

# **A Good Practice On Haliya Rights Movement in Nepal**

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## **1) Context**

The Haliya pratha (system/Mal Practice) is agrarian bonded labor. Haliyas or bonded laborers are people who take loan from landlords (money lenders) at exorbitant interest rates. While they must pay back the principal, they and their family are required to pay in labor and services against the interests. They remain ploughmen and their family bonded laborer until the loan is repaid, which is as difficult as coming out of a deadly swamp. This kind of mal practice oftenly found in 9 districts of far western part of Nepal. Especially 97% bonded labors (Haliyas) are from Dalit community according to the record of different survey who are facing caste based discrimination. In the human rights prospective, it is regarded as social injustice. Statistics on Haliya, Khaliya etc. are not exact and also very much debated. It differs according to sources. Based on sample studies by RDN Nepal in 800 HHs of Bajhang, Baitadi, Darchula, Darchula and Doti, it was estimated about 60,000 Haliya in Far Western Region of Nepal. The study pointed out three kinds of Haliyas that are due to loan, land and tradition (cultures and norms) respectively. The study undertaken by NNDWSWO and LWF (2004) projected about 5% of Dalit population (equal to 15000) in Far Western Region of Nepal. Latest government statistics based on study undertaken by Ministry of Peace and Reconstruction reported about 19205 in 11 districts of Far Western Region (9) and Mid Western Region (2) of Nepal. But, the study made by RDN Nepal in 2010 estimated that there were 9.6 % (37,954) Haliya, and 13.4 % (52844) Khaliya of total Dalit population in Far Western Region. Similar to Khaliya Pratha, 0.9 % (3,549) Pulo Pratha was also found in this region and it was concentrated only in Bajhang (5.4%). Among Haliya, 36.7 %, 17.0% and 45.5 % are due to loan, land and tradition (cultures and norms) respectively. Furthermore, about one-fifth (19.0%) households have built their houses in others's land i.e master's land. Considering the major problems of Haliya, It was found that 96 percent of the respondents were feeling caste discrimination in their locality in this far western region. Almost 70 percent people had land which could support only for three months. Only five percent people had food sufficiency up to 10 to 12 months. Bajura was found very week in food sufficiency with 98 percent with food sufficient for less than three months.

## **2) Description of the Practice**

In this regards, Rastriya Dalit Network (RDN) Nepal which is the first Dalit organisation working on Haliya issues initiated to conduct Haliya rights movement from far western part of Nepal. The main objective of the campaign/ practice was to eliminate the caste based discrimination empowering bonded labors for establishing the equitable society and social dignity. The target groups of the initiative were to Dalit communities especially Haliyas and Khaliyas. The campign was launched ensuring the active participation of bonded labor as well as getting the mass solidarity of other civil movements related to human rights, land rihts, Kamaiya rights, journalists, layers, political parties etc. The duration of the movement remained last 10 years.

## **3) Legal & institutional framework of the practice**

After the restoration of multy party democracy in 2046 B.S. most of the donor agencies, UN mechanism, political parties, and human rights organizations enhanced their attention towards improve the social and political status of poor, vulnerable and socially excluded (PVSE) people in the community. On the other hand, some policy and procedures had been entitled in the favor of Haliya. It was possible to fight against the system of bonded labor catching the conviction of ILO 169 as well as different treaties of United Nations (UN). It is fact that recent political achievement was materialized by Comprehensive Peace Agreement 2006 and Interim Constitution 2007. The background of this documents are decade's violent conflict (1996-2006) (also called as People's War) and People Popular Movement II of 2006. Really the practice has met the criteria of non-discrimination, equality, and inclusion of taget group.

## **4) Implementation of the Practice**

The issues of Haliya raised in Community Literacy Program (CLP) through reflect class in Ganshpur VDC of Dadeldhura distrit in 2058 B.S conducted by RDN Nepal concentrated on daily wages of Haliya by the medium of participatory approach and finally Haliya in the community level were convienced to unite. The discussion in reflect class created mass conscientation/awareness to free from landlord and discussion made with the landlord. RDN Nepal prepared the strategy of Haliya rights movement learning the best practices from Kamaiya movement which was model of this initiative. RDN conducted sampling survey in 800 HHs of Bajhang, Dadeldhura, Baitadi, Darchula and Doti district in close coordination wih Community Self Realiance Center (CSRC). From the achieved information of that survey, Haliya issues tried to be nationalized and influenced in policy level. The seminar, workshops and intraction programs were held in the district level to highlight the current emerging issues of Haliya. RDN

Nepal organized first national level Haliya conference in Dadeldhura in 2062 B.S. and formed their own people organizations (Central Haliya Rights Forum) ensuring the representation of Haliyas from different districts of far western part of Nepal. RDN Nepal also formed 9 district level Haliya rights forums in far western region. It also mobilized Untouchability Crime Watch Centers (UCWCs) to provide legal support and law suit to Haliyas which had been formed by RDN Nepal in 9 districts of far western region. The capacity of those networks had been strengthened through meetings, caravan etc. After linking up the local level issues to districts and region, RDN Nepal moved its strategy to discuss with policy makers in Kathmandu. During these periods, dozens of interaction programs, workshops were also held with the major stakeholders to influence the issues in the policy level. Writ in two times had been registered to Supreme Court against this system by RDN Nepal as well as others. Finally the court decided it in the favor of Haliya. RDN Nepal empowered Haliyas to claim for their rights. RDN Nepal also linked the Haliya rights movements with land rights movements and human rights in close coordination and collaboration with national land rights concern group and human rights alliance which are alliance of more than 1000 people organizations in the country. The main objective of the alliance was to achieve the mass solidarity to influence the issues in the policy level. RDN also itself made Haliya rights issues as a part of Dalit rights campaign which was launched all over the country since 2001 A.D. to till date. This movement reached in rationale conclusion due to the representation of RDN board members (9 board members elected as CA member and central chairperson himself nominated in commission) in CA and High Level Commission for Scientific Land Reform.

Beside RDN intervention, the initiation of Bhim Datta Pant in land rights movement and Tika Ram Parki (liberation through temple entry into Shaileshwari temple in Silgadhi, Doti 2017 B.S.) contributed in this practice. In 2036 (BS), with the initiation and leadership of Puran Singh Dyal (currently Constituent Assembly-CA member), there is social movement against Haliya and Doli Pratha. Social elites were so strict practitioner of traditional cultures based Hindu ideology and beliefs that they made him compulsion to leave his plan. After series of awareness raising and public advocacy on Dalit and Haliya's right, Rastriya Haliya Mukti Mahasnggh led the movement at regional level jointly with RDN Nepal, NNDSWO and many other human rights institutions. Its district chapters are in all districts of Far Western Region of Nepal. They could successfully organize and manage this movement.

## 5) Success and Challenges

After the long struggle and campaigning against this system in joint and collaborative effort of other civil movements, government of Nepal declared the Haliya emancipation on 21 Bhadra, 2065. Soon after series of advocacy on Dalit's and Haliya's right, there was five point agreement regarding Haliya's liberation. A task force was formed to suggest Government of Nepal with its in-depth analysis on issues, problems and possible measures to rehabilitate them. Along with this, Ministry of Peace and Reconstruction also gathered and updated statistics on Haliya. Rehabilitation of Freed Haliya and Monitoring Task Force is formed at national and district level for their further verification and certification. After completing all these process, relief based rehabilitation programme will be launched. It includes low cost housing, skill and income generating programme, employment to each household and appropriate land holding size.

Alongwith the success of the practice, freed Haliyas have challenges. Although their civil and political rights has been ensured. Due the lack of proper rehabilitation, they are not getting chance for income generation. We can see the high poverty rate in Dalits community (Haliya/Khali) also. There is lack of strong political commitments and initiation in the Haliya rehabilitation. Considering the overall sinerion of the practice, three key identified recommendations for similar practices/initiatives that can be replicated in the future are below-

- **Nationwide movement for scientific reservation to ensure the political, economical and social/cultural rights of Dalit community in Nepal.**
- **Institutionalize the inclusion issues in local, district and central level in different political parties, state mechanism, civil society Organizations (CSOs) etc to ensure the equitable participation of Dalit communities.**
- **Campaign against Khali system (like Haliya, a little bit different)**

We can not find a single solution of this problem. Sensitization on rights holders is essential to bring a whim for influencing these issues in the policy level. People suggested different types of recommendation to eradicate this system forever. Some of them were long term vision and some others were immediate actions to be taken. Hence critical engagement with stakeholders may be fruitful to address the practices. We believe that if the stakeholders become capable to implement these recommendations, then that will be the milestone in the way of complete way to eradicate this system which will definitely open the door of vision of prosperous society in far western region.

## 6) Publicity: YES