

Dalit Ngo Federation – Nepal (DNF)

Dalits constitute an estimated 20 percent of Nepal's population and are subjected to as many as 205 different forms of discriminatory practices. They are religiously, culturally, socially, economically and historically oppressed, excluded and treated as 'untouchables'. Many become victims of caste related violence, e.g. when attempting to enter inter-caste marriages. Crimes against Dalits are more often than not committed with impunity.

Following a protracted civil war and the downfall of the monarchy, Dalit civil society actors in Nepal have actively tried to seize the historic opportunity to secure their rights in the country's new constitution. The long-drawn-out constitution making process is still ongoing and was one of the focus areas of the work of the Dalit NGO Federation (DNF) in 2010 – along with other legislative measures to support Dalit rights and facilitate access to justice.

Many important civil society actors, including DNF, Feminist Dalit Organisation (FEDO) and Nepal National Dalit Social Welfare Organisation (NNDSWO), also took part in these activities and contributed significantly to IDSN's international advocacy work. The preparation process for the examination of Nepal's human rights record by the UN's Universal Periodic Review Mechanism (UPR) became an important part of civil society advocacy efforts – nationally as well as internationally – during the year preceding the January 2011 review.

A coalition of NGOs and a number of national human rights bodies, including the National Dalit Commission, submitted reports prior to the UPR session. Important observations on caste discrimination in these reports included the prevalence of discriminatory provisions in Nepalese legislation; inadequate efforts by the state to fulfil its human rights obligations; weak implementation of laws; a dramatic underrepresentation of Dalits in the civil service; and their low literacy rate.

Several international human rights organisations, including Amnesty International and the Asian Human Rights Commission (AHRG), have raised concern over impunity for caste related crimes persisting in Nepal.

The UN Office of the High Commissioner for Human Rights in Nepal (OHCHR-Nepal) has urged the government to act immediately to ensure access to justice for victims of caste and gender discrimination and has furthermore raised concern over shortcomings in planned legislation in their analysis of the draft untouchability bill, in cooperation with the National Dalit Commission (NDC).

“It is positive that Nepal supports the work of the UN – but an expression of support is not sufficient. Action is required as well. We are applying pressure to the political leadership, but the unstable political situation at the moment makes this difficult.” Bhakta Bishwakarma,

President of NNDSWO, September 2010

The Asian Legal Resource Center (ALRC) has also noted that access to justice in Nepal, “remains a remote perspective for disadvantaged groups, including Dalits.” The current political deadlock in Nepal has, according to DNF, furthermore fostered an increase in the impunity rate for discrimination and atrocities committed against Dalits.

To change this, DNF has collected the views of more than 30.000 people in four districts on the Constituent Assembly (CA) Thematic Committee draft constitution. DNF also organised a series of meetings with Nepal Dalit civil society groups to analyse the CA Thematic Committee draft, and intervene in the constitution building process, to ensure that Dalit rights are on the agenda. Five organisations campaigning for Dalit rights in Nepal,

including IDSN, have written to the Constitutional Committee and the High Level Taskforce in Nepal, urging them to include measures to combat caste discrimination in the constitution.

In order to prevent discrimination against Dalits in Nepal and invoke measures to support Dalits to assert their rights, it is important that they are registered in Nepal's upcoming 2011 national census. DNF therefore organised an interaction programme on this topic and gave feedback and suggestions to the Central Bureau of Statistics (CBS) in charge of the census, on how to develop the essential formats for disaggregated data on Dalits. DNF also recommended that Dalit human resources be included in the census process and demanded a modification of the questionnaire to reflect Dalit sub castes.

A Dalit civil society technical team was formed to identify the major areas of improvement and 12 demands were submitted to the National Planning Commission to make the census process more inclusive and reliable. A position paper on the 2011 census reflecting this was jointly submitted by 33 DNF members, sister organisations, CA members, other Dalit NGOs, journalists, the NDC and the Dalit Development Committee.

DNF campaigned in 2010 on the issue of Dalit citizenship. Particularly in the Terai region of Nepal, there are significant problems with Dalits who do not have Nepali citizenship and DNF worked to raise awareness of how to obtain citizenship and offered support for this process

Another key concern for Dalits in Nepal is the position of Dalits in a federal context. Dalits are among the most marginalized in Nepal and do not have a majority population in any region. Therefore discussions on the concept and model of federalism are being organised by DNF.

DNF also conducted the project "improved access to socio-economic opportunities for poor Dalits" in cooperation with the Enabling State Programme (ESP/DFID), to benefit Dalits in ten districts, and successfully completed its 4th General Convention in June, where a 31 member executive body was elected under the leadership of Mr Gajadhar Sunar.

A delegation from the European Parliament visited Nepal in late May. The group was led by Jean Lambert, Chair of the Parliament's Delegation on South Asia. During the visit, she and other MEPs met civil society groups, including Dalit representatives. A number of concerns were raised during the meeting, including the participation of Dalits in the constitution-building process and the socio-economic condition of Nepal's Dalit population. The activists urged the EU to intensify its work on caste discrimination.

Finally, in December, Dalit leaders from Nepal took part in the third UN Forum on Minority Issues in Geneva, providing them with a welcome opportunity to share their experiences with like-minded activists from many countries.