micro Finance of Srijanshil have been successfully operating their micro credit and financing after getting the license from Nepal Rastra Bank. Prof Mohamad Yunus said "Poverty is threat". He describes micro finance in simple terms as a packages of services containing micro-saving,

risk/guarantee/insurance schemes connected with poor or low income people, who lack adequate capital base for managing enterprises and are thus not able to access large banks/financial institutions for generating employment and income for them to maintain livelihood as human beings. Micro finance is encouraging the women to start their own enterprise for the upliftment of their lives, livelihood and social security.

Some of the sayings of the founders quoted below of these social enterprises justify the importance:

“Social enterprise works for society and giving back to them with minimum profits. It is business opened with intention to solve certain issues or problems, specially the ageing issues of the targeted beneficiaries and design interventions. Generally, social enterprise is the collaboration between business model and social work for addressing emerging issues of the society” as said by the founder of Bihani Social Venture

“I strongly feel the importance of the activities which can bring changes in the community. And if we link up with entrepreneurship then social enterprises are the vehicle to make them powerful in decision-making, develop leadership quality, and enhance capacity building” - Urmila Shrestha, Executive Director of Tewa.

“The gradual upgrading, updating, computing of the handicrafts business in the past 27 years through mentoring, counselling, and uplifting the marginalised people, who were mostly women producers, succeeded to shape the name of Manushi in the international market of handicraft as a well recognized ‘World Fair Trade Organisation’s Group’ in this current context. – Nabina Dhakhwa Shakya, Treasurer/ Marketing Co-ordinator

From the IDI and FGD, the importance of social enterprises in bringing changes in the social causes can be reflected at four levels: Individual, Family, Community and Systemic. Most of the projects of the enterprises have impacted in more than one level. The changes are internalized, accepted and established into practices along with new ideas.

From the analysis of views expressed by the respondents of IDIs and FGDs and the organisations’ reports, it can be concluded that the social enterprises are successful to impact on both formal and informal sectors. There are success stories of individual level impacts: in the informal areas of social and cultural norms, beliefs and practices. These traits are visible with regard to the personal attitude, behaviours and practices, especially among women, who are influencing their families to bring changes. It is also visible

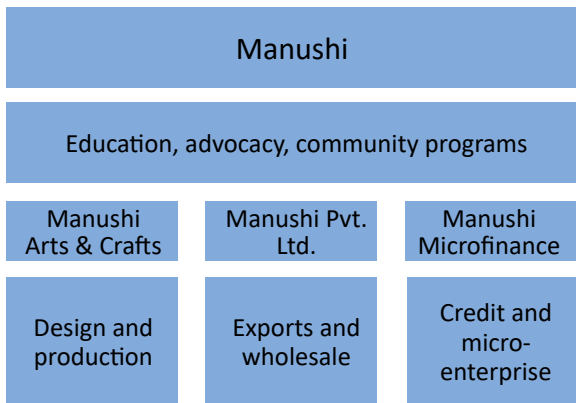
in the formal areas of law and policy-making and resource allocation where the changes can be analysed at the community and systemic levels. The social enterprises are influencing on various policies at the local levels, enhancing women’s rights, and promoting political leadership of the entrepreneurs and their effective participation in various business interventions. Because of the confidence built-up and success achieved through the enterprises, some of the women are showing their interest and eagerness to contest in the coming election; which can be observed as a notable change in the thought of women. It was the example found while interviewing women entrepreneur in Tewa. The next example is from WHR, that based on its incessant advocacy and lobbying for the social security benefits of single women, the Government of Nepal implemented singlehood allowance.

During this study an assessment of the organisation structure and their wings, the residential building-cum training centres, micro finance and credit, cooperatives, outlets, fair trade, private limited, service providers, day care centre, business operation, and social services was carried out. The underlying success behind these enterprises is the efforts of all the CSOs associated with them. Some organisations are found to hold one registered social enterprise like Sukhawati, Srijanshil, and others 2 or 3 social enterprises in the selected CSOs like WHR and Manushi.

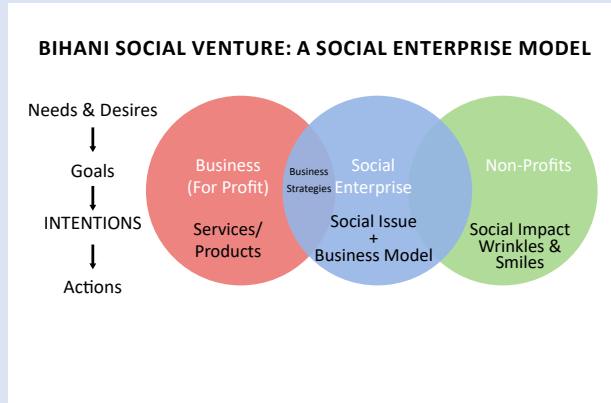
4.5. REGISTRATION PROCESS

According to the existing law, CSOs cannot make profit. But they can make efforts to develop social enterprises as a separate entity, which must be registered either with the Cottage and Small Industry Office or with the Company Registrar Office as per the Company Act, and for social cause and profit making they need to register with Inland Revenue Office and obtain the PAN/VAT registration. The IDI participant from Sukhawati Store said Nepal doesn’t have specific policy for social enterprise. Private and social enterprises are kept in the same basket. Consequently, they have to face several bureaucratic hassles regarding registration, tax clearance, audit, renewal and supervision of the government. Manushi Arts and Crafts and Manushi Pvt. Ltd., Chhahari of WHR are also registered as company to run the high-volume business. They provide tax invoices (VAT bills) on business purpose. The IDI participants from those organisations remarked that small producers and new women entrepreneurs have to face problems in registering their enterprises everywhere they go to the Ward or Municipality Offices or in the Cottage and Small Industry Offices despite they are told that once submitting all the required documents it is not difficult to get registered the enterprise. The FGD participants associated

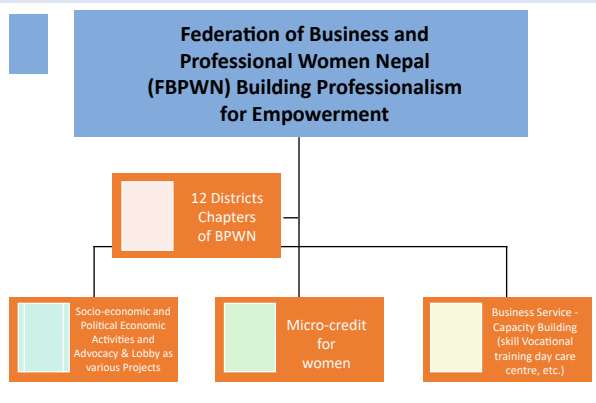
Selected Organisation’s Sustainable Change through a Social Enterprise Approach



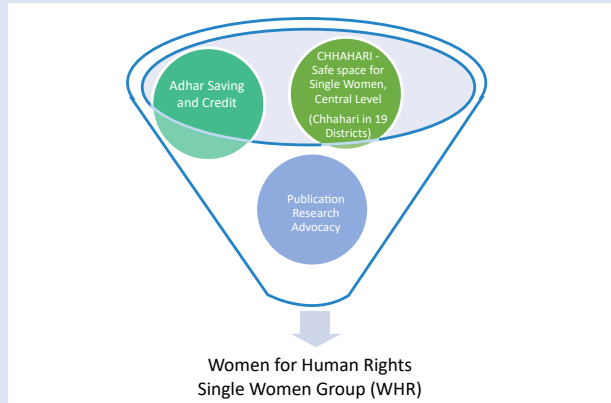
Manushi Model – a model of sustainable development as Institution



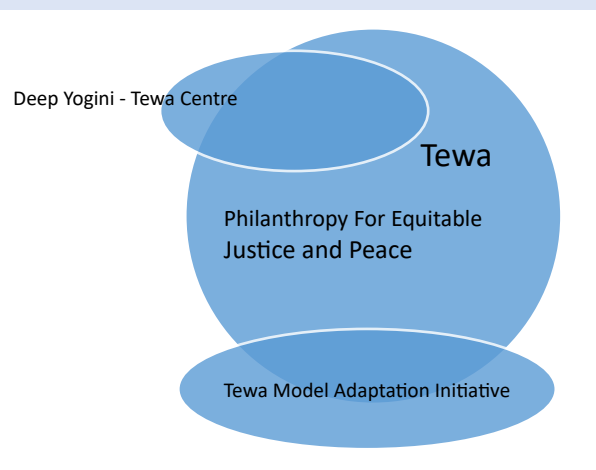
Bihani Social Venture- provide Joint markets for the members and take care services



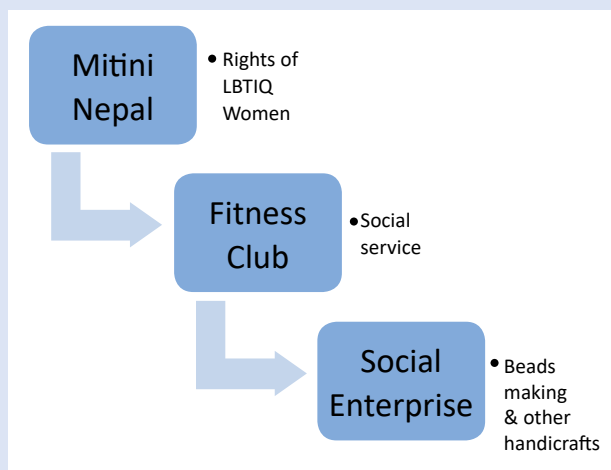
Federation of Business and Professional Women Nepal – Building Professionalism for Empowerment



Women for Human Rights Single Women Group (WHR)- Widows Movement



Tewa - *Upahaar* – an arcade of shops on its eastern boundary, Tewa- the Tewa office building, *Santoshi* – the cafeteria, *Rangamanch* – the open-air theatre, *Jamghat* – the covered hall, and *Aadhar* – the office block.



Mitini Nepal – NGO working on lesbian, bisexual transgender (LBTIQ) women sexual & human rights

with Mahila Jagaran, Nala, Kavre added they would like to do business out of their product but they have to face unnecessary hurdles of enterprise registration, tax and vat clearance and so on.

4.6. TARGETED PROGRAMMES, ACTIVITIES AND GROUPS

The IDI participants from the selected social enterprises said that their targeted beneficiaries of their projects/ programmes are women, men, sexual minorities, ethnic minorities, marginalised people, people with disabilities, girls and women (trafficked, married, single, widow, separated, violence affected etc.) children, youth, senior citizens, political leaders, poor, backward community, Dalit, indigenous, Madhesi, children, people living with HIV/AIDS, marginalised and endangered indigenous peoples.

All the CSOs said they are working for the marginalised people. However, every CSO has their priority target groups. For example: Tewa works specifically with rural women, FBPW for rural and urban women diversified groups of women illiterate to educated, unskilled women labours to business sectors and professionalism of youth and women, Bihani with aging population, Sukhawati with poor women, Mahila Jagaran with women farmers, RUPREDUS and Srijanshil with disadvantaged women, Dalit and the poor, WHR with single women, mostly conflict-affected women, Mitini with LBT women, Solve Nepal with youth population, and Manushi with entrepreneurs, especially women involved in art and handicrafts.

The IDI participants from Siraha opined that they found lack of awareness and knowledge on law and justice provisions not only among the marginalised women but also among other educated/literate women, that are focused by their organisation as CSOs and social enterprises as rights holders to enhance their knowledge and interventions.

Tewa has various programmes as per its theme: such as 1) Tewa Philanthropy – local fund-raising activities and process; 2) Grant Making - Grants have supported income generating activities, skill development training, physical infrastructures related to their endowment fund/s, and human resource development, environment, rights and justice, legal rights, health rights, advocacy to stop gender based violence and discrimination, and women's rights; 3) Tewa Volunteers – Capacity building and mobilisation of volunteers in different events. From the beginning to the end of FY 2018 - 2019, a total number of 825 volunteers had been trained and mobilised. They have collectively raised

over 3.1 million Nepali rupees so far; 4) Tewa Children's Programme - Educational programmes, skills development programmes and hands on social work in the communities offer useful life-skill education to the children; 5) Tewa Post-Earthquake Relief and Recovery; and 6) Tewa MODEL ADAPTATION INITIATIVE -The programme was designed to impart Tewa's experience, knowledge, and skills to other women organisations and to get involved in and expand the local level community philanthropy.

WHR's interventions are categorised into: 1) Advocacy and Social Mobilisation; 2) Economic Empowerment for Sustainable Livelihood; 3) Human Rights and Justice for Sustainable Peace; 4) Local Governance and Institutional Development; 5) International and Regional Networking; and 5) Relevance of monitoring and responsibilities within the WHR structure.

Bihani emphasises that Social Prescription improves health and well-being as proven by the experiences they have gained. In order to promote a society inclusive of elder people, Bihani offers innovative, and diverse services and activities related to health, social engagement and participation. They have also proved that organisational development promotes the formation of new bonds and exchange of knowledge/ capacities across generations. Their main focus is on individuals who want to re-engage, re-explore and re-live or simply continue living a rewarding second half of their lives. The key projects of Bihani Social Venture are: 1) Health and Rehabilitation which covers various lists of home-based services 2) Wrinkles and Smile Project is an impact-based project as enterprise working for the benefits of social engagement activities for senior citizens and provides psycho-social care support to them.

The main goal of FBPW Nepal is socio-economic empowerment of marginalised women. It ensures the members to become outstanding and bright in their professions and businesses. FBPW Nepal executes its central level programmes through its Executive Committee, district level programmes through District level Chapters and Units, and the local level programmes for the grassroots youths and women communities through local level outreach. The FBPW Nepal implements various activities which are broadly covered under the following three major project headings:

- i. Poverty reduction through Socio-economic Activities Project
- ii. Business Service Centre (BSC) Project
- iii. Polytechnic Training Centre and its Outreach Programmes in 14 Chapters spread in 12 districts
- iv. Health workers cooperative in Illam

v. Micro-credit for women Project in all district chapters

Solve Nepal activities have been geared towards fostering dialogue on current political, economic, environmental and social problems. Throughout its activities, the organisation seeks to educate and raise awareness among people on multi- disciplines which are most relevant to the society. Some of the noticeable activities among them are peace building, human rights, good governance, education, environment, health and livelihood.

SOLVE Nepal has paid hard efforts to change the socio-economic scenario of the current society with the hope that the day we dream will come true. According to the IDI participant from SOLVE Nepal, Solve Laghubitta Bittiya Sanstha (SLBSL) was born with some liabilities and assets with a view to address the need of micro credit for the poor and unreached people from banking services. The organisation started its services in the 10 districts of rural hills of eastern region with a future plan to open other doors for rest districts.

4.7. PARTNERSHIP AND COLLABORATION

Tewa aims to increase self-reliance of Nepalese people by reducing dependency on foreign donors. It aims to inculcate the habit in Nepali men and women to donate regularly for the sustainable and equitable development of the country with special focus on women²⁷.

CSOs' institutional capacity is initially developed with support of the national and international organisations in implementing various projects and programmes. The Income generation is the one of the core areas on enhancing the livelihood of the socially marginalised

people. At the heart of income generation lays the adoption of cooperative models as the principal objective of the projects/interventions for programme expansion and sustainability. The partnership was promoted for the projects interventions and networking in order to advocate on rights of the people and policy formulation and implementation, as well as designing new policy. By and large CSOs/social enterprises are associated with the advocacy of rights and policies.

In early 80's the Government of Nepal implemented Women Skill Development Project in order to enhance competencies of economically and socially marginalised women by providing vocational skills and subsidies. Women were trained for printing, weaving, tailoring and other products which were sold in national and international markets. Various NGOs got opportunities to work in those sectors.

The international buyers have become the main partners of the Manushi Pvt limited, and some of the buyers also invest on various social entrepreneurship works of Manushi Nepal.

Fair Trade Movement was started in early 70s, but formally established in 1993 with the initiation of some enterprises which deal with handicraft and are associated with World Fair Trade Organisation (WFTO). The Fair-Trade organisations like Manushi maintain and enhance the 10 WFTG principles which are applicable to all enterprises and organisations desiring for strong partnership and collaboration, as well as enhancing good governance in the organisations/social enterprises. The national and international buyers are the key donors of Manushi, that they focus on the following 10 WFTG principles for fostering their partnership:

Principle One: Creating Opportunities for Economically Disadvantaged Producers	Principle Six: Commitment to Non-Discrimination, Gender Equity and Freedom of Association
Principle Two: Transparency and Accountability	Principle Seven: Ensuring Good Working Conditions
Principle Three: Fair-Trading Practices	Principle Eight: Providing Capacity Building
Principle Four: Payment of a Fair Price	Principle Nine: Promoting Fair-Trade
Principle Five: Ensuring no Child Labour and Forced Labour	Principle Ten: Respect for the Environment

Mitini Nepal has partnership with some national and international donors, but the main focus of Womankind's partnership with it is contributing to the shared aim of strengthening the women's movement, including the voice and visibility of lesbian, bisexual and transgender women, and supporting resilience and capacity for coordinated action both at the local and national levels and engagement at the regional and global levels.

WHR has various national and international partners and also associated with networks. One good example is South Asian Network for Widows Empowerment in Development (SANWED) formed from an informal discussion between Margaret Owen from UK, Anuradha Wickremesinghe from Sri Lanka, Dr. Felix from India and Lily Thapa from Nepal in 2006. WHR has organized various regional and international conferences for advocacy and lobbying on widowhood issues.

Shrijana Community Development Centre has partnerships with many I/NGOs. One of the main partners is Save the Children on development work and other partners are the Bank of Kathmandu, Machhapuchchhre Bank, Megha Bank and other financial institute for its micro finance interventions. From time to time they have partnership and collaboration with the government and others such as the Asian Development Bank (ADB) for women micro credit project, the Cottage and Small Industry Office for sewing and cutting training and so on.

Bihani Social Venture has various national and international partnership and also partnership with the Kathmandu University School of Arts: visiting Faculty for "Caring for Elderly".

Besides various national and international partners, National Indigenous Women Forum Nepal (NIWF) has partnership with Asia Pacific Forum for Women, Law and Development (APWLD) for the rights of indigenous people and Blue Diamond Society for the 16 days VAW campaigns.

4.8. CAPACITY BUILDING

Most of the CSOs/social enterprises provide entrepreneurship development training, awareness and loan provisions to kick-off the enterprises. They do the coordination with GoN, I/NGOs, bilateral and multilateral agencies on various dimensions of capacity building ranging from social mobilization: leadership and institutional building; livelihood promotion; micro-financing; entrepreneurship development; agriculture, food security, livestock and forestry; community health; water, sanitation and hygiene (WASH); renewal energy; good governance; gender equality and social inclusion

(GESI); human rights and peace building; and disaster mitigation. Using these social enterprise spirits, the selected CSOs were found developing the capacity of farmers, small social entrepreneurs, staffs on seasonal and off-seasonal vegetables, mushroom, strawberry, dairy products, financial and marketing, tailoring, fashion designing, boutique, new products, market analysis, and etc.

Bihani provides the exposure opportunities for the school children to provide them insight of placing importance of the senior citizens. It involves the youths in process of empowering and rejuvenating, and in decision making. Highlighting "Inter-generational equity" senior citizens receive services as per individual needs by empowering children and youths to minimize or eliminate elder abuse.

Tewa's key capacity building approaches are imparting training to the volunteers on how to raise money locally/nationally in an on-going way for sustainable and equitable development and make grants to rural women's organisations all over Nepal. Tewa is a model adaptation initiative programme, which is promoting other women organisations to learn from its experience, knowledge, and skills, and to get involved in and expand the local level community philanthropy.

Mitini Nepal advocates for the access to political, legal, social, economic and educational rights of LBT people by strengthening coordination, collaboration, network, as well as developing mutual understanding among all concerned stakeholders including the government agencies, and by capacitating excluded and vulnerable LBT individuals in order to create an egalitarian environment for sexual and gender minorities. The campaign Equal Education for All – LGBTIQ is going on.

Manushi is promoting Fair Trade principles, creating opportunities, ensuring safe and healthy working conditions to make a strong social enterprise/organisation. To enhance access on reasonable medical facilities and to develop the collaboration with private medical sector Manushi had signed the memorandum of understandings (MOU) with Nepal Medicit Hospital this year with objectives to provide the reasonable health services for not only staffs of all Manushi associates, but also the clients of Manushi Micro credit. Medicit hospital will support the health programme run by Manushi and Medicit will buy the handicraft from Manushi Arts and Crafts as required.

The Capacity Development Training of the Local Judicial Committee to enhance their knowledge on legal proceedings, legal education through SOLVE Nepal was

much appreciated at local level and they also want to conduct the training at the Central Level.

The capacity development activities for enhancing access to justice are legal awareness, support on getting legal documents, GESI training, promoting the social, cultural, political and economic rights and empowerment of the marginalised people and women. The capacity of advocacy and lobbying on those rights are integral part of the programmes of the majority of CSOs.

The GESI specific capacity development programmes are conducted by CSOs/social enterprises. Some are effectively highlighting/addressing the issues of socially excluded groups, caste-based discrimination, senior citizens, indigenous women, gender disparity, working environment and etc. There are documentations of gender sensitization and gender analysis for targeting various groups at different levels (grassroots to institutions) and encouraging people, especially women, to enter into labour market (the workforce). Some organisation like Tewa and WHR are promoting awareness and the use of feminist principle in all sectors.

The efforts made by the CSOs/social enterprises have contributed to their institutional capacity development. The results can be seen on sound partnerships, collaboration and joint action at the local, national and international levels between I/NGOs/CBOs, enterprises, private sectors that are working on environment, development, humanitarian, advocacy and campaign. They have been strengthening their capacity building movements so that a critical mass of women will be readily available to participate, advocate, influence and unite politically. They can be able to act for policy advocacy (Government, International, UN mechanism) and demonstrate effective participation in campaigns/movements. The CSOs have been organizing some of the initiations like 'walk-a-thon' and Tree Plantation International Woman's Day, Various days – Fair Trade, Sanitation Day, Labour Day, Children's Day, 16 Days Activism against VAW (NIWF organised this event in collaboration with Blue Diamond Society), Haat Bazar, Hamro Tewa Gaunghar programme, raising fund from 'Human Rights Day to Women Rights Day' which counts 88 days in total, and 'Holi' festival celebration to activate youth etc.

4.9. CHAPTER-WISE SUMMARY OF FINDINGS

1. The idea of social enterprises in the selected organisations was found to be adopted in different four ways: (i) Organisation registered as CSO and working as enterprise with entrepreneur spirit, e.g., Tewa; (ii) Organisation registered as CSO and entrepreneurship becomes the part of charity, e.g., Manushi, BPWN, and Mitini Nepal; (iii) Organisation registered as CSO and enterprise separately, e.g., WHR, NIWF, SOLVE Nepal, SSBK, Jagaran Mahila, and RUPREDUS; and (iv) Organisation registered as company, e.g., Sukhawati as non-profit making and Bihani as profit making company.
2. The history of all the selected CSOs stands up from their efforts in achieving their missions and visions towards the social development journey and fight for inherent social issues. They grew as an institution and began to act as role model or change makers - moving towards future direction as a strong institution. Their working approaches vary depending to the context, but they intensively work for the poor and marginalised people on different socio-economic and political empowerment. Some CSOs are struggling to sustain as those are donor driven.
3. All the selected CSOs were found working with the rights based approaches while fighting against the discriminatory practices and concerns. They were found active on advocacy, lobbying and campaigns for up-lifting the poor and marginalised people, recognizing and translating poor people's needs into rights.
4. All the CSOs were found registered with the specified entity of the government, such as with District Administration Office of the respective districts for the purpose of legal compliance and with the Social Welfare Council for the purpose of approval of the grants received from foreign sources/international community. Some of them were also found affiliated with Cottage and Small Industry and Company Registrar Office as per the Company Act. They were found doing best to standardise the good governance and thematic principles of the institutions/organisations. Maximisation of profits is not the primary goal of a social enterprise as in the case of traditional business. Unlike a charity, social enterprises pursue endeavours that generate revenues, which fund their social causes.
5. It is found that the office environment, working condition, facilities, capacity building of these organisations are quite good with provisions of health insurance, provident fund, bonus, and increment for the staffs.
6. There was found some good self-reliant, sustainable and equitable justice model of the institutions. For example, Tewa Model Adaptation Initiative (TIMAI) was designed to impact Tewa's experience, knowledge and skills to other women organisations and to get involved in and expand the local level

community philanthropy.

7. It is good to see that Manushi had signed the MOU with Nepal Medicit Hospital this year which will provide the reasonable health services for not only the staff of all Manushi associates but also the clients of Manushi Micro Credit.
8. Social enterprises like Manushi are giving priority to standardised living wages for the producer to meet the international standard of Fair Trade policy. This is monitored by the International buyer of fair trade group Nepal. – Fair Wages practices.
9. Some organisations/enterprises have their own buildings and other assets. They got the opportunity to work on various sectors of earthquake response and recovery programme, including the organisational contribution to the disaster affected victims from 2015 onward that is closely related to institutional capacity development.

To sum up, the CSOs/social enterprises were found to be focused on the various thematic rights activities like socio-economic empowerment and rights. They are working on areas of gender discrimination and violence against women (VAW), political rights, disabled people's right, women's health rights and bodily integrity. Some are working for organisational development, fair trade promotion, social services for the most vulnerable groups. They are providing services like shelter, food, psychosocial counselling, legal support, education and many other areas. The purpose is to make the wider impact on the formal and informal sectors.

CSOs/enterprises included the interventions to contribute on Sustainable Development Goals (SDG) Goal 5, Goal 10 and 16 plus and the Beijing Declaration and Platform for Action (BPfA) to enhance gender equality and women's empowerment.

5

ACCESS TO JUSTICE THROUGH SOCIAL ENTERPRISE

This section presents knowledge and understanding of the selected organisations on enhancing the access to justice and success stories on the issues.

5.1. KNOWLEDGE/UNDERSTANDING ON ACCESS TO JUSTICE AND THE JUDICIAL SYSTEM

Social enterprises were established to provide economic benefits to the members. While all of the CSOs are contributing to the legal and other rights of their beneficiaries, none of the enterprises have explicit objective on it.

Mitini as a CSO is providing legal support to get property, to decriminalize their living together, and access to education of their community. CSOs are performing these activities with donation provided by international communities, particularly the INGOs and governments and not by the profit of their enterprise.

WHR has a legal unit which is working on legal empowerment, referral and networking with other stakeholders for their members. It is working to deal with several barriers to justice—financial, geographic, linguistic, logistical, or gender-specific for the women recovering from violent conflict. WHR staffs provide necessary assistance like writing application and linking them to police and with legal personnel for individual cases. But these activities are not directly funded from the profit of their enterprise. IDI revealed that the enterprise is only able to pay the salary of two staffs in the outlet. They viewed that the enterprise was registered to market the products and services of single women. Because it has to compete with private enterprises that are spending more on advertisement and packaging Chhahari is not able to gain profit to be self-sustained and fund the CSO's objectives.

Tewa has different model of enterprise and they are having profit to fund their activities. It claims as the country's first, and still only, women's fund—in order to support grassroots women's groups and raise their visibility in Nepal. Tewa makes profit and raise funds

to support grassroots women. By sharing its vision, IDI participant said substantive gender equality will bring justice to women. A violence free home and society and economic independency are the necessary ingredients for enhancing justice to women and it is working for this to happen through its women empowerment programmes. They claimed that the staffs of its partner organisation in different districts are also empowered and they are working for ensuring access to justice for the victims of VAW.

National Indigenous Women Forum is working for the rights of indigenous peoples, especially the women. IDI reveals that this forum includes legal awareness part in most of their activities. They are providing legal services to their members on case by case basis. For example, they are advocating and making their members aware of their rights and benefits of participation in local level public meetings. The Forum has network with other organisations similar to their objectives.

Bihani Social Venture Private Limited is registered under the Company Act, and considered as a profit-making organisation. It claims as a first social enterprise working for aging people. It is working in social engagement, health and rehabilitation, and organisational services areas. They work on membership model. Persons above 50 years (not limiting to it) can be the member paying certain fee. The members get membership card that can be used to get services from some hospitals, pharmacy, and bakery stores on discount rate. Though registered as a company, it works with the non-government organisations including the old age home in organising different events, providing trainings as per the need and desire of the members and organizing religious and other tours.

Sukhawati Store Foundation was formed as a social business model. The profit from the store is being used on humanitarian issues. According to IDI participant the concept of their store itself is related to justice because it is doing business that support poor to fulfil their material needs. It is providing clothes, shoes, and other household stuff in affordable prices. Their work related to reuse, reduce and recycle is supporting the environment.

Mahila Jagaran, Kavre, do not have formal stated objective related to justice but since they are working for women, they have to involve in cases related to domestic violence and conflict related to property. They are solving the issues through collective and informal ways. IDI participant said we became police, and judge to give justice. We use our own ways to provide justice to women and Dalits. Legal awareness is always a part of their programmes. As others this enterprise is also working for marketing their member's products and not being able to make enough profit to support CSOs objectives other than economic empowerment of their members.

Solve Nepal's legal support programs are focused to awareness raising, case referral, counselling, mentoring, legal document management, support to get legal documents (citizenship, joint land ownership, various registration certificates etc), assistance for legal action to the survivors, and further collaborating / case refer with other organization who provides legal aid/legal support. The associated Cooperatives with Solve Nepal have policies of one member from one family, this is including many impoverished community members, mostly the women. Each Cooperatives has separate fund of Rs. 25,000 for the violence and torture affected members. The Cooperatives also have allocated 1% of their profits for the survivors. Such kind of funds are not enough for the legal supports.

RUPREDUS is an organisation working in a saving and credit model. This was established with the support of World Bank. It is working with saving and credit groups who are mostly women. This is not an enterprise but helps the groups to be entrepreneur. From the very beginning this organisation is working on justice. "Poor and Dalit women are able to take loan and do their own business and for me that is economic justice" said by the founder. They do not have separate fund allocated to access to justice, but they are giving legal and other support to women and Dalit groups who desire to establish their business. Legal awareness is always a part of their trainings. They are also establishing link with police and other organisation for providing legal services.

Manushi and FBPWN are also providing legal support to their members. They are giving advices and networking for establishing entrepreneurs and labour related disputes. Manushi is a Fair-Trade group so it is conscious on child labour and other labour exploitation issues.

Participants of FGD support the information provided by IDI participants. Members of the CSOs are getting trainings and support to be the entrepreneur from the CSOs.

FGD participants are not able to distinguish between CSO and social enterprise, awareness related to women's right was part of the trainings they participated. They considered that the CSO supported their economic and social empowerment. They feel empowered to speak and fight against injustice now.

Justice for these women meant having freedom in mobility, access to income and violence free home. One participant said having dignity is also matter. She is working as domestic worker and once she was accused of theft and police locked her to investigate. Later she was proved as innocent, she said "because I was poor, they accused me without any evidence of my guilt which violet my right of dignity. I did not get any compensation for that and no one talked about this. Now I am able to raise voice on these issues as we are united as a union of domestic workers". She appreciates WHR for developing her leadership quality. WHR members think they are able to get space to sell their products without any rent is justice for them.

The FGD participants in Siraha are found able to perform their daily activities without any problems. Though they were not able to remember all of the rights they knew that they have rights equal to male like education, to do business and trade, and to take part in local public meetings. In the Terai women are not allowed to take part in 'Panchayati' (traditional way of discussion and making decisions related to small disputes and local problems). One of the participants said she went to the Panchayati even not permitted by her husband to raise the issue of domestic violence against one of her group members. This is a bold change that they are bringing in their community. These days, women are being united for collective voice and helping each other against domestic violence.

Scope of access to justice in social enterprise: Information from the IDI and FGD shows high scope of access to justice. All of the organisations are supporting their members' legal issues directly or by linking them with the concern organisations. Mitini is offering services to LBT, and WHR to single women. Social enterprises are working to promote economic justice, political justice and justice to victims of violence and disaster. These enterprises are able to gain trust. Now, they can have set it as formal objective for promoting access to justice.

Through collective activism CSOs are able to lobby for social security to the widows and women with disability and decriminalize the lesbian living-together and/or marriage relation. They are fighting for legal rights to be a family and adopt a child.

Support mechanisms for access to justice: Networking among various social enterprises can develop a mechanism to ensure access to justice to their members. Informal ways of providing justice and resolving conflict through mediation can bring complications. Connection and coordination with local government bodies, law enforcement agencies and judiciaries, which some of the CSOs are already applying, can be the best mechanism.

5.2. SUCCESS STORIES ON ACCESS TO JUSTICE THROUGH SOCIAL ENTERPRISES

This section presents individual stories of the community people who are associated with the selected social enterprises. It details their experiences in access to justice, social entrepreneurship, changes in the leadership on socio-economic and political aspects of the people and

STORY ONE:

BUSINESS PROFESSION WOMEN INTERNATIONAL AWARD: A DOMESTIC REVOLUTION IN NEPAL

BPW Nepal established Business Service Centre (BSC) in 2008 for supporting women's advancement in micro and small enterprises (MSEs) with European Union co-funding and Technical Assistant from AIDOs, an Italian NGO working on gender equality and women's empowerment. Though the project was completed in April 2012, BPWN has continued BSC for promoting small to medium-scale enterprises and bridging the huge gap that exists for women in Nepal to graduate from small/medium-scale enterprises and moving from informal to formal sector to avail of the national and global market opportunities. The methodology has been adapted to address women's multiple needs for enterprise development. It is the ideal business to empower Nepali Women – Kirtipur Hosiery Industry Pvt. Ltd. – story of Sabita Maharjan, who got the identity of the Successful Women Entrepreneur.

Sabita, with the support of BSC established Kirtipur Hosiery, a hand knitting business which has successfully trained more than 500 women and employed 150 women knitters. She received Surya Nepal Asha Social Entrepreneurship Award 2011 in recognition of her significant contribution towards empowering women in Kirtipur. She says, "BSC trainings, mentorship and national/international exposures has enabled me to scale-up my business and receive the award. This award means a lot to me and the women whom I work with. It recognises our efforts and provides us with resources which help us to improve our work." Sabita is also a producer of sweater jacket for Sherpa Adventure Gear. Kirtipur Sweater Jacket won ISPO Gold Award in January 2015. The Kirtipur Sweater Jacket has been described as "an Odyssey of hope and dedication – inspiration behind the hand knit sweaters that benefit women's skill building and jobs in Nepal, an iconic symbol representing the richness of ancient heritage with the best innovations of modern technology".

STORY TWO:

STORY OF A LADY WITH DISABILITY IN MYAGDI

This is the true story of a lady with disability, who held from Myagdi district and who has a problem of speech and hearing. She was abused by a local alcoholic man. She was supported by one of the staff of Tewa partner who is also transgender activist of Badripur, Myagdi. The staff reported this case to the Tewa head office. Due to the risk factor the local police station denied to register the case in the village. But the activist forwarded the case and filed FIR in the District Police Office. The partner staffs were threatened after the FIR was registered. A constant communication and coordination with TEWA, the partner organisation was successful to get support of the Atlantic Ocean Research Alliance Coordination and Support Action (AORACSA), an international organisation to solve the case. This initiation led the legal support to the survivor and finally the court punished the perpetrator with 12 years jail sentence.

STORY THREE:**BACK TO ACTIVE LIFE WITH BETTER HEALTH**

Anita Gothe from Itachhen, Bhaktapur had neurological disorder and was also suffering from psychological problems. Twelve years ago, when she had a seizure due to epilepsy, she fell down over a heater and the left part of her face was burnt. After that, she remained confined within her home, not getting along with others. Since then she developed anxiety, stress and fear of meeting people. Medical treatment helped her to solve neurological problem which was developed since her childhood epilepsy; but psychosocial problem remained the same. She stopped knitting caps and sweaters and stopped visiting community centre which she used to do.

Aapangata Adhikar ko lagi Mahila Samuha, one of the grantee partners of Tewa approached Anita to enrol her into Peer Support Project and was provided with 6-months psychosocial counselling and therapy sessions. For few months Anita had a phobia of fear to speak. After a series of counselling sessions with psychologist and her peers, Anita developed confidence to talk with people and re-joined the Community Based Rehabilitation Centre (CBR) in Bhaktapur. She kept herself busy learning and sharing skills/ knowledge through participating in trainings and other programmes run by the centre. Now she has restored her mental health and begun to teach knitting to others. She herself is able to knit 7-8 woollen caps in a day. In the season she is capable of earning up to Rs. 350 per day. These days Anita takes part in activities and events organized in the centre. She was seen in leadership building training organized by another grantee, Access Planet in Bhaktapur. She is very active in group exercise and interacting with the trainer. She supports visually impaired participants to move around in the training hall. She performs a role play with others and expresses her opinion.

STORY FOUR:**SINGING BOWL GIVES THE PEACE FOR MANY PEOPLE**

Prabin Shakya is a metal craft producer of Manushi. He produces singing bowls. They are the flat bells of Tibetan origin. He had been facing the scarcity of raw material and the fluctuation of prices in the market, as a problem to quote the price of final products. He got chance to contact Manushi. The relationship flourished to see his quality product and he got the market exposé. The Manushi Company immensely profited with increased orders of singing bowls. This miracle changes in Mr. Shakya's identity and improved livelihood delighted him for Manushi's contribution. He has seen Manushi is helping many producers to make good profile and increase the economic condition of the workers. He is proud to work with Manushi, a fair-trade organisation working to promote/maintain fair trade principles which help him to broaden his knowledge and skill.

STORY FIVE:**MANUSHI MICRO FINANCE PROVIDED LOANS TO MORE THAN 22000 SMALL PRODUCERS WHICH HAS 99% REPAYMENT RATE**

According to Shova Bajracharya, General Manager of Manushi Micro Finance, after 11 years of establishments of Manushi as a handicraft business, Manushi got the license from Nepal Rastra Bank in 2002 to support women of urban and rural areas as a wing of Manushi. Manushi gives educational workshops on the 10 principles of fair

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STORY FIVE:

trade, women's rights and micro enterprise development before providing loans without any collateral. Loans are distributed to women within a group network that encourages and maintains Manushi's 99% repayment rate. The programme is made up of over 4,700 women groups with over 20,000 members. There are so many stories of women producers who can tell the incredible stories of their lives. The women affiliated with Manushi Micro Credit are able to develop not only their entrepreneurship skill, but also the financial knowledge and leadership capacity to transform their social enterprise, family and communities. Manushi is also promoting the legal awareness with support of Kathmandu Women Bar, and the services of legal advisors for the women groups/producers and staffs.

STORY SIX:**TRANSFORMING TOWARDS BEAUTIFUL LIFE**

A 43 years old activist from Mahila Jagaran was elected as the Ward Member in Ward No.3, Tembewa Rural Municipality of Panchthar district. She gives credit to her significant contribution for the community development. The life was not comfortable for her in the beginning. She gave up her studies after marriage. But later she continued along with the household chores and care of in-laws and children. Her husband went abroad for foreign employment. During her study she came into the contact of some organisations and engaged herself actively in social works. She was criticized by some of her neighbours and communicated the message to her husband. Her husband rebuked her and told her not to involve in such activities. He also commanded her to drop the 3 days training form Mahila Jagaran on Women's rights and legal awareness. However, it was an important training for her and she didn't want to drop. Then she spoke to Mina Rijal, President of Mahila Jagaran about her mental stress and willingness to complete the training and social activities. Ms. Rijal contacted her husband Buddhi Man, and provided counsel to both husband and wife. Buddhi Man was convinced and Pavitra continued her mission. With a good guidance and support Pavitra's life has been changed. Later, she decided to contest in the local election held on April, 2017 and won it. Though there are challenges, Pabitra looks forward to helping the women who are deprived of opportunities and knowledge about their rights.

STORY SEVEN:**RAJANI AND PREM TOOK THEIR CASE TO THE SUPREME COURT AND BECAME THE FIRST LESBIAN COUPLE**

In 2011 Rajani Shahi and Prem Kumari Nepali became a landmark case for lesbian rights. After threats from Rajani's husband and the family they came to Mitini Nepal seeking for a help. Rajani's family then attacked the office and tried to destroy the building by setting fire on it. They also threatened Laxmi Ghalan (founder of Mitini Nepal) personally. She was threatened of rape and murder. As a consequence, she had to hide herself for 13 days.

"When I got the rape and death threats, I didn't think from my mind, I thought from my heart, I just wanted to keep them together. I felt the injustice. If they were heterosexual, they would have been given permission to live together, and they would be respected" said Ghalan. She argues that lesbians also deserve the same respect. Rajani and Prem took their case to the Supreme Court and became the first lesbian couple to win the right to live with their partners

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STORY SEVEN:

Since then society's attitude towards lesbian women has begun to change. Women now have legal permission to live together in homosexual relationships. There is now an option to self-identify as lesbian on official government documents and there is even a provision to mention about LGBTI people in the census questionnaire. People are gradually becoming aware on the acceptance of the LGBTI community. Mitini Nepal are now being approached by schools, police and community groups to teach about sexual and gender diversities to the students and the community.

In Nepal although there are a lot of organisations that work for women's rights, majority of them don't recognise or respect the rights of lesbian women. Some of them even question how being a lesbian is even possible. Although we continue to try and work with other women's rights organisations, we do find it difficult to raise the issues that impact lesbian women in some of these spaces. We know that if we work together to achieve the rights of all women, we can achieve a lot.

STORY EIGHT:**BIHANI SOCIAL VENTURE AS ENTERPRISE SERVING SENIOR CITIZENS**

P. Shrestha underwent an open-heart surgery and bound himself to rest and recover at home five years ago losing his self-confidence and developing a feeling of loneliness. Bihani Social Ventures Pvt. Ltd., the first and only social enterprise working in the field of ageing in Nepal, first met with Mr. Shrestha and got information about his health status and his desire to stay healthy. He said with a warm smile, "I have seen on YouTube that a lot of elders in China are doing exercises to maintain good bodily flexibility. My wish is to be healthy like them with such exercises." The staff of Bihani immediately informed Mr. Shrestha about Bihani's home based service (HBS) of Tai Chi for senior citizens. He expressed keen interest to take up the standard four free trial classes. After completing the four lessons, Mr. Shrestha signed up for 10 home based Tai Chi sessions for three times a week.

The positive change in his overall sense of recovery and wellbeing was evident soon after his routinely Tai Chi sessions with Bihani. He also informed that he started gardening and going out for a walk. Mr. Shrestha also applied for Bihani's membership for senior citizens to enjoy discounted benefits at various outlets and to be involved in various inter-generational events and activities organized by Bihani such as musical events and members' potluck, among others.

Mr. Shrestha informed, "Prior to learning Tai Chi, I usually felt lethargic, my entire body cramped and I used to yawn a lot. But now I feel much better and my breathing has improved. These days I feel energetic. I have a realization to be more productive." The acknowledgement of our effective services from individuals like Mr. Shrestha and seeing the improvements in their sense of wellbeing is what motivates us each day to continue our work with the seniors.

STORY NINE:**“I LIKE SOLVING MATHEMATICAL CALCULATIONS AND ENJOY WHEN YOU ALL VISIT ME”**

A 73-years old mother (Aama) feels happy to solve mathematical calculations and play with numbers. “Although numerical calculations can sharpen your mind, not limiting her skills in mathematics and engaging her in various social interventions like digital games, mobility exercises, capacitor techniques, and more has helped my Aama improve her cognition and behaviour”, says her son.

With Aama’s long-standing history of health issues, her son sought for interventions through Bihani’s Home Based Services, which gives us immense pleasure to witness positive changes in her life. We designed the interventions together with her son, who is the primary caregiver based on Client/Patient Centred Care (PCC) approach while keeping Aama in the centre of the decision-making process and considering her interests, as well as the best possible outcomes

STORY TEN:**NATIONAL INDIGENOUS WOMEN FORUM (NIWF)**

National Indigenous Women Forum (NIWF)’s mission is to empower indigenous women by eliminating social, political, cultural, and religious and linguistics discriminations for social justice. The organisation is remarkably working on the rights of indigenous women and continuously advocating the importance of economic empowerment. They have set as one key objective to assist the indigenous women in mobilizing resources from local, national and other sources so as to make them economically independent as entrepreneurs. Women’s economic rights are also part of access to justice which is one of the integrated advocacies of the social enterprise.

In this mission many capacity building trainings are being organised and women are developing their entrepreneurship skill and business. One of the best parts of their efforts is to train Chepang women on Integrated Pest Management. These Chepang women are from Aadhamaara of Gajuri Rural Municipality in Dhading District. In this training they had learned how to grow healthy and safe seedlings of tomatoes using the modern technology.

NIWF also organised the women, formed a group and support it to be registered. This organisation is now developing its capacity of farming and off-farming. With support of one of the donor MADRE, Fighting for feminist futures, NIWF organised the climate smart Integrated Pest Management (IPM) training to the highly marginalised indigenous Pahari women of Sikharpa Municipality Lalitpur in August 2018 to January 2019.

The Pahari women also formed the group name Shree Saraswati Women’s Farmer Group that consists twenty-five members. Along with this IPM training they also got training on market management, institutional and entrepreneurship development. As a part of exposure visit, the women’s farmer group was taken to Kalinchowk rural municipality in Dolakha district, where they observed the enhanced status of Thami women’s farmer groups, the alumni of NIWF’s IPM training project. The group was also supported with the equipment that are used in the process of growing and harvesting vegetables and other various tools like water tank, pipe, plastic sheets, small tank, sprinkler pipe, lifting pumps, seeds, mustard seed oil cake, paddy husk, and rope. The women were very much encouraged from this IPM to enhance their knowledge, skill and the production.

STORIES:

ADDITIONAL STORIES FROM SUKHAWATI

“Namaste, my name is Sarita Tamang, I am from Tokha almost 5 KM far from this store, I have to change two public vehicles to reach here. Some few months back in 2019, I came to know from my friend about this store and I visited it. I was quite excited and happy to buy cloths according to my need which ranged from NRs 10 to NRs 100. Nowadays, if you take a cup of tea at a local shop it costs NRs 20. Here in Sukhawati store we can find cloths of our need from NRs 10 and above. These types of second-hand clothing stores help needy people like us because we highly depend on daily wages and hard to survive in Kathmandu with our earnings. This kind of second hand shops can fulfill not only our cloth needs, but also our wants of wearing fashionable clothes in low price. Now we can save money out of that and spend it for other necessities. I bought quilts, pillow, baby dress and other necessary stuffs, which cost only NRs 500 in total, and it was an amazing surprise for me. I also checked the quality of cloths. It is okay and good. We feel a kind of consumer satisfaction.”

-Sarita Tamang, Tokha

“I am very surprised to know that there is also a charity shop in Nepal. I think it’s great that you guys promote the use of second hand stuffs and make people aware about protecting environment and helping great social causes at the same time.”

- YEN, Vietnam

“I love volunteering in the Charity Shop. It is so much fun and I love seeing people getting and buying stuffs at reasonable prices. It’s great that our shop was set up to help people who are in need and it also supported students who are unable to continue their school education due to lack of money. I have gained to expand my ideas and knowledge on social support. Sukhawati is one of the best places to learn social enterprises model ever. “

- Lila Ghale-43, Kathmandu

organisations itself. The case studies are collected from the organisation’s reports, and publications, and websites which were described as their big achievements by the organisations/enterprises during this research.

(In some of the stories the names are given with informed consent/permission of the concerned person and organisation.)

5.3 SWOC ANALYSIS

The participants of selected organisations were asked to identify their strengths, weakness, opportunities and challenges (SWOC) of their social enterprises. Whereas social enterprises like Sukhawati and Tewa were able to identify their SWOC, other participants were only able to analyse the SWOC of the CSO, and not of the enterprises. IDI participants were confused when they were asked to differentiate CSOs and enterprises. Later they did it. It was mainly due to their insufficient knowledge to distinguish

between a social enterprise and a CSO. They considered enterprise as one of the CSO activities.

Strength: The participants identified ‘trust’ as the main strength of the social enterprise. They think that community or their members trust them and accept their decisions. Some identified ‘collective efforts’ as strength. For Tewa their concept of modern philanthropy is their strength. They said people who want to support needy people are able to join us. Tewa also considers its members from diverse field as the strength; their expertise can be used in different sectors.

For Sukhawati their concept of recycle, reuse and reduce is their strength. A waste or reject of one can be useful for another is their main motto and they think this will be able to link between those who have more and those who cannot afford. Other organisations like WHR and Tewa have considered their network with other national and international organisation as strength.

RUPREDUS thinks their focus on saving and credit groups of Dalits and women created by the organisation is their strength. Having a revolving fund is also the strength for them as this can be used in emergency services.

Weakness or Room to improve: Each and every IDI participant agreed that there is always a room to improve, no one can be perfect. They are learning by doing. For some the system of coordination and networking with other organisations need to be developed.

They have to invest more time on making people understand their work as many people are not aware what their objectives are. Working with the community will help bring change in people's perception of social enterprise. People consider these CSOs equivalent to other profit-making organisations and that's it.

Though not explicitly stated by the participant, gender sensitivity of CSOs' personnel can be consider as one of the areas that need to be improved. Their sensitivity can work to analyse the impact differences on men and women and also be aware of the needed social transformation in the area of gender equality. For an example Bihani is working for elder women without differentiating gender that can bring gendered results.

Opportunity: All IDI participants think that present state restructuring under the federal system can be the opportunity for local level enterprises. There is avenue that the local governments can work with social enterprises that can support the state on service delivery.

Challenges: Nepal does not have separate policy related to social enterprise. Social enterprises have to compete with private sector business enterprise and this is pointed out as a big challenge by the IDI participants. The lengthy and burdensome procedures related to enterprise registration, tax clearance and renewal processes are other challenges. Unfamiliarity with the business environment is the next challenge identified by the IDI participants.

Project head of the Sukhawati Foundation said that there is no functional law based on the social enterprise in Nepal. "There are many organisations who self-claim themselves as social enterprise but only a few invest their profits for the social or charitable causes, be it in health, environment, or any other sectors. So, we look forward to lobbying the government to make a strong policy to govern the social enterprise." For Sukhawati changing the perception of Nepalese people in relation to reuse the used cloths was and still a challenge for them.

Gender inequality is considered as a major challenge by Mahila Jagaran. They felt discrimination from local authorities. Their concerns were not seriously taken by male members of local government units.

Some have identified corruption in the local authority as a challenge. Instead of supporting the social enterprises, local authorities are creating obstacles in their work because they do not offer kick-back or commission.

The IDI participants did not find out specific challenges related to access to justice. However some of them pointed out that lack of proper knowledge on justice system and our judiciary system is the big challenge. According to them, the judiciary system in Nepal is not systematic. It takes long time and energy in justice delivery.

5.3. POLICY SCOPE OF SOCIAL ENTERPRISES IN NEPAL

The IDI participants from the selected CSOs/social enterprises have given mixed responses on their understanding of state policies on social enterprises. Many of them were found with quite a good realm of knowledge. They said social enterprise is a "business strategy" driven by the policies or programmes of the state. According to IDI participant from Sukhawati Store/Foundation, a non-profit making company, the profit obtained from the social enterprise is used for the welfare and benefit of the community, that is, "to earn from the community to help for the community itself."²⁸ The IDI participant from Bihani expressed that the organisation is a social venture and is the first social enterprise working to foster age and disability inclusive communities focusing on senior citizens. To promote a society inclusive of elders, Bihani offers innovative and diverse services and activities²⁹.

The models of social enterprises differ according to their origination. Some are registered as non-profit making company like Sukhawati and Bihani, whereas others have an NGO flavour like Tewa and WHR. According to the IDI participants from WHR, Chhahari is a forum of the single women dedicated to rehabilitation, reintegration and reconciliation. The meaning behind Chhahari has been used as a metaphor for all single women who come to seek rejuvenation and healing in the protected and caring environment of the centre. Single women who come to Chhahari receive counselling to recover from their trauma and receive tools that help empower them. The centre aims to enable and strengthen the lives of single women whilst maintaining a safe space. Instability in Nepal further escalates the situation of single women and their children who are displaced and traumatized continually during the time of conflict. Chhahari works to rehabilitate and reintegrate them back into society³⁰.

The model of Tewa is different. According to the IDI participant from Tewa, the organisation's philosophy is to develop modern philanthropy, both in terms of minimizing social costs incurred in rapid transition, for self-reliant development that is not donor dependent, and for the empowerment of emerging groups of rural women in Nepal. With this philosophy in mind Tewa initiates local fund-raising campaigns, gives grants to women's groups from all over Nepal, and strengthens the human resources of Nepal through various programmes³¹.

The idea of social enterprise for Solve Nepal and Shrijana Community Development Centre is through micro-finance. Solve Nepal is a financial intermediary non-governmental organisations (FINGO) devoted since 1989 in socio-economic development. It is committed to its mission of uplifting the poor and creating an enabling environment for entrepreneurship development on the base of local raw materials and resources. This is done in a package of other empowerment activities like skill development, leadership development, cultural exchange, observations, tours, women right based approach, enterprise promotion with market linkages. Solve Nepal has paid hard efforts to change the socio-economic scenario of the current society with the hope that the day we dream will come true. According to the IDI participant from Solve Nepal, Solve Laghubitta Bittiya Sanstha (SLBSL) was born with some liabilities and assets with a view to address the need of micro credit for the poor and unreached people from banking services. The organisation started its services in the five districts of rural hills of eastern region with a future plan to open other doors for rest districts. The IDI participant adds, "The main objective of the micro-financé is to alleviate poverty through providing seed money for rural poor to start income generating activities at the local level. The programme is more socially focused rather than in profit. It is bit growing challenges in Nepalese context that a number of Micro Finance Institutions are focused to only profit, which is creating a negative impact in the society³².

Shrijana Community Development Centre (SCDC), an NGO in the Eastern Nepal is located at Choharwa, Siraha, Province No. 2. Emerged as a result of the commitment displayed by the energetic young professionals and social workers having long experiences in rural community development, the organisation aims to create social justice and empower vulnerable people for their quality life. SCDC is functioning to capacitate the poor men and women, disadvantaged groups, Dalit, indigenous peoples, marginalised ethnicities and children in order to build their capacity in natural resource management, socio-economic development, livelihood promotion, and micro-financing. SCDC has

been consistently involving in project development and execution in coordination with GoN, I/NGOs, bilateral and multilateral agencies on various dimensions ranging from social mobilization and institutional building to livelihood promotion micro-financing; entrepreneurship development; agriculture, food security, livestock and forestry; community health, water, sanitation and hygiene (WASH); renewal energy; good governance; gender equality and social Inclusion (GESI); human rights and peace building; and disaster response and mitigation. According to the IDI participant from SCDC, this organisation formed and handed over the SLBSL. Currently, its micro-finance programme is being implemented in four districts: Siraha, Udaypur, Sindhuli and Mahottari³³.

National Indigenous Women Forum (NIWF) has been formed to address the diverse issues of indigenous women in Nepal such as structural discrimination and multiple forms of discrimination: racial, linguistic, religious, cultural, economic, and political and thus remain in exclusion. Indigenous women are victimized by ideologies, policies and practices of patriarchy³⁴. NIWF has established Indigenous Product Outlet (IPO) Pvt. Ltd. as a movement of traditional occupation into social enterprise. The Key products are handicrafts, food products, training and management. According to the IDI participant from NIWF, they have put their endeavour to uphold skills, knowledge and art, which can be recognised and then conserved, promoted and expanded. IPO in this context aims to establish small and cottage industries based on such skills, and make the poor women economically sound. Through the commercialisation of traditional and indigenous knowledge and skills, the indigenous people are expected to live a life of dignity. It also envisions spending 10% of its profit in the education of the children from the poor and helpless families.

Manushi is a guaranteed Fair-Trade Organisation recognized by WFTO that follows a social business platform grounded in the objective of improving the economic conditions of the poor, disadvantaged and marginalised producers, primarily women through sustainable development. It is a non-profit/non-government organisation initially established in 1991 to promote traditional Nepali arts and crafts. Manushi, now, has grown into a Fair-Trade leader through the diversification of its activities, incorporating management and skill training with entrepreneurship development and micro financing.

According to the IDI participant, a founding member of Fair-Trade Group Nepal, Manushi is dedicated to the Charter of Fair Trade Principles, creating opportunities,

ensuring safe and healthy working conditions, building capacity and minimizing our environmental foot-print while always remaining transparent and accountable to our stakeholders³⁵. The IDI participant adds that Manushi has established three social enterprises: Manushi Arts and Crafts, Manushi Pvt. Ltd. and Manushi Micro-Finance, all of them are dedicated to social good of the public by mobilising people for the people in need.

Mitini Nepal started its journey in 2002 AD with the establishment of 'Mitini Support Group'. The group raised societal awareness on various issues and concerns faced by lesbians, bisexual and transgender (LBT) women such as human rights, sexuality, political participation, health and other gender-related issues and concerns. In 2005, Mitini Nepal Support Group was renamed as 'Mitini Nepal' and registered in Kathmandu District Administration Office and Social Welfare Council as a non-profit organisation. The IDI participant said they are working for the rights and dignity of Lesbian, Bisexual and Transgender people (women) of Nepal. The mission of Mitini Nepal is to advocate for the political, legal, social, economic and educational rights of LBT people by strengthening coordination, collaboration, network and to develop mutual understanding among all concerned stakeholders as well as to capacitate the excluded and vulnerable LBT individuals in order to create an egalitarian environment for sexual and gender minorities.

Like Tewa, Mitini does not have a separate social enterprise. They do, however, provide the legal services and emergency shelter on charity basis. They are also lobbying and advocating for the recognition of same sex marriage and eliminate violence against women in the LBT community. During interview, the office secretary said that they are planning to register MITINI enterprise and open Jumba training centre for creating jobs to their members. Till now MITINI is supporting its members to organise stalls in gatherings and seminars to sell their products. Mitini has direct experience and understanding of inter-sectionality within their own lives and within the women's movement in Nepal.³⁶

5.4 CHAPTER-WISE SUMMARY OF FINDINGS

1. The selected CSOs are dedicated on their works to challenge the deeply enrooted traditional discrimination against the poor, single women (widow), senior citizens, lesbian, gay, bisexual, pansexual, transgender, genderqueer, queer, intersex, agender, asexual (LBTQIA), women with disability, children, Dalit. Entrepreneurship spirit becomes the priority for them in raising funds for
2. CSOs have contributed significantly in transforming traditional social norms and values, belief systems as well as mediating the community disputes. To quote them individually, WHR on single women, Shukhawati on resource poor people, Bihani on senior citizen's status, Mitini Nepal on LBT issues, Tewa, BPWN and Manushi on enhancing women's entrepreneurship.
3. Mobilising and engaging youth, women and children on community development were found as the entrepreneurship spirit developed by these organisations.
4. The gender equality is taken as a specific objective of the social enterprises for encouraging and enhancing more women leaders and entrepreneurs for the transformative change.
5. The legal aid support as a means of interventions adopted mainly by RUPREDUS, WHR, and Solve Nepal are focused to awareness raising, case referral, counselling, mentoring, legal document management and support to obtain legal documents. Though they are managing from small and revolving fund, it is always a challenging and ambitious work for them to survive from the fund crisis while involving in such demanding issues.
6. It is very impressive to see the institutional development of CSOs and their wings in developing entrepreneur spirits such as the residential building cum training/resource centre, micro finance and credit, cooperatives, outlets, fair trade, service provider, rehabilitation centres, day care centre, business, social service, etc.
7. There are social enterprises of various kinds and many-folds in Nepal. Some are run under the NGO but as separate entity such as non-profit making company, loose network, micro-fiancé or cooperatives. The overall findings suggest that state policies and programmes are not manifested towards promoting social enterprise under a single umbrella. Some are registered as NGO, some as company and others as micro-finance or cooperatives. This demands an umbrella act for social enterprise in Nepal.
8. The selected organisations want to generate income or profit making from these enterprises so that they can work for their beneficiaries without donor support and to move towards institutional sustainability. But for this to make happen, the government should formulate a policy favouring these social enterprises over private enterprises.
9. CSO specially working to empower women are based on the theory that empowerment of women is a critical factor in addressing gender disparity,

uplifting the lives and social condition not only of women but also of the basic unit in society which is the family. Access to health and education can relate to productivity of the family and community. It is therefore, very critical to empower and give women the capacity to uplift themselves, especially the poor women from the discriminated castes and ethnic groups. This will address major social issues on human rights violence against women, and ensure their participation in various areas of social and economic development.

10. All of the selected CSOs have objectives on social justice, but till now not a single social enterprise born by these CSOs are directly providing services on justice. All the selected CSOs are working for the empowerment of the poor, women, sexual minorities, single women, Senior citizens and Dalit. They also consider access to justice as an important area to work, but, no one have any particular policy, guideline or rules and regulation for working in this direction. Some of the ways (informal) they are practicing may create complications. The social enterprises are working on both streams - access to justice and economic empowerment. But somehow the link is missing. They are working on a project basis.

11. CSOs are also involved in bringing changes in social norms and social practices that are supporting inequality among sex and caste. As an example WHR defines 'widows' as 'single women', a change in terminology that has been put into force since the word 'widow' is viewed with much disdain in Nepali society, thus inflicting a lot of social stigma, humiliation and agony upon the women. Such circumstances have prompted WHR to develop Chhahari 'safe spaces' in 2016 besides other interventions, where women from all backgrounds and societal classes get the temporary shelter and have a level ground upon which to nurture their skills and become self-sufficient. As Lilly Thapa, Founder Chairperson of WHR said, "WHR strives to create a just and equitable society where there will be "no discrimination on the basis of marital status"³⁷.

To sum up, most of these enterprises related to CSOs were found registered for the purpose of marketing the products produced by their beneficiaries and to involve in the access to justice related activities. However, these social enterprises are not in a position to directly fund CSOs due to legal void.

6

SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

6.1. SUMMARY OF FINDINGS

1. The idea of social enterprises in the selected organisations was found to be adopted in different four ways: (i) Organisation registered as CSO and working as enterprise with entrepreneur spirit, e.g., Tewa; (ii) Organisation registered as CSO and entrepreneurship becomes the part of charity, e.g., Manushi, BPWN, Mitini Nepal; (iii) Organisation registered as CSO and enterprise separately, e.g., WHR, NIWF, Solve Nepal, SCDC, Jagaran Mahila, RUPREDUS; and (iv) Organisation registered as company, e.g., Sukhawati – non-profit making and Bihani as profit making company.
2. The history of all the selected CSOs stand up from their efforts in achieving their missions and visions towards the social development journey and fight for inherent social issues. They grew as institution and began to act as role model or change makers - moving towards future direction as a strong institution. Their working approaches vary depending on the context, but they intensively work for the poor and marginalised people on different socio-economic and political empowerment themes. Some CSOs are struggling to sustain as those are donor driven.
3. All the selected CSOs were found working with rights based approaches while fighting against discriminatory practices and concerns. They were found active on advocacy, lobbying and campaigns for up-lifting the poor and marginalised people, recognizing and translating poor people's needs into rights.
4. All the CSOs were found registered in the specified entity of the government, such as with District Administration Office of the respective districts for the purpose of legal compliance and with Social Welfare Council for the purpose of approval of the grants received from foreign sources/international community. Some of them were also found affiliated with Cottage and Small Industry Office and Company Registrar Office as per the Company Act. They were found doing best to standardise the good governance and thematic principles of the institutions/organisations. The maximization of profits is not the primary goal of a social enterprise as is with a traditional business. Unlike a charity, social enterprises pursue endeavours that generate revenues, which fund their social causes.
5. The contributions of CSOs with the concept of social enterprises are remarkable achievements seen in this study. The idea of entrepreneurship was found integrated into the work with urban and rural women, men, children, senior citizens and LGBTQIA prioritizing institutional capacity development.
6. Although some of the founders/chairpersons of the selected CSOs are recognized internationally as social activists, entrepreneurs, business women etc., and Fair-Trade products are popular and exported in international market, many of them are struggling to survive in Nepali market.
7. The GESI approach is accorded as high priority and women's rights taken as strong component to reduce VAW and enhance the identity of women. Owing to the works of the social enterprises, people and organisation are getting more access to justice. Though not quantifiable, it can be linked with economic empowerment of women which should be regarded as the rights of women to bring changes in the society and country.
8. The concept of micro finance adopted by the selected organisations has been promoting more women entrepreneurs, youth and men. It seems to explore the new arenas of business investment for these people.
9. The selected CSOs/social enterprises are indulged in promoting both access to justice and economic empowerment. However, existing legal provisions hinder them to interlink entrepreneurship spirit and access to justice. Due to this gap, their activism to a larger extent becomes not recognised and are limited to project base.
10. Some of the areas of improvement for the selected organisations, particularly those which are operating cooperatives or micro finance are that they should come out of the silo on providing only financial services, and should involve more in the level-based trainings, mentoring the trainees so

that the grants are not limited only in the project level.

11. The modules of Manushi, Tewa and WHR are quite successful. Similarly, the youth's initiation adopted by Bihani Social Venture and Sukhawati Store Foundations are remarkable. The activism they showed looks like moving towards the right direction of achieving sustainable institutional development.
12. Most of the organisations were found adhering to good governance system including policies, strategies, report publications and dissemination. They have developed a good working environment as organisations are establishing an original model of social justice interventions and policy advocacy through entrepreneurship spirit. These interventions contribute to fulfil the targets and indicators related to SDG Goal 5 (gender), Goal 10 (inequality), and Goal 16 (justice).
13. The selected organisations were found generating income or making profit from their enterprises so that they can work for their beneficiaries without any donor support. They were further found moving towards institutional sustainable development.
14. The CSOs mainly in the sector of women empowerment are based on the theory that empowerment of women is a critical factor in addressing gender disparity, uplifting the lives and social condition not only of women but also of the basic unit in society which is the family.
15. Access to health and education can be related to the productivity of the family and community. It is therefore, very critical to empower and give women the capacity to uplift themselves, especially the poor women from the discriminated castes and ethnic groups. This will address major social issues on human rights violence against women, and ensure their participation in various areas of social and economic development.

6.2. CONCLUSION

Access to justice through social enterprise is a crucial aspect of development model in connection with the poor, women and marginalized groups. Although, the term social enterprise is structured as for both the profit-making and non-profit making, social enterprises are found to be open in different forms such as cooperative, micro-finance, civil society charity, social business or community interest company in Nepal. These enterprises have both business and social goals. Social enterprises in Nepal are playing vital roles in implementing various projects and programmes targeting various communities, sectors and campaigns, they have to bear confusions

and legal hurdles which are hampering their images as contributor. These enterprises are often questioned, "Who permitted you to do so? Why did you do the profit? And so on. They have to face these questions especially during their reporting for annual renewal of the organisation. This study furthermore aims to identify the obstacles of poor and marginalised people in accessing justice and to propose some recommendations in order to address those problems.

The Constitution of Nepal defines access to justice in two perspectives: the perspective of social justice and the perspective of goods and services. This study aims to assess the current efforts, practices and opportunities of running the social enterprises for social causes and their contribution to ensure access to justice. The existing GESI policies create a conducive environment to the full enjoyment of the political, economic, social and cultural rights of all including women, men, and the historically marginalized and excluded people. The policies aim to make the indigenous peoples to participate in decision-making issues concerning the community. Special provisions for opportunities and benefits are set in order to ensure the right of these peoples to live with dignity, along with their identity and protect and promote traditional knowledge, skill, culture, social tradition and experience of the indigenous peoples and local communities. The policy of the State also aims to make special provisions for opportunities and benefits to minority communities to enjoy social and cultural rights, with maintaining their identity. The Government has adopted important frameworks for women's human rights, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Beijing Declaration and Platform for Action, 2030 Agenda and its Sustainable Development Goals, and UN Security Council Resolutions 1325 and 1820 on Women Participation Peace and Security. These commitments are enshrined in the Constitution and efforts are being taken to ensure that all laws and policies conform to the constitutional provisions on gender equality.

The idea of social enterprises in the selected organisations were identified as those, which are: (a) registered as CSO and working as enterprise with entrepreneur spirit; (b) registered as CSO and entrepreneurship becomes the part of charity; (c) registered as CSO and enterprise separately; and (d) registered as company.

Whatever the way of meeting the compliances indicated by the government, all of these organisations were found doing social good for the communities they have targeted with the common goal of uplifting the socio-political and economic leadership and empowerment of the poor,

indigenous peoples, youths and marginalised people, especially women, senior citizens, children, LGBTIQA, persons with disability, socially excluded and endangered communities of Nepal by utilising various working approaches and strategies.

Social enterprises in Nepal are playing a vital role in implementing various projects and programmes targeting the disadvantaged, sectoral groups and campaigns. The main aims of these enterprises are to create the progressive environment and opportunities, eliminate poverty to claim their rights and tackle growing national inequalities for the poor, marginalised and endangered people and communities. Gender equality as one specific objective of the social enterprises are encouraging and enhancing more women leaders and entrepreneurs for the transformative change in the society and country. All the social enterprises were found expanding their working areas as sustainable development of the target groups and organisations itself.

Main strength of the selected social enterprises is the trust. They think community or their members trust them and accept their decisions. Next strength is the collective effort for organisations like Tewa, that is, the concept of modern philanthropy. Concept of recycle, reuse and reduce is the strength of Sukhawati whereas RUPREDUS focuses on saving and credit groups of Dalits and women and the revolving fund to use in emergency services.

Coordination and networking are the major areas of improvement. Efforts of these organisations also lie on awareness rising of the people to change their perception of social enterprise. Current political change in Nepal which is manifested as Federal Democratic Republic of Nepal is the major opportunity expressed by the selected study participants. Present federal system can be the opportunity for local level enterprises. Local level governance can work with social enterprises that can support the state on service delivery. However, Nepal does not have separate policy related to social enterprise to this date. Social enterprises have to compete with private companies and this is considered as a big challenge faced by the social campaigners and entrepreneurs. Similarly, gender inequality, as well as the lack of good governance and rampant corruption are other challenges felt by these communities. Community people's poor knowledge on justice and judiciary system, and lack of gender sensitivity are the areas of future intervention in order to tackle these challenges.

The CSOs in Nepal are registered in the District Administration Office and are affiliated with Social Welfare Council (SWC). There is a growing trend of the CSOs creating

entrepreneurs and being developed as social enterprise. However, enabling environment for them to sustain is the major issue due to dilemma of running social enterprises as income generating interventions and social service providers. Some enterprises are grown up and registered under the Company Act 2005, as a sole enterprise for social good while other enterprises are registered as the cottage and small industry whereas some of them run micro finance, or cooperative as a means of sustainability. The module of Manushi, Tewa, WHR are quite successful and the youth's initiation on Bihani Social Venture and Sukhawati Store Foundations are also moving towards the sustainable institution development.

6.3. RECOMMENDATIONS

To the government

1. **Broaden the definition of justice:** CSOs are involved in social enterprises activities and contributing to economic, political and social justice to the victims of violence and disaster. By these activisms, they have been able to gain trust of the public and can have formal objective related to access to justice. In this connection, the definition of access to justice to be broadened to include various types of activities contributing to human happiness and dignified life through the concept of social enterprise.
2. **Develop policies ensuring CSOs self-sustenance and entrepreneurial spirit for social good:** State policies and programmes should reflect and ensure that CSOs are self-sustained and the way out is creating and motivating them for entrepreneurial spirit for social good. These policies further need to ensure that CSOs are self-organized and autonomous in nature. In view of their sustainability and continuous functioning, the profit they make are to be utilized for their own planning, policies and programmes in relation to public benefits and should be free from the government's tax system and other any payments in the local, provincial and federal levels. However, if the personnel earn income by involving in the organisation, they should be liable of paying Tax/VAT as per the government's rules and policies.
3. **Establish GESI policies monitoring mechanism:** State policies should have clear monitoring mechanism to ensure implementation of GESI policies in CSOs.
4. **Create enabling legal environment for CSOs' non-profit sharing social enterprise:** State should encourage paradigm shift from CSOs as not profit making to CSOs as not profit sharing organisations by sustaining self to be able to do their duty but not being donor-driven. State should create legal

environment by ensuring that the profit gained by the CSOs with entrepreneurship spirit is utilised for social development and contribution towards the county development. For this an umbrella act for regulating CSOs and ensuring social enterprises is needed.

5. **Allocate challenge fund by line ministries:** The line ministries should provide seed money for operating enterprises and businesses with innovative knowledge, skills and capacities to enable them to focus on the value chain-based forward and backward linkages. In order to provide seed fund for such noble initiation line ministries should allocate some amount as “Challenge Fund”.

To the CSOs and private sectors

1. The CSOs need to enhance networking among various social enterprises. It can develop a mechanism to ensure access to justice to the member organisations, activists and campaigners. These include cross programme visits, design the joint projects among various social enterprises which can develop a mechanism to ensure access to justice to the member organisations, activists and campaigners.
2. The CSOs are to be cautious themselves that informal ways of providing justice and solving conflict can bring complications.
3. The CSOs should work for enhancing cooperation and coordination with local government bodies, law enforcement agencies and the judiciaries, which some of the CSOs are already applying.
4. The CSOs should have mechanism to make their members aware on gender issues and the importance of gender equality.
5. The CSOs need to revisit and strengthen their policy documents such as the strategy paper, gender and child protection policies and enterprise policies to make them more effective, and give fine tune with the spirit of entrepreneurship.
6. The CSOs should to apply the Fair Trade principles as these are applicable to all the CSOs and other departments to maintain good governance system.

To the international community/partners organisations

1. Provide grants/subsidies to CSOs for maximizing the work on psychosocial support, counselling,

legal services and emergency shelter provision, especially for the most vulnerable people.

2. Acknowledge that CSOs can also play an effective role as service provider to the most marginalised people to enhance social justice.
3. Encourage to engage in entrepreneurship to enable them to cope with problems of the funding crisis and donor driven tendency.
4. Support in changing the current policy of CSOs as not- profit making to CSOs as not profit-sharing organisations.
5. Strengthen the capacity of CSOs/social enterprise for working on the justice, disaster, pandemic, VAW, and etc. adopting social enterprise approach.

6.4. ACTION FOR CHANGE

1. In the changed political context of the country, the CSOs can play a vital role to increase access to justice for the common people and for this an enabling environment is to be created by the state authorities.
2. The current policy of CSOs as not-profit making needs to be changed to CSOs as not profit-sharing organisations, that is, profit for common good for both organisational and community sake.
3. An umbrella act for CSOs ensuring the CSOs as not-profit sharing can address the dilemma seen on those CSOs running enterprises as charity or by opening up a separate company. Thus, an umbrella act should be enacted for CSOs ensuring CSOs as not-profit sharing and to repeal the existing National Direction Act 2018 B.S., Organisation Registration Act 2034 B.S., Social Welfare Act 2049 B.S, and some portions of the Non-profit Making Company Act 2063 (B.S.).
4. CSOs are to be promoted to work with entrepreneur spirit to make them less donor driven and more oriented to work with the local communities.
5. CSOs are to be further mobilized by the government for fighting poverty, growing national inequalities by encouraging and enhancing more women in leadership positions and entrepreneurs for the transformative change in the society and country development.
6. Strengthening of the capacity of CSOs/social enterprise is required in order to enable them to work on the access to justice, disaster, pandemic, VAW, including adopting social enterprise approach.

7

APPENDICES

APPENDIX I: TOOLS USED FOR THE STUDY

TOOL 1. INTERVIEW GUIDELINES FOR SOCIAL ENTERPRISES

1. Mapping of the Social Enterprise run for the social causes:

1) Name of the Social Enterprises	
2) Address of the Social Enterprises	
3) Contact Persons (name, position and contact no.)	
4) Key Projects/programmes	
5) Working Districts	
5) Key Donors	
6) Organizational Enterprises Policies	
7) Name of facilitator	
8) Name of note-taker	
9) Date	

1. Introduction to the Social Enterprise

- 1.1 Please tell us about your enterprise! (history, year of establishment, aim, specific objectives, work, approaches and sector and scope of work).
- 1.2 Please tell us the current programmes and key activities/campaigns that your Enterprises has been working on/involved in
- 1.3 Would you please provide us the information of the targeted population/right holders of your enterprise?
- 1.4 We would like to know the national and international partners of your organization.
- 1.5 Please tell us if there are any future partners and programmes.
- 1.6 Has your enterprise provided any kind of trainings related to social entrepreneurship and access to justice? (Such as skill, market management, business literacy class, resource mobilisation, cost benefit analysis, GESI, legal awareness and others.../

disaggregated- male, female, SOGI/Disability/Ethnic Groups and Communities—to find whether gender responsive or not.

2. Process and Procedure for establishing Social Enterprise

- 2.1 Would you please share with us about your understanding about social enterprise and its importance?
- 2.2 Would you please provide information about the types of social enterprise that you are running through this organisation?
(Types of social enterprises - Micro-saving and credits, Micro-finance, Outlets, fair-trades, social welfare and others)
- 2.3 Please tell us about the registration of this social enterprise. Probe when, where and how and location? Did you need special permission to register? If yes, please provide us the information in details.

- 2.4 Provide us the objectives, working coverage, funding sources, sharing profits etc.
- 2.5 We would like to know about the state policy related to social enterprises. In your opinion what policies have you noticed as important? Among them which have you implemented in your organizational level? If not, could you tell us why?
- 2.6 What part of profit of the social enterprise is used in the social work/activities and its institutional development?
- 2.7 What is the scope of area that you have been conducting through the profit gained from the social enterprise? Could you please provide few examples and brief information about this?
Has your enterprise done any gender, inclusion, access to justice or any other assessments? If yes please tell us a brief on it.

3. Approaches/Methods to run social enterprise

- 3.1 Would you tell us how your social enterprise has been running? (Support of the organisation itself, government, international partner, local partner, development of cooperative)
- 3.2 Can you tell us about the operating mechanism of your social enterprises? Please tell us about the model of your enterprise and its importance.
- 3.3 Please tell us a brief history: how the social enterprise in the initial phase and current situation? Was it funded from anywhere else - initial phase, current situation or planning to expand with another partner? (internal fund, board members, loan, income from the organization, collaboration with financial institutes or banks, or donor)
- 3.4 Does this enterprise work with the socially marginalised and poor community people, women, violence survivors, vulnerable male community, senior citizens, environmental protectionists, people with disabilities etc?
- 3.5 How does the work of social enterprise contribute to fulfil the objectives of your organization? Does it contribute on reducing the inequality and exclusion? What else?
- 3.6 Would you provide us the information on profit/benefits generated from the social enterprise and how it is utilized?
- 3.7 What is the value of the product or services to the customer and how do you measure it?
- 3.8 What are the channels used to reach customers (like advertisement, exhibition, social media, outlet, delivery etc) and which one is effective to reach more people?
- 3.9 Please tell us the monitoring and evaluation mechanism for the social enterprises?

4. Details on right holders of social enterprise

- 4.1 Would you please tell us the right-holders? Do you focus on marginalised and socially excluded people/women? How do you do this? Did you collaborate with any group or organization to reach the population?
- 4.2 How many of them have been benefitted from the social enterprise programme (male, female and other sexual minorities and marginalized population)?
- 4.3 Does this social enterprise and networks organise/support on capacity development of the staff and board members?
- 4.4 How do the right holders engage in the benefits sharing of the social enterprise?
- 4.5 Please give us some examples of the communities that have improved their access to justice through social enterprise.

5. Access to Justice and its current practices

- 5.1 We would like to know your knowledge/ understanding on access to justice? What are the key issues of access to justice for the community people/right holders and why it is important for them?
- 5.2 Does your enterprise have any policy/ guideline/ decision and practice for the way of supporting for access to justice? If so, please explain.
- 5.3 Since when your organization has been working on access to justice through social enterprise of your organization? (what motivated to involve in this area?)
- 5.4 Please tell us why do you think it is important to work on access to justice?
- 5.5 Has your organization targeted the socially excluded groups / right holders to get access to Justice? Please define a brief on following groups. (women, men, sexual minorities, ethnic minorities, marginalized people, people with disabilities, sex workers, youth, senior citizens, married women, political leaders, others, women / belong to poor/ disadvantage community/Dalit/indigenous people/Madhesi, Children, Persons with disabilities, people living with HIV/AIDs and others.)
- 5.6 How do you identify the needs and support of the community/individual in access to justice?
- 5.7 What kinds of support are you providing related to access to justice for the staff, board members/ community people? Please provide us a brief on following provisions:
 - Providing legal information and awareness
 - Moral support (How & Who provided)

- Legal aid/legal support and counselling
 - Support to get the legal documents (citizenship, joint land ownership, various registration certificates etc)
 - Follow up legal / court process
 - Preparation of deeds and documents
 - Providing lawyer for legal action
 - Providing financial assistance for hiring lawyer and follow up court process
 - Collaborating / case refer with other organization who provides legal aid/legal support
 - Protection mechanism to individual and institution
 - Any others
- 5.8 What are the sources of supporting for access to justice?
- i. Through programmes
 - ii. Certain percentage of benefit
 - iv. Contribution from members
 - v. Other....
- 5.9 On an average, what percentage of the profit from the social enterprise does your organisation invest in access to justice? Is there any reason why this amount of profit is allocated?
- Does your organisation provide any financial assistance, legal aid/support, lawyers and counseling to any individual/ fight against lawsuit? (Is there any human resource, fund and other resources to work on access to justice?)
- Does your organization support the individuals or community to speak against violence/discrimination? Please provide us the information on following social issues:
(such as VAW like domestic, sexual, gender based etc, women & child protection, senior citizen protection, caste based violence, economic exploitation, discrimination, corruption, etc)
- 5.10 Does your organisation mitigate the disputes between the two parties in the communities?
- 5.11 Does your organisation advocate increase access to justice? Are your organisation's board members or staff in any key position of networks, campaigns or alliances?
- 5.12 Is there any other work your organisation undertaking that promote justice?
- 5.13 What approaches/methods do you use to conduct the activities to increase access to justice i.e. legal awareness, legal aid/support etc?

Probe: Collaborate with CBO partners, community people, local government, local courts and administrative departments, Collaborate with other CSOs working on access to justice, collaborate with Ministry of law, Nepal law commission and other

federal and provincial government, meetings with the both parties, Media, human rights or women commission, research, simplifying the legal codes, NWC, NHRC, Nepal BAR association and others)

6. Contribution/Success on access to justice

- 6.1 Could you please provide some information with examples on the contribution/success made by your enterprise on access to justice?
- 6.2 If any changes have it brought into the life of community or individual through this contribution? If yes can you please provide few examples or cases.
- 6.3 How many of them have been benefitted from the contributions? (**Probe:** male, female, ethnic communities, etc)
- 6.4 Which community are most benefitted from the contributions? Who are they?
- 6.5 Are there any activities from your enterprise on policy advocacies and practices of the government (local, provincial, federal) rule and regulations? (**Probe:** Contributions, Impacts)
- 6.6 How have your programmes contributed to SDG goal 5, goal 10 and 16 (SDG 16 plus)? (**Probe:** do you have knowledge of global qualifiers to ensure access to justice?) (**global qualifiers to ensure access to justice:** organising meeting, consultation with stakeholders, participation in planning, implementation, group management, facilitation, conflict transformation, complain hearing, case documentation, legal aid/support, registering, mediation, case handling, action, compensation)
- ## 7. Coordination and networking
- 7.1 Do you collaborate with groups, partners, networks? If yes, list out all issue-based partners, networks, collaborators.
- 7.2 Have you or your enterprise participated, organised, initiated any discussion, or workshop, event on issues related to social enterprises? If yes, we would like to know details on it.
- 7.3 In which networks are the social enterprises associated with and what are the benefits from such associations and networks? (List out the issue-based networks)
- 7.4 What extra efforts have you made to expand the services of your enterprise? (**Probe:** loan, donation, procedural and financial incentives/concession/wave, etc).
- 7.5 Is your enterprise engaged in any kind of campaigns for rights with CSOs? (**Probe:** women, social justice networks, socially excluded people/communities/groups)
- 7.6 Has your enterprise allocated any kind of fund for such coordination and network interventions?

8. Opportunities and Challenges

- 8.1 What are the strengths of your enterprise in contributing to access to justice? Could you please explain with examples?
- 8.2 What are the overall problems (internal, external)?
- 8.3 What are other opportunities you see to expand and sustain your enterprise and its services?

Probe:

- i. Expansion of the social enterprise to increase social good (motivational issues, role model to replicate, marketisation, innovation)
 - ii. Expansion of the working area and location
 - iii. Enhancing the capacity building on skill and knowledge on access to justice
- 8.4 What are the strategies you have planned and implemented to promote the services and goods and scope of work you have been involved in?
 - 8.5 What are the gaps/challenges of your enterprise in contributing on access to justice through social enterprise? Could you please explain with examples as per given below the issues /concerns of your enterprise?
 - i. Financial sustainability
 - ii. Expertise at the enterprise
 - iii. Coordination with government and non-government bodies
 - iv. Coordination with community
 - v. Ownership by the community
 - vi. Support from the community as well as from government/others
 - 8.6 How does your enterprise try to minimise the challenges?
 - 8.7 Could you please tell us about the support your enterprise seek from other CSOs, international communities, networks and alliances, others

(Probe: Government, UN agencies, CSOs and Social enterprises, financial Institutions, market linkage)

9. Key learnings and recommendations to improve access to justice through social enterprises

- 9.1 Would you please share with use the key learnings?
- 9.2 Your recommendations: similar enterprises, government, private sectors.
- 9.3 Your expectations (from government and others)
- 9.3 Expectations on policies and programmes (Probe: registration, renewal, tax wave, subsidies, etc)

10. List of the trainings provided by the organization

Would you provide us the information on the trainings/capacity building for the community people, entrepreneur, on improving their livelihood and life.

- i. Social enterprise related capacity building training (business literacy class, training, market management, resource mobilisation plan etc related to access to justice)
- ii. Gender equality related trainings
- iii. GESI policy
- iv. Anti-harassment policy at the work place
- v. Child protection policy

11. Collection of information materials

- Current annual reports
- Policies
- Important meeting minutes
- Published materials
- Monitoring and evaluation reports etc.

Thank the interviewee for their time, and remind them once again that all the responses will be kept confidential.

TOOL 2. INTERVIEW GUIDELINES FOR RIGHT HOLDERS OF THE SELECTED SOCIAL ENTERPRISES

INTRODUCTORY

1) City/Community & group name	
2) Tole, Ward, Municipality & District	
3) Key contact person in the group & mobile no	
4) Objective of the FGD	To complement the information relating to Social Enterprises best practices (their success & failures, opportunities, coordination etc) and its contribution on Access to Justice.
5) No. of Participants	
6) Disaggregation	Female, Male, Other
7) Name of facilitator	
8) Name of note-taker	
9) Date	

METHODS:

Set the place and exact time for FGD session at least one day prior to organising FGD. Explain them the purpose of the study, confirm their participation and arrange stationeries and materials (tape recorder, cassette, etc.) needed for the session based on the number of participants.

When the participants arrive, welcome them with warm greetings, saying Namaste and Swagat Chha (welcome). Then request them to sit in a half moon circle. Provide each participant with a tag showing name and number, so the person is easily identified (by facilitator) when speaking. Explain sufficiently the objectives of the gathering and discussion. Then, start with introducing the interviewer team (facilitator and note maker) followed by the introduction of the all participants. Start taking attendance of the participants.

Description of FGD Participants							
S. No.	Name	Sex	Caste/ Ethnicity	Age	Education	Current occupation	Remarks (Note down any speciality)
1							
2							
3							
4							
5							
6							
7							
8							
9							

1. KNOWLEDGE ON ACCESS TO JUSTICE

Ask the participants, in turn, about their group and its registrations.

1. Ask the participants about their understanding on access to justice based on their experience as well as of their locality. (Probe for: by sex, by caste/ethnicity, by individual specialty).
2. Inquire with them about where to go when felt problems/injustice. (Probe: if they go to police, municipality, courts, how and from where did they get the information? (Probe for: local level judiciary system, district, high court and supreme court)
3. Ask them a brief about the enterprises works and supports on legal aspects. (Probe for the support on legal documents, various services from government (citizenship, joint/land ownership or registration certificates, others).
4. Ask them: What kinds of disputes/violence, abuse is frequently seen in the community? Request them to provide the details of the following reasons: (Probe for: by sex, by caste/ethnicity, individual specialty)
 - a) Violence, untouchability, discrimination
 - b) Property inheritance
 - c) Related to profession/business
 - d) Land related disputes
 - e) Family relationship
 - f) Other (citizenship, birth, marriage, death, migrant, certificate etc): Probe to explore more
5. In case of disputes, how are they resolved? (types of conflict, way of resolution), Please explain them if they need examples.
6. Inquire them to tell about their understanding on legal information related to their profession or business. Note down from whom did they get this information.
7. Discuss and cross-check with them on knowledge of the women's rights.
8. Try to get more information about the services and support that this enterprise is providing on entrepreneurship and access to justice.

2. PRACTICES ON ACCESS TO JUSTICE

- 2.1 Start the discussion with the community member on the kinds of services and supports related to entrepreneurship and access to justice which they are getting from this enterprise. Prepare the list of these supports explained by them.
- 2.2 Ask them the support mechanism used for access to justice and entrepreneurship. (Probe: loan, financial advice, hire lawyer, market related, mortgage, hiring staffs, linking with legal institution, funding, awareness on legal education, petition file and FIR etc)

- 2.3 Ensure with them about the fund allocated for access to justice. If yes, probe further to give the information in this regard and its operation modality if any.
- 2.4 Ask them about their income from social enterprise and which area do they use the income and how. Do they use their income to get access to justice related interventions? If so, what percentage of this?
- 2.5 Discuss with them on the legal complains from anyone or each other. If yes. for what purpose? How did they deal with complains registered against them? Probe further to get the detail information. If possible, collect the name and mobile No. of the person who can explain well.
- 2.6 Ask them the support mechanism that they take advice and suggestion from anyone for handling case? (Probe further to help from whom and how.
- 2.7 Ask them on the kinds of efforts they are practicing to increase access to justice. Some efforts are given below. Probe and verify if they exist for their context.
 - Networking and alliance building
 - Protest and campaign
 - Legal education
 - Referral
 - Advocacy
 - Support to get the citizenship, old age benefits/allowance, joint land ownership, legal certificates, (birth, marriage, death, etc)

3. STRENGTHS, OPPORTUNITIES AND CONSTRAINS ON ACCESS TO JUSTICE

- 3.1 Ask the participants about the role of the social enterprises in empowering the community people including increase on access to resources, goods, services, decrease on caste base discrimination, violence etc. What kind of changes do they perceive from the social enterprise's interventions? (reduce in gender based violence, increase income and identity, increase access to market, services, knowledge on various social, business and justice, increase practices to get access etc).
- 3.2 Ask further the provision of support activities done for them the social enterprise skills, training such as production, marketing, business literacy classes etc and life skills (such as self-awareness, decision making, effective communication, problem solving, empathy, creative thinking, ability to cope with emotional problems, ability to cope with stress, critical thinking, and interpersonal relationship) (Probe for: by gender, by caste/ethnicity, by

- economic status).
- 3.3 Ask further the level of participation of community members on gender equality, VAW, child protection issues interactions, discussions, workshop, meeting, exposure visits organized by the CSOs, government and non-government organizations (Probe for: by gender, by caste/ethnicity, by economic status).
 - 3.4 Enquire with them the opportunities they can get after being aware on access to justice.
 - 3.5 Enquire about the difficulties/barriers to get access to justice or justice services for women & others and why? (Probe for time line, money, hiring lawyer, less awareness, lacking human resources etc)
 - 3.6 Cross verify with them about their own plans for the sustainability of the increasing access to justice related activities, social enterprise, any coordination & collaboration with partners, government, donors etc.
 - 3.7 Ask a brief information on the identified challenges and obstacles for sustainability? How do they plan to minimize them?
 - 3.8 At the end of the interview request them for any suggestion/advice to increase on access to justice through social enterprise.

APPENDIX II: LIST OF STUDY PARTICIPANTS AND ORGANIZATIONS

IDI PARTICIPANTS

1. Mangala Karanjit, General Secretary, Federation of Business and Professional Women Nepal (FBPW)
 2. Prof. Laxmi Keshari Manandhar, Executive Member, Federation of Business and Professional Women Nepal (FBPW)
 3. Dr. Mina Karna, Chairperson, Patan chapter, Federation of Business and Professional Women Nepal (FBPW)
 4. Geeta Pradhan, Project Director, Federation of Business and Professional Women Nepal (FBPW)
 5. Prashant Kalaune, Programmes and Operations Coordinator, Bihani Social Venture Pvt. Ltd.
 6. Kamala Gurung, Executive Director, National Indigenous Women Forum (NIWF)
 7. Sushila Maya Gole, Treasurer, National Indigenous Women Forum (NIWF)
 8. Mayalu Tamang, National Indigenous Women Forum (NIWF)
 9. Hima Limbu, National Indigenous Women Forum (NIWF)
 10. Suja Rai, National Indigenous Women Forum (NIWF)
 11. Padmasana Shakya, Manushi Nepal
 12. Nabina Dhakwa Shakya, Manushi Nepal
 13. Bidhya Bajracharya, Programme coordinator, Manushi Nepal
 14. Urmila Shrestha, Executive Director, Tewa
 15. Anuja Shrestha, Grant Making Manager, Tewa
 16. Nirmala Shrestha, Chairperson, Mahila Jagaran Samuha
 17. Rajendra Bahadur Pradhan, CEO, Solve Nepal
 18. Narma Rana, Solve Nepal
 19. Chijman Gurung, Chairperson, Sukhawati Store Foundation
 20. Kamala Gurung, Secretary, Sukhawati Store Foundation
 21. Samita Magar, Programme coordinator, Sukhawati Store Foundation
 22. Kunda Sharma, Women for Human Rights, Single Women Group (WHR)
 23. Upasana Rana, Programme coordinator, Women for Human Rights, Single Women Group (WHR)
 24. Sarita Kc, Executive Director, Mitini Nepal
 25. Subasna Gurung, Social mobilizer/Zumba Instructor, Mitini Nepal
 26. Sushil Singh, Shrijana Samudayik Bikash Kendra (Shrijana Laghubitta Bittiya Sanstha Limited)
 27. Pramod Chalise, Founder, Rural Poverty Reduction and Dalit Upliftment Society
-

FGD PARTICIPANTS

1. Indra Maya Shrestha, Mahila Jagaran Samuha Nepal
 2. Bimala Shrestha, Mahila Jagaran Samuha Nepal
 3. Januka Shrestha, Mahila Jagaran Samuha Nepal
 4. Lalmaya Shrestha, Mahila Jagaran Samuha Nepal
 5. Minu Kumari Thing, Shrijana Samudayik Bikash Kendra (Shrijana Laghubitta Bittiya Sanstha Limited)
 6. Sarita Paswan, Shrijana Samudayik Bikash Kendra (Shrijana Laghubitta Bittiya Sanstha Limited)
 7. Laxmi Kumari Mahato, Shrijana Samudayik Bikash Kendra (Shrijana Laghubitta Bittiya Sanstha Limited)
 8. Soniya Devi Mahato, Shrijana Samudayik Bikash Kendra (Shrijana Laghubitta Bittiya Sanstha Limited)
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 10. Saraswati Sharma, Shrijana Samudayik Bikash Kendra (Shrijana Laghubitta Bittiya Sanstha Limited)
 11. Indira Rijal, Shrijana Samudayik Bikash Kendra (Shrijana Laghubitta Bittiya Sanstha Limited)
 12. Rekha Mahato, Shrijana Samudayik Bikash Kendra (Shrijana Laghubitta Bittiya Sanstha Limited)
 13. Ranjita Kumari Ram, Shrijana Samudayik Bikash Kendra (Shrijana Laghubitta Bittiya Sanstha Limited)
 14. Chanda Shrestha, Federation of Business and Professional Women Nepal (FBPW)
 15. Gita Karki, Federation of Business and Professional Women Nepal (FBPW)
 16. Ratna Laxmi Shakya, Federation of Business and Professional Women Nepal (FBPW)
 17. Minu Shakya, Federation of Business and Professional Women Nepal (FBPW)
 18. Sahani Shrestha, Federation of Business and Professional Women Nepal (FBPW)
 19. Sabina Shakya, Federation of Business and Professional Women Nepal (FBPW)
-

RESEARCH PARTICIPANTS ORGANIZATIONS

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2.	Bihani Social Venture Pvt. Ltd. Dhobhighat, Lalitpur Mob.: 9813228579, 9802112127 Email: ask.bihani@outlook.com Phone: 00977 – 9813228579, 9802112127 https://twitter.com/bihaninepal https://www.instagram.com/bihanisocialventure/ https://www.pinterest.com/bihaninepal/	Ms. Santoshi Rana Founder Mr. Prashant Kalauni Program and Operation Coordinator Mob.: 9802112127
3.	National Indigenous Women Forum Nepal (NIWF) Kathmandu Metropolitan – 35, Pepsicola E-mail: niwfnepal@gmail.com Web: https://niwfnepal.org.np Tel: +977-1- 5156113 Fax: +977-1- 515629	Ms. Kamala Gurung Executive Director Mob.: 9841072564 Ms. Sushila Maya Gole Treasurer Mob.: 9801016540 Ms. Him kumari Limbu Board Member
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9	Sukhawati Store Foundation Town Planning, Samakhushi http://www.sukhawatistore.org/ Tel No.: 01-4387980 Email: sukhawatistore@gmail.com	Mr. Chijman Gurung, Chairperson Mob.: 9851145936 Ms. Kamala Gurung Secretary
10	Women for Human Rights, Single Women Group (WHR) Budhanilkantha – 7 Hattigauda, Kathmandu Tel No. : 014376820 / 014376237, Email: mail@whr.org.np http://whr.org.np/website	Ms. Lilly Thapa Chairperson Ms. Kunda Sharma Ms. Upasana Rana Mo. 9841327173
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30. Detail information about Chhahari, the WHR initiative can be obtained from its website: <http://whr.org.np/website/pillar-3/>.
31. Detail can be found from their website: <https://www.tewa.org.np>.
32. Detail about Solve Nepal can be obtained from <https://solvemicrofinance.com.np/ceos-post/>.
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Photo courtesy: WHR - Hon'ble Padma Kumari Aryal, Minister, Ministry of Land Management, Cooperatives and Poverty Alleviation observing WHR's Monthly Haat Bazar



Photo courtesy: SSF - Sukhwati Store Foundation's the Thrift Store

Beyond Beijing Committee (BBC) Nepal is a feminist human rights National Network organization established after the Fourth World Conference on Women in Beijing in 1995. Currently, it has over 225 NGOs members from all seven provinces.

BBC Nepal is an organisation in Special Consultative Status with the United Nations Economic and Social Council (ECOSOC). It works towards the civil, political, economic and social empowerment of women, girls, persons with different Sexual Orientations and Gender Identities and marginalized communities to achieve substantive gender equality and human rights of all. It advocates for SRHR and rightful space of women and youth and women CSOs in decision making. It enhances the capacity of girls, youth and women CSOs in the implementation of the Beijing Declaration and Platform for Action (BPfA), CEDAW, CRC, ICPD PoA, SDGs and other Human Rights Treaties and Instruments for achieving generation equality. It has been engaging continuously in the BPfA review, CEDAW and ICPD Monitoring, UPR reporting, and the Agenda 2030 for Sustainable Development and Sustainable Development Goals' (SDGs) Voluntary National Reviews (VNRs).

BBC Nepal is a founder of Nepal SDGs Forum and the Convener of Women and Girls' constituency and gender justice theme. It also functions as the secretariat of the Women Major Group for Sustainable Development in Nepal (WMG-SDN).

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