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Nepal courted a constitutional crisis throughout much of 2011, as it continued its uneasy transition from a Hindu monarchy to fledgling democracy. The country failed to hammer out a constitution by what had been a May 2011 deadline. By the end of the year, officials were saying that they would cement a new constitution by mid-2012, but at the time of publication yet another deadline was missed.

In one sense, these delays present an opportunity for some of the country's most marginalized – including indigenous people, Dalits and women from minority communities – to have a greater say in the drafting of such an important document. Prominent advocates are demanding that women be guaranteed proper representation in state institutions. Other advocates have expressed fear that women have been left out of the process altogether.

Indigenous people, too, have not been fully represented in the discussions. A July submission by local advocacy organizations to the CEDAW Committee noted that indigenous people have been unable to freely choose their own representatives in the process to draft the new constitution. Rather, the process demands that participants come from political parties. In a joint submission, the National Indigenous Women's Federation (NIWF) and the Lawyers' Association for Human Rights of Nepalese Indigenous People (LAHURNIP) said: 'Because the political manifestos do not promote indigenous peoples or indigenous women's rights, it is difficult to achieve effective collective representation.'

Just as concerns over the wording of the constitution persisted in 2011, so too did the aftermath of Nepal's civil war. Five years after the end of combat, roughly 100,000 people displaced by the fighting have still been unable to return home. Often, it is women who face the most trouble reintegrating. Former female-combatants, widows of fighters and rape victims have difficulty finding acceptance in their old communities.

Many Dalits were also drawn to the Maoist insurgency. Some joined voluntarily, attracted to an ethos that once preached equality, while others were swept up in the violence between both sides. But, post-conflict, they are returning to a society in which caste discrimination still persists, despite the government's stated efforts to eradicate it.

Rights groups say that Nepal's government has gained little ground in reducing economic inequality in many parts of the country. In the Terai region, economic disparity continues to be a driving force of ethnic tension. The UN Office of the High Commissioner for Human Rights said that the activities of 'armed criminal groups' in southern Terai districts continue to hamper development, and again raised concerns over previous 'credible allegations' of extra-judicial killings in Terai at the hands of security forces.

Multiple cases of caste discrimination were reported during 2011. In August, a Dalit man was stabbed to death after his son married a woman from another caste. Witnesses claimed the woman's family was incensed by the inter-caste union, according to the Nepal National Dalit Social Welfare Organization.

Kyung-wha Kang, the UN's Deputy High Commissioner for Human Rights, voiced concern over caste discrimination following an April visit. She acknowledged the government's adoption of anti-discrimination legislation, but stressed that more must be done to ensure the laws are implemented and enforced.

Rights groups also warned during 2011 that indigenous women are likely to be disproportionately affected by the government's activities on indigenous land, including hydropower construction and the expansion of conservation areas. Current potential ventures, including the Melamchi Water Supply Project in central Nepal and the Arun Valley hydropower project in eastern Nepal, risk being implemented without the support or consultation of local indigenous populations.

In their CEDAW submission, local advocates NIWF and LAHURNIP said indigenous men are often assumed to be the heads of the household, with formal land titles issued in the man's name. NIWF and LAHURNIP specifically highlighted a growing problem facing indigenous women due to the rapid expansion of Kathmandu, the capital city. Since title deeds are usually held by men, indigenous women are being left out of the decision-making process.

The year 2011 also saw incidents of religious discrimination in Nepal. In June, a Buddhist nun was attacked and gang-raped in eastern Nepal. But the problem was compounded when the woman was later expelled by the Nepal Buddhist Federation because she was judged to have lost her celibacy. The decision was later reversed following a public outcry. Rights groups say that poverty among the Tamang indigenous community to which the woman belongs causes families to send younger siblings off to become monks or nuns.

Nepal's Tibetan community continued to bear the consequences of the country's increasingly close relationship with China. In March, police attacked Tibetan protesters who were demonstrating against Chinese rule in Tibet. Tibetans in Nepal were also barred for voting for their government-in-exile, according to media reports, even though India made no such moves towards its Tibetan exile community. Later that month, a Chinese delegation signed a US\$ 20 million military aid deal with the Nepalese government.

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