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With various deadlocks in the process of transition to democracy, Nepal witnessed another year of political uncertainty in 2010. While the 2006 peace agreement ending the conflict between the Maoists and the government continued to hold, Prime Minister Madav Kumar Nepal of the Unified Marxist-Leninist party resigned on 30 June. The Maoists had been pressuring him to form a government with themselves at its helm. Parliament failed to form another government during the rest of the year. Attention continued to focus on the contents of the interim Constitution as well as what the process of drafting the next Constitution can offer Nepal's multi-ethnic population. The Constituent Assembly missed its deadline of 28 May and had its mandate extended for another year. The disarming of Maoist forces was one of the key issues in the mandate of the UN Mission in Nepal, which ended in January 2011 with a last-minute agreement to continue the decommissioning of weapons, auguring well for the future of peace in the country. Meanwhile, discrimination on the basis of caste, gender and ethnicity continued, characterized by a lack of access to justice and accentuated by geography, despite some efforts on the part of the government to address this.

The political agenda during 2010 was dominated by the issue of federalism, which, despite the slipping of the deadline for constitutional progress on the issue, continues to be seen as positive by many of Nepal's numerous ethnic minorities. This was a cause espoused by the Maoists, who continue to support its inclusion in the new Constitution which will hopefully be finalized during 2011. Federalism could guarantee an agenda of inclusion, paving the way for proportional representation and the redefinition of the state structure in order to better recognize ethnic and cultural diversity. However, there is concern over the citizenship provision in the draft Constitution, which makes the granting of Nepali citizenship to a child conditional on both parents being Nepali citizens – which as the UN High Commissioner for Refugees (UNHCR) highlights, runs the risk of engendering statelessness.

The government appears to be striving to erode age-old practices of caste-based discrimination, and there is acceptance of the need for the introduction of reservations for the Dalit community in order to realize equality. Draft legislation vetted by a high-level panel and released in December 2010 contained provisions to guarantee equality and provide measures through which to realize language rights and proportional representation. In addition, there were two progressive judgments on these issues in January and March 2010 (handed down by the District Court in Baitadi in the west of the country), both of which upheld Dalit rights. The first sentenced a man to two years' imprisonment for an attack on Dalits whom he believed were not following discriminatory temple rituals, while the second convicted a man for physical assault on the father of the groom at a Dalit wedding, where the perpetrator believed rituals practised were reserved for 'high-caste communities'.

These decisions indicate some official appetite for combating caste-based discrimination, though inevitably tackling societal perceptions is a significant challenge. Indeed, discrimination on the basis of caste identity appears to continue to be widespread in Nepal, affecting the estimated 13-20 per cent of the population who are Dalit. For instance, according to the Asian Human Rights Commission (AHRC), Dalits are often refused entry to tea shops, restaurants and hotels, and to Hindu temples, denying their right to practise their religion. Those who speak out against such discrimination face hostility. In October, the AHRC reported that a non-Dalit teacher who had spoken out against discriminatory practices against Dalit students at her school in Kailali District (including separate facilities for Dalit students and banning Dalit students from attending certain classes) remained suspended. In addition, she had been blocked by the local school board from applying for other teaching posts in the district.

In a similar vein, although the government declared 2010 to be the year to focus on gender-based violence, ingrained attitudes have meant that women, especially from marginalized communities, continue to face violence, due to their lower status and financial dependence on their spouses. Women from marginalized communities such as Haliya, or bonded labourers in the mid- and far-western regions of Nepal continue to face difficulties that are accentuated by poverty and the lack of employment opportunities, in accessing food, clothing, shelter, health care and education, despite the abolition of bonded labour nearly three years ago. For instance, the AHRC alleges that Dalit women and girls are at particular risk of sexual violence at the hands of higher-caste men, and that such cases are rarely brought to justice due to complicity between the police and the perpetrators. The year 2010 also saw the murder of two Dalit women and a girl in Bardiya National Park by army personnel. The soldiers involved alleged that they had killed the women and child – who were collecting firewood along with others from their village – instantly, and in self-defence. But other members of the party reportedly stated that they had been shot at while they were sleeping, and that the women and the girl were abducted, sexually assaulted, and later killed.

Attacks against journalists have also continued. There were three high-profile murders during the year: the first, of reporter Uma Singh in January, was followed in February by that of Jamin Shah in Kathmandu and of Arun Singhaniya in Janakpur on 1 March.

Ethnic tensions between various Nepali communities continued in 2010 in the Terai region, disproportionately affecting the Dalit population who were affected by virtue of being the biggest group among the landless labourers. These tensions subsequently extended to the Madhesi communities in the south of the region, who have been agitating for greater autonomy and inclusion in the administrative machinery of government. The UN expressed concern regarding extortion of teachers, local officials and businesspeople by armed groups. Human rights organizations report that the government's special security policy has actually led to an increase in violations. The UN Office of the High Commissioner for Human Rights (OHCHR) reported 57 deaths caused by the unlawful use of lethal force by government security forces in the Terai region between January 2008 and June 2010. HRW reported the forced recruitment by armed groups of children as messengers for extortion and ransom notes as well enforcers of strikes (*bandhs*).

Nepal's Tibetan community faced some official pressure during 2010, with reports of police intimidation and high-handed presence at religious ceremonies. In one incident on 3 October, Nepalese police seized ballot boxes at Tibetan government-in-exile polling stations in Kathmandu. The pressure on the community emanates from closer ties between Nepal and China, as evidenced in the forced deportation to China of three Tibetan new arrivals (including one Buddhist monk) by the Nepali government in June 2010. At year's end, HRW reported that two are believed to be in detention in China. The deportations represent a violation of the *non-refoulement* principle in international law, whereby no person should be returned to a country where that person's life or freedom is in serious danger.

While overall 2010 saw relatively peaceful coexistence between the majority Hindu community and Buddhist, Muslim and Christian communities, there have been incidents of intimidation reported, largely attributed to Pashupati Sena, Shiv Sena Nepal and Nepal Shivsena (affiliated to the Indian Shiv Sena – a Hindu fundamentalist party). These groups

are unhappy with the former Hindu kingdom's move towards secularism and greater inclusion of other faiths, as guaranteed in the 2007 interim Constitution. Two incidents that were reported included the 23 May attack on a Christian church in Dhobighat, in which three people were killed, and the beating of two Christians for refusing to offer donations for a Hindu *puja* in Kapilvastu on 25 May.

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