

Joint Stakeholder Submission of Non-governmental Organization on Universal Periodic Review (UPR)

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Foreword

The Universal Periodic Review (UPR) has become one of the most significant human rights review mechanisms established by the United Nations in line with its objective of protecting human rights globally on the basis of equality of all its member states. Nepal has so far participated in two (2011 and 2015) reviews; and going to participate in the periodic review of the third phase on January 21. Nepal's civil societies have also been sending its alternative reports to the review. In which, Dalit Civil Society had started sending reports since 2015. This time, the report has been submitted to the United Nations Human Rights Council by forming a network of Dalit civil societies on the Universal Periodic Review (UPR) 2020 in coordination with the Dalit NGO Federation (DNF).

For the preparation of the report, consultations and discussions have been held with more than 223 Dalit civil society organizations and other human rights organizations in Nepal. The report has been prepared consulting with various stakeholders, concerned members, experts/specialists at state government and Prime Minister's office, concerned ministries, parliamentary committees, honorable members of parliament, Dalit commission, women commission among others, Dalit people's organizations, civil society, human rights activists and Dalit civil society's heads and representatives and journalists.

I would like to express my special thanks to **Mr. Chet Narayan Rasaili** for coordinating as an expert in writing the report. I also want to extend my sincere thanks to all the member organizations of organizing committee for preparing the Dalit CSOs report for UPR.

I would also like to express my special thanks and gratitude to the USAID/FHI360CS: MAP Project for their financial support; without their support, it would not have been possible. Special thanks to Mr. Santosh Babu Sigdel, Project Advisor for his invaluable technical suggestions.

Finally, I would like to express my special thanks to central executive team and members, province executive team and members, advisors, staffs, experts of Dalit NGO Federation (DNF) who worked day and night organizing the program. Similarly, I would like to thank all the dignitaries who have contributed as experts and commentators and all the participants who have given invaluable suggestions by participating in the program. In the same way, I would like to extend my special thanks to the International Dalit Solidarity Network (IDSN) family for expressing their solidarity in the entire process and providing technical support for preparing this report.

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October, 2020, Kathmandu

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I. Background and Framework

A. Introduction

1. This joint submission has been prepared by the Dalit Civil Society Organizations' Coalition in order to reflect the human rights situation of the Dalit community in Nepal, for the consideration by the UPR Working Group at its 3rd Cycle.
2. Caste Based Discrimination and Untouchability (CBDU) continue to be deeply entrenched in the Nepalese society. As a consequence of the system based in casteism, Dalits in many parts of the country are still subjected to the worst forms of discrimination. They are subjected to endless humiliation and injustices in their social, cultural, economic, administrative and political lives; assaulted, raped and murdered; and denied access to places of worship, common water sources, education and dignified jobs.
3. The Dalit community constitutes 13.8% of the total population¹ of Nepal. There are 26 sub-castes under the overall Dalit community², including seven Hill Dalit castes and 19 Madhesi Dalit castes.
4. The Dalit Civil Society of Nepal strongly believes that the support from the international human rights community in this regard will be highly significant to strengthen the human rights of Dalits in Nepal and bolster the governments' commitment to ensure their rights.

B. Methodology

5. This joint report has been prepared in line with the guidelines issued by the Human Rights Council (HRC), based on the reviews and insights emerged from a wider consultation process in every province of Nepal. Each provincial consultation program had around 100 participants from different backgrounds, including various stakeholders³. A national multi-stakeholder consultation⁴ was organized in Kathmandu inviting representatives from the Office of Prime Minister and Council of Ministers, National Human Rights Commission (NHRC), National Dalit Commission (NDC), media, a large number of human rights organizations and activists. In addition, a closed-room workshop was held on 1st March 2020 to finalize the report in the presence of experts, solidifying issues and references where specific tools were used to find the expectations and recommendations. Furthermore, this report has been prepared using research tools i.e. Key Informant Interview (KII) and desk review, which included an

1 Central Bureau of Statistics-CBS, 2011

2 NDC, 2014.

3 Provincial consultations were held on 23 December 2019 in Surkhet (Karnali Province), 26 December 2019 in Dhanagdi (SudurPachhim Province), 29 December 2019 in Butwal (Province no. 5), 8 January 2020 in Itahari (Province no. 1), 10 January 2020 in Janakpur (Province no. 2) and 19 January 2020 in Pokhara (Gandaki Province).

4 National Multi-Stakeholder dialogue was organized on 25 February 2020 in Kathmandu

analysis of previous UPR recommendations, concluding observations from treaty bodies, recommendations of Special Procedures and cases of Dalit human rights violations. To support the process, the Dignity Initiative undertook research⁵. The report has been endorsed by the broader Dalit civil society movement of Nepal. The whole process was coordinated by the Dalit NGO Federation (DNF), along with its member organizations and allies as well as individuals from multi-sectorial backgrounds. In addition, the International Dalit Solidarity Network (IDSN) provided technical support to prepare the report.

II. Scope of International Obligations

6. Nepal is party to several international human rights treaties and is accordingly obliged to implement them. However, the Government has not effectively implemented various recommendations and concluding observations received from treaty bodies and other mechanisms in terms of advancing Dalit rights.
7. Nepal is a party to the International Convention on the Elimination of all forms of Racial Discrimination (ICERD). However, Nepal has put a reservation on Article 14⁶. Furthermore, the Government of Nepal (GoN) is deemed to be negligent as the Committee on the Elimination of all forms of Racial Discrimination (CERD) Report of the 95th session of CERD in April-May 2018, was received after a gap of 14 years since its previous report.
8. The large number of recommendations⁷ that arose from both the first and second cycles of that UPR stressed the importance of eliminating CBDU and taking every possible action and measures in order to implement legislation on it. It was overwhelming that GoN had supported all recommendations (7 Dalit Specific⁸ and 19 Dalit related) in the 2nd cycle which were made for Dalit rights and ending CBDU. Nonetheless, the situation of CBDU and status quo remains the same. It delineates the negligence of GoN to its international commitments and actions towards international human rights standards.

Recommendations:

1. Put in place an effective mechanism to implement the recommendations emanating from the previous UPR cycles, in a transparent manner and in close cooperation with civil society.
2. Take accelerated action to implement the concluding observations arising from CERD and other treaty bodies, in a transparent manner and in close consultation with civil society.
3. Accept the individual complaint procedure (Article 14) of ICERD.

5 28 case studies on CBD, 7 provincial dialogues with the participation of 392 attendees and 1 national level consultation.

6 https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=122&Lang=EN

7 The implementing status has been put on annex

8 122.33 (Paraguay), 122.40.(Germany), 122.36.(Switzerland), 122.33(Paraguay), 122.35(Denmark), 122.39 (Czech Republic), 122.41 (Namibia), 122.55(Argentina)

III. Constitutional and Legislative Infrastructure

9. The Constitution of Nepal has recognized rights of Dalits as fundamental rights, assuring their representation in the state bodies, under Article 24 (Rights against Untouchability and Discrimination) and Article 40 (Rights of Dalits), which is in line with both ICCPR and ICESCRs. However, even after four years of its promulgation, the Dalit community has not enjoyed those rights on equal footing, neither have they felt satisfactory action from the government to ensure the rights enshrined therein.
10. The National Dalit Commission (NDC) has been elevated to a constitutional status, but still far behind the standards set by the Paris Principles. Moreover, the Chairperson and Members to the NDC have not been appointed after the Commission acquired constitutional status due to the apathy of GoN. No constructive engagement between NDC and Dalit CSOs has been seen to protect and promote of Dalit rights.
11. The Caste Based Discrimination and Untouchability (Offence and Punishment) Act, 2011 is the main law which has criminalized CBDU. The Criminal (Code) Act 2074 (2017) has also further strengthened actions against it.
12. All the rights guaranteed under Article 40 of the Constitution were supposed to be ensured by law. However, no specific laws were enacted and the newly adopted and amended laws had to incorporate under specific and related laws. However, those Acts are not carrying the spirit of the Constitution; instead, infra-constitutional norms have curtailed Dalit rights⁹.
13. To date, the Dalit Empowerment Act is only enacted by the provincial government of Province 2. Remaining provincial governments have not shown much interest or expedited efforts to enact laws to promote and protect rights of Dalits.
14. Neglected, Oppressed and Dalit Upliftment Development Committee (NODUDC) and Badi Development Committee (BDC), which were established to operate development programs for Dalit and Badi community, are now defunct.

9 There is no specific Dalit words in Housing Act whereas Constitution has mentioned one time Housing will be given to Landless and Homeless Dalits, election law prioritized KhasArya in the priority list which is against the basic tenets of Social Justice and Inclusion, the Land Act ensured Lands for Landless Dalits but they cannot handover the ownership till 10 years, the Education Act Amendment only provides indigent Dalit students for free University education.

Recommendations:

4. Enact an Integrated Act in order to implement the fundamental rights of the Dalit community, enshrined under Article 40 of the Constitution, in close consultation with the Dalit communities.
5. Immediately appoint the Chairperson and Members to the National Dalit Commission, provide adequate resources and mandates as Paris principal along with quasi-judiciary status.
6. Ensure that each provincial government enacts necessary legislation to empower Dalits immediately.
7. Immediately revitalize the NODUDC and BDC and provide sufficient resources to undertake its regular activities.
8. Enhance and extend the constructive engagement between NDC and Dalit CSOs for ensuring Dalit rights in a proper manner.

IV. Human Rights Situation of the Dalit Community in Nepal

a) Equality and Non-Discrimination:

15. CBDU, is deeply entrenched in the mindset of every section of society and has become a customary way of life. Due to the burden of unabated exclusion, alienation, deprivation and discrimination, the Dalit community remains at the periphery of the mainstream development, access to justice, resources, services and opportunities. The Dalit community faces hard time to file complaints, as the Police normally deny them being registered. Rather, Police compel Dalits to reconcile with perpetrators, further victimizing Dalits and discouraging them from seeking justice. Poor investigations and prosecution of perpetrators by law enforcement agencies is another obstacle to seeking remedies. Creating counter (false allegation) cases against victims are widely observed in the cases of CBDU¹⁰. After adopting the CBDU Act in 2011, 14 Dalits have in total been murdered¹¹ until March 2019. In 2019 alone, Dalit-related violations occurred in 62 cases¹². Due to insufficient access to remedies, many violations do not become formal justice cases. Thus, many cases are not recorded whereas discrimination, atrocities and deprivation remain rampant which outlines a picture of grave human rights violations of Dalit community in Nepal¹³.
16. Nepali society is still plagued with harmful practices i.e. child marriage, discrimination against women, Chhaupadi¹⁴, witchcraft accusations, various

10 Pointed by almost every participant in each consultation and covered by much news at many times.

11 <https://kathmandupress.com/breaking/exclusive-story-on-caste-based-discrimination>

12 The Nepal Human Rights Yearbook 2020, INSEC.

13 After the enactment of CBDU Act 2011, only 2 perpetrators are jailed as per this law, a Dalit woman in a district of Kalikot -who was also an elected rural municipality member, has been murdered by her non-Dalits neighbors. Such cases are repeatedly in a rise.

14 Chhaupadi is a form of menstrual taboo which prohibits Hindu women and girls from participating in normal

superstitious beliefs. Other similar forms of discrimination are still prevalent in every part of the country. The Dalit community, particularly Dalit women, is always victimized by the non-Dalit community due to aforementioned harmful social customs¹⁵.

17. Inter-caste couples are the messengers of social cohesion, but unfortunately, they are murdered¹⁶, disregarded, excluded, displaced, offended and their lives are at risk. Inter-caste marriages remain taboo. Families of dominant castes force these marriages to be dissolved through coercion, intimidation and abduction. It has been widely raised in each consultation held in every province, that families from non-Dalit communities frequently make false allegations about the victims after they get married, they are prosecuted for rape, abduction, child marriage, human trafficking and so on. There was a provision since 2010 to award inter-caste marriage couples with cash incentives of approximately US\$1,000, but for some years this has been discontinued without any specific reason.
18. The Dalit communities, especially in the rural areas, are found having high fear of police and security forces. It has been observed that Dalits are arbitrarily arrested without an arrest warrant¹⁷.
19. CBDU has evolved into newer forms i.e. discrimination on social media¹⁸ and indirect discrimination.¹⁹ Established Dalit political and social leaders are gusted in hotels, not in homes, whereas non-Dalit leaders are hosted in homes by local leaders. The monetary value of property of Dalits in same area is less than other areas²⁰, Dalit officers are transferred to rural areas, difficult and non-desirable departments and face other similar discriminations.
20. Dalits, mostly students²¹, have difficulties getting rooms and flats to rent due to their caste background. This is also the case with elected Dalit parliamentarians.²² Dalit rights defenders face hardship in handling human rights cases and are often intimidated by perpetrators, risking their lives at times.
21. The Dalit community faces discrimination even in humanitarian response. The relief distribution and other support programs were distributed equally where the Dalit community has always been in the vulnerable condition due to the longstanding deprivation. The present pandemic COVID-19 has hit the world

family activities while menstruating, as they are considered “impure”.

15 Strongly voiced by every stakeholder during each provincial consultation.

16 AjitMijhar (18 years old youth) was murdered in July 2017 by conspiracy as he fell in love with a so-called upper caste (Brahmin) girl and got married, his dead body is still in the hospital and his family is waiting for justice. Shiv Shankar Das of Saptari District also was murdered in similar way.

17 Arise from the provincial consultations.

18 Prakash Saput, a famous Nepali Folk Singer was abused rampantly in social media with abusive and intolerable words for piracy issues which was not true and later negotiated well.

19 Sundar Bishwokarma, a legislative member in provincial parliament (province no.2) shared his experience during the Provincial Consultation held in Janakpur on 10 January 2020 and said “he is invited in many occasions and feasts of non-dalits but he couldn’t eat in same line as they respectfully say you’re parliamentarian so you have a special place in an extra place” which is an intention of discrimination to not let him eat together with others.

20 Biswokarma, J.B. 2019. Prosperity Discourse in Nepal and Dalit (Policy Paper). Kathmandu, Dignity Initiative

21 <http://dalitonline.com/archives/6936>

22 <https://kathmandupost.com/national/2019/07/19/people-refuse-to-rent-me-a-room-when-i-tell-them-my-surname>

and Nepal is in lockdown and due to that mostly the Dalit community is facing difficulties of living.

22. Amid the on-going lockdown due to COVID-19 pandemic in Nepal, it is shocking that several cases of Dalit human rights violation and caste-based discrimination have occurred whereas many cases may have not come into light. Among those cases; a case of massacre²³ of Dalit youths has shown a brutal picture of deeply entrenched caste-based discrimination of Nepali society. On 23rd May, 2020, Nawaraj BK and a group of his friends had gone over to a neighboring village to bring home Nawaraj's girlfriend, as Nawaraj's bride. The marriage was unacceptable by the girls' family as they belong to the so called higher caste and Nawaraj was a Dalit. The group of 18 young men were hounded and chased by the villagers to the shores of the Bheri River, six of them were beaten to death and then thrown to the river, rest were beaten and later police rescued them. Likewise, a 13 years old girl named Angira Pasi was raped and murdered in Rupandehi District and another 21 years old Dalit youth named Shambhu Sada was mysteriously found dead while in police detention.

Recommendations:

9. Devise a 10-year National Plan of Action with adequate resource allocation to eradicate CBDU.
10. Amend the Caste-Based Discrimination and Untouchability (Offence and Punishment) Act, 2011 increasing the sentences to ten years and 1,000,000 rupees, or both and make a provision that the compensation for the victims is to be borne by the State. Furthermore, establish special benches/courts to deal with the cases of CBDU and hold burden of proof to be borne by the defendant.
11. Bring a "Zero Tolerance" policy against CBDU cases and ensure impartial investigation, prosecution and right to a fair trial.
12. Develop "Comprehensive Human Rights Education Program" on CBDU for law enforcement agencies and office bearers.
13. Effectively functionalize the High Level Committee on CBDU, expanding it to all levels of government.
14. Ensure protection and life security to inter-caste married couples and their family members; and reinstate cash incentives with special packages/schemes for the couples
15. Establish a separate Dalit desk at local level, mainly in the police and administrative offices.
16. Establish protection mechanisms for Dalit human rights defenders and build their capacity for the protection and promotion of human rights.

²³ <https://www.recordnepal.com/wire/news-the-wire/killing-in-the-name-of-caste/>

b) Right to Participation and Representation of Dalits:

23. The Constitution of Nepal, mainly the preamble and the Articles 18 and 42 i.e. Right to Equality and Right to Social Justice, provide that the socially backward and indigent KhasArya shall have the right to participate in the State bodies on the principle of proportional inclusion. However, Article 84 of the Constitution has guaranteed KhasAryas, the major dominant caste-group in Nepal to have more than full proportional representation as per their population. Accordingly, the electoral law of Nepal has prioritized compulsory in the first rank for KhasArya, while nominating members for the House of Representatives under proportional electoral system. Therefore, it is inconsistent with the spirit of Constitution's preamble and fundamental rights, which aim to provide for affirmative action to the marginalized and excluded groups who have long suffered from historical injustices.
24. Article 40(1) of the Constitution ensures that the Dalit community shall have the right to participate according to the principle of proportional inclusion in every state body. After the promulgation of the Constitution, the country became a federal system where the principle of inclusion needs to be considered. However, there is not proportional representation in every mechanism of the state. For example, the federal cabinet of Nepal does not have proportional representation of women and Dalits. It is alarming that there are no Cabinet Ministers from the Dalit community in any of the seven provincial governments of Nepal. The House of Representatives of Nepal has only 6.91% representation of Dalits. Not a single provincial parliament has achieved proportional representation of Dalits. Among 753 mayoral positions at local level, only 6 (2.05%) individuals are elected as mayors in Municipalities and 1 (0.22%) in Rural Municipality, 12 (4.10%) as Deputy-mayors in Municipalities and 15 Vice-chairs (3.26%) in Rural Municipalities.
25. The representation of the Dalit community in the judicial mechanisms is insignificant, as there have never been any Dalit judges in the Supreme Court, and only 3 judges in all seven high courts and one district judge in entire 77 district courts. Representation in high ranking positions in the police force is negligible.
26. Article 285 of the Constitution ensures that positions in the federal civil service as well as all federal government services shall be filled through competitive examinations, on the basis of open and proportional inclusive principles. The Public Service Commission has reserved quotas for Dalits and marginalized communities spurred by the Constitution on inclusive representation. However, it is not in compliance with the proportional system²⁴.
27. The Public Service Commission in 2019 curtailed the quotas for all classified marginalized communities while publishing a large number of vacancies. There were in total 9,161 vacancies for various posts in local level governments, but it failed to follow the inclusive principle, as maximum seats were curtailed in the

24 The Dalit community has only 9% reserved seats in classified (allocation for marginalized groups is 45% of total vacancy and is considered as 100%) vacancies. The representation of Dalit community in Civil Service is around only 2% whereas the KhasArya's is approximate 62%.

vacancy of classified section and there were only 30 seats vacant for Dalits²⁵. This led to months of protest by Dalits, indigenous communities, physically disabled people and other marginalized sectors of Nepal, but the government did not listen to their claims.

28. The National Human Rights Commission has not had any Commissioners from the Dalit community since its establishment in 2000. Similarly, except NDC no constitutional commissions have Dalit representation.
29. The public institutions and political parties should have followed the essence and principle of inclusive democracy, ensuring proportional representation of Dalits in their respective political parties. However, there is no proper participation of Dalit community in any public institutions and political parties. The representation of Dalits in decision-making levels of leading political parties is negligible. The promises political parties made during electoral campaigns have not materialized, leading to a regressive representation.
30. The new policies and laws relating to various issues of human rights e.g. media, civil society organizations, media and information technology act, land and housing have shown the States' regressive steps with regards to human rights values, including shrinking space of civil society, freedom of expression, freedom of association and assembly and right to participation²⁶. These steps jeopardize an enabling environment for the realization of Dalit rights in the long run.

Recommendations:

17. Adopt concrete measures to guarantee the full proportional representation of the Dalit community in every state body at all levels including the judiciary, administrative bodies, diplomatic missions, commissions and political appointments, intensifying the measures to give an additional 10% compensation based on a compensatory justice system for the Dalit community.
18. Amend the Civil Service Act and ensure that Dalits full proportional representation in the public service as per Article 40(1) of the Constitution at all levels of government.
19. Amend the Constitution, on the sections of Federal Parliament Formation, Article 84 and House of Representative Election Act 2017, in order to ensure consistency with the Preamble and the fundamental rights of the Constitution which guarantees the full proportional representation of the Dalits.
20. Ensure compulsory Dalit equal representation in the National Human Rights Commission and in other constitutional commissions as well.

²⁵ <https://ekantipur.com/opinion/2019/06/06/15597859514011394.html>

²⁶ <https://risingnepaldaily.com/opinion/shrinking-civic-space-in-south-asia>

c) Budgetary Allocations:

31. Previously, the Local Development Ministry of Nepal would disburse its budget to local agencies where a targeted budget used to be allocated within the total budget for the Dalit community. But it has been discontinued without explanation. The Dalit community had expected that the government formed after election would allocate a significant portion of the budget and resources to the Dalit community; instead it has done the opposite.
32. The national budget of the Fiscal year 2020/2021 has come in the time of the pandemic, thus it is focused on public health. However, there has been no mention of ‘Dalits’ in the entire national budget and there has been no actual disbursement of funds in the areas of Dalit empowerment. The budget should have been Dalit-friendly and allocated for law and policy implementation on CBDU.

Recommendations:

21. Allocate adequate Dalit-specific budgets at all levels of government to improve the condition of Dalits on a par with national average.
22. Allocate sufficient resources to functionalize institutions established for Dalit rights and effectively implement the laws and policies that establish these institutions.
23. Strengthen efforts to ensure the implementation of SDGs from a Dalit perspective in order to “Leaving No One Behind”.

d) Right to Education:

33. The Constitution of Nepal provides compulsory and free basic education for all, including Dalits. Article 40 ensures free education for Dalits with scholarships, from primary to higher education. Furthermore, a special provision shall be made by law for Dalits in technical and vocational education systems. According to the Article 42 (2) of the Constitution, it must be free at all levels for every Dalit student with scholarship, but this is not the reality in practice. Dalit students get free education in schools up to high school level in public schools and also get textbooks and scholarship annually at value of 4 \$.
34. A large percentage of primary level enrolled Dalit students drop out before completing basic education ²⁷. In order to mould the compulsory education (spirit of the Constitution) into reality, it is essential to have greater awareness and sensitization programs.
35. The low status of quality education in government schools is a major problem in Nepal, and most of the Dalit students go to public schools since they cannot afford private schools.

²⁷ The status shows that Dalit students Primary level’s enrolment 100%, whereas SEE (grade 10)- 17%, and Undergraduate level is 1.2%;

36. Children from the Dalit community face discrimination in school from teachers and peers. Teachers provide less care for Dalit children - not allowing Dalit children to drink water, speaking to them in a rude manner, putting Dalit children in separate lines and classes weakening their learning ability, affecting their mental health and leading to dropouts²⁸.

Recommendations:

24. Ensure every Dalit student receives compulsory free education from primary to the higher level at every institution with standardized scholarship.
25. Take immediate steps to appoint at least two Dalit teachers (1-Male 1-Female), at each school
26. Ensure Dalit-friendly teaching and learning at all levels of education by declaring schools and education institutions discrimination-free zones and revising the curricula.
27. Ensure free vocational and technical education including in the medical, engineering, legal and science and technology fields with adequate scholarships for Dalit students.

e) Citizenship issues of the Dalits

37. Inter-caste couples face difficulties obtaining citizenship, and most of their children face difficulties to register births and other vital identity certifications.
38. The children of Badi community are compelled to get citizenship in the name of their mother by writing “Father not found” in the section of father’s name; this has created a considerable social stigma around those children.
39. Large numbers of landless Dalits (mostly Madheshi Dalits) around the country have not been able to acquire citizenship because of insufficient proofs despite being inhabitants/citizens of the nation.

Recommendations:

28. Expedite measures to ensure that no one from the Dalit community is deprived of citizenship, especially inter-caste married couples, their children, children born out of rape, and landless Dalits.
29. Make provisions to leave blank the section of ‘Fathers’ name’ in the citizenship certificate for the Badi community who don’t identified fathers.
30. Accelerate efforts to address the issues of statelessness, citizenship and vital registration affecting the Dalit community.

²⁸ Conclusions of Case studies of Dignity Initiative and Samata Foundation in Janakpur and Annapurna Rural Municipality

f) Right to an Adequate Standard of Living, Health and Sanitation:

40. The practice of untouchability is directly related to the use of water. The water touched by a Dalit is considered impure by the so-called ‘high’-caste groups. Due to these practices, the majority of Dalit households face discrimination, restrictions or even violations while collecting water from common water sources. There are several such severe incidents from every corner of country which are also often reported in the newspapers²⁹.
41. The longstanding discrimination and deprivation of economic benefits by the state and society has left the Dalit community economically backward. The Dalit community is the second lowest in the Human Development Index (HDI) ranking after the Muslim community in Nepal. Although having traditional occupations and being the most labour intensive community, a large percentage of Dalits are not able to meet their basic needs.
42. The Dalit community lives below the line of hunger-based poverty³⁰. The Dalit community often has scarcity of food because of extreme poverty, exclusions and marginalization.
43. Article 40 (6) of the Constitution has ensured that the Dalits who do not have housing shall have a settlement arranged for them. In line with this constitutional guarantee, the government has passed a law on right to housing. However, ‘Dalit’ has not been mentioned in the entire Act. Furthermore, the government has not taken expedited efforts for ensuring housing service to the Dalits.
44. Article 35 of the Constitution of Nepal ensures that every citizen shall have right to free basic health services from the State and that no one shall be deprived of emergency health services. However, discrimination in access to health services is another major issue in enjoying the right to health³¹.
45. The Dalit population also has minimal access to improved toilet facilities³².

29 NMSS

30 Within overall poverty status, about 42% of Dalits are below the poverty line in Nepal, which is 17% point higher than that of the national average (25.2%). Also, an average per capita consumption in Nepal is NRs.34,187, yet Madhesi Dalits consumption per capita is NRs.23,106, followed by Hill Dalit 25,298 per annum. Whereas, among the Dalits of both Hill and Madhesi origin, every two in five persons are below poverty line.

31 – 43% of Tarai/Madhesi Dalits and 14.6% of Hill Dalit experience discrimination when receiving medical treatment in local health services. On average, 72% of women experience problems in accessing health service. The figure for Dalit women is higher than the national average with 79 and 85% respectively for Hill and Tarai/Madhesi Dalit women, Source- National Demographic Survey.

32 The situation is particularly poor for Tarai/Madhesi Dalit, of whom just 5.5% have access to improved toilet facilities whereas it is 30.6% for Hill Dalit compared to 41.7% of national average. Source: National Census 2011, CBS

Recommendations:

31. Introduce a provision regarding a “Social Security Card” for Dalits to ensure basic health, education, employment and other social security schemes provided by the government.
32. Immediately launch transformative poverty reduction programs for the Dalit community.
33. Speed up programs for ensuring adequate housing for the homeless and lands for landless Dalits, within one year.

g) Right to Employment, Livelihood:

46. Traditional occupations, skills and arts are historically inherited by the Dalit community. Nevertheless, Dalits are not respected and are excluded from mainstream society due to their inherited and designated. Occupational skills are the only way that many Dalits are able to survive. Appallingly, most of these skilful people are not receiving a fair wage and social respect for their work³³. Lack of modernization, limited access to markets and having no patent rights for their inherent skills has put Dalits’ traditional occupations in danger of extinction.
47. The food and dairy production of the Dalit community do not get to market as their product is considered impure due to the superstitious belief of ‘untouchability’. The programs rendered by the government and some non-government stakeholders encouraged the deprived community to produce food and dairy items, yet to get equal access in the market has been a problem across the nation.
48. The Dalit community has minimal financial literacy and consciousness on banking and financial processes. Hence, they are deprived from easy access to loan services, specifically small and medium enterprise loans.

Recommendations:

34. Revisit the laws and the policies, which provide land and housing services for Dalits and ensure that they get their Constitutional rights without difficulties and as early as possible.
35. Promote and accelerate programs for promotion, marketization and modernization of the traditional occupations and skills of the Dalit community.
36. Ensure patent or preferential rights for traditional occupations for Dalit community of their art, skills and traditional occupations and compensation.
37. Operationalize financial literacy program for Dalits and provide them loans for entrepreneurship without any collateral by making the provision easier.

³³ Dalits are often exploited in the name of Balighare, Khalo, etc. systems and get only minimal payment (mostly in kind/grains) for their works.

h) Access to Land and Natural Resources:

49. Landlessness among Dalits is extreme, 36.7% among the hill population, 41.4% among Madhesi Dalits. Those who hold land have very small areas. Landlessness makes Dalits economically vulnerable and dependent on landlords. Most Dalits are agricultural and occupational labourers and are generally landless. This makes them vulnerable as victims of violence and discrimination.
50. The Constitution guarantees provision of lands and housing for landless Dalits according to the law. However, the amended law on land distribution is overly complex, imposing many conditions on land acquisition. Similarly, Dalits can obtain housing but under complex conditions.
51. By adopting a community and leasehold forestry scheme, the Forest Act 1993 established the link between forest management, the livelihood of the people and poverty alleviation. However, the Forest Act 1993 and Regulations 1995 pave the way for leasing out forest land for commercial purposes, rather than providing a remedy to poverty of Dalit communities.
52. There is a lack of inclusion in the institutions made for forest resources and an unsatisfactory situation with regard to natural resources. Dalit employment in natural resources is very nominal³⁴.

Recommendations:

38. Ensure the state organs are inclusive with respect to Dalits and that the government and development agencies allocate adequate resources for the economic empowerment by considering the poverty gaps fulfil shortly.
39. Immediately provide land and housing to the landless Dalits, as ensured by the Constitution as a fundamental right and amend the law that bars its ownership for a certain time.
40. Engage in ensuring equal access of Dalits to natural resources and inclusion of Dalits in natural resource management committees.

i) Human Rights Issues of Dalit Women:

53. Although Dalit women constitute half of the Dalit population, they face intersectional three-fold discrimination: class, gender and caste. As Dalit women, they face violations of their civil, political, economic, social, cultural and religious rights. Dalit women in Nepal continue to endure discrimination in many areas including education, health, employment and access to economic resources. They are discriminated against, not only by dominant castes, but also within their own communities, where men are dominant. The discrimination against them is structural, distinctively marked, fraught with gender biases, collectively targeted, entrenched with violence and generationally imposed, resulting in life-long perverse effects.

³⁴ Statement of Mr. Sunil Pariyar (president of Dalit Alliance for Natural Resource) at the National Multi-Stakeholder Consultation.

54. Traditional harmful practices against Dalit women include extreme verbal abuse and sexual epithets, physical assault and rape³⁵. They are forced to drink urine and eat human waste and have their teeth, tongue and nails pulled out. Many are murdered after being labelled as witches. Impunity against them is rampant due to weak legal mechanisms. They also face obstacles while seeking legal and judicial redress for violence.
55. The local level election law has guaranteed Dalit women to be members of ward committees at the local level. Due to that system, a large number of women from the Dalit community are represented at the local level, and 6,567 are ward members. The consultations for this report showed, however, that such representation is merely formal, and has not led to effective participation of Dalit women in local decision-making processes.
56. Dalit women still face hardships regarding property rights and do not enjoy ownership of property on equal footing to men.
57. Child marriage, early pregnancy and uterus prolapse have worsened the health conditions of Dalit women, mostly the Madheshi Dalit women. Girls who get married before 15 years of age are up to 62% among some Dalit groups.
58. The country report of the Special Rapporteur on Violence against Women (2019) has shown [A/HRC/41/42] that women in the Dalit community face multiple forms of discrimination and are always vulnerable. Dalit women have not been able to enjoy the rights and benefits ensured through various laws and commitments for women at large.

Recommendations:

41. Take actions towards eliminating every form of violation against Dalit women introducing specific measures.
42. Accelerate immediate actions for the elected Dalit women representatives to enable their leadership skills and enhance their capacities to have meaningful participation in their respective positions.
43. Ensure that Dalit women be given priority in all policy, program and resources targeting women.
44. Expedite the process of adopting a National Action Plan on women as recommended by the Special Rapporteur on Violence against Women.
45. Develop awareness programs to stop child marriages and introduce and implement specific law to prohibit and prevent.

j) Human Rights Issues of Madheshi Dalits:

59. The Madheshi Dalits faces double discrimination and are even further behind in accessing civil, political, economic, social and cultural rights.

³⁵ Darnal, Ashok. 2019. Escalating Violence against Dalit Women and Girls: Access to Justice (Research paper). Kathmandu, Nepal. Feminist Dalit Organization (FEDO).

60. The Madheshi Dalits is poorest of the poor. Due to the historical *Jamindaari*³⁶ system and deprivation, they do not have adequate resources and work for others in a very minimal amount of shared production for low wages.
61. Land certificate would enable obtainment of citizenship, without which makes Dalits stateless since most of them do not possess a land certificate, so they face an additional hurdle to getting citizenship and vital registrations.
62. Incidences of rapes of Madheshi Dalit women are extremely high among all communities i.e. 23% Dalit women, while this percentage is 18% of Dalit women³⁷ in relation to all Nepalese women.
63. Due to extreme poverty, they live in miserable condition in the southern plain of Nepal, where education and health are major challenges. Their traditional occupations are on the verge of extinction and the State has not taken serious steps to provide them with alternative employment opportunities.
64. Some non-Dalits are taking benefits allocated for Madheshi Dalits, as the government recently added some backward castes into Dalits who are not historically untouchables and do not face caste-based discrimination in the society³⁸.
65. Poor Madheshi Dalits are being displaced from their settlements by land-brokers and also by the Local Governments for development projects, because of this they have become homeless and the state agencies have not provided alternative housing.³⁹

Recommendations:

46. Develop special programs for the Madheshi Dalits to improve their livelihoods through employment opportunities.
47. Speed up actions to ensure they obtain citizenship without hurdles and address their statelessness issues.
48. Immediately ensure land and housing to the poor Madheshi communities who have been displaced for various reasons.

k) Cross-cutting: Issues within the Dalit community

66. Women, children, elderly people, minority castes within Dalit population, people with disabilities and Madheshi Dalits are highly vulnerable and are always at a higher risk of human rights violations.
67. The Dalit youth, especially young Dalit women, face intersectional, double, or

³⁶ Land-lordship system

³⁷ Unpublished research of Mr. Shiv Hari Gyawali

³⁸ <https://www.nayapatrikadaily.com/news-details/32133/2019-12-25?fbclid=IwAR1GqcNPhXJn9KICFPiVrhKXvZ4J4UGgKWbc9idyRu7GIut7mM0gtv6A7uM>

³⁹ https://www.nayapatrikadaily.com/news-details/37508/2020-02-29?fbclid=IwAR3MELjvIPP2r3_ZX5le4Rnu3U9ugIbZdVJ4DBOQpTg1_5KTo-DuTd9b9z4,%20http://enewsbureau.com/news-details/5911/2020-01%2011?fbclid=IwAR3RzkvPG4_BURaq_y9xy3HnOoJ13ykXkKlyQ_lax_wcSDX3QXYcymkTxg4#.XhmBh_xlZeE.facebook

multiple forms of discrimination: they have limited access to the decision-making processes and lack representation in youth mechanisms. They are judged on their ethnic background and are frequently devalued and undermined, which most often makes them feel weak, poor and vulnerable. The constitutional commissions of Nepal, including the National Dalit Commission, have a minimum age limit of 45 years to become a Commissioner which is unfriendly to youths.

68. Child labour is still prevalent everywhere in Nepal due to the extreme poverty and so are child marriages in the rural areas. Most child labourers are from the Dalit community and the practice of child marriages in Dalit community still continues due to lack of education and poverty.
69. Modern slavery is still in practice and the Dalit communities are the main victims. Haliya⁴⁰, Balighare⁴¹/Khalo, Charuwa⁴² and Haruwa⁴³ systems are the root causes of modern slavery. There is also a lack of sustainable rehabilitation of the freed Haliya even after 14 years of emancipation.
70. Minority castes within the Dalit community such as Badi and Gandharb and some Madheshi Dalits face extreme poverty and subsistence living.
71. Dalit LGBTIQ people face double and intersectional discrimination as a Dalit and as an LGBTIQ. They suffer from abusive words and derogatory languages and face hardship getting citizenship on their own identity.
72. Persons with Disabilities (PWDs) within the Dalit community suffer more compared to non-Dalit disabled people because of their caste identity.

Recommendations:

49. Speed up efforts to create employment opportunities for Dalit youths and take action to ensure their representation in decision making.
50. Take accelerated action to eradicate all forms of modern slavery and ensure that the issues of freed Haliyas, Balighare, Haruwa, Charuwa are addressed ensuring sustainable rehabilitation.
51. Gear up efforts to end child labour and ensure every child get access to education.
52. Expedite efforts to resolve the issues of LGBTIQ and PWDs within the Dalit community.

40 Haliya: The word Haliya comes from Halo which means a plough, a person ploughing the field is called Haliya. Sometimes the person is called Hali too.

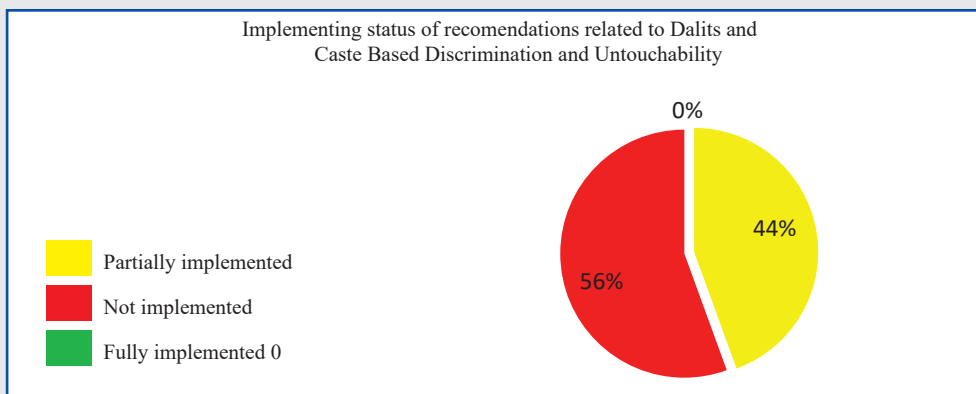
41 Balighare: Balighre is a very traditional system of paying wages not in the form of cash but in the form of crop or kind. This system does not pay enough in comparison to the work done and has been found to be very exploitative in economic terms and very humiliating in the social term.

42 Charuwa: In the Terai or Madhesh areas both Haruwa and Charuwa are used synonymously and sometime pronounced together. Though Charuwa means wanderer in practice it is understood as semi bondage labour.

43 Haruwa: The word Haruwa means defeated. This is also a kind of semi slavery system present in the Terai/Madhes area of Nepal and used simultaneously with Charuwa. Haruwa are mostly landless without having proper means of production.

Annex – I

Implementing status of previous UPR recommendations 2nd Cycle (2015)



| Recommendations | Nepal's Position | Status of Implementation |
|---|------------------|---|
| Work actively to abolish legal and factual discrimination based on ethnicity, gender and caste, inter alia, by developing effective and independent mechanisms for the implementation of the Caste-based Discrimination and Untouchability Act (Germany); 122.40. | Supported | State's action on abolishing Caste Based Discrimination and Untouchability is seemed apathetic. A high level mechanism named 'Caste Based Discrimination and Untouchability Elimination and Dalit Rights Promotion Mechanisms' has been established in the chairmanship of Prime Minister; however, it has had its last meeting (only one time) on 2nd January 2017, it was 3 years back and after that no further meeting has been called on. NDC-Legal, Polices, Attorneys, Court |
| Put in place a concrete strategy for the comprehensive implementation of the 2011 Law on Discrimination Based on Caste and Untouchability (Switzerland); 122.36. | Supported | No any concrete strategy has been developed for comprehensive implementation of Law on CBDU. |

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| <p>Continue its implementation of the national plan of action on the provision of education for all, including for economically disadvantaged social groups (United Arab Emirates); 122.20.</p> | <p>Supported</p> | <p>Article 40 of the Constitution has ensured free education (from primary to higher) for Dalit students. The newly developed legislation of Education bill has ensured Dalit students to get free school education and University education for indigent (poor) Dalit students.</p> |
| <p>Develop public policies for the effective implementation of the Law on discrimination based on caste and untouchability (Paraguay); 122.33.</p> | <p>Supported</p> | <p>No public policy has been developed yet for effective implementation of the Act.</p> |
| <p>Strengthen its efforts to effectively implement existing laws and policies to eliminate all forms of discrimination (Thailand); 121.17.</p> | <p>Supported</p> | <p>Government has not taken special efforts in order to eliminate all forms of discrimination.</p> |
| <p>Make increased efforts to truly bring an end to discrimination (Japan); 121.18.</p> | <p>Supported</p> | <p>Government has not taken special efforts in order to eliminate all forms of discrimination.</p> |
| <p>Ensures full and effective implementation of the 2011 Caste-based Discrimination and Untouchability Act (Denmark); 122.35.</p> | <p>Supported</p> | <p>No any step has been taken for effective implementation</p> |
| <p>Take the necessary steps to ensure that the new constitution is implemented while protecting human rights and thus ensuring its provisions on gender equality, lesbian, gay, bisexual and transgender persons, and minorities (Sweden); 121.16.</p> | <p>Supported</p> | <p>It is deemed that the government has been slow on ensuring human rights of marginalized section as the law making process has somehow tried to reap down the spirit of the Fundamental rights enshrined in the constitution.</p> |

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| <p>Assess the implementation and effectiveness of laws aimed at ending and preventing all forms of discrimination, in particular against women and Dalits, and take concrete steps to translate anti-discrimination efforts into effective practice on the ground (Czech Republic); 122.39.</p> | <p>Supported</p> | <p>Government has not assessed implementation of laws on discriminations and also has not taken serious or consolidated steps for it. Similarly, concrete actions are not taken.</p> |
| <p>Take all necessary measures to ensure effective implementation of the Caste-based Discrimination and Untouchability Act of 2011 and to eliminate all forms of discrimination against women (Namibia); 122.41.</p> | <p>Supported</p> | <p>No concrete measures are taken by the GoN yet.</p> |
| <p>Investigate all acts of discrimination against the Dalit community (Argentina); 122.55.</p> | <p>Supported</p> | <p>Poor in investigating cases against caste discrimination. The Provincial consultations have shown that Dalit community faces hard time to get registered their FIRs.</p> |
| <p>Pursue its efforts with a view to facilitating access to housing for marginalized and low-income groups (Morocco); 122.89.</p> | <p>Supported</p> | <p>The law on Right to housing ensured by the Constitution has been passed; however, Dalit word is not mentioned in the entire Act. Furthermore, the government has not taken expedite efforts for ensuring housing service to the Dalits.</p> |
| <p>Ensure equal educational opportunities for all children, including girls and Dalit children, in line with the observations made by the Committee on the Elimination of Discrimination against Women and the Committee on Economic, Social and Cultural Rights (Finland); 122.104.</p> | <p>Supported</p> | <p>The newly developed legislation-Education bill has ensured Dalit students to get free school education. Dalit children get 400 Nrs scholarship in public schools and education is free. However, during the provincial consultation many parents said that the schools take fees for other reasons which are exorbitant for poor Dalit people. Historical injustice should be considered while determining scholarship.</p> |

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| <p>Ensure an inclusive dialogue with all Nepalese minority groups (Ukraine); 122.38.</p> | <p>Supported</p> | <p>State has not taken efforts for inclusive dialogue for minority groups; due to lack of this dialogue the negative concept on inclusive modality is spreading.</p> |
| <p>Continue to pursue policies that will increase enrolment in schools of school-going aged children, in particular girls, and children from indigenous communities and minorities (Singapore); 122.105.</p> | <p>Supported</p> | <p>The education has been made free but the notion of compulsory education envisaged by the Constitution is to be realized.</p> |
| <p>Ensure that earthquake relief engages and addresses the needs of members of vulnerable communities, including Dalits, and promotes decent work (United States of America); 122.111.</p> | <p>Supported</p> | <p>The reconstruction process is not deemed inclusive. The Dalit community's traditional art, skills and occupations have not got respect as other professions.</p> |
| <p>Enhance measures on protecting the rights of children, women and other vulnerable groups (Lao People's Democratic Republic); 122.22.</p> | <p>Supported</p> | <p>Any special measures have not been taken.</p> |
| <p>Consolidate the constitution building and democratization process by accommodating all sections of Nepal to enable broad-based ownership and participation (India); 122.1.</p> | <p>Supported</p> | <p>After 4.5 years of the promulgation of the constitution marginalized sections still have expectation and the issues of Constitution Amendment is yet a political agenda.</p> |

*Green- Fully Implemented

*Yellow- Partially Implemented

*Red- Not Implemented

Annex – II

List of Organizations of the Joint Submission

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| 1 | Dalit Ngo Federation (DNF) |
| 2 | Association for Dalit Women's Advancement of Nepal (ADWAN)- Kathamandu. |
| 3 | Award Nepal- Bajhang |
| 4 | Backward Samaj Utthan Kendra- Arghakhanchi. |
| 5 | BadiSamajBikas Munch- Jajarkot. |
| 6 | Bikasshil Samaj Nepal- Salyan |
| 7 | BindyabasiniManabUtthhanSwasthe Kendra- kapilvastu. |
| 8 | Byas Bhumi Pariyar Aama Samuha- tanahu. |
| 9 | Center for Dalit Women (CDWN)- Kathmandu. |
| 10 | ChetanaBikas Munch- Kailalai. |
| 11 | Chhinna Masta BikasSewa- Saptari |
| 12 | Dalit Adhhikar Munch- Kanchanpur. |
| 13 | Dalit Aviyan- Sunsari |
| 14 | Dalit Awareness Society, Nepal- Terahathum |
| 15 | Dalit Bikas Munch- Rukum. |
| 16 | Dalit Bikas Resource Center- Jajarkot. |
| 17 | Dalit Bikas Samaj- Rautahat |
| 18 | Dalit Bikash Samaj salyan, salyan) |
| 19 | Dalit BikasSamaj |
| 20 | Dalit BikasSanstha- Sarlahi. |
| 21 | Dalit BikasSewa Samaj- Sarlahi. |
| 22 | Dalit Children Care Home- Jhapa |
| 23 | Dalit Ekata Samaj- Taplejung |
| 24 | Dalit EkikritBikas Nepal- Rautahat |
| 25 | Dalit EkikritSamajBikasSasaktikaran |
| 26 | Dalit Empowerment Center – Syanjha |
| 27 | Dalit Empowerment Center- Baglung |
| 28 | Dalit Empowerment Center- Udaypur |
| 29 | Dalit Empowerment center, Humla |
| 30 | Dalit Human Right Organization (DHRO)- Kathmandu. |
| 31 | Dalit Industrial Bikas Karyekram Nepal banke |
| 32 | Dalit ingenerated social developmet and empowerment. Kalikot. |
| 33 | Dalit Jagaran Nepal- Rautahat |
| 34 | Dalit Jagaran Nepal- Rautahat |
| 35 | Dalit Jana Jagaran Sewa Samittee- saptari |

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| 36 | Dalit Jana Kalyan Yuwa Club- Siraha |
| 37 | Dalit Jana uthhan sangathan Kalikot. |
| 38 | Dalit Jana Utthhan Sangathan |
| 39 | Dalit Janachetana Sangam- saptari |
| 40 | Dalit Janajati Kalyan Sangh- Mahottari |
| 41 | Dalit Kalyan Sangh- Nawalparasi |
| 42 | Dalit Mahila Ekata Kendra- Dang |
| 43 | Dalit mahila Jajajati Uthhan Sangh Mugu. |
| 44 | Dalit Mahila Sachetana Kendra- Rolpa |
| 45 | Dalit Mahila Sangh- Dang |
| 46 | Dalit Mahila Sanrachhan- Dang |
| 47 | Dalit Mahila Uthhan Sewa Kendra Nepal- Sarlahi. |
| 48 | Dalit Mahila Adhikar Munch Nepal- Kailali. |
| 49 | Dalit Mahila Jagrit Kendra- Sarlahi. |
| 50 | Dalit Mahila Janajati Utthhan Sangh |
| 51 | Dalit Mahila Sangh- Darchula |
| 52 | Dalit Mahila Sasaktikaran Munch- jarkot. |
| 53 | Dalit Network- Parbat |
| 54 | Dalit Network- Udaypur |
| 55 | Dalit Promotion Nepal- Rautahat |
| 56 | Dalit Sachetana Aviyan- Dang |
| 57 | Dalit Sahayog Samaj- Bajhang |
| 58 | Dalit Samaj Sahayeta Kendra- Dand |
| 59 | Dalit Samajik Bikas Kendra- Rupandehi |
| 60 | Dalit Samajik Bikas Kendra- Kapilvastu |
| 61 | Dalit Samajik Bikas Kendra- Nawalparasi |
| 62 | Dalit Samudayik Bikas Kendra- Kapilvastu |
| 63 | Dalit Sanjal, Ghatan- Myagdi |
| 64 | Dalit Shasaktikaran Samajik Sanstha |
| 65 | Dalit Shasaktikaran Kendra |
| 66 | Dalit Study Development Centre (DSDC), Kathmandu. |
| 67 | Dalit Uddham Bikas Samaj- Baitadi |
| 68 | Dalit Uthhan Munch- Rautahat |
| 69 | Dalit Uthhan samaj kalikot. |
| 70 | Dalit Utpidit Janajati Utthhan Samittee- Siraha. |
| 71 | Dalit Utthan Sewa Sangh- Kapilvastu |
| 72 | Dalit Utthan Sewa Sanstha- Nawalparasi |
| 73 | Dalit Utthan Samaj |
| 74 | Dalit Utthan Samrachhan Kendra- Saptari. |

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| 75 | Dalit Utthhan Much- Saptari |
| 76 | Dalit Utthhan Yuwa Samaj- Bajhang |
| 77 | Dalit Utthhnka Lagi Yuwa Aviyan, Nepal, Jajarkot. |
| 78 | Dalit Welfare Association, Kathmandu |
| 79 | Dalit Welfare Coordination Committee- Morang. |
| 80 | Dalit Welfare Organization- Kathmandu |
| 81 | Dalit Women Justice Fourm- Jhapa |
| 82 | Dalit Adhikarka Lagi Rastriya Sanjal- Kailali |
| 83 | Dhaulagiri Utpidit Sarokar Kendra- Myagdi |
| 84 | Dignity Initiative, Kathmandu. |
| 85 | Ekata Dalit Sanjal- Baglung. |
| 86 | Environment & Dalit Community Development Association- Sunsari |
| 87 | Feminist Dalit Organization- Lalitpur |
| 88 | Gairi Gaun Tole Bikash Samittee- Rautahat |
| 89 | Gandharva Cultural Art Organization, Kathmandu. |
| 90 | Gandharva Society Nepal, Kathmandu |
| 91 | Garib Utthhan Utsargaka Lagi Manab Samaj- Bajura |
| 92 | Ghumte Dalit Sanjal- Baglung |
| 93 | Grass-root Development Foundation, Kathmandu |
| 94 | Gyanjyoti Yuwa Club- Bajhang |
| 95 | Himal Nepal- Rautahat |
| 96 | Himalayan Samaj Bikas Kendra- Jajarkot. |
| 97 | Human Rights and Caste based Discrimination concern center, Makwanpur. |
| 98 | Human rights Protection samaj, Surkhet. |
| 99 | Jagaran Media Center- Kathmandu. |
| 100 | Jana Chetana Sanstha- Sunsari |
| 101 | Jana Sarokar Munch, Jajarkot. |
| 102 | Jana Uthhan Pratishtan- Kathmandu |
| 103 | Janajagriti Samaj Bikas Kendra- Syanjha. |
| 104 | Jay Janata Dalit Sewa Samaj Nepal- Sarlahi. |
| 105 | JCI, Nepal, Kathmandu. |
| 106 | Jilla Haliya Mukti Samaj- Baitadi |
| 107 | Jyoti Nepal- Rautahat |
| 108 | Kalyankari Apanga Sewa Sangh- salyan |
| 109 | Karnali Dalit Bikash Parishad., Humla. |
| 110 | Karnali Dalit Bikas Parisad- Jajarkot. |
| 111 | Karnali mahila Ekta Kendra- Jumla. |
| 112 | Karnali Mahila Ekata Kendra |
| 113 | Legal Assistan and Research Center- Nawalparasi |

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| 114 | Madeshi Dalit NGO Federation- Kathmandu |
| 115 | Madhesi Utpidit Dalit Samaj- Saptari |
| 116 | Madhu Ganga Samaj Sewa Sangh- Dhankuta |
| 117 | Mafsod Nepal, kailali |
| 118 | Mahan Darsan Nepal, Nawlaparasi. |
| 119 | MahilaHakTathaManabAdhikar Dalit Ekal Mahila Sanstha- Jajokrot |
| 120 | Mahottari DalitJanajati Uthhan Sangh- Mahottari. |
| 121 | ManabAdhhikarChetanaAbhibridi Munch- Bajhang. |
| 122 | ManabAdhikarSanrachhanSamaj (Munch) |
| 123 | ManabEkataBikas Kendra- Kanchanpur. |
| 124 | Manabiye SudharTathaSanrachhanSamaj- Kanchanpur |
| 125 | ManbiyeSudharTathaSanrachhanSamaj Nepal- Kanchanpur. |
| 126 | ManpurYuwaSamaj- Bardiya |
| 127 | Maryada Foundation- Kathmandu |
| 128 | Mathura Jana SamajSanstha- Bardiya |
| 129 | Modern Skill Development Munch Nepal- Doti. |
| 130 | NabaPratibhaSamuha- Kailali |
| 131 | Namuna Dalit Mahila Sangh- Udayapur |
| 132 | National Dalit Network (RDN)- Kailali |
| 133 | National dalit Women Organization Nepal, Kathmandu. |
| 134 | Nepal Dalit and JanajatiBikas Kendra |
| 135 | Nepal Dalit Literature Foundation, Kathamandu. |
| 136 | Nepal Dalit Sewa Samaj- Sarlahi. |
| 137 | Nepal Dalit Shanti Samaj Utthhan Munch- Siraha. |
| 138 | Nepal Dalit Sudhar Sangh- Saptari |
| 139 | Nepal Dalit UtthhanSamaj- Saptari |
| 140 | Nepal Folk Culture Research Foundation, Kathmandu. |
| 141 | Nepal Pidit Samudaye Sanrachhan Kendra |
| 142 | Nepal Rajak Jana Kalyan Samittee- Saptari |
| 143 | Nepal Suppressed Community Protection Centre (NEPSCON), Surkhet. |
| 144 | Nepal Utpidit Utthhan Pariyojana (NUUPS)- Mahottari. |
| 145 | Nepal youth Janajagaran Kendra Surkhet. |
| 146 | NepalYuwa Jana JagaranKendra |
| 147 | Oppressed & Dalit Women Concern Forum- Terhathum |
| 148 | Oppressed Dalit Caste Development Forum- Panchthar. |
| 149 | Oppressed Empowerment & Youth Organization- Kathmandu |
| 150 | Oppressed Uplift Concern Center- Sunsarai |
| 151 | Our campaign for Social Empowerment- salyan. |
| 152 | PichhadiyekoSamudayeBikas Munch- Syanjha |

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| 153 | Pidit Jan uthhan Kendra- Surkhet. |
| 154 | Pidit Jana SewaBikas- Banke |
| 155 | Pidit Jana Utthhan Kendra |
| 156 | Professional Development and Research Center (PDRC), Kathmandu |
| 157 | Rastriya Dalit BikasSanstha- Parbat |
| 158 | Research Empowerment and Support, Kathmandu. |
| 159 | RIC, Dadeldhura |
| 160 | Sachetana Kendra Nepal- Udaypur |
| 161 | SAMA Foundation, Kathmandu. |
| 162 | Samabesi Foundation, Kathmandu |
| 163 | Samaj Kalyan Sangh- Bardiya |
| 164 | Samaj Sahakarye Saptari- Saptari |
| 165 | SamajikSamantaAviyan- Kanchanpur. |
| 166 | SamajikSasaktikarankaLagiHamroAviyan |
| 167 | SamajikSashaktikaranTathaSachherta Munch Nepal- Dadeldhura. |
| 168 | SamajikShasaktikarankaLagiMahila Munch Nepal- Achham |
| 169 | Samata Foundation - Kathmandu. |
| 170 | Samata Nepal, Sindhupalchok. |
| 171 | Samata Samudayik Bikas Munch, Nawlaparasi |
| 172 | Samudayik BikasSangh- Bardiya |
| 173 | Samudayik Dalit Bikas Munch- Darchula |
| 174 | SamudayikSahayogSamittee- Kailali |
| 175 | Sanjiwani Nepal- Nawlaparsi |
| 176 | Sarangi Social Enterprises, Kathmandu. |
| 177 | Sayepatri Dalit MahilaSamajikJagaran Munch- Jajarkot. |
| 178 | Sayukta Dalit Utthhan Munch- Tanahu. |
| 179 | Sewa Nepal- Nawalparasi |
| 180 | Shisakhani Dalit Bikas Kendra- Baglung |
| 181 | Shivapuri Jana Sasaktikaran Kendra- Jajarkot. |
| 182 | Shree Amarjyoti Nepal- Rautahat |
| 183 | Shree Chhatra jyoti Sundari Dalit Puraskar Pratisthan-Sarlahi |
| 184 | Shree Dalit SamajKalyan Kendra- Mahottari |
| 185 | Shree Jay Jyoti Nepal- Rautahat |
| 186 | Shree KalikaMahilaJ agaran Aama Samuha- Syanjha - Syanjha |
| 187 | Shree Kalima Mahila JagaranAamaSamuha- Syanjha. |
| 188 | Social Awareness Development Society- Jhapa |
| 189 | Social Justice Forum- Sunsari |
| 190 | Social Sudhar Sewa Nepal, Sindhuli. |
| 191 | Srijanshil Dalit EkataSamaj- Achham |

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|-----|--|
| 192 | SrijanshilSamaj Nepal, Kailali. |
| 193 | Sudhar Nepal- Bajhang |
| 194 | Sunapati Janahit Dalit Samaj- Ramecham |
| 195 | Surya KiranYuwa Kendra- Jajarkot. |
| 196 | Surya Mati Yuwa Jagaran Pratishthan, Nuwakot. |
| 197 | Tarai Dalit Bikas Munch- Banke |
| 198 | Tarai Dalit Bikas Samaj- Nawalparasi |
| 199 | Tarai DalitSarokarKendraNepal- rupandehi |
| 200 | Trishakti Apanga and Dalit Sewa Sangh- Banke |
| 201 | Tuhure Sewa Samaj- Jhapa |
| 202 | Unemployment Dalit Welfare Association- Saptari |
| 203 | Untouchability& Crime Eradication Organization- Baglung. |
| 204 | Utpidit and Janajati Bikas Parisad- Arghakhanchi. |
| 205 | Utpidit and Janajati MahilaBikas Kendra- Arghakhanchi. |
| 206 | Utpidit Dalit MahilaUtthanSangh, Nepal- Bardiya |
| 207 | Utpidit Dalit Samaj- Saptari |
| 208 | Utpidit Dalit Samudaye Sanjal, Baglung. |
| 209 | Utpidit Janachetana Munch- Baglung |
| 210 | Utpidit Jatiye Bikas Pratisthan- Rautahat |
| 211 | Utpidit Mahila Sachetana Samuha Nepal- Gorkha |
| 212 | Utpidit Samudaye Jagaran Munch- Banke |
| 213 | Utpidit SamudayeBikas and Anusandhan Kendra- Gorkha |
| 214 | Utpidit SamudayeUtthhan Kendra- Gulmi. |
| 215 | Utpidit Utthan Bikas Kendra- Palpa |
| 216 | UtpiditBargaUtthanSangh- Bardiya |
| 217 | UtpiditSamudayeBikas Kendra- Banke |
| 218 | UtpiditSamudayikMahilaBikas Kendra- Syanjha |
| 219 | UtpiditUtthanTathaChetanaBikas Munch- Achham |
| 220 | UtpiditYuwaJagaran Munch -Arghakhanchi. |
| 221 | Women Empowerment Campaign- Terhathum |
| 222 | YES Nepal, Kathmandu |

Annex – III

Stakeholders Submission to the Universal Periodic Review (UPR), Consultation process to prepare the Report

Introduction

There are several human rights treaties and convention formulated and enacted by the United Nations the founding principle of this global institution is human rights. Since the formulation and enactment of UDHR (Universal declaration of Human Rights) in 1948 several other treaties and conventions are in place but all of them are based on the principles and guidelines of UDHR. The UN human rights mechanisms and bodies have asked all its member states to submit their regular reports to the different committees of which they are parties too as the respective countries have signed and ratified the same. Though the state parties are required to submit their regular reports but often many of them either miss or do not show much interest to submit as in often cases such submission of the periodic report are optional or not mandatory. In order to avoid such situation and to make the review of their human rights situation and submit what action they have been taking to protect and promote the rights of their citizen likewise to make it a culture UN has established a mechanism called UPR (Universal Periodic Review) and the member countries are required to submit their periodic review report every five years. It has already entered into the third cycle which began in 2011. Nepal as state party has been participating in this review since then and 2020 has become the third cycle of submission. Unlike other treaties and mechanism all the member countries can provide comments and feedback to the reports of the different countries. In the Nepal's periodic report of 2015 it was not just the Human Rights Committee of the UN but several other member states have provided comments and feedback and asked Nepal to review the situation and take action.

Unlike other mechanism the civil societies are required to send their alternative report first and governments are required to submit their reports later on. The civil society report from Nepal has already been submitted in the month of July 2020 and Government of Nepal was required to submit in the month of November only. By the time this report is being printed for larger public consumption Nepal government have already submitted its report on which it also consulted Civil Societies of Nepal and it was coordinated by INSEC (a leading human rights organization of Nepal). Its review is going to take place sometime in January 2021. In this review the DNF will be representing

Dalit CSOs of Nepal and put its views.

As stated earlier on behalf of Dalit CSOs of Nepal DNF has submitted the alternative report with the situation update of Dalits who are the most marginalized groups of Nepal. The report preparation was itself a mammoth job, especially when it had to be made participatory and get voices heard from all over the country. In this regard DNF with the support of FHI360/USAID, DNF organized six consultations in province one, two, Gandaki, Lumbini, Karnali and Sudurpaschim. Likewise it carried out multi-stakeholders consultation at the federal level. After all these consultations a separate one day workshop among Dalit CSOs was organized to streamline the issues and report accordingly. On the following section of this report we will be discussing the objective, process and outcome of the consultations carried out. As we

believe that this will not just the record of such historic events but will serve as reference for the future UPR reports either prepared by DNF and or other D-CSOs.

Province one

In order to educate and aware the Dalit CSOs leaders and activist as well as political leaders and to get commitment from the government officials a day long interaction was organized on January 8, 2020 at Itahari, as it was found more convenient for the participants to come from both hill and Terai districts of province one such as Jhapa, Sunsari and Morang as well. The interaction program was chaired by Mr. DB Shahshanker who is also the secretary of DNF and the chief guest was Ms. Saraswati Pokhrel who is the deputy speaker of the provincial parliament. Addressing the gathering the deputy speaker stated that "The state is working according to the constitution of Nepal and the laws are being reviewed by the Province government at present. So, please suggest to all three lawyers of the government to formulate the appropriate law and policies if they are not related to Dalit and insufficient to address the issues. The mindsets of the elected representatives are not changed. So, we need to make them more aware and responsible to it. She drew the attention of civil society organization to help for developing leadership capacity of the Dalit women representative".

The UPR mechanism and entire process was presented by Mr. Chetnarayan Rasaili. The participants were divided into different groups and were asked to provide feedback to the report being prepared. There were 51 participants in total (Male 33 and Female 18), there were 40 members from CSOs, two were elected representatives. One was government official and three were from the media who later on published the report of the event in their local media.

Province two:

Following the province one on 8th of January another provincial level consultation on UPR was organized on 10th at Janakpur the provincial capital of province two. Unlike in province one, in this province the participants were mainly from the Terai Dalit community and as a participation and ownership point of view of the UPR report it was very essential to have the presence of Terai/Madhese Dalits as from remaining six other provinces it was not so possible to have majority representation from them. The consultation program was chaired by Jitbahadur Bishwakarma, central secretary of DNF and an inhabitant of Rautahat district. The moderator of the program was Mr. Jitendra Paswan, the central committee treasurer of DNF. The chief guest was Mr. Sundar Bishwakarma, provincial Member of Parliament and chief whip of the opposition party. Addressing the program the chief guest Mr. Bishwakarma shared his own experience of discrimination that he faced recently. He stated that in a wedding ceremony he was invited in the party and upon reaching the party he was welcomed heartily and he saw relatives and friends of the groom on the floor and eating and enjoying together and he also wanted to sit with them. The host did not let him sit together with the other guests and asked him to sit on a chair put quite apart from the other guests. It did not take much time to realize that he was being discriminated and he termed it as discrimination by the educated. He insisted to the reporting team that such live experiences of discrimination need to be reflected in the report.

The participants were found very vocal in terms of expressing their views and politically very conscious. Unlike in other provinces where one of the important recommendations was to upgrade and modernize the traditional occupation of the Dalit community, the majority participants recommended otherwise. They stated that the main source of discrimination is the traditional occupation that Dalits perform such as leather work and cleaning therefore, in order to avoid discrimination Dalits should educate themselves and change the occupation.

In the program provincial director of National Human Rights Commission Mr. Birbaahdur Buda Magar addressed the program and appreciated the presentation of Mr. Rasaili who explained in detail the process and content of the UN mechanism and found it very educative not to the participants but himself as well. Mr. RajuPaswan from INSEC (a prominent human rights organization of the country) provincial office stated that the elected representatives from Dalit community are also suffering from caste based discrimination and untouchability and that aspect needs to be highlighted in the report. There were a total of 53 participants (Male 35, Female 16 and other 2). The member of civil society were 41, elected representative one, government official one and from media there were three.

Gandaki Province

A day long consultation was organized in Gandaki province on 19th of January in which the chief guest was Mr. GovindaBahadur Nepali (chief advisor to the Chief Minister). A six member delegates from Kathmandu in the leadership of vice chair Mr. Sushil BK was the organizer of the event. The venue was Siman party palace situated at ShreejanachokPokhara the provincial capital city. The program was chaired by the vice president BK and moderated by the Executive Director of DNF Mr. EmanSunar. The chief minister was approached to be the chief guest, instead he sent is chief advisor and promised that he would update himself through him. Right after the consultation program the delegate from Kathmandu paid a courtesy visit to the Chief Minister Mr. PrighbiSubbaGurung, he promised to bring out the Dalit empowerment bill in the near future.

After the presentation made by Mr. Rasaili the participants were divided into three thematic groups, one as on political and cultural rights, another on education and health status and third was on discrimination and participation. All the groups presented on the theme they were assigned. There were 48 participants actually 42 local participants of which male were 30 and female were 18 and all of them belong to hill Dalit group who were 40 in number. There were none elected representative and all of them were from Dalit CSOs.

Lumbini province

A consultation program was organized in this province too on 29th December 2019 at New Era Hotel of Butwal the provincial capital and the program was divided into two part, inaugural and group work. Like in other provinces a presentation was made by Mr. ChetnarayanRasaili to educate the participants and get their recommendations. The program was chaired by Mr. Nanda Bishwakarma, the vice president of DNF and Lumbini province incharge as well. The deputy speaker of the Lumbini province Ms. KrishniTharu was the chief guest. Addressing the program she stated that "it would be easier to minimize caste based discrimination, if the available law and policy are implemented effectively. A strong voice of Dalit community is needed to create pressure to the government She Dalit leaders need to stand strong for this.

The provincial government will give special attention to implement available law and policy in coordination with Dalit parliamentarian. The program was addressed by Ms. Pushpa Chaudhary, provincial member of parliament and accused that the state mechanism is not so serious on the issues of Dalits and problem related to untouchability and reiterated the need to create movement to hold the state mechanism accountable. Mr. PawanBhatta, deputy chief of National Human Rights Commission, province 5 also addressed the program and urged each governments to launch the program related to end caste based discrimination and punish the culprit as mandated by the constitution of Nepal. He further stated that, "the problem related to caste based discrimination will come to an end if there will be coordination, collaboration and discussion between government, Dalit communities and support by the stakeholders of human rights".

There were a total of 64 participants (32 male and 32 female). From the gender point of view the participation was 50% for each group which can be considered a rare balance, as in other provinces the female participation would not be as high as it was here There were 16 participants from non Dalit (Brahmin and Chhetri). There was a good representation from MadhesDalits and who were 15 and two were from Janjati group. There were two elected representatives (two Member of Parliament).

Karnali province

Among all other provinces the consultation was started from this province and the DNF delegates and resource person had very difficult time to get their as the flight to Nepalgunj was canceled and the participants from all other provinces were waiting in Birendranagar, Surkhet, the provincial capital therefore, the DNF representative and resource person had to take a shared ride in the night to Nepalgunj and then to Surkhet on 22 December 2019. On the following day the 23 December a day long consultation was organized. In this consultation process FEDO (Feminist Dalit Organization) one of the member organizations of DNF and founding member not just participated but sponsored the participation of their members from different parts of the districts of the province. Mr. SanjusinghBishwakarma, deputy general secretary from Kathmandu also participated and contributed as he also comes from Birendranagar, Surkhet. Another DNF official was Mr. Narayan BK, one of the secretaries. The program was chaired by the Karnali province president of DNF Mr. Gagansingh LG and guests were Sita Nepali, rato Kami and DansinghPariyar (all three of them are the member of provincial parliament). They all addressed the inaugural session and expressed their solidarity and support to DNF's effort in preparing UPR report.

The participants were found very enthusiast to the consultation process and participated very actively in the group discussion. Though the participants had provided recommendations in other provinces as well but they were very general. In case of Karnali province some of the recommendations provided by the participants were as follows:

- Immediate reactivation of National Dalit commission with the appointment of the commissioners
- An independent mechanism should be developed under ministry of home to monitor and execute the constitutional provisions
- Should establish desk against caste based discrimination at each district and province police offices
- A concrete strategy needs to be in place for effective implementation CBDU Act 2011

- Need to create pressure to the state to develop public policy on CBDU
- Support local and provincial governments to enhance their capacity to end CBDU

A total of 56 participants were in the consultation program out of which 30 were male and 26 were female. There were six Brahmin and Chhetri. The elected representatives were three (provincial Member of Parliament).

Sudurpaschim province:

After a consultation program in Surkhet another consultation with the representatives of Dalit CSOs and other officials of Sudurpashmi province (then province 7) was organized on 26th of December at Dhangadhi, Kailali the capital of the province. The program was chaired by Mr. Narabahadur Bishwakarma, provincial in-charge and secretary of DNF and the chief guest was speaker of the provincial parliament Mr. Arjun Bahadur Thapa. Addressing the program he stated that, "the Law has restricted discrimination and discriminatory behavior and to bring this into our behavior, we should look at, who and what background of people are discriminating; is it teacher, intellectual person, police, student, politician, lawyer, people's representative, government officials, journalist, or rural people, whoever is found guilty needs to be punished. He also assured that "the province government will do needful to execute the recommendations of UPR at the provincial level and also coordinate with DNF for the expert advice while having strategic planning and budgeting to ensure rights of the Dalit".

The group work of the participants highlighted some of the problems such as: Inter-caste marriages between Dalits and non-Dalits are not accepted by the society and couples are also very much harassed by the officials when they want to register their marriage and get the certificate. The poverty of Dalits is very high in the province and estimated to be around 52% while the provincial average is 42%. The Dalit students have very difficult time to rent the house. Though the education is supposed to be free but students have to pay the fees. Though the representation of Dalit women at the ward level is good with one member in each ward but they are not involved in the decision making. The group also demanded to establish Dalit desk in each police office under the supervision of Dalit officers. They demanded for more authorities to the Dalit women members of the ward. In the consultation program there were 60 participants (41 male and 19 female). With regard to caste ethnicity there were 14 non-Dalits. Since there is no inhabitation of Madhesi Dalits the participants were none in the program.

Multi-stakeholder Consultation

Out of seven provinces of Nepal, in six provinces the consultation with the CSOs leaders and other human rights activists and defenders along with the government officials were carried out and consultation in province then province three (now Bagmati) was not carried out as federal capital the Kathmandu lies within it. Since a multi-stakeholder consultation had to be carried out, the Bagmati province consultation was engulfed within it. As a last event with regard to broader consultation on UPR a half day program was organized at Alfa House of Baneshwar in Kathmandu on 25th February 2020.

The program was chaired by the Acting President of DNF Mr. Bhakta Bishwakarma and the chief guest was Mr. Anupraj Sharma, chairperson of National Human Rights Commission

and former chief justice of Supreme Court. A presentation on the process and content of UPR was made by Mr. Chetnarayan Rasaili with the highlights of the recommendations collected from six different provinces. Later on the floor was opened for further discussion and input. The participants actively participated and contributed on the contents. There was representation from Prime Minister's office and represented by the under Secretary Mr. Ramji Danai. The other dignitaries were Mr. Min Bishwakarma, Ms. Anjana Bishankhe, Mr. Jeewan Pariyar (ex-CA member), Ms. Laxmi Pariyar, Ms. Bimala Bishwakarma and Ms Kaludevi Bishwakarma all of them are the federal parliamentarians. There was a wide range of representation from Dalit sister organizations of the political parties, Dalit experts, representative from NFDN, Madhesi Dalit Federation, HRTMCC, INSEC, Advocacy Youth Alliance and many more. An international representation was made by IDSN as well.

There were 81 participants (male 54, female 27) and from caste ethnicity point of view it was a mix as there were 11 non Dalits, 64 hill Dalits, 4 Madhesi Dalits and two were foreigners. The consultation program was quite fruitful in terms of participation of different groups as well as contents.

Technical consultation and Report Finalization

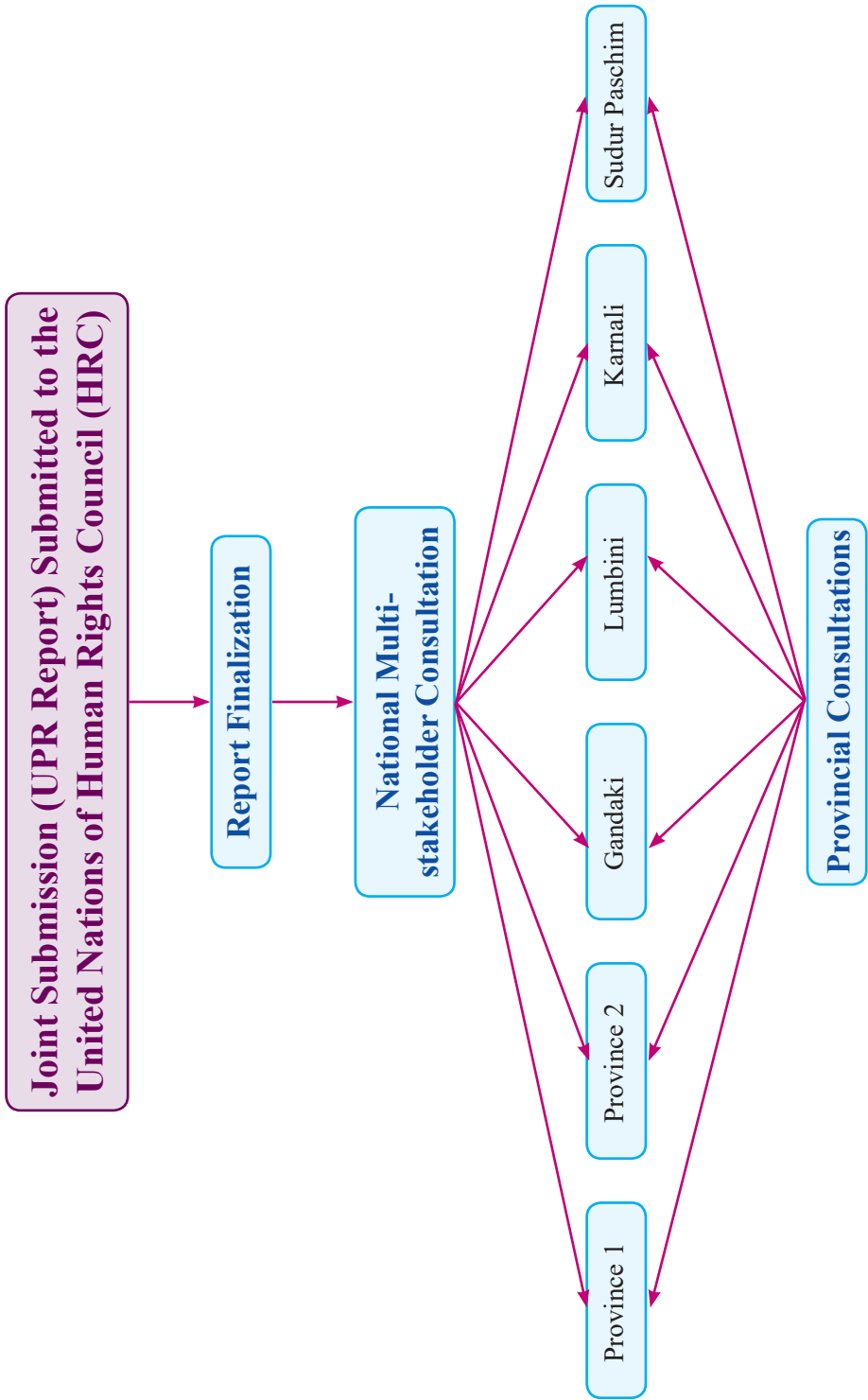
After the multi-stakeholders consultation on the UPR a need was felt very strongly to discuss further on the contents and the issues which would reflect the concurrent situation. Though a rigorous seven round of consultation was carried out across the country including in Kathmandu the issues and recommendation came in disperse form. Therefore, a day long workshop was organized in Kathmandu among the technical team on 1st March 2020. In the workshop there was the institutional participation from FEDO, DWO and Samata Foundation. In the workshop the lead report writer Mr. Chetnarayan Rasaili made a presentation on the draft report and Mr. Hira Vishwakarma, the Team Leader facilitated to streamline the issues and later on it was agreed among the team and report was finalized accordingly.

The theme and issues discussed and finalized was as follows:

| S.N. | Theme | Issues |
|------|--|---|
| 1 | Non-discrimination and Equality | 15 Dalit's deaths after enactment of CBDU act, justice to Ajit Mijar, discrimination at the workplace, restriction in the temple entrance , |
| 2 | Participation and representation | Proportional representation in state mechanism, political Party, bureaucracy, and constitutional body |
| 3 | Rights (ESCR) | Status of Dalit in economic, social, political and cultural rights, (employment , modernization of traditional occupation, business and market for the security, |
| 4 | Dalit Commission and other development committee meant for the Dalit community | No commissioner in National Dalit Commission, adequate budget allocation for Dalit development Commisttee, Badi Development committee, expansion to the provinces |
| 5 | Access to justice | Justice to Conflict affected Dalit and their relief and rehabilitation) |

| | | |
|----|--|---|
| 6 | Right to access to natural resources | Access to natural resources such as, land, forest, water and livelihood of Dalit living near to National Parka and buffer zone |
| 7 | Implementation of the international commitment/ constitution | Human rights and SDG campaign Building monitoring mechanism to ensure the effective implementation of international commitment including CERD, UPR and many other instruments Effective implementation of the constitution |
| 8 | Dalit women | Dalit women, their current social, economic status, access to justice, Citizenship, access to financial resources and loan services, education, leadership, access to justice of rape and other victims, social stigma, access to health facilities, disaggregated data of Dalit women, social and physical security of inter caste marriage couple and their children, meaningful participation of Dalit women in political spheres, |
| 9 | Madhesi Dalit | Separate section for Madhesidalit, Landlessness, proportional representation, citizenship issues, identity and vital registration, access to land, malnutrition of dalit women, |
| 10 | Structural reform | Establishment and regulation of the institution, and reform in the policy, structure and mechanism (different government bodies) |
| 11 | Cross cutting issues (Person with disabilities, LGBTIQA, Minority and marginalized Badi, Gandrva, Dom) | A separate cross cutting section to be included in the report, Rehabilitation of Haliya and justice |

The workshop was attended by 15 persons (Male 13 and Female 2) and one person from Madhesi Dalit. The workshop proved to be very meaningful and successful in streamlining the issues and make the report coherent as per the emerging situation.



विश्वव्यापी आवधिक समक्षका लागि
नेपालका दलित नागरि गैरसरकारी संस्थाहरुको तर्फबाट
प्रस्तुत गरिएको यूपीआर प्रतिवेदन

प्रतिवेदन प्रस्तुत

संयुक्त राष्ट्र संघ, मानव अधिकार परिषद्
जुलाई, २०२०

आर्थिक सहयोग



युएसएआईडी, एफएचआई ३६०, नेपाल
पारस्परिक जवाफदेही परियोजना

प्रतिवेदन प्रस्तोता

विश्वव्यापी आवधिक समक्षका लागि दलित नागरि समाज संजाल, नेपाल

सहकार्य

IDSN International Dalit Solidarity Network
WORKING GLOBALLY AGAINST CASTE-BASED DISCRIMINATION

अन्तराष्ट्रिय दलित ऐक्यवद्धता संजाल (IDSN)

संयोजन तथा सचिवालय



दलित गैर सरकारी संस्था महासंघ

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विशेष सहयोगी :

भक्त विश्वकर्मा
जेवि विश्वकर्मा
जीतेन्द्र पासवान

प्रकाशक :

दलित गैर सरकारी संस्था महासंघ (डिएनएफ), नेपाल

प्रकाशन मिति :

असोज, २०७७

प्रथम संस्करण :

२००

प्रतिवेदन लेखक :

चेत नारायण रसाइली

प्रतिवेदन लेखन समूह :

हीरा विश्वकर्मा
इमान बहादुर सुनार

सहयोगीहरु :

सुशिल वि.के.
रेनु सिजापति
सन्जु सिंह विश्वकर्मा
रुप सुनार
प्रकाश नेपाली
सावित्रा परियार
कमल विश्वकर्मा
बाबुराम वि.के.
पाउलो लुगोन अरान्तेस

आर्थिक सहयोग :

अमेरिकी अन्तर्राष्ट्रिय विकास नियोग/एफएचआई ३६०,
पारस्परिक जवाफदेहिता परियोजना

मुद्रण :

द क्रिएसन (डिजाईन एण्ड प्रिन्ट सोलुसन)

यो प्रतिवेदनको प्रकाशन अमेरिकी अन्तर्राष्ट्रिय विकास नियोग (यूएसएआईडी) मार्फत अमेरिकी जनताको सहयोगका कारण सम्भव बनेको हो । यस प्रतिवेदन भित्रका विषयवस्तु र सामग्री FHI 360 र FHI 360 पारस्परिक जवाफदेहिता परियोजनाका साभेदार दलित गैरसरकारी संस्था महासंघ (डिएनएफ) को एकल जिम्मेवारी हुन् र तिनले यूएसएआईडी वा अमेरिकी सरकारको विचार प्रतिविम्बित गर्छन् भन्ने जरुरी छैन ।

भूमिका

संयुक्त राष्ट्र संघले यसका सबै सदस्य राष्ट्रहरूको समानताका आधारमा विश्वव्यापी रूपमा मानव अधिकारको संरक्षणको उद्देश्य अनुरूप संयुक्त राष्ट्र संघले पछिल्लो समयमा शुरु गरेको मानव अधिकारको समिक्षा गर्ने संयन्त्र मध्ये “विश्वव्यापी आवधिक समीक्षा (युपिआर)” एक महत्वपूर्ण संयन्त्र बनेको छ। नेपालले हालसम्म दुई वटा (सन् २०११ र २०१५) को समिक्षामा सहभागिता जनाइसकेको छ। सम्भवतः आगामी जनवरी २१ मा हने तेश्रो चरणको आवधिक समिक्षामा सहभागिता जनाउन गइरहेको छ। नेपालका नागरिक समाजहरूले पनि उक्त समिक्षामा आफ्ना वैकल्पिक प्रतिवेदनहरू पठाउँदै आएका छन्। जसमा दलित नागरिक समाजको तर्फबाट पनि सन् २०१५ देखि प्रतिवेदन पठाउने गरिएकोमा यस पटक दलित गैर सरकारी संस्था महासंघ (डिएनएफ) को संयोजनमा विश्वव्यापी आवधिक समीक्षा (युपिआर) २०२० सम्बन्धी दलित नागरिक समाजहरूको सन्जाल निर्माण गरी प्रतिवेदन तयार गरी संयुक्त राष्ट्र संघ मानव अधिकार परिषदमा पेश गरिएको छ।

उक्त प्रतिवेदन तयारीको लागि नेपालमा सातै प्रदेशका २२३ भन्दा बढी दलित नागरिक समाजका संघ संस्थाहरू, अन्य मानव अधिकारवादी संघ संस्थाहरू संग परामर्श एवं छलफल गरेको छ। प्रदेश सरकारका विभिन्न पदाधिकारी एवं सरोकारवाला सदस्यहरू, विज्ञ-विशेषज्ञहरू र राष्ट्रियस्तरमा प्रधानमन्त्रीको कार्यालय, सम्बन्धित मन्त्रालयहरू, संसदस्य समितिहरू, संसदका माननीय सदस्यहरू, दलित आयोग, महिला आयोग लगायतका आयोगहरू, दलित जनवर्गिय संगठन नागरिक समाज एवं मानव अधिकारकर्मीहरू र दलित नागरिक समाजका विभिन्न प्रमुख एवं प्रतिनिधि, पत्रकारहरू समेत संग बृहत परामर्श एवं छलफल गरी प्रतिवेदन तयार पारिएको छ।

प्रतिवेदन तयार गर्नका लागि विज्ञका रूपमा संयोजन तथा लेखन गर्नु हुने श्री चेत नारायण रसाइलीलाई विशेष धन्यावाद व्यक्त गर्न चाहान्छु। दलित नागरिक समाजको तर्फबाट UPR प्रतिवेदन तयारीका क्रममा आयोजक संस्थाको रूपमा सहभागिता जनाउन हुने सम्पूर्ण आयोजक समितिलाई लाई विशेष धन्यावाद दिन चाहान्छु।

यसै गरी यो प्रतिवेदनलाई सम्भव बनाउन आर्थिक रूपमा सहयोग गर्नु हुने USAID/FHI360 CS:MAP Project लाई विशेष धन्यावाद एवं आभार प्रकट गर्न चाहान्छु। प्राविधिक रूपमा आफ्नो अमूल्य सुझाव प्रदान गर्नु हुने परियोजना सल्लाहकार श्री सन्तोष बाबु सिग्देललाई विशेष धन्यावाद दिन चाहान्छु।

अन्त्यमा, प्रतिवेदन तयारीका क्रममा आयोजित विभिन्न अन्तरक्रिया कार्यक्रमहरूमा अहोरात्र खट्नु हुने दलित गैर सरकारी संस्था महासंघ (डिएनएफ) का केन्द्रीय पदाधिकारी एवं सदस्यहरू प्रदेश तहका पदाधिकारी एवं सदस्यहरू, सल्लाहकारहरू, कर्मचारी मित्रहरू, विज्ञ एवं टिप्पणीकारका रूपमासहयोग गर्ने महानुभावहरू र कार्यक्रममा सहभागिता जनाइ अमूल्य सुझाव दिनु हुने सम्पूर्ण सहभागीहरूलाई धन्यावाद दिन चाहान्छु। यसै गरी यो प्रतिवेदन तयार पार्ने सम्पूर्ण प्रक्रियामा आफ्नो ऐक्यवद्धता प्रकट एवं प्राविधिक सहयोग गर्ने अन्तराष्ट्रिय दलित ऐक्यवद्धता सन्जाल (IDSN) परिवारलाई विशेष धन्यावाद दिन चाहान्छु।

भक्त विश्वकर्मा

कार्यवहाक अध्यक्ष

दलित गैर सरकारी संस्था महासंघ (DNF)

असोज, २०७७, काठमाडौं

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१. यो संयुक्त प्रतिवेदन दलित नागरिक समाज को गठबंधन द्वारा विश्वव्यापी आवधिक समिक्षा को तेस्रो चरण को कार्य समुह को लागि दलित समुदाय को मानव अधिकार को अवस्था लाई प्रतिविम्बित गर्न तयार पारिएको हो ।
२. जातीय विभेद तथा छुवाछुत नेपाली समाज मा अहिले सम्म गहिरो गरि जकडिएर बसेको छ । जातिवादमा आधारित व्यवस्थाको परिणाम स्वरूप देशका धेरैजसो भागहरूमा दलितहरू अझै पनि भेदभावको सबैभन्दा नराम्रो स्वरूपहरू भोग्न बाध्य छन् उनीहरू सामाजिक, सांस्कृतिक, आर्थिक, प्रशासनिक र राजनीतिक जीवनमा अन्त्यहीन अपमान र अन्यायको सिकार हुने गरेका छन् । कुटपिट, बलात्कार र हत्या, पूजा स्थलहरू, साभा जल स्रोतहरू, शिक्षा र सम्मानित रोजगारहरूमा उनीहरूको पहुँच र उपस्थिति सधैं अस्वीकार रहेको छ ।
३. दलित समुदाय नेपालको कुल जनसंख्याको १३.८% छन् । सातवटा पहाडी दलित जाति र १९ मधेसी दलित जातिलगायत समग्र दलित समुदाय अन्तर्गत २ वटा उपजाति रहेका छन् ।
४. दलित नागरिक समाज नेपालको दलित समुदायको मानव अधिकार सुदृढीकरण गर्न र उनीहरूको अधिकार सुनिश्चित गर्न तथा सरकारको अधिकार प्रत्याभूत गर्ने प्रतिबद्धतालाई प्रबर्द्धन गर्ने सम्बन्धमा अन्तर्राष्ट्रिय मानव अधिकार समुदायको सहयोग अत्यन्त महत्वपूर्ण हुने विश्वास गर्दछ ।

आ. कार्यपद्धति

५. यो संयुक्त प्रतिवेदन नेपालका सबै प्रदेशमा भएका विस्तृत परामर्श प्रक्रियाबाट आएका समिक्षा र अन्तर्दृष्टिमा आधारित तथा संयुक्त राष्ट्र संघिय मानव अधिकार परिषद् द्वारा जारी मार्गनिर्देशनहरूको अनुरूप तयार गरिएको हो । प्रत्येक प्रादेशिक परामर्श कार्यक्रममा विभिन्न सरोकारवालाहरू सहित विभिन्न पृष्ठभूमि सहितको करीव १०० जना सहभागी थिए । काठमाडौँमा प्रधानमन्त्री र मन्त्रपरिषद्को कार्यालय, राष्ट्रिय मानव अधिकार आयोग, राष्ट्रिय दलित आयोग, संचार जगत, ठूलो संख्यामा मानवअधिकार संगठन का प्रतिनीधि र अभियन्ताहरूलाई आमन्त्रित गरि एक राष्ट्रिय बहुसरोकारवाला परामर्श कार्यक्रम आयोजना गरिएको थियो । यसका अतिरिक्त, विशेषज्ञहरूको उपस्थितिमा प्रतिवेदनलाई अन्तिम रूप दिन १ मार्च २०२० मा बन्द कोठा कार्यशाला आयोजित गरिएको थियो, जहाँ मुद्दाहरू र सन्दर्भहरू लाई एकीकृत गरि अपेक्षाहरू र सिफारिशहरू पत्ता लगाउन विशिष्ट

माध्यमहरूको प्रयोग गरिएको थियो । यसबाहेक, यो प्रतिवेदन अनुसन्धान विधिहरू प्रयोग गरेर तयार पारिएको छ, जस्तो कि मुख्य सूचनामूलक अन्तर्वार्ता (KII) र डेस्क समीक्षा, जसमा अघिल्लो विश्वव्यापी आवधिक समीक्षा सिफारिसहरूको विश्लेषण, सन्धि निकायहरूबाट आएका अवलोकन निष्कर्ष, विशेष प्रतिनिधिका सिफारिसहरू र दलित मानवधिकार उल्लङ्घनका घटनाहरू समावेश थिए । प्रक्रियालाई सहयोग गर्न, डिगिनिटी इनिशिएटिभले एउटा अनुसन्धान गरेको थियो सो अनुसन्धानका सूचनाहरूलाई यस प्रतिवेदनमा प्रयोग गरिएको छ । यस प्रतिवेदनलाई नेपालको बृहत्तर दलित नागरिक समाज ले समर्थन गरेको छ । सम्पूर्ण प्रक्रिया दलित गैर सरकारी संस्था महासंघ, यसको सदस्य संगठनहरु र सहयोगीहरूको साथसाथै बहुक्षेत्रीय पृष्ठभूमिका व्यक्तिहरूद्वारा समन्वय गरिएको थियो । थप रूपमा, अन्तर्राष्ट्रिय दलित ऐक्यबद्धता नेटवर्क (आईडीएसएन) ले प्रतिवेदन तयार गर्न प्राविधिक सहयोग प्रदान गरेको थियो ।

ख. अन्तर्राष्ट्रिय बाध्यताहरूको क्षेत्र

६. नेपाल धेरै अन्तर्राष्ट्रिय मानव अधिकार सन्धिहरूको पक्ष राष्ट्र हो, तसर्थ ती सन्धिहरु कार्यान्वयन गर्न बाध्य छ । यद्यपि, सरकारले दलित अधिकार उन्नत बनाउने सम्बन्धमा सन्धिजनित निकाय र अन्य संयन्त्रहरूबाट प्राप्त विभिन्न सिफारिस र निष्कर्षहरूको को प्रभावकारी कार्यान्वयन गरेको छैन ।
७. नेपाल सबै किसिमका जातीय भेदभाव उन्मूलन गर्ने सम्बन्धि (आईसीईआरडी) अन्तर्राष्ट्रिय महासन्धिको एक पक्ष राष्ट्र हो । यद्यपि, नेपालले धारा १४ मा असहमतित् राखेको छ । यसबाहेक, नेपाल सरकारले यस प्रति बेवास्ता गरेको देखिन्छ किनकि नेपाल ले सन २०१८ मा यस सम्बन्धि समितिको को ९५ औं शत्रमा आफ्नो प्रतिवेदन बुझायो, जुन यसको अघिल्लो रिपोर्ट पछि १४ वर्ष को अन्तराल हो ।
८. विश्वव्यापी आवधिक समीक्षा को पहिलो र दोस्रो चक्र, दुबैबाट आएका सिफारिसहरूको ठूलो संख्याले जातीय विभेद तथा छुवाछुत हटाउने र यससम्बन्धी कानूनहरू कार्यान्वयन गर्न प्रत्येक सम्भावित कार्य र कदम चाल्ने कुरामा जोड दियो । सरकारले दोस्रो चक्रमा सबै सिफारिशहरू ९७ दलित विशेष र १९ दलित सम्बन्धित लाई समर्थन गरेको थियो, जुन दलित अधिकार र जातीय विभेद तथा छुवाछुत अन्त्यका लागि गरिएका थिए । तर पनि, जातीय विभेद तथा छुवाछुत को स्थिति यथावत नै रहेको देखिन्छ । यसले अन्तर्राष्ट्रिय प्रतिबद्धता र अन्तर्राष्ट्रिय मानव अधिकार मापदण्डहरु प्रति नेपाल सरकार को लापरवाही लाई चित्रण गर्दछ ।

सिफारिसहरू

१. अधिल्लो विश्वव्यापी आवधिक समिक्षा को चक्रवाट आएको सिफारिसहरू पारदर्शी ढंगले र नागरिक समाजसँगको सहकार्यमा लागू गर्न एक प्रभावकारी संयन्त्र राखने ।
२. सबै किसिमका जातीय भेदभाव उन्मूलन गर्ने समिति (CERD) र अन्य सन्धिजनित निकायहरूबाट आउने निष्कर्ष अवलोकनहरू कार्यान्वयन गर्न पारदर्शी ढंगले र नागरिक समाजसँग घनिष्ठ परामर्शका साथ शिघ्र कारवाही लिने ।
३. नेपाल ले सबै किसिमका जातीय भेदभाव उन्मूलन गर्ने सम्बन्धि (आईसीईआरडी) अन्तर्राष्ट्रिय महासन्धिको व्यक्तिगत उजूरी प्रक्रिया (अनुच्छेद १०) स्वीकार गर्ने ।

ग. संवैधानिक र विधायिकी संरचनाहरू

९. नेपालको संविधानले दलित अधिकारहरूलाई मौलिक अधिकारको रूपमा, धारा २४ छुवाछूत तथा र भेदभाव विरुद्धको हक र धारा ४० (दलितको हक) अन्तर्गत दलितहरूलाई राज्यको निकायमा प्रतिनिधित्व दिलाउने कुरालाई सुनिश्चित गर्दै मान्यता प्रदान गरेको छ, जुन नागरिक तथा राजनीतिक अधिकार सम्बन्धि महासन्धि र सामाजिक, आर्थिक तथा सांस्कृतिक अधिकार सम्बन्धि महासन्धि दुवैको अनुरूप छ । यद्यपि, संविधान घोषणाको चार बर्ष बितिसक्दा पनि दलित समुदायले उक्त अधिकारहरू समान अधिकारका रूपमा उपभोग गर्न सकेका छैनन्, साथै उनीहरूले सरकारले उक्त निहित अधिकारहरू सुनिश्चित गर्न सन्तोषजनक कदम चालेको आभास गर्न सकेको छैन ।
१०. राष्ट्रिय दलित आयोग लाई संवैधानिक दर्जामा राखी उच्च पारिएको छ, तर अझै पनि पेरिस सिद्धान्तले तोकेको मापदण्डहरू भन्दा धेरै पछाडि छ । यसबाहेक, नेपाल सरकारको उदासीनताको कारण आयोग ले संवैधानिक हैसियत प्राप्त गरे पश्चात पनि यसका अध्यक्ष र सदस्य हरु नियुक्त गरेको छैन । दलित अधिकारको संरक्षण र संवर्धनका लागि दलित आयोग र दलित नागरिक समाज बीच कुनै रचनात्मक संलग्नता देखिएको छैन ।
११. जातीय तथा अन्य सामाजिक छुवाछूत र भेदभाव (कसूर र सजाय) ऐन, २०६८ एउटा प्रमुख कानून हो जसले जातीय विभेद र छुवाछूत लाई अपराधीकरण गरेको छ । मुलुकी अपराध (संहिता) ऐन, २०७४ ले यसको विरुद्ध कार्यहरू थप सुदृढ पारेको छ ।
१२. संविधानको धारा ४० बमोजिमका सबै अधिकार कानूनले सुनिश्चित गरेको हुनु पर्ने थियो । यद्यपि, कुनै खास कानून बनाइएन र नयाँ अपनाईएको र संशोधन गरिएका कानूनहरू ले विशिष्ट र सम्बन्धित कानून अन्तर्गत समावेश गर्नुपर्यो ।

यद्यपि, ती ऐनहरूले संविधानको भावना बोकेका छैनन् बरु, निहित संवैधानिक दलित अधिकारमा कटौती भए ।

१३. हालसम्म, दलित सशक्तीकरण ऐन केवल प्रदेश, प्रदेश नम्बर २ को प्रादेशिक सरकारले मात्र जारी गरेको छ, बाँकी प्रादेशिक सरकारहरूले दलितहरूको अधिकार प्रवर्धन र संरक्षणका लागि कानून बनाउन चासो देखाउने वा कुनै यथाशक्य प्रयास गरेको देखिदैन ।
१४. उपेक्षित, उत्पीडित तथा दलित उत्थान विकास समिति र बादी विकास समिति, जुन दलित र बादी समुदायको विकासका कार्यक्रम सञ्चालन गर्न स्थापना भएका हुन्, हाल निष्क्रिय अवस्था मा छन् ।

सिफारिसहरू

४. दलित समुदाय संग घनिष्ठ परामर्श गरेर संविधानको धारा ४० बमोजिम दलित समुदायको मौलिक अधिकार कार्यान्वयन गर्न एकीकृत ऐन बनाउने ।
५. राष्ट्रिय दलित आयोगमा तत्काल अध्यक्ष र सदस्यहरूको नियुक्ति गर्ने, अर्ध न्यायिक हैसियत सहित पेरिस सिद्धान्तको आधारमा पर्याप्त स्रोत र शाशानादेश प्रदान गर्ने ।
६. दलितहरूलाई सशक्त बनाउन प्रत्येक प्रादेशिक सरकारले तत्काल आवश्यक कानून बनाउन सुनिश्चित गर्ने ।
७. तुरुन्तै उपेक्षित, उत्पीडित तथा दलित उत्थान विकास समिति र बादी विकास समिति लाई पुनः सक्रिय बनाउने र यसको नियमित गतिविधिहरू गर्न पर्याप्त स्रोतहरू प्रदान गर्ने ।
८. दलित अधिकारलाई उचित तरिकाले सुनिश्चित गर्न राष्ट्रिय दलित आयोगमा र दलित नागरिक समाज बीच रचनात्मक संलग्नता बढाउने र विस्तार गर्ने ।

घ. नेपालमा दलित समुदायको मानव अधिकारको अवस्था

समानता र अबिभेद

१५. जातीय विभेद तथा छुवाछुत समाजको हरेक वर्गको मानसिकतामा गहिरो गरी बसेको छ, र जीवनशैलीको एउटा परम्परागत तरीका भएको छ । अनवरत बहिष्करण, विमुखिकरण, वञ्चितिकरण र भेदभावको बोझका कारण दलित समुदाय मूलधारको विकास, न्याय, स्रोत, सेवा र अवसरहरूको पहुँचमा सधैं परिधिमा मात्र सिमित रह्यो । दलित समुदायले उजुरी पेश गर्न सधैं कठिन समयको सामना गर्नुपर्दछ, किनकि पुलिसले सामान्यतया उनीहरू को उजुरी दर्ता गराउन

अस्वीकार गर्दछ। बरु, पुलिस दलितहरुलाई अपराधीहरुसंग मेलमिलाप गर्न बाध्य पार्छ, जसले दलितहरुलाई थप पीडित बनाएर न्याय खोज्न निरुत्साहित गर्दछ। कमजोर अनुसन्धान र कानून लागु गराउने निकायहरु द्वारा अपराधीहरुको मुद्दा चलाउन असहयोग कानुनि उपचार खोज्नका लागि अकी अवरोध को रूपमा रहेको छ। पीडितहरु विरुद्ध भूटा आरोप बनाउनेरलगाउने कार्य जातीय विभेद तथा छुवाछुत को मुद्दामा व्यापक रूपमा देखिने गरिन्छ। २०६८ सालमा जातीय तथा अन्य सामाजिक छुवाछुत र भेदभाव (कसूर र सजाय) ऐन जारि भईसकेपश्चात २०७६ चैत्र सम्म १४ जना दलितहरुको हत्या भईसकेको छ। सन् २०१९ मा मात्रै ६२ वटा जातीय विभेद तथा छुवाछुत का मुद्दाहरु घटेका छन्। कानुनी उपचार हरूमा अपर्याप्त पहुँचको कारण, धेरै उल्लङ्घन हरू औपचारिक कानुनी मुद्दा बन्न सकिरहेका हुँदैनन्। अत्स धेरै जसो घटना हरूको अभिलेख राखिएको छैन जबकि भेदभाव, अत्याचार र अभाव अत्यन्तै व्याप्त छ, जसले नेपालमा दलित समुदायको गम्भीर मानवअधिकार उल्लङ्घनको चित्रण गर्दछ।

१६. नेपाली समाजमा अभै पनि हानिकारक कुप्रथाजस्ता प्रचलनहरुमा रहेको छ जस्तो कि बाल विवाह, महिला विरुद्धको विभेद, छाउपडी, बोक्सी आरोप, तथा विभिन्न अन्धविश्वास माथिको विश्वास, अन्य यस्तै प्रकारका विभेदहरु अहिले पनि देशको हरेक भागमा व्याप्त छ। दलित समुदाय, विशेष गरी दलित महिला, माथि उल्लिखित हानिकारक प्रथाका कारण गैर दलित समुदायबाट सधैं पीडित हुन्छन्।
१७. अन्तरजातीय दम्पतीहरु सामाजिक एकताका सन्देशवाहकहरु हुन, तर दुर्भाग्यवस, उनीहरु मारिन्छन्, बेवास्ता गरिन्छन्, बहिष्कार गरिन्छन्, विस्थापित हुन्छन्, अपमानित गरिन्छन् र तिनीहरुको ज्यान जोखिममा रहन्छ। अन्तरजातीय विवाह अभै पनि वर्जित छ। कथित उच्चजातका परिवारले यी विवाहहरुलाई असफल बनाउन जबरजस्ती करणी, धम्की र अपहरणको आरोप समेत लगाउछन्। प्रत्येक प्रदेशमा सम्पन्न परामर्शमा यो व्यापक रूपमा उठाइएको छ कि गैर दलित समुदायका परिवारले उनीहरुले विवाह गरे पछि पीडितको बारेमा बारम्बार भूटा आरोप लगाउँदछन्, उनीहरुलाई बलात्कार, अपहरण, बाल विवाह, मानव बेचबिखन लगायतका मुद्दा चलाइन्छ। सन २०१० देखि अन्तरजातीय विवाह गर्ने जोडीहरुलाई रु १ लाख नगद प्रोत्साहन प्रदान गर्ने प्रावधान थियो, तर केहि वर्षदेखि यो कुनै खास कारणबिना बन्द गरिएको छ।
१८. दलित समुदायहरु, विशेष गरी ग्रामीण क्षेत्रमा प्रहरी र सुरक्षा बलको ठूलो त्राशमा रहेका छन्। दलितहरुलाई मनोमानी ढंगले पक्राउ पुजी बिना नै पक्राउ गरिएको देखिएको छ।
१९. जातीय विभेद तथा छुवाछुतका नयाँ रूपहरुमा विकसित भएको छ, जस्तो कि

सामाजिक संजालमा भेदभाव र अप्रत्यक्ष विभेदहरू । स्थापित दलित राजनीतिक र सामाजिक नेताहरूलाई घरहरूमा नभई होटेलमा बास बसाइन्छ, जबकि गैर दलित नेताहरू लाई स्थानीय नेताहरूले घरमा बस्ने व्यवस्था गर्दछन् । दलितहरूको सम्पत्तिको आर्थिक मूल्य अन्य क्षेत्रहरूको भन्दा कम छ । दलित समुदायबाट आएका सरकारी अधिकारीहरू लाई ग्रामीण क्षेत्रहरूमा, गाह्रो र सवैले पन्छ्याएको विभागहरूमा सरुवा गरिन्छ, र अन्य यस्तै भेदभावहरूको सामना गर्नु पर्दछ ।

२०. दलितहरू, जसमा अधिकतम विद्यार्थीहरू, उनीहरूको जातीय पृष्ठभूमिका कारण कोठाहरू भाडामा पाउन सधैं समस्या हुने गर्दछ । निर्वाचित दलित सांसदहरूले पनि यही अवस्था भोग्नु परेको छ । दलित मानव अधिकार रक्षकहरूले मानवअधिकारका मुद्दामा काम गर्दा कठिनाईको सामना गर्दछन् र अपराधीहरूबाट अक्सर डराइन्छन् जसले उनीहरूको जीवन सधैं जोखिममा पर्दछ ।
२१. मानवीय प्रतिकार्यमा पनि दलित समुदायले विभेदको सामना गर्दछन् । राहत वितरण र अन्य सहयोग कार्यक्रम समान रूपमा वितरित गरिएको थियो जहाँ दलित समुदाय सधैं चल्दै र रहिआएको वंचितकरणको कारण जोखिममा रहेका छन् । वर्तमान कोविड १९ महामारी ले विश्वलाई नै असर गरेको छ र नेपाल बन्दाबन्दीमा छ र यसै कारण मुख्यत दलित समुदायले जीवनयापन मा कठिनाइ भोग्दै छन ।
२२. नेपालमा कोविड १९ महामारीका कारण जारी बन्दाबन्दीको बीचमा दलित मानवअधिकार हनन र जातीय विभेदका धेरै घटनाहरू घटेका छन् जुन एकदमै स्तब्ध पर्ने खालको छ, जबकि अझै धेरै मुद्दाहरू प्रकाशमा नआएको हुन सक्छ । ती घटनाहरू मध्ये दलित युवाहरूको एउटा आमहत्याको घटनाले नेपाली समाजमा गहिरो रूपमा रहेको जातीय विभेदको क्रूर तस्वीर प्रतिविम्बित गर्दछ । २०७७ वैशाख ११ गते का दिन, नवराज बिक र उनका साथीहरूको समूह नवराजकी प्रेमिकालाई उनको दुलहीको रूपमा घरमा ल्याउन छिमेकी गाउँमा गएका थिए । उक्त विवाह लाई युवतीको परिवारले अस्वीकृत गरेका थिए किनकि उनीहरू तथाकथित उच्च जातका थिए र नवराज दलित थिए । उक्त दिन गाउँलेहरूले भेरी नदीको किनारमा १८ जना युवाको समूहलाई लखेटेर कुटपिट गरि, ती मध्ये ६ जनालाई कुटेर मारे र त्यसपछि नदीमा फ्याँकिदिए, बाँकी लाई कुटपिट गर्दै गर्दा प्रहरीले उनीहरूलाई उद्धार गर्‍यो । यसैगरी, रुपन्देही जिल्लामा अंगिरा पासी नामकी १३ वर्षीया बालिकालाई बलात्कार गरि हत्या गरिएको थियो र धनुषा जिल् लाका शम्भु सदा नाम गरेको २१ वर्षे दलित युवक को लाश प्रहरी हिरासतमा रहस्यमय ढंगमा मृत अवस्थामा भेटिएको थियो ।

सिफारिसहरू

९. जातीय विभेद तथा छुवाछुत उन्मूलन गर्न पर्याप्त स्रोत साधन विनियोजन सहित १० वर्षको राष्ट्रिय कार्य योजना बनाउने ।
१०. जातीय तथा अन्य सामाजिक छुवाछुत र भेदभाव (कसूर र सजाय) ऐन, २०६८ लाई संशोधन गरी सजायलाई १० वर्ष र दश लाख रूपैयाँ, वा दुवै र पीडितलाई क्षतिपूर्ति राज्यले नै बेहोर्नु पर्ने प्रावधान राख्ने । यसवाहेक, जातीय विभेद तथा छुवाछुत को मुद्दा सम्बन्धी विशेष बेंच र अदालतहरू स्थापना गर्ने र प्रमाणको भार प्रतिवादीले वहन गर्नुपर्ने ।
११. जातीय विभेद तथा छुवाछुत का मुद्दाहरू विरूद्ध शून्य सहनशीलता नीति ल्याउने र निष्पक्ष छानबिन, अभियोजन र स्वच्छ सुनुवाईको हक सुनिश्चित गर्ने ।
१२. कानून लागु गराउने निकायहरू तथा पदाधिकारीहरूको लागि जातीय विभेद तथा छुवाछुत विशेष बृहत मानव अधिकार शिक्षा कार्यक्रम विकास गर्ने ।
१३. छुवाछुत तथा जातीय विभेद तथा दलित अधिकार प्रवर्द्धन सम्बन्धि उच्चस्तरीय समितिलाई प्रभावकारी रूपमा कार्यात्मक बनाउने र यसलाई सरकारको सबै तहमा विस्तार गर्ने ।
१४. अन्तरजातीय विवाहित जोडीहरू र उनीहरूका परिवारका सदस्यहरूलाई सुरक्षा र जीवन सुरक्षा सुनिश्चित गर्नेस र दम्पतीहरूका लागि विशेष प्याकेज र योजनाहरू सहित नगद प्रोत्साहन पुनर्स्थापित गर्ने ।
१५. स्थानीय तहमा मुख्यतया प्रहरी र प्रशासनिक कार्यालयहरूमा छुट्टै दलित डेस्क स्थापना गर्ने ।
१६. दलित मानवअधिकार रक्षकहरूको लागि संरक्षण संयन्त्र स्थापना गर्ने र मानव अधिकारको संरक्षण र सम्बर्द्धनका लागि उनीहरूको क्षमता अभिवृद्धि गर्ने ।

दलितहरूको सहभागिता तथा प्रतिनिधित्वको हक

२३. नेपालको संविधान, मुख्य रूपले प्रस्तावना र धारा १८ र २४ (समानताको हक र सामाजिक न्यायको हक) ले विपन्न खस आर्य लाई समानुपातिक समावेशीकरणको सिद्धान्तमा राज्यको निकायमा सहभागिताको अधिकार हुनेछ, भन्ने उल्लेख छ । यद्यपि, संविधानको धारा ८४ ले खस आर्य समुदाय जुन नेपाल को शासक समुदाय को रूपमा रहेको छ, लाई जनसंख्या को आधारमा पूर्ण समानुपातिक प्रतिनिधित्व हुने ग्यारेन्टी गरेको छ, जसले गर्दा उनीहरूको समानुपातिक भन्दा धेरै प्रतिनिधित्व हुने गरेको छ । यसै आधारमा, नेपालको निर्वाचन कानूनले खस आर्य लाई समानुपातिक निर्वाचन प्रणाली अन्तर्गत प्रतिनिधिसभाका लागि मनोनयन

गर्दा पहिलो स्थानको अनिवार्यतालाई प्राथमिकतामा राखेको छ । तसर्थ, यो आफै मा संविधानको प्रस्तावना र मौलिक अधिकारको भावनासँग बाभिएको छ, किनकी संविधान र मौलिक अधिकारले लामो समयदेखि ऐतिहासिक अन्यायबाट पीडित सीमान्तकृत र बहिष्कृत समूहलाई सकारात्मक विभेद को नीति द्वारा अधिकार सुनिश्चित गर्ने लक्ष्य राख्दछ ।

२४. संविधानको धारा ४०(१) ले दलित समुदायलाई राज्यको प्रत्येक निकायमा समानुपातिक समावेशी सिद्धान्त अनुरूप सहभागी हुन पाउने अधिकार सुनिश्चित गर्दछ । संविधान जारी भएपश्चात देश संघीय प्रणालीमा परिणत भयो र समावेशीकरणको सिद्धान्तलाई हरेक तवर ले अनुशरण गरिनुपर्ने आवश्यकता थियो, संविधान जारी भएपछि यो देश संघीय प्रणालीमा परिणत भयो जहाँ समावेशीकरणको सिद्धान्तलाई अनुसरण गर्नु आवश्यक छ । यद्यपि, राज्यको हरेक संयन्त्रमा समानुपातिक प्रतिनिधित्व हुन सकेको छैन । उदाहरणका लागि, नेपालको संघीय मन्त्रपरिषदमा महिला र दलितको समानुपातिक प्रतिनिधित्व छैन । चिन्ताको विषय यो पनि छ कि नेपालका सातवटा प्रादेशिक सरकारमध्ये कुनै पनिमा दलित समुदायका क्याबिनेट मन्त्री एकजना पनि छैन । नेपालको प्रतिनिधिसभामा दलितको ६.९१% मात्र प्रतिनिधित्व छ । कुनै पनि प्रादेशिक संसदले दलितको समानुपातिक प्रतिनिधित्व गराउन सकेको छैन । स्थानीय तहमा ७५३ मेयर पदहरू मध्ये, जम्मा ६ जना (२.०५ नगरपालिकामा र १ जना (०.२२%) गाउँ पालिकामा, १२ (४.१०) जना नगरपालिकाका उपमेयरका रूपमा र १५ जना गाउँ पालिका उपाध्यक्षमा (३.२६%) रहेका छन ।
२५. न्यायिक संयन्त्रमा दलित समुदायको प्रतिनिधित्व अर्थहीन छ किनकि सर्वोच्च अदालतमा कहिल्यै पनि दलित न्यायाधीशहरू आएका छैनन र सातै वटा उच्च अदालतमा ३ जना न्यायाधीश र सम्पूर्ण ७७जिल्ला अदालतहरूमा एक जना मात्र जिल्ला न्यायाधीश छन । प्रहरी बलमा उच्च पदमा प्रतिनिधित्व नगन्य छ ।
२६. संविधानको धारा २८५ ले संघीय निजामती सेवाका साथै सबै संघीय सरकारी सेवाहरू खुल्ला तथा समानुपातिक समावेशी सिद्धान्तहरूको आधारमा प्रतिस्पर्धात्मक परीक्षा द्वारा सुनिश्चित गरिने व्यवस्था रहेको छ । लोक सेवा आयोगले समावेशी प्रतिनिधित्वमा संविधानतः दलित र सीमान्तकृत समुदायका लागि कोटा आरक्षित गरेको छ । यद्यपि, यो समानुपातिक प्रणालीको अनुपालनमा छैन ।
२७. २०७६ साल मा लोक सेवा आयोगले ठूलो संख्यामा रिक्त पदपूर्ति खुलाउँदा वर्गीकृत सीमान्तकृत समुदायहरूको कोटा ठूलो संख्यामा घटायो । स्थानीय तहका सरकारहरूमा विभिन्न पदका लागि जम्मा ९,१६१ रिक्त पदहरू थिए तर समावेशी सिद्धान्तको विपरित वर्गीकृत पदहरूमा अधिकतम सीटहरू कटौती गरिएको थियो

र दलितहरूको लागि ३० सीट मात्र आरक्षित गरिएको थियो । यसले गर्दा दलित, आदिवासी जनजाति, शारीरिक अपांगता भएका व्यक्ति र नेपालका अन्य सीमान्तकृत समुदायका मानिसहरू महिनौं सम्म प्रदर्शन गरिरहे तर सरकारले उनीहरूको दाबीलाई ध्यान दिएन र केहि सुनुवाई भएन ।

२८. सन २००० मा राष्ट्रिय मानव अधिकार स्थापना भएदेखि अहिलेसम्म आयोगमा दलित समुदायका कुनै आयुक्त छैनन । त्यस्तै, राष्ट्रिय दलित आयोग बाहेक कुनै संवैधानिक आयोगमा दलितको प्रतिनिधित्व छैन ।
२९. सार्वजनिक संस्थाहरू र राजनीतिक दलहरूले समावेशी लोकतन्त्रको अन्तर्य र सिद्धान्त अनुसरण गर्नुपर्दछ र उनीहरूले आ(आफ्नो राजनीतिक दलमा दलितको समानुपातिक प्रतिनिधित्व सुनिश्चित गर्नु पर्दछ । यद्यपि, कुनै पनि सार्वजनिक संस्था र राजनीतिक दलमा दलित समुदायको समुचित सहभागिता हुन सकेको छैन । प्रमुख राजनीतिक दलहरूको निर्णायक तहमा दलितको प्रतिनिधित्व नगन्य छ । चुनावी अभियानका बेला राजनीतिक दलहरूले गरेका प्रतिज्ञाहरू पूरा भएनन र उनीहरूले प्रतिनिधित्व गर्ने प्रतिबद्धता जनाएपनि पश्चगामी परिणाम रहिरह्यो ।
३०. मानव अधिकार को विभिन्न मुद्दाहरू सम्बन्धि नयाँ नीति र कानून जस्तो कि संचार, नागरिक समाज संगठनहरू, संचार तथा सूचना प्रविधि ऐन, जग्गा र आवास सम्बन्धि ऐन ले राज्यको मानव अधिकार सम्बन्धी मूल्यमान्यता माथि दमनकारी कदमहरू देखाउँदछ, जसमा नागरिक समाजको स्थान संकुचन, अभिव्यक्ति स्वतन्त्रता, भेलाहुने स्वतन्त्रता र सहभागिताको हक हरु रहेका छन । यी कदमहरूले दलित अधिकार प्राप्तिलाई लामो अवधिको लागि जोखिममा पार्दछ ।

सिफारिसहरू

१७. न्यायपालिका, प्रशासनिक निकाय, कूटनीतिक नियोग, आयोग र राजनैतिक नियुक्ति लगायत राज्यका सबै तहमा दलित समुदायको पूर्ण समानुपातिक प्रतिनिधित्वको ग्यारेन्टी गर्न ठोस उपायहरू अपनाउने र क्षतिपूर्ति न्यायको सिद्धान्तको आधारमा थप १०% क्षतिपूर्ति दिने उपायहरूलाई तीव्र बनाउने ।
१८. निजामती सेवा ऐनमा संशोधन गरि र सरकारको सबै तहमा संविधानको धारा ४०(१) बमोजिम दलित समुदायको पूर्ण समानुपातिक प्रतिनिधित्व सुनिश्चित गर्ने ।
१९. दलितहरूको पूर्ण समानुपातिक प्रतिनिधित्वको ग्यारेन्टी गर्न तथा संविधानको प्रस्तावना र मौलिक अधिकारहरूसंगको सुसंगतता सुनिश्चित गर्न संघीय संसद गठन सम्बन्धि धारा ८४ र प्रतिनिधि निर्वाचन ऐन संशोधन गर्ने ।
२०. राष्ट्रिय मानव अधिकार आयोग र अन्य संवैधानिक आयोगमा पनि दलितलाई समान प्रतिनिधित्वको सुनिश्चितता गर्ने ।

बजेट विनियोजन

३१. यसभन्दा पहिले, नेपालको स्थानीय विकास मन्त्रालयले आफ्नो बजेट स्थानीय निकायलाई वितरण गर्दा कुल बजेटमा लक्षित बजेट अन्तर्गत दलित समुदायका लागि छुट्याइएको हुने व्यवस्था थियो । तर, यो अहिले कुनै स्पष्टीकरण बिना नै बन्द गरिएको छ । दलित समुदायले अपेक्षा गरेका थिए कि चुनाव पछि गठन भएको सरकारले बजेट र स्रोतको महत्वपूर्ण हिस्सा दलित समुदायलाई छुट्याउने छ, यसको सट्टा, यसले विपरित गरेको छ ।
३२. आर्थिक वर्ष २०७७/७८ को राष्ट्रिय बजेट महामारीको समयमा आएको छ, यसैले यो जन स्वास्थ्यमा केन्द्रित छ । यद्यपि, समग्र राष्ट्रिय बजेटमा दलित समुदायको केहि उल्लेख गरिएको छैन र दलित सशक्तिकरणको क्षेत्रमा कुनै रकम वितरण गरिएको छैन । बजेट दलित मैत्री हुनुपर्दथ्यो र जातीय विभेद तथा छुवाछुत सम्बन्धि कानून र नीति कार्यान्वयनका लागि विनियोजित हुनुपर्थ्यो ।

सिफारिसहरू

२१. दलितको अवस्था सुधार गर्न सरकारको सबै तहमा पर्याप्त दलित(विशेष बजेट विनियोजन गर्ने ।
२२. दलित अधिकारका लागि स्थापित संस्थालाई कार्यकुशल बनाउन र यी संस्था स्थापना गर्ने कानून र नीतिलाई प्रभावकारी रूपमा कार्यान्वयन गर्न पर्याप्त स्रोतको व्यवस्था गर्ने ।
२३. दिगो विकाश लक्ष्यहरूको कार्यान्वयन सुनिश्चित गर्नका लागि र “कसैलाई पछाडि न छोड्ने” भन्ने उद्देश्यको दलित दृष्टिकोणबाट यथाशक्य प्रयत्नहरू सुदृढ बनाउने ।

शिक्षाको हक

३३. नेपालको संविधानले दलितलगायत सबैका लागि अनिवार्य र निःशुल्क आधारभूत शिक्षा प्रदान गर्दछ । दफा ४० ले दलितहरूलाई प्राथमिक देखि उच्च शिक्षासम्म छात्रवृत्ति सहित निःशुल्क शिक्षा सुनिश्चित गर्दछ । यसबाहेक, दलितहरूको लागि प्राविधिक र व्यावसायिक शिक्षा प्रणालीमा कानूनको विशेष प्रावधान हुनेछ । संविधानको धारा ४० (२) अनुसार प्रत्येक दलित विद्यार्थीका लागि सबै तहमा यो छात्रवृत्ति सहित निःशुल्क हुनुपर्दछ, तर व्यवहारमा यो सत्य छैन । दलित विद्यार्थीहरूले सार्वजनिक विद्यालयहरूमा उच्च माध्यमिक तह सम्म निःशुल्क शिक्षा प्राप्त गर्छन् तथा वार्षिक पाठ्यपुस्तक र रु ४०० को छात्रवृत्ति पनि प्राप्त गर्छन् ।
३४. प्राथमिक तहमा भर्ना भएका दलित विद्यार्थीहरूको ठूलो प्रतिशत आधारभूत शिक्षा

पूरा गर्नु भन्दा पहिले नै बाहिरिने अवस्था छ । अनिवार्य शिक्षा (संविधानको भावना) लाई वास्तविकतामा ढाल्नको लागि बढी जागरण र संवेदनशीलताका कार्यक्रमहरू हुनु आवश्यक छ ।

३५. सरकारी विद्यालयहरूमा गुणस्तरीय शिक्षाको न्यून अवस्था नेपालमा एक ठूलो समस्या हो र धेरैजसो दलित विद्यार्थीहरू निजी स्कूलमा खर्च गर्न नसक्ने भएकाले सार्वजनिक विद्यालयहरूमा जाने गर्दछन् ।
३६. दलित समुदायका बालबालिकाहरूले शिक्षक र साथीहरूबाट विद्यालयमा भेदभावको सामना गर्दछन् । शिक्षकहरूले दलित बालबालिकाहरूको कम हेरचाह गरिरहेका हुन्छन् (दलित बच्चाहरूलाई पानी पिउन नदिने, उनीहरूसँग रूखो बोली बोल्ने, दलित बच्चाहरूलाई अलग लाइन र कक्षामा राखेर उनीहरूको सिकाउने क्षमता कमजोर पार्ने, तिनीहरूको मानसिक स्वास्थ्यलाई असर गर्ने र अन्ततविद्यालय छोड्ने तर्फ परिणत हुल जान्छ ।

सिफारिसहरू

२४. प्रत्येक दलित विद्यार्थीले स्तरीय छात्रवृत्ति सहित प्रत्येक शिक्षण संस्थामा प्राथमिकदेखि उच्च तहसम्म अनिवार्य निःशुल्क शिक्षा प्राप्त गरेको सुनिश्चित गर्ने ।
२५. प्रत्येक विद्यालयमा कम्तिमा दुई दलित शिक्षक (१(पुरुष १(महिला) नियुक्ति गर्न तुरुन्त कदम चाल्ने ।
२६. स्कूल र शिक्षण संस्थालाई भेदभावमुक्त क्षेत्र घोषणा गरी र पाठ्यक्रम संशोधन गरी शिक्षाको सबै तहमा दलित मैत्री शिक्षण र शिक्षा सुनिश्चित गर्ने ।
२७. दलित विद्यार्थीहरूको लागि पर्याप्त छात्रवृत्ति सहित चिकित्सा, ईन्जिनियरिङ्ग, कानून, विज्ञान तथा प्रविधि क्षेत्रमा निःशुल्क व्यावसायिक र प्राविधिक शिक्षा सुनिश्चित गर्ने ।

दलितहरूको नागरिकता सम्बन्धि मुद्दाहरू

३७. अन्तरजातीय जोडीहरूले नागरिकता प्राप्त गर्न कठिनाईहरूको सामना गर्दछन्, र उनीहरूको अधिकांश बच्चाहरूलाई जन्म दर्ता गर्न र अन्य महत्त्वपूर्ण पहिचान प्रमाणपत्रहरू बनाउन कठिनाईहरूको सामना गर्दछन् ।
३८. बादी समुदायका बच्चाहरू बाबुको नाममा बाउ फेला नपरेको लेखेर आफ्नो आमाको नामबाट नागरिकता लिन बाध्य छन् यसले ती बालबालिकाहरूमा ठूलो सामाजिक कलंक सिर्जना गरेको छ ।
३९. देशभरमा ठूलो संख्यामा भूमिहीन दलित (ज्यादातर मधेसी दलित) नागरिकता

प्राप्त गर्न सकेका छैनन्, किनभने देशका बासिन्दा र नागरिक भए पनि पर्याप्त प्रमाणहरू छैनन् ।

सिफारिसहरू

२८. दलित समुदायको कोही पनि विशेष गरी अन्तरजातीय विवाहित जोडीहरू, उनीहरूका बच्चाहरू, बलात्कारबाट जन्मेका बच्चाहरू र भूमिहीन दलितहरू नागरिकताबाट वञ्चित नहुने सुनिश्चित गर्नका लागि द्रुत उपायहरू अवलम्बन गर्ने ।
२९. बाबुको पहिचान नहुने बादी समुदायको लागि नागरिकता प्रमाणपत्रमा बुबाको नाम को भाग खाली राख्ने प्रावधान गर्ने ।
३०. दलित समुदायलाई असर पार्ने राज्यविहीनता, नागरिकता र महत्वपूर्ण कगजात दर्ताका मुद्दाहरूलाई सम्बोधन गर्न प्रयासलाई तीव्रता दिने ।

जीवन यापन सम्बन्धि पर्याप्तता, स्वास्थ्य तथा स्वस्थता को हक

४०. छुवाछूतको अभ्यास सीधै पानीको प्रयोगसँग सम्बन्धित छ । दलितले छोएको पानी तथाकथित 'उच्च जाति समूहहरू द्वारा अशुद्ध ठानिन्छ । यी अभ्यासका कारण अधिकांश दलित घरपरिवारले साभ्ना पानीको स्रोतबाट पानी संकलन गर्दा भेदभाव, प्रतिबन्ध वा हिंसाको सामना गर्नुपर्दछ । देशका कुनाकुनामा यस्ता धेरै घटनाहरू भइरहेका हुन्छन् जुन प्रायः समाचार पत्रपत्रिकाहरूमा पनि प्रकाशित भइरहेका हुन्छन् ।
४१. राज्य र समाजले लामो समयदेखि भेदभाव र आर्थिक लाभबाट वञ्चित गरिनाले दलित समुदाय आर्थिकरूपमा पछाडि परेको छ । नेपालमा मुस्लिम समुदाय पछि दलित समुदाय मानव विकास सूचकांक मा दोस्रो स्थान मा छ । परम्परागत पेसा र सबैभन्दा बढी श्रम गर्ने समुदाय भएता पनि, दलितहरूको ठूलो हिस्साले उनीहरूको आधारभूत आवश्यकता पनि पूरा गर्न सकेको छैन ।
४२. दलित समुदाय भोकमा आधारित गरीबीको रेखामुनि बस्दछन् । चरम गरिबी, बहिष्करण र सीमान्तकरणको कारण दलित समुदाय अक्सर खाद्यान्नको अभाव मा हुन्छ ।
४३. संविधानको धारा ४०(६) ले आवाश विहिन दलितहरूलाई आवाश उपलब्ध गराउने कुराको व्यवस्था गरेको छ । यो संवैधानिक ग्यारेन्टीको अनुरूप, सरकारले आवासको अधिकार सम्बन्धी कानून पारित गरेको छ । यद्यपि, सम्पूर्ण ऐनमा दलित शब्द कतै उल्लेख गरिएको छैन । यस बाहेक, सरकारले दलितहरूलाई आवास सेवा सुनिश्चित गर्न द्रुत प्रयास गरेको छैन ।

४४. नेपालको संविधानको धारा ३५ ले प्रत्येक नागरिकलाई राज्यबाट निःशुल्क आधार भूत स्वास्थ्य सेवाको अधिकार हुने र कोही पनि आपतकालीन स्वास्थ्य सेवाबाट वञ्चित हुनुपर्दैन भन्ने कुराको सुनिश्चित गर्दछ । यद्यपि, स्वास्थ्य सेवा पहुँचमा भेदभाव स्वास्थ्यको अधिकारको उपभोग गर्नमा अर्को प्रमुख समस्या को रूपमा रहेको छ ।
४५. दलित जनसंख्यामा सुधारिएको शौचालय सुविधामा न्यूनतम पहुँच छ ।

सिफारिसहरू

३१. दलितहरूको आधारभूत स्वास्थ्य, शिक्षा, रोजगारी र सरकारले उपलब्ध गराउने अन्य सामाजिक सुरक्षा योजनाहरू सुनिश्चित गर्न दलितहरूको लागि सामाजिक सुरक्षा कार्ड को प्रावधान प्रस्ताव गर्ने ।
३२. दलित समुदायको लागि तत्काल रूपान्तरणमुखी गरीबी न्यूनीकरण कार्यक्रमहरू शुरु गर्ने ।
३३. सुकुम्बासी र भूमिहीन दलितहरूको लागि जग्गाको पर्याप्त व्यवस्था सुनिश्चित गर्न एक वर्षभित्र कार्यक्रमहरू छरितो गर्ने ।

रोजगार तथा जीवनयापन को हक

४६. परम्परागत पेसा, शिप र कला ऐतिहासिक रूपमा दलित समुदायको उत्तराधिकार को रूपमा रहेको छ । यद्यपि दलित समुदाय लाई सम्मान भने गरिदैन र उनीहरूको जन्मजात पेशा ले गर्दा मूलधारको समाजबाट बहिष्कृत गरिन्छन । पेशागत सीपहरू उनीहरूको एक मात्र उपाय हो जसले गर्दा धेरै दलितहरू बाँच्न सक्षम छन् । दुखद रूपमा, यी कुशलतापूर्वक काम गर्ने अधिकांश व्यक्तिहरूले उचित ज्याला र कामको लागि सामाजिक सम्मान पाइरहेका छैनन । आधुनिकीकरणको अभाव, बजारमा सीमित पहुँच र उनीहरूको अन्तर्निहित सीपहरूको पेटेन्ट अधिकार नभएको कारण दलितहरूको परम्परागत व्यवसाय लोप हुने खतरामा रहेको छ ।
४७. दलित समुदायको खाद् र दुग्ध उत्पादन बजारमा आउँदैन किनकि उनीहरूको उत्पादनलाई छुवाछूतको अन्धविश्वासको कारण अशुद्ध मानिन्छ । सरकार र केही गैर सरकारी सरोकारवालाहरू द्वारा प्रस्तुत कार्यक्रमहरूले वंचित समुदायलाई खाद् र दुग्धजन्य वस्तु उत्पादन गर्न प्रोत्साहित गर्‍यो तर बजारमा समान पहुँच नपाउनाले देशभरि समस्या भएको छ ।
४८. दलित समुदायमा बैंकिंग र वित्तीय प्रक्रियामा न्यूनतम वित्तीय साक्षरता र चेतना छ । तसर्थ, दलितहरू, विशेष गरी साना र मध्यम उद्योगहरूको ऋण सेवाहरू को सजिलो पहुँचबाट वञ्चित छन् ।

सिफारिसहरू

३४. दलितहरूको लागि भूमि र आवास सेवा प्रदान गर्ने कानून र नीतिहरूको पुनरावलोकन गर्ने र उनीहरूलाई कुनै कठिनाई बिना र सकेसम्म छिटो संवैधानिक अधिकार प्राप्त गर्ने अवस्था सुनिश्चित गर्ने ।
३५. दलित समुदायको परम्परागत पेसा र सीपहरूको पदोन्नति, बजारिकरण र आधुनिकीकरणका लागि कार्यक्रमहरूलाई पदोन्नति र तीव्र गर्ने ।
३. दलित समुदायलाई उनीहरूको कला, सीप र परम्परागत पेशा र क्षतिपूर्ति तथा परम्परागत पेशा को लागि प्याटेन्ट वा अधिमान्य अधिकार सुनिश्चित गर्ने ।
३७. दलितका लागि वित्तीय साक्षरता कार्यक्रम संचालन गर्ने र प्रावधानलाई सजिलो बनाउँदै उनीहरूलाई उद्यमशीलताको लागि ऋण प्रदान गर्ने ।

भूमि र प्राकृतिक स्रोतहरूमा पहुँच

४९. दलितहरूमा भूमिहीनता चरम छ, पहाडी जनसंख्यामा ३६.७%, मधेसी दलितहरूमा ४९.४% रहेको छ । जग्गा हुने हरू संग पनि धेरै सानो मात्रामा छ । भूमिहीनताले दलितहरूलाई आर्थिक रूपमा कमजोर र जमिन्दारहरू प्रति निर्भर बनाउँछ । अधिकांश दलितहरू कृषि र व्यवसायिक मजदुर हुन र सामान्यतया भूमिहीन हुन्छन । यसले उनीहरूलाई हिंसा र भेदभावको सधैँ शिकार बनाइ कमजोर बनाउँछ ।
५०. संविधानले भूमिहीन दलितहरूका लागि कानून बमोजिम जग्गा र आवासको व्यवस्था ग्यारेन्टी गरेको छ । यद्यपि, जग्गा वितरण सम्बन्धी संशोधित कानून अत्यधिक जटिल छ र जग्गा अधिग्रहणमा धेरै सर्तहरू थोपरेको छ । त्यस्तै, दलितले आवास प्राप्त गर्न सक्छ तर जटिल परिस्थितिसहित ।
५१. समुदाय र कवुलियती वन योजना लाई मान्दै, वन ऐन २०४९ ले वन व्यवस्थापन, जनताको जीविकोपार्जन र गरीबी निवारणको बीचको सम्बन्ध स्थापित गर्‍यो । यद्यपि, वन ऐन र नियमावली ले दलित समुदायको गरीबीको समाधान प्रदान गर्नुको सट्टा व्यापारको लागि जग्गालाई व्यावसायिक उद्देश्यका लागि भाडामा दिने मार्ग प्रशस्त गर्‍यो ।
५२. वन संसाधनको लागि बनेको संस्थामा समावेशीकरणको अभाव र प्राकृतिक संसाधनको सम्बन्धमा असन्तुष्ट अवस्था रहेको छ । प्राकृतिक स्रोतमा दलित रोजगार एकदम नाममात्र को छ ।

सिफारिसहरू

३८. राज्यका अंगहरू दलितहरूका लागि समावेशी भएको कुरा सुनिश्चित गर्ने र गरिबीको अन्तराल लाई छिट्टै पूरा गरी सरकार र विकास नियोगहरूले आर्थिक सशक्तीकरणका लागि पर्याप्त स्रोतको व्यवस्था गर्ने ।
३९. संविधानले मौलिक अधिकारको रूपमा सुनिश्चित गरे भैं भूमिहीन दलितहरूलाई तत्काल जग्गा र आवास प्रदान गर्ने र कानूनको परिमार्जन गर्ने जसले यसको स्वामित्वलाई निश्चित समयका लागि रोक्दछ ।
४०. दलितको प्राकृतिक संसाधनमा समान पहुँच सुनिश्चित गर्ने र दलितको प्राकृतिक स्रोत व्यवस्थापन समितिमा समावेश गर्ने अवस्था सुनिश्चित गर्ने ।

दलित महिलाको मानवअधिकार मुद्दाहरू

५३. दलित महिला दलित जनसंख्याको आधा भाग भए पनि उनीहरूले अन्तर्निहित तीन प्रकार का भेदभावको सामना गर्नुपर्दछ वर्ग, लिंग र जाति । दलित महिलाको हैसियतमा, उनीहरूको नागरिक, राजनैतिक, आर्थिक, सामाजिक, सांस्कृतिक र धार्मिक अधिकारको हनन भएको छ । नेपालमा दलित महिलाले शिक्षा, स्वास्थ्य, रोजगारी र आर्थिक स्रोतमा पहुँचलगायतका धेरै क्षेत्रमा भेदभाव सहन गरि राखेका छन् । उनीहरूमाथि प्रबल वर्गले मात्र होइन, आफ्नै समुदायबाट पनि भेदभाव गरिएको छ जहाँ पुरुषहरू प्रधान छन् । उनीहरू विरुद्धको विभेद संरचनात्मक, विशिष्ट चिह्नित, लैंगिक पक्षपातहरूले भरिएको, सामूहिक रूपमा लक्षित, हिंसाले भरिएको र पीढीले थोपरेको छ, परिणामस्वरूप उनीहरू जीवनभर विकृत प्रभावहरूमा रहन्छन् ।
५४. दलित महिला विरुद्ध परम्परागत हानिकारक कुप्रथाहरूमा चरम गालि बेइज्जति दुर्व्यवहार र यौन, शारीरिक आक्रमण र बलात्कार जस्ता हिंसा हरु रहेका छन् । उनीहरू बलजफ्ती पिसाब तथा दिशा खान बाध्य पारिन्छन् र उनीहरूको दाँत, जिब्रो र नङ्गहरू उखेल्न बाध्य बनाइन्छन् । धेरैलाई बोक्सीको रूपमा आरोप लगाएर हत्या गरिन्छ । कमजोर कानुनी संयन्त्रका कारण उनीहरू विरुद्ध दण्डहीनता व्याप्त छ । हिंसाको लागि कानुनी र न्यायिक समाधान खोज्दा उनीहरूले अवरोधहरूको सामना पनि गर्छन् ।
५५. स्थानीय तहको निर्वाचन कानूनले दलित महिलालाई स्थानीय तहमा वडा समितिमा सदस्य हुने ग्यारेन्टी गरेको छ । त्यस प्रणालीका कारण स्थानीय स्तरमा दलित समुदायका महिलाहरूको ठूलो संख्यामा प्रतिनिधित्व छ, कुल ६,५६७ वडा सदस्य छन् । यस प्रतिवेदनको परामर्शहरूले त्यस्तो प्रतिनिधित्व औपचारिक मात्र छ भनि देखाएको छ, र स्थानीय तहको निर्णायक प्रक्रियामा दलित महिलाको प्रभावकारी

सहभागिता रहेको छैन ।

५६. दलित महिलाले अझै पनि सम्पत्ति अधिकार सम्बन्धी कठिनाइहरूको सामना गर्दछन् र पुरुषको बराबरीमा सम्पत्तिको स्वामित्वको उपभोग गर्न पाउदैनन् ।
५७. बाल विवाह, प्रारम्भिक गर्भावस्था र पाठेघर खस्ने समस्या हरूले दलित महिलाहरूको स्वास्थ्य अवस्था विग्रिएको छ, अधिकांशतः मधेशी दलित महिला, केहि दलित समूहहरूमा १५ वर्ष भन्दा पहिले विवाह गर्ने बालिकाहरूको अवस्था ६२% सम्म छ ।
५८. महिला विरुद्ध हुने हिंसा समबन्धि विशेष प्रतिनिधिको देशीय रिपोर्ट (२०१९)ले (मा.अ.प. ४१।४२) देखाएको छ की दलित समुदायमा महिलाले विभिन्न प्रकारका विभेदको सामना गर्नुपर्दछ र सँधै जोखिममा पर्ने गर्दछन् । दलित महिलाले ठूलो संख्यामा महिलाका लागि विभिन्न कानून र प्रतिबद्धता मार्फत सुनिश्चित अधिकार र सुविधाहरूको उपभोग गर्न सकेका छैनन् ।

सिफारिसहरू

४१. दलित महिला विरुद्ध हुने सबै प्रकारका हिंसाको अन्त्यको लागि विशिष्ट उपायहरू अपनाउदै कार्यहरू गर्ने ।
४२. निर्वाचित दलित महिला जनप्रतिनिधिहरूको नेतृत्व क्षमता सक्षम गर्न, उनीहरूको क्षमता अभिवृद्धि गर्न, र आ(आफ्नो स्थानमा अर्थपूर्ण सहभागिताको सुनिश्चितता को लागि तत्काल कार्यहरू तीव्र पार्ने ।
४३. सबै नीति, कार्यक्रम र महिला लक्षित स्रोतहरूमा दलित महिलालाई प्राथमिकता दिइनेछ भन्ने कुरा सुनिश्चित गर्ने ।
४४. महिला विरुद्ध हुने हिंसाको बारेमा विशेष दुतले सिफारिस गरे अनुसार महिला सम्बन्धि राष्ट्रिय कार्य योजना अपनाउने प्रक्रियालाई तीव्र बनाउने ।
४५. बाल विवाह रोक्नको लागि विशिष्ट कानून लागू गर्ने, कार्यन्वयन गर्ने र जागरूकता कार्यक्रमहरू विकास गर्ने ।

मधेशी दलितको मानवाधिकार मुद्दाहरू

५९. मधेशी दलितहरूले दोहोरो विभेदको सामना गर्नु परेको छ र नागरिक, राजनीतिक, आर्थिक, सामाजिक र सांस्कृतिक अधिकारको पहुँचमा धेरै पछाडि छन् ।
६०. मधेशी दलित सबैभन्दा गरीब छन् । ऐतिहासिक जामिन्दारी प्रथा र वंचितकरण का कारण उनीहरूसँग पर्याप्त स्रोतहरू छैन र अरुहरूकोमा न्यूनतम ज्यालामा साझा उत्पादनको न्यूनतम अंश मा काम गर्ने गर्दछन् ।
६१. नागरिकता प्राप्त गर्न जग्गा प्रमाणपत्र (लाल पुर्जा) चाहिने गर्दछ, यो कारण ले

गर्दा दलितहरूलाई राज्यविहीन बनाउँछ किनभने धेरै जसोसँग जग्गा प्रमाणपत्र छैन, त्यसैले उनीहरूलाई नागरिकता र महत्त्वपूर्ण दर्ता प्राप्त गर्नमा अर्को अवरोधको सामना गर्नुपर्दछ ।

६२. सबै समुदायको तुलनामा मधेसी दलित महिलामाथि बलात्कारको घटना एकदम बढी छ, जुन २३% छ, जबकि यो प्रतिशत दलित महिलाको सबै महिलाहरूसँगको तुलनामा १८% रहेको छ ।
६३. नेपालको दक्षिणी समतलमा बस्ने उनीहरू, चरम गरिबीको कारण दयनीय अवस्थामा बाँचिरहेका छन् जहाँ शिक्षा र स्वास्थ्य प्रमुख चुनौतीहरू छन्। उनीहरूको परम्परागत व्यवसाय लोप हुने अवस्थामा छ र वैकल्पिक रोजगारीका अवसरहरू प्रदान गर्न राज्यले गम्भीर कदमहरू चालेको छैन ।
६४. केही गैर दलितहरूले मधेशी दलितहरूको लागि छुट्याइएको लाभहरू लिइरहेका छन् किनकि सरकारले भर्खरै केही पिछडिएको जातिलाई दलितमा जोडेको छ जो ऐतिहासिक रूपमा छुवाछुत र समाजमा जातीय विभेदको सामना गर्दैनन ।
६५. गरीब मधेसी दलितहरू जग्गा दलाल र स्थानीय सरकारको विकास आयोजनाका कारण उनीहरूको बस्तीबाट विस्थापित भइरहेका छन् । यस कारण तिनीहरू घरबारविहीन भएका छन् र राज्यका निकायहरूले वैकल्पिक आवासको व्यवस्था गरेका छैनन ।

सिफारिसहरू

४६. रोजगारीका अवसरहरूको माध्यमबाट जीवनयापन सुधार गर्न मधेशी दलितहरूका लागि विशेष कार्यक्रमहरू विकास गर्ने ।
४७. उनीहरूले कुनै बाधा बिना नागरिकता प्राप्त गर्ने सुनिश्चित गर्नका लागि कार्यहरू तीव्र पार्ने र उनीहरूको राज्यविहिनताको मुद्दालाई सम्बोधन गर्ने ।
४८. गरिब मधेसी समुदायलाई, जो विभिन्न कारणले विस्थापित भएका छन् उनीहरूलाई जग्गा र आवास तुरुन्त सुनिश्चित गर्ने ।

क्रस कटिङ्ग (दलित समुदाय भित्रका मुद्दाहरू

६६. महिला, बालबालिका, वृद्धवृद्धा, दलित जनसंख्या भित्रको अल्पसंख्यक जाति, अपाङ्गता भएका व्यक्तिहरू र मधेसी दलितहरू अति असुरक्षित छन् र उनीहरू मानव अधिकार उल्लङ्घनको उच्च जोखिममा रहेका छन् ।
६७. दलित युवाहरू, विशेष गरी युवा दलित महिलाहरू, आन्तरिक, दोहोरो, तथा विभिन्न प्रकारका विभेदको सामना गर्छन्, उनीहरूको निर्णय प्रक्रियामा सीमित पहुँच छ र युवा संयन्त्रहरूमा प्रतिनिधित्वको कमी छ । उनीहरूको जातीय पृष्ठभूमि

हेरी उनीहरूलाई मुल्यांकन गरिन्छ र उनीहरूलाई प्रायः अवमूल्यन र कमजोर बनाइन्छ, जसले प्रायः जसो उनीहरूलाई कमजोर, गरिब र असुरक्षित महसूस गराउँदछ । राष्ट्रिय दलित आयोगलगायत नेपालका संवैधानिक आयोगहरूको आयुक्त बन्न कमिमा ४५ वर्ष उमेरको सीमा छ जुन युवाहरूको अनुकूल छैन ।

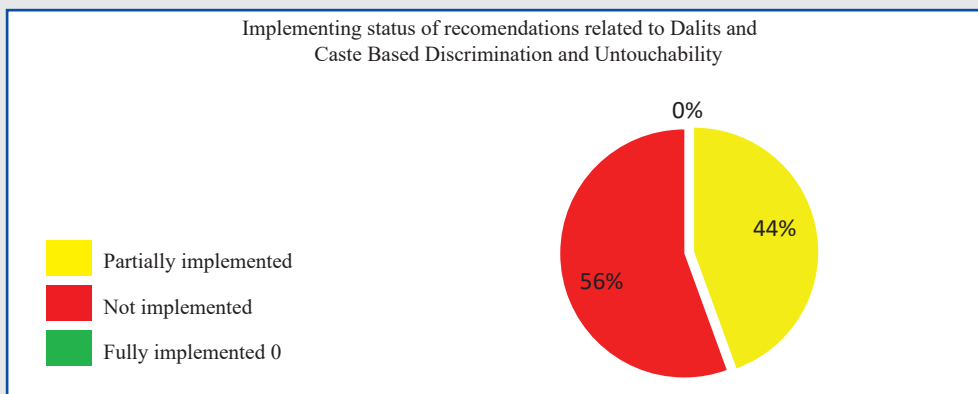
६८. बाल मजदुरी अझै पनि चरम गरीबीका कारण नेपालमा जताततै व्याप्त छ र ग्रामीण क्षेत्रहरूमा बाल विवाह पनि उतिकै पाइन्छ । अधिकांश बाल मजदुर दलित समुदायका हुने गर्दछन् र दलित समुदायमा बाल विवाहको चलन अझै पनि शिक्षाको अभाव र गरीबीका कारण जारी छ ।
६९. आधुनिक दासत्व अझै चलनमा छ र दलित समुदायहरू यसको मुख्य सिकार भएका छन् । हलिया, बालिघरे र खलो, चरुवा र हरुवा प्रणाली आधुनिक दासत्वको मूल कारण हो । हलिया मुक्ति को १४ वर्ष भएतापनि उनीहरूको दिगो पुनःस्थापनाको अभाव अझै पनि छ ।
७०. बादी र गन्धर्व जस्ता दलित समुदाय भित्रका अल्पसंख्यक जातिका जाति र केही मधेशी दलितहरू चरम गरिबी र निर्वाहमुखी जीवन बिताइरहेका छन् ।
७१. दलित यौनिक तथा लैंगिक अल्पसंख्यक व्यक्तिहरू दलितको रूपमा र यौनिक तथा लैंगिक अल्पसंख्यक को रूपमा आन्तरिक तथा दोहोरो भेदभावको सामना गर्छन् उनीहरू अपमानजनक शब्दहरू र अपमानजनक भाषाको प्रयोग बाट पिडित छन् र आफ्नै पहिचानमा नागरिकता पाउन कठिनाईको सामना गर्दछन् ।
७२. दलित समुदायका अपांगता भएका व्यक्तिहरू जातीय पहिचानका कारण गैर दलित अशक्त व्यक्तिहरूको तुलनामा बढी पीडित छन् ।

सिफारिसहरू

४९. दलित युवाहरूका लागि रोजगारीका अवसर सिर्जना गर्न प्रयत्नहरू छिटो पार्ने र निर्णय लिने कार्यमा उनीहरूको प्रतिनिधित्व सुनिश्चित गर्न कार्य गर्ने ।
५०. आधुनिक दासत्वका सबै प्रकारका उन्मूलनको लागि शिघ्र कारबाही लिने र मुक्त हलिया, बालिघरे, हरुवा, चरुवाको समस्यालाई सम्बोधन गर्न दिगो पुनर्वासको सुनिश्चित गर्ने ।
५१. बाल श्रम अन्त्य गर्न र प्रत्येक बालबालिकाले शिक्षामा पहुँच सुनिश्चित गर्न को लागी अत्यधिक प्रयास गर्ने ।
५२. दलित समुदायका यौनिक तथा लैंगिक अल्पसंख्यक र अपांगता भएका व्यक्तिहरूको को मुद्दाहरूलाई समाधानका लागि द्रुत प्रयासहरू गर्ने ।

अनुच्छेद - १

पहिलेका विश्वव्यापी आवधिक प्रतिवेदन (युपिआर) सिफरिसहरुको कार्यान्वयनको अवस्था दोस्रो चक्र (२०१५)



| सिफरिसहरु | नेपालको स्थिति | कार्यान्वयनको अवस्था |
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| जातीय भेदभाव र छुवाछुत ऐन कार्यान्वयनकालागिप्रभावकारी र स्वतन्त्र संयन्त्रको विकास गरी जातीयता, लैङ्गिक, जाततथाअन्य कुराहरुमाआधारित कानुनी तथा तथ्यात्मक विभेद अन्त्य गर्नका लागि सक्रियताका साथ काम गर्ने । (जर्मनी) १२२.४० | समर्थन भएको | जातीय भेदभाव तथा छुवाछुत अन्त्य गर्नका लागि राज्य उदासीन देखिन्छ । प्रधानमन्त्रीको अध्यक्षतामा “जातीय भेदभाव तथा छुवाछुत अन्त्य र दलित अधिकार प्रवर्द्धन संयन्त्र” नामक एक उच्च स्तरीय संयन्त्र गठन गरिएको छ । तथापि तीन वर्ष पहिले यसको अन्तिम बैठक (एक पटक मात्र) २ जनवरी २०१७ मा भएको थियो र त्यस पछि कुनै बैठक बोलाइएको छैन । राष्ट्रिय दलित आयोग - कानुनी, प्रहरी, अधिवक्ता, अदालत |
| सन् २०११ को जातीय भेदभाव तथा छुवाछुत सम्बन्धी कानुनको विस्तृत कार्यान्वयनका लागि ठोस रणनीति बनाउने । (स्विट्जरल्याण्ड) १२२.३६ | समर्थन भएको | जातीय छुवाछुत तथा भेदभाव सम्बन्धी कानुनको प्रभावकारी कार्यान्वयनका लागि कुनै पनि ठोस रणनीति तयार पारिएको छैन । |

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| <p>आर्थिक रूपमा विपन्न सामाजिक समूहलाई समेटेर सबैका लागि शिक्षाको प्रावधानमा राष्ट्रिय कार्य योजनाको कार्यान्वयन जारी राख्ने । (संयुक्त अरब इमिरेट्स), १२२.२०</p> | <p>समर्थन भएको</p> | <p>संविधानको धारा ४० ले दलित विद्यार्थीहरूका लागि निःशुल्क शिक्षा (प्राथमिक देखि उच्च तह) को व्यवस्था गरेको छ । शिक्षा विधेयकको नयाँ बनेको कानूनले दलित विद्यार्थीहरूलाई विद्यालय शिक्षा र अति विपन्न दलित विद्यार्थीहरूलाई विश्वविद्यालयस्तरको शिक्षा निःशुल्क कुनै सुनिश्चित गरेको छ ।</p> |
| <p>छुवाछुत तथा जातीय विभेद सम्बन्धीकानूनको प्रभावकारी कार्यान्वयनका लागि सार्वजनिक नीतिहरूको विकास गर्ने । (पाराग्वे), १२२.३३</p> | <p>समर्थन भएको</p> | <p>ऐनको प्रभावकारी कार्यान्वयनका लागि अहिले सम्म कुनै सार्वजनिक नीति बनेको छैन ।</p> |
| <p>सबै प्रकारकाविभेद हटाउनका लागि विद्यमान कानून र नीतिहरूलाई प्रभावकारी रूपमा लागू गर्न यसको प्रयासलाई सशक्त बनाउने । (थाइल्याण्ड), १२१.१७</p> | <p>समर्थन भएको</p> | <p>सबै प्रकारका विभेद हटाउनका लागि सरकारले कुनै विशेष प्रयास गरेको छैन ।</p> |
| <p>वास्तवमै भेदभाव अन्त्य गर्नका लागि बढी प्रयासहरू गर्ने । (जापान), १२१.१८</p> | <p>समर्थन भएको</p> | <p>सबै प्रकारका विभेद हटाउनका लागि सरकारले कुनै विशेष प्रयास गरेको छैन ।</p> |
| <p>सन् २०११ को जातीय भेदभाव तथा छुवाछुत ऐनको पूर्ण र प्रभावकारी कार्यान्वयनको सुनिश्चितगर्ने । (डेन्मार्क), १२२.३५</p> | <p>समर्थन भएको</p> | <p>प्रभावकारी कार्यान्वयनका लागि कुनै कदम चालिएको छैन ।</p> |
| <p>मानवअधिकार रक्षागर्ने क्रममा तथा लैङ्गिक समानता, समलिङ्गी, उभयलिङ्गी, ट्रान्सजेन्डर व्यक्तिहरू तथा अल्पसङ्ख्यकहरू सम्बन्धी प्रावधानहरू आगू गर्दा नयाँ संविधान कार्यान्वयन भए नभएको सुनिश्चितगर्नका लागि आवश्यक कदम चाल्ने । (स्वीडेन), १२१.१६</p> | <p>समर्थन भएको</p> | <p>कानून बनाउने प्रक्रियामा संविधानमा निहित भावनालाई कटौती गर्न खोजिएका कारण सिमान्तकृत वर्गको अधिकार सुनिश्चित गर्नका लागि सरकार सुस्त देखिएको छ ।</p> |

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| <p>सबै प्रकारका विभेद विशेष गरी महिला तथा दलित माथि हुने विभेद अन्त्य तथा रोकथामका लागि बनेका कानूनको कार्यान्वयन र प्रभावकारिताको आँकलन गर्ने र भेदभाव विरोधी प्रयासहरूलाई प्रभावकारी अभ्यासका रूपमा सतहमा ल्याउनका लागि ठोस कदम चाल्ने । (चेक रिपब्लिक), १२२.३९</p> | <p>समर्थन भएको</p> | <p>सरकारले भेदभाव सम्बन्धी कानूनको कार्यान्वयनको मूल्याङ्कन गरेको छैन र यसको लागि गम्भीर र उचित कदम लिएको छैन । त्यसै गरी कुनै ठोस कदम पनि चालिएको छैन ।</p> |
| <p>जातीय भेदभाव तथा छुवाछूत ऐन, २०११ र महिला माथि हुने सबै प्रकारका विभेद अन्त्यको प्रभावकारी कार्यान्वयन सुनिश्चित गर्न सबै आवश्यक कदमहरू चाल्ने । (नामिबिया), १२२.४१</p> | <p>समर्थन भएको</p> | <p>सरकारले कुनै ठोस कदम चालेको छैन ।</p> |
| <p>दलित समुदाय माथि हुने सबै भेदभावजन्य कार्यहरूको छानबिन गर्ने । (अर्जेन्टिना), १२२.५५</p> | <p>समर्थन भएको</p> | <p>जातीय भेदभावका मुद्दाहरूको छानबिन तथा अनुसन्धानमा कमजोर । प्रदेशीय परामर्शका अनुसार दलित समुदायले पहिलो जानकारी (एफआइआर) दर्ता गर्नका लागि कठिन समयको सामना गर्नुपर्दछ ।</p> |
| <p>सीमान्तकृत र निम्न आयभएका समूहहरूको आवासमा सहज पहुँच पुऱ्याउने दृष्टिकोणका साथ यसको प्रयासहरू अनुसरण गर्ने । (मोरोक्को), १२२.८९</p> | <p>समर्थन भएको</p> | <p>संविधानले प्रदत्त गरेको आवासको अधिकार सम्बन्धी कानून बनेको छ तथापि समग्र ऐनमा कतै पनि दलित शब्द उल्लेख गरिएको छैन । यस बाहेक दलितहरूलाई आवासको सुविधा सुनिश्चित गर्नका लागि सरकारले यथासिद्ध प्रयासहरू गरेको छैन ।</p> |

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| <p>महिला विरुद्ध हुने भेदभाव उन्मुलन समिति र आर्थिक, सामाजिक र साँस्कृतिक अधिकार समितिले गरेका अवलोकनको आधारमा बालिका र दलित बालबालिका लगायत सबै बालबालिकाहरुको लागि समान शैक्षिक अवसरहरु सुनिश्चित गर्ने । (फिन्ल्याण्ड), १२२.१०४</p> | <p>समर्थन भएको</p> | <p>नयाँ बनेको विधेयक शिक्षा सम्बन्धी कानुनले दलित विद्यार्थीहरुले निःशुल्क शिक्षा पाउने व्यवस्था गरेको छ । दलित विद्यार्थीहरुका लागि शिक्षा निःशुल्क छ र उनीहरुले रु. ४०० छात्रवृत्ति पाउँछन् । तथापि प्रदेश गोष्ठीमा अभिभावकहरुले विद्यालयले अन्य कारणमा शुल्क लिने र त्यो दलित समुदायका लागि बढी हुने गरेको बताए । छात्रवृत्ति निर्धारण गर्दा ऐतिहासिक अन्याय लाई पनि मध्यनजर गरिनुपर्दछ ।</p> |
| <p>सम्पूर्ण नेपाली अल्पसङ्ख्यक समूहसंग समावेशी संवाद सुनिश्चितगर्ने (युक्रेन), १२२.३८</p> | <p>समर्थन भएको</p> | <p>राज्यले अल्पसङ्ख्यक समूहका लागि समावेशी संवादका लागि प्रयास गरेको छैन जसको कारण समावेशी ढाँचाप्रति नकारात्मक धारणा फैलिरहेको छ ।</p> |
| <p>विद्यालय जाने उमेरका बालबालिका विशेष गरी बालिका र अल्पसंख्यक तथा आदिवासी समुदायका बालबालिकाहरुको विद्यालयमा भर्ना बृद्धि गर्ने नीति अनुसरण जारी राख्ने । (सिङ्गापुर), १२२.१०५</p> | <p>समर्थन भएको</p> | <p>शिक्षा निःशुल्क गरिएको छ तर संविधानले परि कल्पना गरेको अनिवार्य शिक्षाको धारणालाई साकार पार्नुपर्दछ ।</p> |
| <p>भूकम्प राहतले दलित लगायत कमजोर समुदायका सदस्यहरुको सम्बोधन गरे नगरेको सुनिश्चित गर्ने र सुरक्षित श्रमलाई बढावा दिने । (संयुक्त राज्य अमेरिका), १२२.१११</p> | <p>समर्थन भएको</p> | <p>पुननिर्माण प्रक्रिया समावेशी छैनन् । दलित समुदायको परम्परागत कला, सीप र पेशा अन्य पेशाहरु जस्तै सम्मानित छैनन् ।</p> |
| <p>बालबालिका, महिला तथा अन्य कमजोर समूहहरुको अधिकार संरक्षणको उपायहरु बढाउने । (लाओ पिपुल्स डेमोक्रेयाटिक रिपब्लिक), १२२.२२</p> | <p>समर्थन भएको</p> | <p>कुनै विशेष कदमहरु लिइएको छैन ।</p> |
| <p>व्यापक अपनत्व तथा सहभागिता लागू गर्न नेपालका सबै क्षेत्रको समायोजित गरी संविधान निर्माण र लोकतान्त्रिक प्रक्रियाको सुदृढ गर्ने । (भारत), १२२.१</p> | <p>समर्थन भएको</p> | <p>संविधानमा जारी भएको ४.५ वर्ष बितिसक्दा पनि सिमान्तकृत समुदायको अपेक्षाहरु छुन् र संविधान संसोधनका मुद्दाहरु राजनीतिक एजेण्डा हुन् ।</p> |

अनुच्छेद - २

संयुक्त रुपमा पेश गरिएको संस्थाहरुको सूचि

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| १ | दलित गैर सरकारी संस्थामहासंघ (डिएनएफ) |
| २ | नेपाल दलित महिला उत्थान संघ (एड्वान), काठमाडौं |
| ३ | ज्येष्ठ नागरिक, महिला, बालबालिका तथा अनाथका लागि क्षेत्रिय विकास केन्द्र (अवार्ड नेपाल), नेपाल, बभ्राङ्ग |
| ४ | ब्याकवार्ड समाजउत्थान केन्द्र, अर्घाखाँची |
| ५ | बादी समाज विकास पन्च, जाजरकोट |
| ६ | विकासशील समाज नेपाल, सल्यान |
| ७ | विन्ध्यावासिनी मानव उत्थान स्वास्थ्य केन्द्र, कपिलवस्तु |
| ८ | व्यास भूमि परिवार आमा समूह, तनहुँ |
| ९ | दलित महिला अध्ययन केन्द्र (सिडिडब्लुएन), काठमाडौं |
| १० | चेतना विकास मन्च, कैलाली |
| ११ | छिन्न मस्ता विकास सेवा, सप्तरी |
| १२ | दलित अधिकार मन्च, कन्चनपुर |
| १३ | दलित अभियान, सुनसरी |
| १४ | दलित सचेतना समाज, तेह्रथुम |
| १५ | दलित विकास मन्च, रुकुम |
| १६ | दलित विकार स्रोत केन्द्र, जाजरकोट |
| १७ | दलित विकास समाज, रौतहट |
| १८ | दलित विकास समाज, सल्यान |
| १९ | दलित विकास समाज |
| २० | दलित विकास संस्था, सर्लाही |
| २१ | दलित विकास सेवा समाज, सर्लाही |
| २२ | दलित बाल सुधार (हेरचाह) गृह, भापा |
| २३ | दलित एकता समाज, ताप्लेजुड |
| २४ | दलित एकिकृत विकास नेपाल, रौतहट |

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| २५ | दलितएकिकृत समाजविकास सशक्तिकरण |
| २६ | दलित सवलीकरण केन्द्र, स्याङ्जा |
| २७ | दलित सवलीकरण केन्द्र, बाग्लुङ |
| २८ | दलित सवलीकरण केन्द्र, उदयपुर |
| २९ | दलित सवलीकरण केन्द्र, हुम्ला |
| ३० | दलित मानव अधिकार संस्था (डिएचआरओ), काठमाडौं |
| ३१ | दलित औद्योगिकरण विकास कार्यक्रम, बाँके |
| ३२ | एकिकृत दलित सामाजिक विकास तथा सवलिकरण, कालीकोट |
| ३३ | दलित जागरण नेपाल, रौतहट |
| ३४ | दलित जागरण नेपाल, रौतहट |
| ३५ | दलित जन जागरण सेवा समिति, सप्तरी |
| ३६ | दलित जन कल्याण युवाक्लब, सिराहा |
| ३७ | दलित जन उत्थान संगठन, कालीकोट |
| ३८ | दलित जन उत्थान संस्थान |
| ३९ | दलित सचेतना सङ्गम, सप्तरी |
| ४० | दलितजनजाति कल्याण संघ, महोत्तरी |
| ४१ | दलित कल्याण संघ, नवलपरासी |
| ४२ | दलितमहिलाएकता केन्द्र, दाङ |
| ४३ | दलित महिला जनजातिउत्थान संघ, मुगु |
| ४४ | दलित महिला सचेतना केन्द्र, रोल्पा |
| ४५ | दलित महिला संघ, दाङ |
| ४६ | दलित महिला संरक्षण, दाङ |
| ४७ | दलित महिला उत्थान सेवा केन्द्र नेपाल, सर्लाही |
| ४८ | दलित महिला अधिकार मन्च नेपाल, कैलाली |
| ४९ | दलित महिला जागृती केन्द्र, सर्लाही |
| ५० | दलित महिला उत्थान संघ |
| ५१ | दलित महिला संघ, दार्चुला |
| ५२ | दलित महिला सशक्तिकरण मन्च, जाजरकोट |
| ५३ | दलित नेटवर्क, पर्वत |

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| ५४ | दलित नेटवर्क, उदयपुर |
| ५५ | दलितप्रमोसन नेपाल, रौतहट |
| ५६ | दलित सचेतना अभियान, दाङ |
| ५७ | दलित सहयोग समाज, बझाङ |
| ५८ | दलित समाज सहायता केन्द्र, दाङ |
| ५९ | दलित सामाजिक विकास केन्द्र, रुपन्देही |
| ६० | दलित सामाजिक विकास केन्द्र, कपिलवस्तु |
| ६१ | दलित सामाजिक विकास केन्द्र, नवलपरासी |
| ६२ | दलित सामुदायिकविकास केन्द्र, कपिलवस्तु |
| ६३ | दलित संजाल, घटन, म्याग्दी |
| ६४ | दलित सशक्तिकरण सामाजिक संस्था |
| ६५ | दलित सशक्तिकरण केन्द्र |
| ६६ | दलित अध्ययन विकास केन्द्र (डिएसडिसी), काठमाडौं |
| ६७ | दलित उद्यम विकास समाज, बैतडी |
| ६८ | दलित उत्थान मन्च, रौतहट |
| ६९ | दलित उत्थान समाज, कालीकोट |
| ७० | दलित उत्पीडित जनजाति उत्थान समिति, सिराहा |
| ७१ | दलित उत्थान सेवा संघ, कपिलवस्तु |
| ७२ | दलित उत्थान सेवा संघ, नवलपरासी |
| ७३ | दलित उत्थान समाज |
| ७४ | दलित उत्थान संरक्षण केन्द्र, सप्तरी |
| ७५ | दलित उत्थान मन्च, सप्तरी |
| ७६ | दलित उत्थान युवा समाज, बझाङ |
| ७७ | दलित उत्थानका लागि युवा अभियान नेपाल, जाजरकोट |
| ७८ | दलित सेवा संघ, काठमाडौं |
| ७९ | दलित कल्याण समन्वय समिति, मोरङ |
| ८० | दलित सेवा संगठन, काठमाडौं |
| ८१ | दलित महिला न्याय मन्च, भापा |
| ८२ | दलित अधिकारका लागि राष्ट्रिय संजाल, कैलाली |

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| ८३ | धौलागिरी उत्पीडित सरोकार केन्द्र, म्याग्दी |
| ८४ | डिगनीटी इनिशियटिभ, काठमाडौं |
| ८५ | एकता दलित संजाल, बाग्लुङ |
| ८६ | वातावरण तथा दलित समुदाय विकास संघ, सुनसरी |
| ८७ | दलित महिला संघ, काठमाडौं |
| ८८ | गैरी गाँउ टोल विकास समिति, रौतहट |
| ८९ | गन्धर्व साँस्कृतिक कला संगठन, काठमाडौं |
| ९० | गन्धर्व समाज नेपाल, काठमाडौं |
| ९१ | गरीब उत्थान उत्सर्गका लागि मानव समाज, बाजुरा |
| ९२ | घुम्टे दलित सन्जाल, बाग्लुङ |
| ९३ | ग्रास रुट विकास संस्थान, काठमाडौं |
| ९५ | ज्ञान ज्याति युवा क्लब, वभाङ्ग |
| ९६ | हिमाल नेपाल, रौतहट |
| ९७ | हिमालयन समाज विकास केन्द्र, जाजरकोट |
| ९८ | मानव अधिकार तथा जातीय भेदभाव सरोकार केन्द्र, मकवानपुर |
| ९९ | मानव अधिकार संरक्षण समाज, सुर्खेत |
| १०० | जागरण मिडिया सेन्टर, काठमाडौं |
| १०१ | जनचेतना संस्था, सुनसरी |
| १०२ | जनसरोकार मन्च, जाजरकोट |
| १०३ | जन उत्थान प्रतिस्थान, काठमाडौं |
| १०४ | जनजागृति समाज विकास केन्द्र, स्याङ्जा |
| १०५ | जय जनता दलित सेवा समाज नेपाल, सर्लाही |
| १०६ | जे.सि.आइ., नेपाल, काठमाडौं |
| १०७ | जिल्ला हलिया मुक्ति समाज, बैतडी |
| १०८ | ज्योति नेपाल, रौतहट |
| १०९ | कल्याणकारी अपाङ्ग सेवा संघ, सल्यान |
| ११० | कर्णाली दलितविकास परिषद, हुम्ला |
| १११ | कर्णाली दलितविकास परिषद, जाजरकोट |
| ११२ | कर्णाली दलितविकास परिषद, जुम्ला |

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| ११३ | कर्णाली महिला एकता केन्द्र |
| ११४ | लिंगल एसिस्टेन्ट एण्ड रिसर्च सेन्टर, नवलपरासी |
| ११५ | मधेसी दलित एनजिओ फेडरेसन, काठमाडौं |
| ११६ | मधेसीउत्पीडित दलित समाज, सप्तरी |
| ११७ | मधु गंगा समाज सेवा संघ, धनकुटा |
| ११८ | माफ्सोड नेपाल, कैलाली |
| ११९ | महान दर्शन नेपाल, नवलपरासी |
| १२० | महिला हक तथा मानव अधिकार दलित एकल महिला संस्था, जाजरकोट |
| १२१ | महोत्तरी दलित जनजाति उत्थान संघ, महोत्तरी |
| १२२ | मानव अधिकार चेतना अभिवृद्धि मन्च, बझाङ्ग |
| १२३ | मानव अधिकार संरक्षण समाज (मन्च) |
| १२४ | मानव एकता विकास केन्द्र, कन्चनपुर |
| १२५ | मानवीय सुधार तथा संरक्षण समाज, कन्चनपुर |
| १२६ | मानवीय सुधार तथा संरक्षण समाज नेपाल, कन्चनपुर |
| १२७ | मानपुर युवा समाज, बर्दिया |
| १२८ | मर्यादा फाउण्डेसन, काठमाडौं |
| १२९ | मथुरा जन समाज संस्था, बर्दिया |
| १३० | आधुनिक सीप विकास मन्च नेपाल, डोटी |
| १३१ | नव प्रतिभा समूह, कैलाली |
| १३२ | नमूना दलित महिला संघ, उदयपुर |
| १३३ | राष्ट्रिय दलित नेटवर्क (आरडिएन), कैलाली |
| १३४ | राष्ट्रिय दलित महिला संगठन नेपाल, काठमाडौं |
| १३५ | नेपाल दलित तथा जनजाति विकास केन्द्र |
| १३६ | नेपाल दलित साहित्य फाउण्डेसन, काठमाडौं |
| १३७ | नेपाल दलित सेवा समाज, सर्लाही |
| १३८ | नेपाल दलित शान्ति समाज उत्थान मन्च, सिराहा |
| १३९ | नेपाल दलित सुधार संघ, सप्तरी |
| १४० | नेपाल दलित उत्थान समाज, सप्तरी |
| १४२ | नेपाल लोक संस्कृति अध्ययन संस्थान, काठमाडौं |

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| १४३ | नेपाल पीडित समुदाय संरक्षण केन्द्र |
| १४४ | नेपाल रजक जन कल्याण समिति, सप्तरी |
| १४५ | नेपाल पीडित समुदाय संरक्षण केन्द्र (नेप्सकन), सुर्खेत |
| १४६ | नेपाल उत्पीडित उत्थान परियोजना (एनयुयुपिएस), महोत्तरी |
| १४७ | नेपाल युवा जनजागरण केन्द्र |
| १४८ | नेपाल युवा जनजागरण केन्द्र |
| १४९ | उत्पीडित तथा दलित महिला सरोकार मन्च, तेह्रथुम |
| १५० | उत्पीडित दलित जाति विकास मन्च, पाँचथर |
| १५१ | उत्पीडित सशक्तिकरण तथा युवा संगठन, काठमाडौं |
| १५२ | उत्पीडित उत्थान सरोकार केन्द्र, सुनसरी |
| १५३ | सामाजिक सशक्तिकरणका लागि हाम्रो अभियान, सल्यान |
| १५४ | पिछडिएको समुदाय विकास मन्च, स्याङ्जा |
| १५५ | पीडित जन उत्थान केन्द्र, सुर्खेत |
| १५६ | पीडित जन सेवा विकास, बाँके |
| १५७ | पीडित जन उत्थान केन्द्र |
| १५८ | व्यवसायिक विकास तथा अध्ययन केन्द्र (पिडिआरसी), काठमाडौं |
| १५९ | राष्ट्रिय दलित विकास विकास संस्था, पर्वत |
| १६० | रिसर्च इम्प्यावरमेन्ट एण्ड सपोर्ट, काठमाडौं |
| १६१ | आरआइसी, डडेलधुरा |
| १६२ | सचेतना केन्द्र नेपाल, उदयपुर |
| १६३ | समा फाउण्डेसन, काठमाडौं |
| १६४ | समावेशी फाउण्डेसन, काठमाडौं |
| १६५ | समाज कल्याण संघ, बर्दिया |
| १६६ | समाज सहकार्य, सप्तरी |
| १६७ | सामाजिक समानता अभियान, कन्चनपुर |
| १६८ | सामाजिक सशक्तिकरणका लागि हाम्रो अभियान |
| १६९ | सामाजिक सशक्तिकरण तथा साक्षरता मन्च नेपाल, डडेलधुरा |
| १७० | सामाजिक सशक्तिकरणका लागि महिला मन्च नेपाल, अछाम |
| १७१ | समता फाउण्डेसन, काठमाडौं |

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| १७२ | समता नेपाल, सिन्धुपाल्चोक |
| १७३ | समता सामुदायिक विकास मन्च, नवलपरासी |
| १७४ | सामुदायिक विकास संघ, बर्दिया |
| १७५ | सामुदायिक दलित विकास मन्च, दार्चुला |
| १७६ | सामुदायिक सहयोग समिति, कैलाली |
| १७७ | सन्जिवनी नेपाल, नवलपरासी |
| १७८ | सारङ्गी सोसल इन्टरप्राइजेज, काठमाडौं |
| १७९ | सयपत्री दलित महिला सामाजिक जागरण मन्च, जाजरकोट |
| १८० | संयुक्त दलित उत्थान मन्च, तनहुँ |
| १८१ | सेवा नेपाल, नवलपरासी |
| १८२ | सिसाखानी दलित विकास केन्द्र, बाग्लुङ |
| १८३ | शिवपुरी जन सशक्तिकरण केन्द्र, जाजरकोट |
| १८४ | श्री अमर ज्योति नेपाल, रौतहट |
| १८५ | श्री छत्रज्योती सुन्दरी दलित पुरस्कार प्रतिष्ठान, सर्लाही |
| १८६ | श्री दलित समाज कल्याण केन्द्र, महोत्तरी |
| १८७ | श्री जय, ज्योती नेपाल, रौतहट |
| १८८ | श्री कालिका महिला जागरण आमा समूह, स्याङ्जा |
| १८९ | श्री कालिमा महिला जागरण आमा समूह, स्याङ्जा |
| १९० | सामाजिक सचेतना विकास समाज, भ्वापा |
| १९१ | सामाजिक न्याय मन्च, सुनसरी |
| १९२ | सामाजिक सुधार सेवा नेपाल, सिन्धुली |
| १९३ | सृजनशील दलित एकता समाज, अछाम |
| १९४ | सृजनशील समाज नेपाल, कैलाली |
| १९५ | सुधार नेपाल, बझाङ |
| १९६ | सुनपति जनहीत दलित समाज, रामेछाप |
| १९७ | सूर्य किरण युवा केन्द्र, जाजरकोट |
| १९८ | सूर्यमति युवाजागरण प्रतिष्ठान, नुवाकोट |
| १९९ | तराइ दलित विकास मन्च, बाँके |
| २०० | तराइ दलित विकास समाज, नवलपरासी |

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| २०१ | तराइ दलित सरोकार केन्द्र नेपाल, रुपन्देही |
| २०२ | त्रिशक्ति अपाङ्ग तथा दलित सेवा संघ, बाँके |
| २०३ | टुहुरे सेवा समाज, भूपा |
| २०४ | बेरोजगार दलित कल्याण संघ, सप्तरी |
| २०५ | छुवाछुत तथा अपराध उन्मुलन संगठन, बाग्लुङ |
| २०६ | उत्पीडित तथा जनजाति विकास परिषद, अर्घाखाँची |
| २०७ | उत्पीडित दलित महिला उत्थान संघ नेपाल, बर्दिया |
| २०८ | उत्पीडित दलित समाज, सप्तरी |
| २०९ | उत्पीडित दलित मिुदाय सन्जाल, बाग्लुङ |
| २१० | उत्पीडित जनचेतना मन्च, बाग्लुङ |
| २११ | उत्पीडित जातीय विकास प्रतिष्ठान, रौतहट |
| २१२ | उत्पीडित महिला सचेतना समूह नेपाल, गोरखा |
| २१३ | उत्पीडित समुदाय जागरण मन्च, बाँके |
| २१४ | उत्पीडित समुदाय विकास तथा अनुसन्धान केन्द्र, गोरखा |
| २१५ | उत्पीडित समुदाय उत्थान केन्द्र, गुल्मी |
| २१६ | उत्पीडित उत्थान विकास केन्द्र, पाल्पा |
| २१७ | उत्पीडित वर्ग उत्थान संघ, बर्दिया |
| २१८ | उत्पीडित समुदाय विकास केन्द्र, बाँके |
| २१९ | उत्पीडित सामुदायिक महिला विकास केन्द्र, स्याङ्जा |
| २२० | उत्पीडित उत्थान तथा चेतना विकास मन्च, अछाम |
| २२१ | उत्पीडित युवा जागरण मन्च, अर्घाखाँची |
| २२२ | महिला सशक्तिकरण अभियान, तेह्रथुम |
| २२३ | यस (वाइइएस) नेपाल, काठमाडौं |