

**Marginalized Groups' Joint Submission to the United Nations Universal Periodic
Review (UPR) of Nepal
UPR Working Group of the Human Rights Council
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Submitted by

DURBAN REVIEW CONFERENCE FOLLOW-UP COMMITTEE (DRCFC)

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Nepal

I. INTRODUCTION AND METHODOLOGY

1. This stakeholders' report is a joint submission of Durban Review Follow-up Committee (DRCFC), founded in 2009. DRCFC is a network working for protection and promotion of human rights of various marginalized groups of Nepal, namely: Dalit, Indigenous Peoples, Freed bonded laborers, Sexual and Gender minorities, Persons with Disability, Muslim and Religious minorities and Madhesi.
2. This report presents implementation status of UPR 2011 recommendations, and highlights major emerging themes of concerns regarding the human rights of the various vulnerable groups. This report is the outcome of an intensive consultation processes undertaken from October 2014 to January 2015 in regional and national basis. During this period, DRCFC conducted six regional consultations with the members of marginalized groups in five development regions and eight thematic and national consultation meetings at national level. In these consultations processes, nearly 682 representatives of 68 organizations attended and provided valuable information for this report (Annex-A).

II. BACKGROUND AND FRAMEWORK

2.1. Scope of International Obligations

3. To ensure full compliance with international human rights standards, Nepal accepted recommendation (108:11)¹ as a commitment to review and adopt relevant legislation and policies. However, in practice, the government has not taken any steps in this regard. Being a state party to many major international treaties and conventions such as ICESCR, CERD, CRPD, CBD and Convention No. 169 (ILO 169), Nepal has international obligation to incorporate these international laws and conventions in domestic legislation, but none of them have been incorporated.

2.2 Constitutional and Legislative Framework

4. Article 154 has a provision for the establishment of Human Rights Commission of Indigenous Peoples, *Madhesi*, Person with Disabilities, Labors, and farmers under which the government has yet to establish these commissions. Similarly, Article 13 of the Constitution provides right to affirmative actions and social inclusion for women, *Dalits*, indigenous peoples, *Madhesi* and for other vulnerable groups. The government has not materialized the constitutional provision of proportional representation of indigenous peoples, *Dalit*, women, *Madhesi*, and other marginalized communities in state structure as stated in Article 21 of the Interim Constitution. The Constitution itself permits education in the mother tongue only up to primary level Article 17(1) Article 33 (d) (d1), Article 35(14). Indigenous peoples' languages are not recognized as official languages of the nation Article 5 (2).² Article 7 (2)³ identifies the "cow as the national animal and crimson as the national colour" which is against indigenous peoples. The Constitution has provided for the establishment of a Disability Rights Commission and for provision of social security for Persons With Disabilities (PWDs).⁴

2.3. Institutional and Human Rights Infrastructure and Policy Measures

5. The only institutional mechanism set up for the upliftment of indigenous peoples in Nepal is National Foundation for the Development of Indigenous Nationalities (NFDIN). NFDIN can only focus on the documentation of indigenous languages, histories, arts, literature, technologies, traditional knowledge and so forth. Its activities also include empowerment and scholarship programs for the indigenous peoples. However, the organization is bound to limited activities as it is authorized only to make documents under NFDIN Act 2002. Apart from that, the government has not provided NFDIN with sufficient funds and resources. The Government established National Women Commission, National *Dalit* Commission, National Muslim Commission, Dalit Development Committee and *Badi* Development Committee. However, required laws for NDC and NMC are yet to be adopted. As a result, the commissions and committees have been

ineffective. The government has set up Disabled Service National Coordination Committee (DSNC) to support the National Policy and Plan of Action on Disability (NPPAD) in 2006 and to assist policy formulation, implementation of and monitoring activities under the plan of action. However, the committee has been ineffective.

V. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

5.1. Cooperation with treaty bodies and other UN mechanism

6. The government often fails to implement the recommendations of UN treaty bodies, special procedures⁵ and other UN mechanism.

Recommendations:

- Fully comply with each recommendation made by the Special Rapporteur on the situation of the human rights and fundamental freedoms of indigenous peoples in full partnership with indigenous peoples.
- Establish institutional mechanism or Parliamentary Committee on Indigenous Peoples Human Rights to consider and follow up recommendations of UN mechanism.

7. **Implementation status of the first UPR 2011 recommendations:** In Universal Periodic Review session 2011, the government of Nepal accepted a range of recommendations (135). From among those recommendations, the assessment found that 50 recommendations, which are very general, have only been implemented partially, and 4 recommendations are fully implemented.⁶ Human Rights Commission's assessment report notes "the implementation parts of those recommendations turned out to be extremely weak due to the political instability in the country".⁷ This clearly indicates that the government has failed to implement its firm commitment pledged in the UPR 2011.

Recommendations:

- **Fully comply with all the recommendations made by the first UPR 2011.**

5.1. Equality and Non-discrimination

A. Indigenous Peoples

8. Nepal accepted recommendations (106.1 and 106.2)⁸ that ensure full participation of ethnic and caste groups in the constitution-making processes. It also accepted that the New Constitution incorporates and protects the basic human rights of indigenous peoples. However, it has just been rhetoric. Nepal is in the process of drafting new constitution through Constitution Assembly (CA) that comprises 601 members out of which 204 CA members are from indigenous communities. But being chosen by political parties, not by indigenous peoples' organizations, these CA members act in strict conformity with the manifestos of those parties rather than working for indigenous peoples' human rights. In the part of the government, it has also not taken any concrete steps despite its commitment and the agreement of 20 August 2007 according to which the government is obliged to incorporate indigenous peoples' demands in the new constitution. In addition, the state elites have been misinterpreting and distorting indigenous peoples' demands - identity based federalism, self-governance, greater linguistic equality, proportional representation, and guaranteed access to common property/resources – as being secessionist and racist.

Recommendations:

- Initiate a consultative process with indigenous peoples to ensure that the new constitution explicitly incorporates the rights of indigenous peoples fully in compliance with the international standards to which Nepal is party.
 - Implement the agreement made between indigenous peoples and the government.
9. Indigenous peoples' collective and individual rights over lands and natural resources are not recognized in the national legislation. Development projects such as national parks, protected areas and hydro-projects have displaced indigenous peoples from their lands.⁹ The current

strategy of the government on hydro-project gives private companies access to water resources in indigenous peoples' areas without their consent and adequate coordination of the indigenous peoples affected by the projects. The growing number of hydro-projects constitutes an imminent threat to indigenous peoples' culture, society, resources and environment.¹⁰ Laws such as Environment Protection Act 1997; Land Acquisition Act 1977; National Parks and Wildlife Conservation Act 1973 undermine the principle of Free, Prior and Informed Consent.

10. The CBD is the most important international legal instrument addressing issues of protected areas, the protection of traditional knowledge systems and genetic resources of indigenous communities and measures for their equitable utilization (articles 8j and 10c), but the convention has not been incorporated in domestic legislation.

Recommendations:

- Ensure full and effective participation of indigenous peoples, including women and local communities, in full respect of their rights to Free Prior Informed Consent before and during the planning of any projects located in indigenous peoples' land, and hold genuine consultations with them before signing Project Development Agreement (PDAs).
 - Incorporate CBD into domestic legislation. Develop mechanisms for promoting the full and effective participation of indigenous peoples and local communities with specific provisions for the full, active and effective participation of women in all activities related to policy-creation and implementation of the CBD.
 - Adopt a Rights Based Approach to Development that would be a frame of reference to ensure the rights of indigenous peoples in the projects works.
11. Despite Nepal's ratification of ESCR, ILO 169 and its support to UNDRIP, indigenous peoples continue to experience violation of their economic, social and cultural rights. The Constitution has declared *Nepali*, a language spoken by the dominant groups, as the official language. This provision discriminated Indigenous peoples to have access to justice, education, government services, information, and socio-economic opportunities available to them.¹¹ Similarly, though the government declared Nepal as a secular state, the government is promoting one religion-*Hinduism* as *National Culture*. The government promotes and protects Hindu festivals, rituals, and symbols at the expense of other religions. (e.g., cow as national animal). Indigenous peoples are being arrested for alleged cow slaughter in many districts.¹² This is a direct violation of human rights of indigenous peoples as many of them have customary practices that require consuming cow/bullock's meat.
 12. The government has recognized 59 indigenous groups, but there are various groups excluded from the official schedule. The government formed a High Level Task Force for this proposes in 2009, which has recommended the government to enlist eighty-one different indigenous communities in the official schedule.¹³ The government has not implemented the recommendations till today.
 13. The joint submission acknowledges the government's initiatives to allocate local budget for indigenous peoples and other marginalized groups for their socio-economic development. However, those budgets are not being utilized for targeted communities.

Recommendations:

- Recognize indigenous languages for use in state affairs alongside Nepali language.
- Provide schools with sufficient resources and funds to expedite multi-lingual teaching-learning environment.
- Review the Civil Code (Muluki Ain) in compliance with international human rights.
- Provide sufficient resources and funds to NFDIN so that indigenous peoples' culture can be better preserved and promoted in a better *in situ* rather than the current practice of *ex situ*.
- Formulate mandatory provisions to ensure that allocated budgets for indigenous peoples and other marginalized groups are used for the socio-economic development with their full participation.

- Fully ensure that the socio-economic and cultural rights of indigenous peoples are protected and promoted in culturally appropriate ways.
 - Implement the recommendations of High Level Task Force and take concrete actions to ensure the recognition of all those indigenous groups, which are excluded from the official list with due regards to their self-identity.
14. Nepal accepted the recommendation (107:28)¹⁴ to take effective measures to increase the participation of the indigenous peoples, minorities and vulnerable groups in the civil services and state polity. In this regards, the government implemented some social inclusion policies,¹⁵ but the impact of these policies have remained ineffective. Study¹⁶ indicates that after 1990s, the situation of inclusion in civil service has become further deteriorated. The government has proposed Inclusion Bill to amend the existing provisions of inclusion in the existing Acts¹⁷ but the status of the bill is unknown.
15. **Indigenous Women:** Non-recognition of indigenous women's identity and right is a critical problem affecting their life towards multiple layers of discrimination and vulnerability. However, the state fails to include them in national census data, in national plans and policy documents of the government. Based on their distinct identity, the problems, discrimination and structural exclusion they face in their daily lives varies from women of dominant caste groups like they have insufficient access to public and social services, justice, education and in decision making mechanism apart from having limited access to productive resources such as land, water, forests and other natural resources. Because of the practice of keeping Nepali women in a single category irrespective of their caste, ethnicity, religion, and language and social structure, most of times the vulnerable women like indigenous women remain left out while the women from the dominant caste enjoy the privileges.
16. Trafficking women has become a widespread social reality in Nepal. The trends of this flesh trade show that indigenous girls are more vulnerable to trafficking. A study shows that 76 per cent of women trafficking survivors of the total 821 were from indigenous communities followed by *Dalits* women (12 %) and *Bahun* and *Chhetri* (12%) women¹⁸. Deeply rooted exploitation, discrimination, poverty and structural inequality are responsible for this vulnerability.¹⁹

Recommendations:

- Ensure the proportional representation of indigenous women at decision-making levels and state polity by recognizing their identity as "Indigenous Women".
- Collect disaggregated data on indigenous women that will reveal the situation of their well-being, forms and degree of discrimination together with the extent of exclusion/inclusion, and formulate policies and plans accordingly.
- Adopt legislation to strengthen existing laws to deal with domestic violence and women trafficking, and take measures to rehabilitate the trafficking survivors.
- Prioritize and mention indigenous women separately to providing them with special measures in addressing their vulnerability in fundamental rights of the constitution.

B. Dalits

17. *Dalits* community are politically, socially, economically, religiously, culturally, and historically oppressed, excluded and are treated as untouchables. Census 2011 reported 13.21 percent *Dalits* of the total population. *Dalits* are scattered throughout the country with further classification into 26 castes, faiths, culture, and language groups internally.²⁰ Despite national and international provisions legislating against caste-based discrimination and Caste-based Discrimination and Untouchability (offence and punishment) Act, 2011[CBD&U (O&P) Act], they are facing many forms of discrimination. *Dalits* have become victims of discriminatory laws; study shows that there are still 37 discriminatory provisions existing in several laws related to the *Dalits*.²¹ Therefore, enactment and implementation of existing anti-discriminatory laws and measures,

dismissal of existing discriminatory provisions,²² and eliminate of caste-based discrimination and untouchability are the prime concerns of *Dalits*.

Recommendations:

- Adopt the relevant policies, strategies, plans and programs and allocate adequate budget to eliminate caste-based discrimination and untouchability within specific time frame
 - Ensure secure and equal rights to lands and other natural resources for all *Dalits*
 - Ensure effective implementation of existing laws.²³
 - Formulate and enact the rule/regulations of CBD&U (O&P) Act for effective implementation of this law.²⁴
 - Review and amend all discriminatory laws, regulations, rules, directives, policies and programs that are against the human rights and dignified life of *Dalits*.
 - Adopt necessary policy, directives and schemes to control all forms of discrimination and atrocities based on caste and community, including *Dalit* sexual exploiting, trafficking and prostitution of *Dalit* women as well as *Badi* women.²⁵
 - Recognize NDC as a statutory body in the constitution in compliance with Paris Principles by adopting necessary laws and Acts to monitor the case of human rights violation of *Dalits*.²⁶
 - Allocate adequate funds and human resources to NDC.²⁷
 - Ensure that the rights of inter-caste married couples are protected and any forms of discrimination, atrocities, exiles, violation against them are eliminated.
 - Encourage inter-caste marriage by extending the existing provisions and awards.²⁸
 - Ensure that equal and adequate budget is allocated to *Dalits* and make sure that all *Dalits* are benefited equally.
 - Implement 10-point agreement with United *Dalits* Struggle Committee, *Badi* Struggle Committee and *Haliya* Struggle Committee.
 - Ensure patent rights of *Dalits* to their traditional caste-based occupation, knowledge skills, and arts through the provision of prerogative rights
 - Ensure the rights of *Dalits* (11 points) drafted by Constitution Drafting Committee of first CA are incorporated in the New Constitution.
 - Formulate relevant Act compatible with the article 21 of the constitution to ensure proportional representation of *Dalits* in all implementing structures, agencies and sectors of the State.²⁹
 - Ensure proportional representation of *Dalits* in all law enforcement agencies including police force, government attorney and courts.³⁰
 - Ensure that all law enforcement agencies are empowered, trained and informed about *Dalit* concerned laws including CBD&U (O&P) Act.³¹
 - Adopt appropriate laws and extend the existing affirmative actions to ensure the participation of *Dalits* in all state structure, sectors and agencies including community based institutions and private sectors.
 - Ensure institutional inclusion of *Dalits* by establishing Dalit Development Authority and Ministry for *Dalit* empowerment.
18. Madhesi *Dalits* are more excluded, marginalized, landless,³² and discriminated within the Dalit and Madhesi community. They are deprived of getting citizenship card.

Recommendations:

- Ensure citizenship rights and rights to lands to Madhesi *Dalits* addressing the problems of landlessness and statelessness.

- Adopt relevant laws to ensure the proportional representation of Madhesi *Dalits* within the Dalit and Madhesi community.
 - Eliminate discrimination against Madhesi *Dalits* based on caste, descent, region, language and culture.
 - Ensure proportional distribution of socio-economic opportunities, resources and services among the hill *Dalits*, Madhesi *Dalits* and Dalit women with respect to their population sizes.
 - Review and revise the existing laws to ensure the access to justice³³ of *Dalit*
19. Dalit women are facing three-fold discrimination based on class, caste and gender. Moreover, Madhesi Dalit women are facing four-fold discrimination including regional dimension, and *Badi* woman facing sexual exploitation for centuries as tradition.

Recommendations:

- Formulate relevant policies, laws, strategies and programs to eliminate discrimination based on class, caste, gender and region.
 - Stop sexual exploitation of *Badi* women, and implement the agreements made by the government with *Badi* struggle committee.
 - Ensure proportional representation of Dalit women within *Dalits* and within women.
20. Dalit youth and children are discriminated as untouchables in schools, temples and other public and private places. They have least access to education, health and nutritious food. Child labor, trafficking and sexual violations are other serious regarding Dalit children.

Recommendations:

- Ensure that *Dalit* children are not discriminated in school and public/private spaces, and ensure that perpetrators involved in such acts should be penalized.
- Take measures to ensure that Dalit children's rights to education, adequate food, and health services.
- Ensure free education for all *Dalits* children, increase the quota of scholarships for higher education, and adopt legislative measures that make private schools provide Dalit students at least 10 percent scholarship.³⁴

C. Muslim and Religious minorities groups³⁵

21. The census report (2011) recorded 10 religious groups, among them Hindu is in majority (81.3%) followed by Buddhist, Islam, Kirat, Christian, Bon, Jain, Bahai and Sikh. Despite constitutional provision of secularism, all the religious minority groups are discriminated on the ground of religion. Muslim community and other religious minorities groups continue to suffer from various form of discrimination with regard to participation, and economic, social and cultural rights.³⁶

Recommendations:

- Eliminate that all forms of discrimination against all religious minorities are eliminated by implementing secularism adopting appropriate laws.
- Ensure that all religious groups have equal access over resources to preserve and protect their cultural heritage, sacred sites and to build sacred infrastructures.
- Recognize Muslim as a "community" rather than religious minority, and ensure proportional representation of Muslim community in state polity, civil services and other agencies and sector of the State.
- Recognize *Madrassa* as formal education system and establish *Madrassa* educational board as committed by the government.
- Ensure that Muslim children have access to education in culturally appropriate way.

- Strengthen National Muslim Commission as statutory body by adopting relevant laws to monitor the implementation of programs to protect and promote the full enjoyment of their human rights in particular ESCR.
 - Recognize Urdu language/script as a national language.
22. The government has neither legally recognized the marriage and divorce laws of Muslims which take place in accordance with the *Islamic* religion, nor other social traditions and customs stated in Muslim family law. In addition, Muslim people have less access to health, justice and education because of language barrier. Moreover, Muslim women suffer from multiple forms of discrimination -as women, and Muslim women within the Muslim community.

Recommendations:

- Recognize and respect the distinct customs, culture, language and way of life of the Muslim community particularly based on their family law.
- Ensure proportional representation of Muslim women within the Muslims and within women as well.
- Ensure that Muslim women have a separate education system under the Muslim educational system.
- Provide adequate scholarship for Muslim children.

D. Peoples with Disabilities

23. The government has ratified the Convention of Persons with Disabilities (CRPD) in 2010. However, the government has not incorporated CRPD into domestic legislation. The government often fails to ensure that persons with disabilities enjoy their rights on equal basis with other members of the society. The government accepted the recommendations (108.13 and 108.14)³⁷ to ensure non-discrimination such as social, economic and environmental barrier both in private and public spheres. Absence of disabled friendly environment at both private and public spheres such as infrastructures, buildings, roads, transportation facilities and lack of access to information and other service facilities are the major barriers that hinder their day-to-day lives. The government services provided to disabled peoples so far have not been based on the principle of human rights, but merely on the ground of medical and charity approach.
24. Disabled people's families give less priority for their social and cultural development. As a result, they have least access to education, justice, employment, rehabilitation programs, food and health. Their rights to choose their partner and to get married, to get parental property, and to hold child are often violated by their families. They have been victims of domestic violence, abuse and negligence. Among the disabled people, women with disabilities from remote regions, from low caste groups like *Dalits* and from indigenous peoples are more vulnerable to face sexual abuse and violence than others.
25. Government's categorization does not take into account of diversity of persons with disabilities based on their social origin. The government including the relevant stakeholders and Disabled People led Organizations (DPOs) need to realize that persons with disabilities and the discrimination in many aspects of their lives are further compounded by their situation in terms of caste, gender, ethnicity, religion and geographic region. An individual's social identity and class indeed play an important role on how one faces discrimination, violation, abuse and denial of basic rights. Indigenous persons with disabilities suffer more discrimination in the enjoyment of social and cultural rights, access to justice, including institutional and structural discrimination in comparison to disabled people from dominant groups. Similarly, *Dalit* persons with disabilities suffer from caste-based discrimination and untouchability apart from being discriminated as disabled. Likewise, women with intellectual and mental disabilities and those women having severe disabilities are compelled to forced sterilization from their own parents.³⁸ Therefore, persons with disabilities from indigenous communities, Dalits and vulnerable groups are subject

to further underrepresentation and discrimination than others in receiving services and opportunities and in institutional framework.³⁹

Recommendations:

- Ensure the accessibility of government and public buildings and infrastructures like roads, transportation, and make affirmative environment policies to render services like access to information and the other facilities in light of the CRPD
- Establish a sign language institution, develop, and make available sign language interpretation services whenever needed.
- Revise laws and other legislations to ensure non-discrimination against persons with disabilities in employment, health services and transportations in line of CRPD.
- Collect statistical data on people with disabilities and classify them into various categories, not just on the basis of the severity of disabilities, but also on the basis their social origin.
- Prioritize the issues of disabled women, disabled Dalits, indigenous persons with disabilities, disabled people from religious minorities and regions in efforts to protect and promote the human rights of disability.
- Implement initiatives to reduce the high incidence of domestic and sexual violence against women with disabilities and its diverse segments.
- Ensure the participation and representation of persons with disabilities in state polity, public sectors, and civil services respecting their identity and dignity.
- Enact and implement laws guaranteeing basic social security arrangements for persons with disabilities on the basis of types and social origin of disability.

E. Sexual and Gender Minorities

26. The government accepted the recommendation (106.23)⁴⁰ to take steps to ensure non-discrimination on the ground of sexual orientation and gender identity. However, the recommendation is yet to be transformed into action. Despite such constitutional provisions of non-discrimination, sexual and gender minorities continues to suffer human rights violations such as sexual harassment, physical and psychological violence, sexual assaults, exclusion from community and from even the families. They also experience arbitrary arrests, illegal detention, beatings and rape. Government's policy documents and plans do not fully include the issues of the sexual and gender minorities. The government has tabled civil and criminal code bills in the Legislative of Parliament, which contain many provisions that are against LGBTI people's rights.⁴¹

27. The Government has formed Same Sex Marriage Committee. The committee's report has covered various concerns of LGBTI people. The government has started to provide Citizenship Card based on sexual and gender identity to LGBTI people. However, the government authorities have refused to change issued Citizenship Cards, which do not mention their identity. This provision has yet to be implemented in the case of issuance of passport as well. LGBTI people are deprived of getting passport based on their identity. As the names and sexes stated in the passport of LGBTI people, particularly transsexuals, do not match with their identities, they experience harassment and difficulties most often while traveling abroad. Likewise, they face various forms of discriminations and harassments in the custody due to unfriendly provision of the security system.

Recommendations:

- Acknowledge and recognize the existence of sexual and gender minorities in the preamble of the New Constitution.
- Review and adopt relevant laws to allow same-sex marriage, and make LGBTI eligible to adopt a child.

- Recognize sex and gender identity in all official documents.
- Implement the recommendations of Same Sex Marriage Committee's Report
- Revise civil and criminal code bills before its adoption to amend the discriminatory provisions against LGBTI people's rights
- All kinds of discriminations against LGBTI must be addressed and perpetrators involved in such acts should be penalized.
- Incorporate the issues related to sexual and gender minority community into the policy and strategic plans.
- Allow LGBTI's organizations to register without any legal impediments.
- Establish an independent commission to protect and promote the full enjoyment of the economic, social and cultural rights of sexual and gender minority.

5.6. Madhesi

28. Madhes and Madhesi identity emerged after the Madhes movement in 2007. Although, Terai-Madhes occupies most of the plain and agricultural lands and highly populated zone of Nepal, the Madhesi people are discriminated on the ground of color, region, language and socio-cultural identity since long time. They reflect multi-ethnic, multi-caste, multi-lingual and multi-cultural. The government has made several agreements with Madhes based political parties and various armed groups.⁴²

Recommendations:

- Establish Madhesi Commission, and ensure that the Commission will ensure the representation of Madhesi women, Madhesi *Dalits*, and other Backward Communities (OBC)⁴³
- Ensure proportional representation of Madhesi in state polity, civil services, and agencies and establish a National Inclusion Commission for monitoring and effective implementation of the laws.⁴⁴
- Ensure equal and proportional distribution of budget, socio-economic opportunities and other resources among Madhesi women, *Dalits*, indigenous peoples, OBCs and Madhesi caste groups.
- Ensure all kinds of prejudice, discrimination, exclusion based on region, language and color are eliminated.
- Take measures and immediate action to prevent the warrantless arrests, torture, extrajudicial killings and other misconduct against Madhesi people.⁴⁵
- Ensure that the budget is allocated and distributed on the basis of population density of Madhes
- Ensure that Madhesi people have easy access to citizenship.

29. Madhesi women have faced multiple forms of discrimination and exclusion as being women and also being Madhesi women. Due to the dowry system, they have faced domestic violence, unwanted divorce, gender based abortion, and even murder. Moreover, sexual violence against Madhesi women and girls especially from Dalit and OBC caste groups is pervasive.

Recommendations:

- Revise and amend Domestic Violence Act and Social Behavior Reform Act in order to address dowry system, which has remained as a brute face of gender inequality and violation in Madhes.
- Ensure proportional representation of Madhesi women in state polity, civil services and other sectors.

F. Freed Bonded Labor (*Kamaiyas and Haliyas*) and *Haruwas/Charuwas*

30. A study submitted to the UN Economic and Social Council has identified three types of bonded labor systems persistent in Nepal: the *Kamaiya* and *Haruwa* in the Terai and the *Haliya* system in the hills.⁴⁶ *Kamaiyas* laborers are largely from Tharu community, an indigenous group of Terai. Since 1950s, malaria eradication program and high way construction encouraged a large-scale

migration of people from the hills to the lowlands. The immediate consequence of this was that Tharus not only lost their lands, but also lost their status and autonomy to high-caste Hindu settlers. Much of the land formerly controlled by Tharus passed into the hands of immigrants. Many of these immigrants used their education and their caste and kinship affiliations with local government functionaries to appropriate Tharu land,⁴⁷ and eventually Tharus were forced to become bonded laborers to the hill immigrants. In addition, following the loss of forest and pastureland, mass migration and poverty, Tharus became unable to continue their traditional life to perform their customary rituals.⁴⁸

31. By introducing two Acts⁴⁹ in 2000 and 2002, the government has abolished bonded labor in Nepal. Despite the legal prohibition on bonded labor, these practices persist in different places of Nepal. The government has failed to implement The *Kamaiya* Labor (Prohibition) Act 2002. During the consultation processes, representatives of freed *Kamaiya* and *Kamlari* reported that some of their friends are still working as *Kamaiya*⁵⁰. While the liberation of *Kamaiya* came with the government's public commitment to provide necessary assistance for the rehabilitation of the freed *Kamaiya*, this has hardly materialized even today. Measures of Rehabilitation like the provisions of house construction allowance of NPR 10, 000, 75 cubic fits of timber for the construction of houses, land allocation and other support measures are have just partially been implemented. In contrast to government's commitment to provide free higher education to freed *Kamaiya* and *Kamlaris* the schools are imposing fees under various titles.

Recommendations:

- Provide housing, employment and income-generating activities to freed *Kamaiyas* as per the agreement, and ensure that they are able to access resources to re-establish Their lives and livelihoods
 - Ensure that freed *Kamaiyas* enjoy their rights to housing, nutrition, education, health and employment.
 - Fully implement the *Kamaiyas* (Prohibition) Act 2002 and Rehabilitation Plan
 - Allocate enough quality land so that freed *Kamaiya*'s livelihoods would be secured, and extend further financial support to livelihood development and poverty reduction.
 - Recognize the identity of freed *Kamaiyas* and also set up reservation system for them to ensure their proportional representation, where appropriate, at social, cultural, political and economic spheres
32. Most of the *Haliyas* are *Dalits* who worked as bonded labors to landlords for generations in Far-Western region of Nepal. *Haliyas* continue to suffer from extreme human rights violations. They are socially, culturally and economically exploited and discriminated by their landlords for centuries. Similarly, *Haruwa/Charuwa* system is another form of bonded labors based on indebtedness and sharecropping. Working in the field of the landlords, a *Haruwa* laborer receives a share of the harvest which is not enough to run his family. By tradition, other family members of a *Haruwa* must also work for the same landlord at very low daily wages.

Recommendations:

- Establish a High Level Commission to protect and promote the rights of freed bonded laborers.
- Implement 10 point agreement signed between the government and Haliya Struggle Committee.
- Revise the Rehabilitation Plan in full and effective participation of freed *Haliyas*, *Haruwa/Charuwa*.
- Formulate quotas or reservation systems by recognizing the identity of freed *Haliyas* and *Haruwa/Charuwa* to ensure proportional representation, where appropriate, at social, cultural, political and economic spheres
- Establish a High-Level freed *Haliya* Commission to monitor the implementation of rehabilitation programs, and to protect and promote the full enjoyment without discrimination of the economic, social and cultural rights of freed *Haliyas*.

33. Right to Food: Forty-three districts lack sufficient food supplies.⁵¹ Among them, 23 are consistently suffering from food shortages. The marginalized communities including women, Dalits, children⁵², indigenous peoples, people with disabilities, *Haruwa*, *Charuwa*, *Balighare* and freed *Kamaiyas* and freed *Haliyas* are more vulnerable due to the shortage of food. Food sovereignty is protected under Interim Constitution of Nepal,⁵³ and the SC has held the state responsible of ensuring people's easy access to food.⁵⁴ About the food sovereignty, its Accessibility, Adequacy, Availability and Quality is of big concern. Women are deprived of nutritious food, even during pregnancy and after childbirth.

Recommendations:

- Ensure that the new constitution incorporates right to food as fundamental rights.
- Formulate laws, policies and regulations on the right to food security giving priority to those belonging to marginalized and vulnerable groups such as women, *Dalits*, children⁵⁵, indigenous peoples, Muslim, disabled people, *Haruwa*, *Charuwa*, *Balighare*, freed *Kamaiyas*, freed *Haliyas* and HIV/AIDs infected.
- Ensure right to food and health insurance⁵⁶ of women, *Dalits*, children,⁵⁷ indigenous peoples, Muslim, People with Disabilities, *Haruwa*, *Charuwa*, *Balighare*, freed *Kamaiyas*, freed *Haliyas* and HIV/AIDs infected.
- Adopt and implement social security schemes that provide equal opportunity for Dalit youths in national employment.⁵⁸
- Ensure equal distribution of international employment provided by neighboring countries of Nepal.
- Take steps to reduce inappropriate management of food storage system.
- Ensure just, fair and reasonable public food distribution, and control illegal food shortage practices.
- Formulate land use Act for residential and industrial areas, cultivated land and use of pesticides.
- Ensure the rights of affected and displaced people from mega projects like irrigation, national parks, conservation areas and hydro-projects.
- Preserve traditional occupations of different castes and ethnic groups like *Dalits Chidimar* and others, which have sustained their livelihoods.
- Develop and implement development framework for food security, food right and food sovereignty to the marginalized communities.
- Ensure uninterrupted access to cultivable land to the farmers and land for the shelter for all through appropriate laws and bylaws.

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- 1 Recommendation made by UPR 2011: 108.11 Review and adopt relevant legislation and policies, including bills related to caste-based discrimination, the Women's Commission, the Dalit Commission, the rights of indigenous peoples and the rights of the child, to ensure full compliance with international human rights standards (Norway).
 - 2 The Article 5 (2) of the Interim Constitution stipulates "The Nepali language in the Devanagari script shall be the language of official business"
 - 3 The Article 7 (2) of the Interim Constitution stipulates "...Crimson is the national colour, the Cow is the national animal.."
 - 4 Article 18 (2) of the Interim Constitution of Nepal 2007
 - 5 James Anaya, the Special Rapporteur on the situation of human rights and fundamental freedom of indigenous peoples, Report on the Situation of Indigenous Peoples of Nepal, Human Rights Council Twelfth Session Agenda Item 3, A/HRC/12/34/.
 - 6 Nepal Mid-Term Implementation Assessment 2013, p.3 accessed from <http://followup.upr-info.org/index/country/nepal>
 - 7 NHRC (2013:39), Mid-Term Report on the Implementation status of Conclusion and Recommendations of Universal Periodic Review of Nepal
 - 8 Recommendations made by UPR 2011: 106.1 and 106.2 Give its full support to ensure that the Constituent Assembly successfully fulfills its mandate of drafting a new Constitution by May 2011, giving due consideration to the views of the different groups that compose Nepalese society (Republic of Korea); ensure full participation of ethnic groups and castes in the Constitution-making process, in particular in the Constituent Assembly (Poland); ensure that the new Constitution being formulated and its national legislation is in line with international human rights instruments acceded to by Nepal (France); continue the process of bringing its national legislation in line with international standards (Azerbaijan)
 - 9 For example, Chitwan National Parks, Baridya National Park, Kulekhani Hydro-project, Kali Gandaki –A Hydro-project and other have displaced hundreds of indigenous peoples from their ancestral lands.
 - 10 Very recently, the government has signed Power Development Agreement (PDA) paper that gives operation license two Indian companies : Satluj Vidhut Nigam and JMR
 - 11 The government has formulated Multilingual Education Implementation Guidelines in 2009 to implement multilingual education. But, it is not being implemented effectively due to inadequate human and financial resources. Bilingual education is only implemented in 24 out of more than 7,500 schools across the country (NFIW's report).
 - 12 Country Code 1963 has provisions that slaughtering, killing, administering poison or beating cows/bullocks and attempting to do so are considered sins and punishable up to 12 years of imprisonment. On June 5, 2014, at around eight p.m., the police arrested Kumar Tumbapo, a father of six, from his home in Goldhap village, Jhapa for allegedly slaughtering an ox. They also arrested Bal Bahadur Tumbapo and Jagat Rai, who happened to be at his house that evening. The three men were kicked and beaten while being dragged and shoved into a police van. As it turned out, inspector Devi Prasad Poudel was responding to a complaint filed in the district court by Gauvansha Samraskhyan Manch (Cow Protection Forum), a Birtamod-based organization that has succeeded in getting many other Indigenous peoples arrested on similar charges. Kumar Tumbapo was harassed and tortured while in police custody. "You are the main culprit, you killed an ox and ate beef!" policed said, and beat him with a rod until his feet were swollen. At least eight such cases are documented in a recent report by the Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP). See more at: <http://recordnepal.com/wire/wrong-side-thin-blue-line#sthash.4b73Qj47.dpuf>
 - 13 High Level Task Force Report 2010 submitted to the government.
 - 14 Recommendation made by UPR 2011: 107.28. Take more effective measures to increase the involvement of the indigenous peoples, minorities and vulnerable groups in the civil service, law enforcement agencies and local authorities (Malaysia).
 - 15 The Interim Constitution 2007, National Plans, amended Acts and Regulations such as Civil Service Act 1993, Police Regulations, 1991 etc. The Civil Service Act has allocated 45% reserved seats for women, indigenous peoples, Madhesi, Dalits, persons with disabilities and candidate from remote areas. Considering 45% seats as whole pie, women-33%, indigenous peoples -27%, Madhesi-22%, Dalit-9%, persons with disabilities-5% and Remote Area-4% seats have been reserved. The point excluded groups are critique of is that the Civil Service Commission firstly publishes the results of reservation seats followed by the results of open seats. This prohibits the selection of indigenous peoples and other excluded groups for open seats that are mainly provided to candidates of dominant caste groups. At the

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- same time, the appointments are firstly provided to those successful under the open seats thus providing them seniority than those successful under reservation seats.
- 16 For example, UNDP report 2012 show that before 1990s, the ratio of officer level civil servants was around 70% High caste group Brahmin, Chhetri 30%, indigenous peoples 21.6%, and Madhesi 8.5%. But in FY 2000/00, it was quite discouraging as the percentage of representation of Brahmin/Chhetri went up 87%, while indigenous peoples and Madhesi representation dropped to 13%.
- 17 According to a report of UNDP 2012, the proposed Inclusive Bill aimed to amend the following Acts: Police Act, 2012, Development Committee Act, 2013, Education Act, 1971, Nepal Special Service Act, 2042BS, Nepal Sanskrit University Act, 2043, Kathmandu University Act, 2048, Tribhuvan University Act, 2049, Civil Service Act 2049, Eastern Regional University Act 2050, Pokhara University Act 053, Health Service Act 2053, Armed Police Service 2058, Nepal Army Act 2063, Lumbini University Act, Legislative Parliament Act 2064, Public Service Commission Act 2066, Far Western Regional University Act 2067, Mid-Western Regional University Act 2067 and Agriculture and Forestry University Act 2067.
- 18 See more at: <http://www.indigenousvoice.com/7-out-of-every-10-victims-of-trafficking-in-person-are-indigenous-women-and-girls-in-nepal.html#sthash.oRTS5TL2.dpuf>
- 19 National Indigenous Women's Federation (NIWF) Workshop report 2014. "A Report on the Consultation Workshop on the Key Concerns of Indigenous Women, Kathmandu, Nepal
- 20 The Dalits community occupies 13.21 per cent of total population and comprised 26 casts; such as Badi, Damai, Gaine, Kami, Sarki, Pode, Chyame, Bantar, Chamar, Chidimar, Dhobi (Hindu), Dom, Dusadh, Halkhor, Kakaihiya, Khatbe, Khatik, Kori, Tatma, Mushar, Natuwa, Dhandi, Dharikar/Dhankar, Pasi, and Sarvanga.
- 21 Still, there are many discriminatory provisions existed in different laws of the country incompatible with international human rights instruments. The study carried out by National Dalits Commission has revealed that there more than 23 discriminatory provisions. (NDC.2005. *Study of the discriminatory and amendable legal provision against Dalit community*. Kathmandu: National Dalit Commission)
- 22 The constitutional provision on right against *untouchability* at public places, preamble provision (*chhotabada*) of the Civil Code, 1963 and a provision relating to respect of the social usages and practices are some of the instances (*Section 10 of Miscellaneous Chapter under Civil Code*). Still, there are many discriminatory provisions existed in different laws of the country incompatible with international human rights instruments. The study carried out by National Dalits Commission has revealed that there more than 23 discriminatory provisions. (NDC.2005. *Study of the discriminatory and amendable legal provision against Dalit community*. Kathmandu: National Dalit Commission)
- 23 See previous recommendations, "...Government's priorities include combating caste-based discrimination, ensure that the policy is fully implemented also by the local authorities in rural and remote areas (Czech Republic) (para 106.24 UPR Nepal 2011; A/HRC/17/5); Take the necessary legal and policy measures to end discrimination, including of women, children and Dalits (Netherlands) (para 107.11 UPR Nepal 2011; A/HRC/17/5); ...caste-based discriminations be reported, investigated, perpetrators prosecuted and victims of such violence are compensated (Czech Republic)" (para 108.12 UPR Nepal 2011; A/HRC/17/5).
- 24 See previous recommendation, "Initiate legislative measures to effectively address and eradicate longstanding discrimination, including "untouchability" (Austria)" (para 107.13 UPR Nepal 2011; A/HRC/17/5).
- 25 See recommendation, "The persistence of sexual exploitation, in particular among the Dalit community, and the persistence of the root causes of trafficking and prostitution, including poverty (para 21 CEDAW Concluding observations 2011; CEDAW/C/NPL/CO/4-5)."
- 26 See previous recommendation "Review and adopt relevant legislation and policies, including bills related to... the Dalit Commission, ...to ensure full compliance with international human rights standards (Norway) (para 108.11 UPR Nepal 2011; A/HRC/17/5)."
- 27 See previous recommendation, "Continue promoting the work of the National Commissions for Women and for Dalit, through the reinforcement of resources that allows them to work in an efficient manner (Bolivia) (para 106.8 UPR Nepal 2011; A/HRC/17/5)" and "Provide the National Dalit Commission and the National Women's Commission with sufficient resources to effectively realize their mandate (Slovenia) (para 107.6 UPR Nepal 2011; A/HRC/17/5)."
- 28 See CERD recommendation, 2002, "to take resolute measures to secure rights of marriage for members of descent-based communities who wish to marry outside the community (para 32 CERD General Recommendation XXIX 2002; CERD/C/61/Misc.29/rev.1)."
- 29 See CERD general recommendation, "To take the necessary steps to secure equal access to the justice system for all members of descent-based communities, including by provision of legal aid, facilitation of

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- group claims, and encouragement of non-governmental organizations to defend community rights (para 21 CERD General Recommendation XXIX 2002; CERD/C/61/Misc.29/rev.1)."
- 30 See CERD recommendation, "to ensure where relevant that judicial decisions and official actions take the prohibition of descent-based discrimination fully into account (para 22 CERD General Recommendation XXIX 2002; CERD/C/61/Misc.29/rev.1).
- 31 See CERD recommendation, "to encourage and facilitate constructive dialogue between the police and other law enforcement agencies and members of the communities (para 26 CERD General Recommendation XXIX 2002; CERD/C/61/Misc.29/rev.1)."
- 32 Sustainable Development Forum. 2006. Ownership of Dalits in Land: A Study. Kathmandu: Sustainable Development Forum
- 33 See previous recommendation, "Seek to remove the obstacles faced by victims trying to access justice (Republic of Korea) (para 106.37 UPR Nepal 2011; A/HRC/17/5)."
- 34 See previous recommendation, "Ensure that all girls, Dalit children and children belonging to ethnic minorities have equal access to quality education (Finland) (para 106.53 UPR Nepal 2011; A/HRC/17/5)."
- 35 There are ten types of religion categories reported in the census. Hindu is followed by 81.3 % (21,551,492) of the population followed by Buddhism (9%; 2,396,099), Islam (4.4%; 1,162,370), , Kirat (3.1%; 807,169), Christianity (1.4%; 375,699), Prakriti (0.5%; 121,982), Bon (13,006), Jainism (3,214), Bahai (1,283) and Sikhism (609) (CBS, 2011)
- 36 Id Chapter V
- 37 108.13. Implement measures to ensure that persons with disabilities are enabled to participate in job training, vocational training, literacy and numeracy programmes and set concrete targets measurable within one year to this effect, in consultation with persons with disabilities and their representative organizations (New Zealand). 108.14. Ensure, without any discrimination, the rights of people with disabilities and others belonging to vulnerable groups, such as women and children (Chile).
- 38 Economic and Social Council United Nation Permanent Forum on Indigenous Issues 12th Session E/c.19/2013/6.
- 39 A study notes that, for example, women with disabilities access to education and other services is affected not only by gender and disability but also by their type of their disabilities, the socio economic status of their family, their race/ethnicity, whether they live in urban or rural areas and a host of other factors. Along with disability and gender, persons with disabilities rights are denied in services based on their identities like being ethnic, Dalit, or backward geography. 90.9% women with disabilities expressed that intersectional discrimination prevails them which impacts receiving information and access to services. The state as well National Federation of the Disabled Nepal (NFDN) has not taken into account as a human right issue of indigenous peoples with disabilities in Nepal. The existing executive committee of NFDN is discriminatory towards vulnerable indigenous persons with disabilities. <http://www.socialinclusion.org/np/newfile/pratimagurung>
- 40 Take steps to ensure non-discrimination based on sexual orientation and gender identity including in the proposed civil and criminal laws (New Zealand).
- 41 In the consultation processes, the executive director of Blue Diamond Society (BDS) informed that the drafted civil and criminal code contains more than 286 provisions that are against LGBTI people's rights. <http://www.hrw.org/world-report-2012/world-report-2012-nepal>
- 42 The government had done the 22 points agreement with Madhesi Janadhikar Forum, on 30 August, 2007 and 6 points agreement with United Democratic Madhesi Front on 23 February, 2008.
- 43 The list of OBC: Kushwaha, Kurmi, Kumhar, Kahar, Kewat, Kanu, Kamar, Kalwar, Teli, Dhanuk, Nuniya, Baniya, Bhedihaar, Mali, Mallah, Musalman, Baraiya, Yadav, Rajbhar, Rauniyar, Lohar, Lodh, Sudi, Saini, Sonar, Haluwai, Hajam, Amat, Maghaiya. 18% seats have been reserved for the above mentioned castes and communities who are put into OBC group.
- 44 The Committee further recommends that special units be established to monitor the implementation of programmes to protect and promote the full enjoyment without discrimination of their economic, social and cultural rights by disadvantaged and marginalized groups, in particular the Dalit, the Madhesi and indigenous communities, and especially women within these groups (para 32 CESCR Concluding observations 2008; E/C.12/NPL/CO/2).
- 45 See previous recommendation, "Take necessary measures for the prevention of such deeds as reported warrantless arrests, torture, extrajudicial killings and other misconduct and ensure swift and fair investigations on alleged misconduct by law enforcement authorities (Japan); investigate all cases of ill treatment and abuse, such as enforced disappearances, cases of torture, arrests without warrants and extrajudicial killings by the police as well as the national army and ensure the delivery of justice regarding these serious human rights violations (Hungary) (para 107.15. UPR Nepal 2011; A/HRC/17/5);

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- Investigate credible allegations of extrajudicial killings and introduce an independent complaint mechanism on the conduct of the security forces (Denmark) (para 108.18. UPR Nepal 2011; A/HRC/17/5); and Impartially investigate all allegations of extra-judicial killings and arbitrary executions, to prosecute those responsible, and accept the requests for a visit by the Special Rapporteur on extrajudicial, summary or arbitrary execution, and the Working Group on Enforced or Involuntary Disappearances (Italy) (para 108.19. UPR Nepal 2011; A/HRC/17/5)"
- 46 LWF Nepal 2008. Impact Assessment of Development Programme 2003-2007.
- 47 Arjun Gunaratne (1998:759 in footnote): An example will illustrate the sorts of methods used. A Brahmin who came to Chitwan after the malaria eradication program became notorious in the surrounding villages for the way he amassed land. He readily provided loans to Tharus; when they found themselves unable to pay back the loan within the stipulated time, he would extend the repayment period, but in return they would be asked to agree to the addition of another zero to the sum specified on the promissory note. The Tharus, illiterate and unfamiliar with written documents, would fail to see the significance of this and would readily consent. The debtor, eventually confronted by the moneylender with a promissory note for a sum far greater than that which he had originally borrowed, and well beyond his ability to repay, would lose all or part of his land in fulfillment of the debt (See, Arjun Guneratne (1998) Modernization, the State, and the Construction of a Tharu Identity in Nepal
- 48 For example, Arjun Gunerate (1998:760) notes, "In Dang, following on "loss of land, mass migration and poverty . . . [s]everal major festivals that were previously celebrated annually are now no longer celebrated at all, because of a lack of economic resources" (Cox n.d., 11). In Chitwan, the wholesale destruction of the forest by settlers following the success of the malaria eradication project removed from the ritual calendar the worship of many gods whose jungle shrines had been destroyed in the process. Chitwan Tharus believe that the power of their deities is closely linked to the presence of forests; when the forests are destroyed, they believe the gods abandon the area. When rituals are no longer performed, the young are no longer socialized into their performance, and they disappear from the local knowledge system."
- 49 The social movement of bonded labor forced the government to declare the emancipation of thousands of Kamaiyas and Kamlaris (bonded labor form indigenous Tharu community) in western Nepal, on 17 July 2000. Similarly, in September 2008, the Government announced that it had abolished the Haliya system and cancelled the debts of Haliya bonded laborers from Dalit community. In 2000 and in 2002, government introduced two Acts: The Bonded Labor (Prohibition) Act and the Kamaiya Labor (Prohibition) Act respectively.
- 50 Reportedly, that More than 412 *Kamlaris* are working as bonded labor in various districts a – Dang, Bardiya, Kailai, Kanchanpur and Banke - and at least 5000 freed *Kamaiyas* are yet to be identified.
- 51 <http://www.usaid.gov/sites/default/files/documents/1866/Nepal%20CSI%20FY%202014.pdf>
- 52 http://www.fao.org/fileadmin/templates/righttofood/documents/project_b/Nepal-GCPGLO324NOR-ConceptNote.pdf
- 53 Interim Constitution of Nepal 2007, article 18(3)
- 54 *Prakash Mani Sharma and Others*, NKP, 2065(2008), p.149
- 55 http://www.fao.org/fileadmin/templates/righttofood/documents/project_b/Nepal-GCPGLO324NOR-ConceptNote.pdf
- 56 See previous recommendation, "106.49. Improve food safety of vulnerable groups, particularly indigenous people, former bonded labourers, Dalits, Muslims, persons with disabilities and those who are infected with HIV/AIDs (Hungary) (para 106.49 UPR Nepal 2011; A/HRC/17/5)."
- 57 http://www.fao.org/fileadmin/templates/righttofood/documents/project_b/Nepal-GCPGLO324NOR-ConceptNote.pdf
- 58 See previous recommendation, "Step up efforts to achieve the effective realization of economic, social and cultural rights for the marginalized and vulnerable groups by ensuring that they are provided with adequate access to food, health, education and fair employment (Malaysia) (para 106.46 UPR Nepal 2011; A/HRC/17/5)."

ANNEX-A LIST OF CIVIL SOCIETY ORGANIZATIONS

1. Aadhibasi Jana Jati Mahasangh
2. Aadhibasi Rastriya Utthan Prathisthan
3. Al Amin Muslim Women Nepal
4. Badi Development Committee
5. Bahing Kirat Mulukhim
6. Blue Diamond Society (BDS)
7. CDC Nepal
8. Chi: Halamtung Bantawa Yuva Hup Nepala
9. Cocap
10. Dalit Human Rights Organization (DHRO)
11. Dalit National Liberation Front of Nepal
12. Dalit NGO Federation – Nepal DNF Nepal
13. Dalit NGO Federation (DNF)
14. Dalit Rights National Forum Nepal (DRNF)
15. Dynamic Society
16. Federation of Indigenous Kirat Association (FIKA)
17. Federation of Sexual and Gender Minorities Nepal (FSGMN)
18. Feminist Dalit organization (FEDO)
19. FORCE Nepal
20. Gaderi Samaj
21. HDRF Nepal
22. IL Center
23. Indigenous Women Legal Awareness Group (INWOLAG)
24. Islami Association
25. Jagaran Media Center
26. Jaghrit Nepal
27. Janautthan Pratisthan (JUP)
28. Kapan Dalit Utthan Sangh
29. Kirat Chamling Bhasa Sanskriti Utthan Sangh
30. Kirat Jero Raadu Samaj
31. Kirat Khaling Utthan Sangh
32. Kirat Radu Nachhiring Sakham
33. Kirat Welfare Society
34. Kulung Vidyarthi Sangh
35. Lawyers Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP)
36. Madhes Human Rights
37. Madhesi Journalist Association
38. Mahila Utthan Tatha Seep Bikas Kendra
39. Makalu Yakkhaba Chuptham
40. MAHURT Home
41. Mewahang Yakhomma
42. National Federation of Disable-Nepal (NFDN)
43. National Indigenous Women Federation (NIWF)
44. National Muslim Forum Nepal (NMFN)
45. National Network of Indigenous Women (NNIW)
46. Nepal Kewarat Bikas Samaj
47. Nepal Kirat Kulung Bhasa Sanskriti Utthan Sangh
48. Nepal Muslim Women Welfare Society (NMWWS)
49. Nepal National Dalit Social Welfare Organization (NNDSWO)
50. Nepal Rana Tharu Society (NRTS)
51. NGO-Federation
52. Papachha Guskham

53. Professional Development and Research Center (PDRC)
54. Rastrya Dalit Network –Nepal RDN -Nepal
55. READ Nepal
56. Redef Nepal
57. Right to Food Network (RtFN)
58. Sahara Nepal
59. Samata Foundation
60. Samyukta Apana Ekta Aawaj Kendra
61. SHEDC Nepal
62. Social Development
63. Society For the Liberation of Oppressed Caste, Nepal
64. Unified Dalit Rights Forum, Nepal
65. Upatyaka Mandal (Kewat) Samaj
66. Yuth Federation of Indigenous Nationalities (YFIN)
67. Yamphu Kirat Society
68. Youth Federation of Indigenous Nationalities, Nepal (YFIN, Nepal)