



# Status of CDWD in Nepal

Global Forum on Communities Discriminated on Work and Descent (GFoD)

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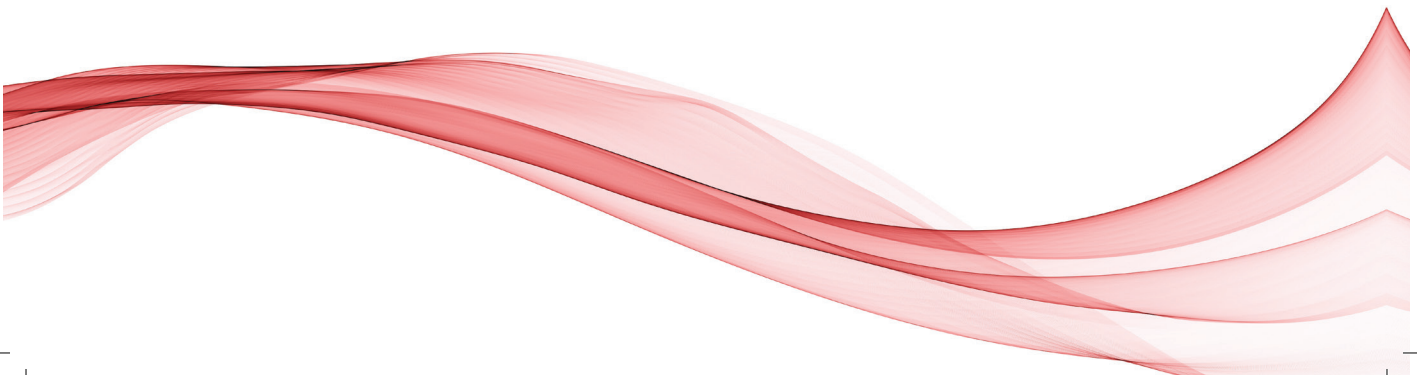
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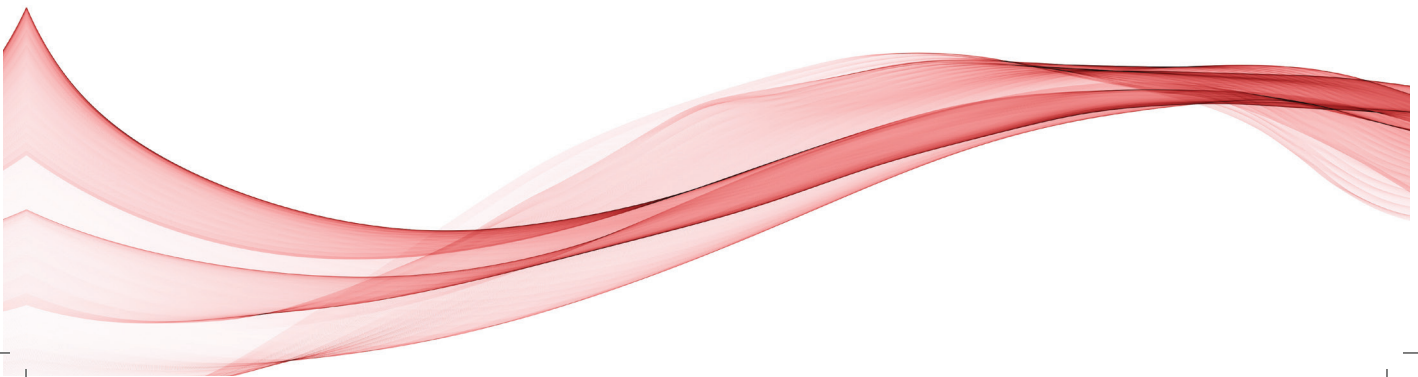
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# Preface

It is with a profound sense of duty and commitment to social justice that we present this report on the Status of Communities Discriminated on Work and Descent (CDWD) in Nepal. The CDWD, also known as Dalits in Nepal, which also constitute a significant portion of Nepal's population, has historically faced systemic discrimination, marginalization, and exclusion from various spheres of society.

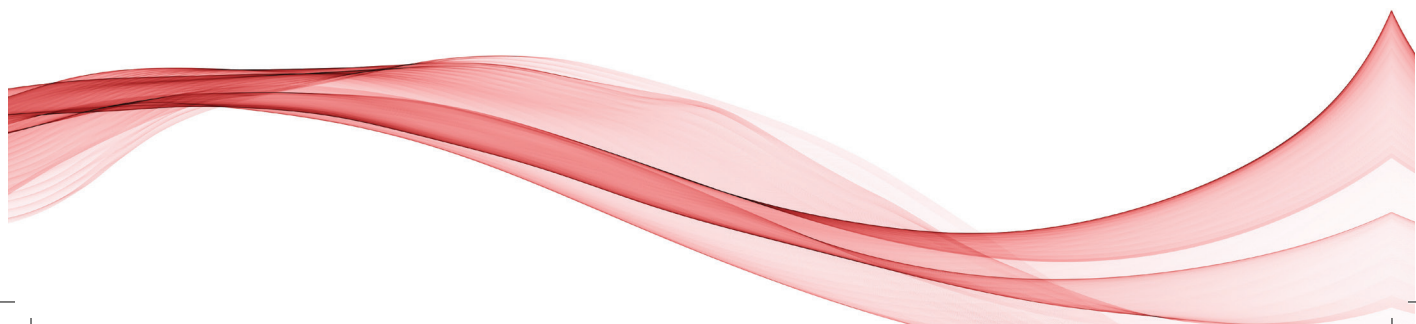
This report aims to shed light on the lived experiences, challenges, and aspirations of Dalits across Nepal. Through research, including surveys, interviews, and analysis of existing data, we have strived to provide a comprehensive understanding of the socio-economic, political, and cultural realities confronting CDWD in the country.

We recognize that this report is not just a compilation of statistics and narratives but a testament to the resilience, courage, and determination of the Dalit community to confront and overcome entrenched inequalities. It is a call to action for policymakers, civil society organizations, and all stakeholders to work collaboratively towards dismantling discriminatory structures and promoting inclusive development and social cohesion.

We extend our deepest gratitude to the Dalit individuals and communities who generously shared their stories and insights, despite facing numerous challenges. We also acknowledge the invaluable support and guidance provided by various organisations, researchers, and experts in the field.

As we navigate through the pages of this report, let us not only acknowledge the injustices, especially women from CDWD, but also reaffirm our commitment to building a more equitable and inclusive society where every individual, regardless of caste or background, can thrive and contribute meaningfully to Nepal's progress.

Mr. Paul Divakar Namala  
Convenor,  
Global Forum of Communities  
Discriminated on Work and Descent



# Foreword

It is with great pleasure and a sense of responsibility that I present this comprehensive report on the status of Communities Discriminated on Work and Descent (CDWD), also known as Dalits, in Nepal. The exploration and analysis contained within these pages aim to shed light on the socio-economic, cultural, and political dimensions of the lives of Dalit communities in Nepal.

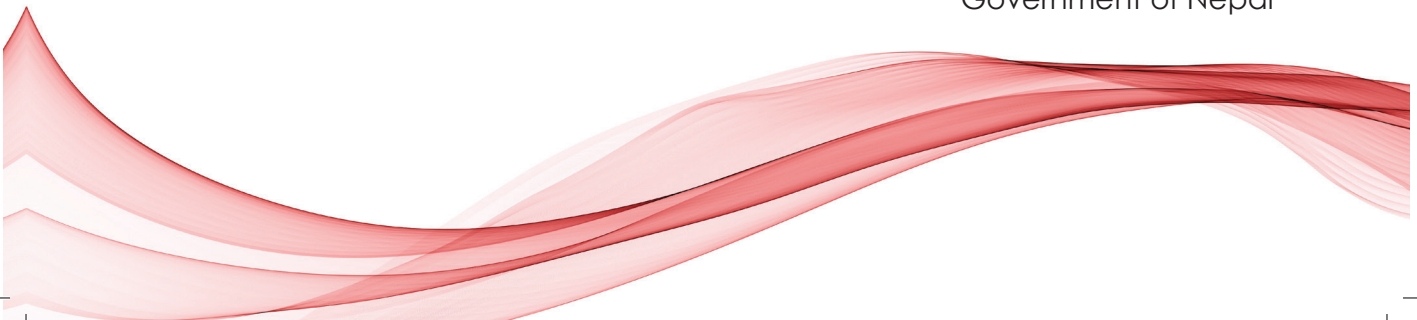
Dalits, historically marginalized and discriminated against, form an integral part of Nepal's diverse social fabric. This report, prepared by Global Forum of Communities Discriminated on Work and descent seeks to provide an in-depth understanding of the challenges faced by Dalits, as well as the progress made in addressing their rights and aspirations. By examining various facets of their lives, we hope to contribute valuable insights that can inform policy decisions and foster positive change.

The report delves into key areas such as education, employment, healthcare, and political representation, highlighting both the achievements and the persistent gaps. It is crucial to recognize the strides made by the government, civil society, and the Dalit community itself in advocating for equality and inclusion. At the same time, acknowledging the existing disparities is vital for designing targeted interventions that can bridge the existing gaps.

While progress has been made, there is still much work to be done. The fight against caste-based discrimination requires a collective effort, involving policymakers, activists, community leaders, and every citizen committed to building a more just and inclusive society. The findings presented in this report are a call to action, urging stakeholders to work together to dismantle the barriers that hinder the full participation of Dalits in the social, economic, and political spheres of Nepal.

I extend my gratitude to all those who have contributed to this report, including researchers, activists, and members of the Dalit community who generously shared their insights and experiences. May this report serve as a catalyst for positive change and inspire a renewed commitment to building a Nepal where every citizen, regardless of caste or background, can realize their full potential.

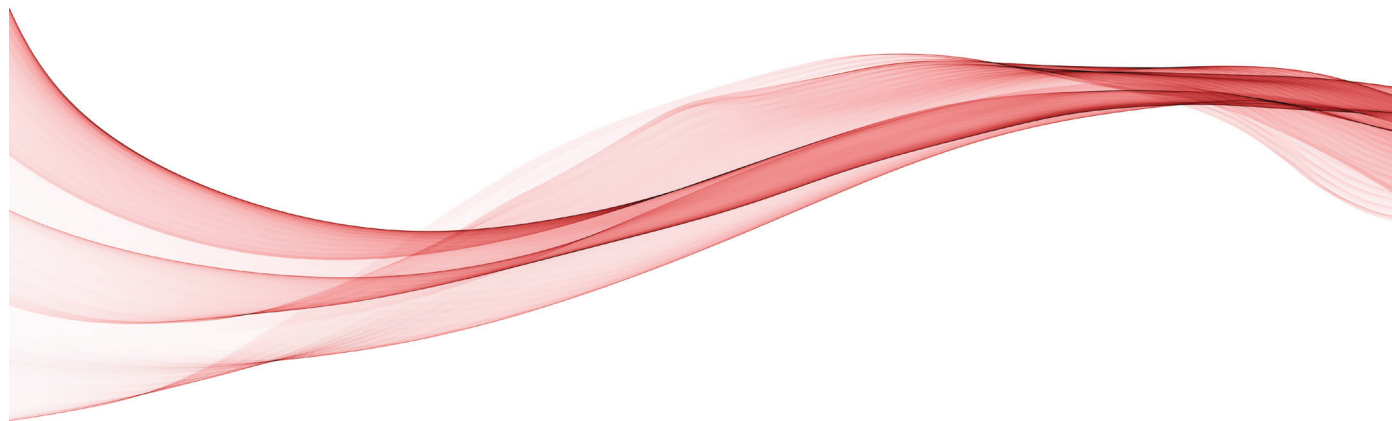
Mr. Mean Bishwakarma  
Former Minister  
Government of Nepal





# Abbreviations

|        |  |
|--------|--|
| CBD    | Caste based discrimination   |
| CBS    | Central Bureau of Statistics   |
| CDWD   | Communities discriminated on work and descent                              |
| CDWN   | Center of Dalit Women  |
| CEDAW  | Convention on the Elimination of All Forms of Discrimination Against Women |
| DWO    | Dalit Welfare Organization   |
| EU     | European Union   |
| FEDO   | Feminist Dalit Organization  |
| GBV    | Gender based violence  |
| ICERD  | International Convention on the Elimination of Racial Discrimination       |
| ILO    | International Labor Organization   |
| INGOs  | International Non-Government Organizations                                 |
| JMC    | Jagaran Media Center   |
| LWF    | Lutheran World Federation  |
| NNDSWO | Nepal National Dalit Social Welfare Organization                           |
| NPHC   | National Population and Housing Census                                     |
| NSO    | National Statistics Office   |
| RDN    | Rastriya Dalit Network   |
| UN     | United Nations   |





# Executive Summary

Nepal is a country who has introduced various progressive steps to address communities discriminated on work and descent (CDWD). Historically a Hindu society with long running traditions of caste hierarchies. The Dalits are one of the major minority groups in Nepal with almost 14 percent of the population. Like other states in South Asia, Dalits in Nepal are often faced intergenerational discrimination, segregation, alienation and violence.

Dalits are socially, economically, culturally, legally and politically marginalized with social stigma of untouchability being the heinous human rights violation existing in the country. There are various forms of discrimination based on their social status including discrimination in accessing basic services like education, employment, water and sanitation, housing and healthcare among others. The women from the Dalit communities are often targeted because of their weak social status based on multiple discrimination particularly caste, class, and gender. They are also the main victims of caste-based atrocities and violence.

Modern slavery index shows that Nepal is in the bottom half of the countries with high rage of modern slavery indicators. The majority of the people engaged in modern slavery are from CDWD. This is because of the long-lasting traditions of forced labour, debt bondage, and human trafficking of these communities.

The Nepal government has taken progressive steps, especially with their adoption of the new constitution in 2016. This brought a strong inclination to provide special focus through affirmative action such as reservations in education, employment, and political representation, specifically enshrining Dalit right as one of the fundamental rights. Further introducing institutions like National Dalit Commission to safeguard the Dalit community from discrimination and violence.

With all the policies, the ground realities still exist with Dalit facing an array of issues that discriminates them from accessing services such as land rights and access to equal jobs. The report aims to highlight some of the core areas of concern among Dalit communities and provide recommendations for improving their livelihood and accessing services and resources.

1. Government should enforce anti-discrimination laws: Anti-discrimination laws can provide a legal framework to hold individuals and organizations accountable for discriminatory behavior. Enforcing these laws can help to promote a culture of respect and equality.
2. the budget should be allocated with a specific budget heading with specific activity so that it will be beneficial to the CDWD.









# Chapter 1

## Country Profile

Nepal is a federal democratic republic country between two strong neighbors India and China. There are three geographical regions in Nepal: the Himalayan, Hilly, and Terai region. It is a multiethnic, multi-religious, multicultural, and multilingual country. According to national population and housing census (NPHC) 2021, there are altogether 142 castes/ethnicities, and 124 languages are spoken in the country. Kathmandu is the capital city and Nepali is the most spoken language. As per the census, Hinduism is the primary religion followed by 81.2% of the population, and Buddhism and Islam are the second and third largest religions respectively.

According to NPHC 2021, the total population of Nepal is 29,164,578. Among them, 48.9%, or 14,261,479, of the total population is male and 51.1% i.e., 14,903,099 is female. The children's population (14 years and below) consists of 27.83% of the total population i.e., 8,116,502. The primary source of income of Nepal is services including remittance which is 61.8%, the secondary source is agriculture which is 24.5%, and tertiary is industry which is 13.7%.

The caste system has its roots in the ancient religious texts of the Hindu religion as well as the codes and traditions derived from them. All Hindus are divided into four basic social divisions, or "castes," known as Brahman (priest), Kshatriya (warrior), Vaisya (farmer or trader), and Shudra (menial worker). The castes are exclusively based on occupations and are hereditary. Thus, a Hindu is born into a caste and, except under special circumstances, cannot escape from it. In the caste hierarchy, the groups of people commonly known today as *Dalits* occupy the lowest rung. (International Labor Organization [ILO], 2005).

# Chapter 2

## Profile of Communities Discriminated on Work and Descent

Dalit in Nepal refers to a group of people who are religiously, culturally, socially, economically, and historically oppressed, excluded, and treated as untouchables and they belong to different geographical regions, languages, cultures, and castes. They are discriminated against based on their Work and Descent.

Dalit itself consists of various sub-groups. According to the National Dalit Commission, there are 26 Dalit caste groups in the country. However, the NPHC of 2021 records 22 subgroups. As per the recorded population there are five main sub-groups of hill origin and 17 sub-groups of Madhesh origin. The Dalit population of Hill origin makes up 64.3%, while those of Madheshi origin constitute 35.7% of the total Dalit population in Nepal. The Dalit population in Nepal constitutes 13.4% of the total population, equivalent to over 3.89 million people.

| Hill origin  | Madhesh origin                            |
|--|---|
| 1. Gandarva (Gaine)  | 1. Kalar                                  |
| 2. Pariyar (Damai, Darji, Suchikar, Nagarchi, Dholi, Hoodke)     | 2. Kakaihiya                              |
| 3. Badi  | 3. Kori                                   |
| 4. Bishwakarma (Kami, Lohar, Sunar, Wod, Chunara, Parki, Tamata) | 4. Khatik                                 |
| 5. Mijar, (Sarki, Charmakar, Bhool)                              | 5. Khatwe (Mandal, Khanga)                |
| 6. Pode (Deula, Pujari, Jalari)                                  | 6. Chamar (Ram, Mochee, Harijan, Rabidas) |
| 7. Chyame (Kuchikar, Chyamkhal)                                  | 7. Chidimar,                              |
|  | 8. Dom (Marik)                            |
|  | 9. Tatma (Tanti, Das)                     |
|  | 10. Dusadh (Paswan, Hajara)               |
|  | 11. Dhobi (Hindu Rajak)                   |
|  | 12. Pasi                                  |
|  | 13. Bantar                                |
|  | 14. Mushar                                |
|  | 15. Mestar (Halkhor)                      |
|  | 16. Sarvanga (Sarbaraiya)                 |
|  | 17. Natuwa                                |
|  | 18. Dhandi                                |
|  | 19. Dharikar/Dhanka                       |

Source: National Dalit Commission (<https://ndc.gov.np/>)

Status of CDWD in Nepal

# Chapter 3

## Socio-economic Profile of CDWD

The Dalits in Nepal are one of the most marginalized communities who have faced generational discrimination, alienation, segregation, and violence from the dominant communities in the country. Thus, these socio-cultural factors transcended into their socio-economic and political status. Therefore, it is conclusive to say that the socioeconomic profile of Dalits and CDWD communities is well below the national average.

### Social development indicators of Dalits

The literacy rate of Nepal according to the NPHC 2021 is 76.2% of the total population whereas, the male literacy rate is 83.6% and the female is 69.4%. The literacy rate according to caste/ethnicity of NPHC 2021 has not been published yet. However, according to the census 2011, the Dalit's literacy rate was 52.4% which was far below to national average of 65.9%. As per the Nepal Social Inclusion Survey (NSIS) 2018<sup>1</sup>, the literacy rate of Madheshi Dalits was the lowest at 42.8%, in contrast to 67.8% for Hill Dalits and the national average of 71.6%.

According to the World Bank report in 2020, the life expectancy of adults in Nepal is 69 years. Male expectancy is 67 years and females are 71 years. Whereas, Dalit life expectancy age is less in comparison to the national average. According to Dalit Welfare Organization, the life expectancy age of Dalits is 61 years.

Although the overall access to drinking water of Nepalese people has significantly improved, the situation of the Terai/Madheshi Dalits remains bad. Only 14% have access to safe drinking water, affecting particularly Dalit women, who look after family affairs. Dalits have minimal access to improved toilet facilities, especially poor for Terai/Madheshi Dalits, of whom just 5% have access to improved toilet facilities, compared to 31% of Hill Dalits. (95%) on the national average.

### Economic Profile of Dalit

Landlessness among Dalits is very high. Among the total population of Dalits, 38.9% of Dalit people are landless. It is at 36.7% among the hill population, 41.4% among Madheshi Dalit and those that do hold land have very small landholdings

<sup>1</sup> <https://anthropologytu.edu.np/>

and not enough agricultural land. Among Dalits, even though they have land that would not be sufficient enough to make a living. Landlessness makes Dalits economically vulnerable. Most Dalit victims of violence and discrimination are agricultural and occupational labourers, generally landless.

The employment rate of a country, the male is 42,37% and females are 29.36% of the total population (CBS 2011). Dalit face obstacles when trying to get better occupations because of illiteracy and discrimination. For instance, 42.5% of Terai/Madhesi Dalits earn their livelihood from elementary occupations. Among males, one out of twelve is engaged in professional/technical jobs, whereas it is half for females. Among women, one out of twenty-five is engaged in such jobs.

### **Traditional culture/art forms Dalit Communities**

Dalits are the real promotor of music and performing arts in Nepal. As mentioned above, Gandharva (Gaine) plays their own traditional musical instrument and sings a song. Damai (Pariyar) plays Panche Baja during wedding ceremonies and festivals. Kami (Sunar) makes and designs traditional jewelry of Nepal, makes weapons and agricultural tools, and also make copper utensils. Badi people make musical instruments.

#### **Case story: Three Dalit boys were murdered due to intercaste marriage in 2020.**

Navaraj B.K, a 20-year-old Dalit boy, and 19 friends were attacked by villagers in Soti village of Chaurjahari Municipality in Rukum. The villagers, who were reportedly racial-based, chased Navaraj's group to the banks of the Bheri River. The boys were killed because of Navaraj's relationship with upper caste girl and they planned to elope as the girl's family were against their marriage. The victims' bodies were found on the river, and the government has formed a five-member team to investigate the incident. The National Human Rights Commission has directed the government to a thorough and impartial investigation. The United Nations in Nepal has expressed concern over the killings of youth in the Rukum Incident and calls for a fair investigation.

Amnesty International has called for an independent investigation of incidents. The Ministry of Home Affairs is investigating the incident. The postmortem report from Jajarkot District Hospital shows that the victims were attacked on their heads and several parts of their bodies, but no sign of water was found.

### **Different forms of occupation of members of DWD Communities - (Main occupation on which they are primarily dependent)**

Traditionally each caste group had specific occupations. However, some occupations also have been found adopted by more than a single caste. In hilly and mountain areas the most common traditional occupations of the



Bishwakarma are blacksmith, coppersmith, goldsmith work, and wooden-pot making. Tailoring, playing a musical instrument (*Panche Baja*), dancing, entertaining, and singing are the traditional occupations of Pariyar caste group, and cobbler, leather-related works, and wooden-related works are the traditional occupations of the Nepali caste group (ILO, 2005).

Dalits forced into doing caste-based work as black/goldsmiths, tailors, shoemakers, and street cleaners, all are considered of low social status. Poverty and lack of other means of livelihood force the Dalits to continue their traditional occupations. Dalit women and children are also forced to work in the households of their landlords. They do not get justifiable wages for their labor. If they do not work for others, they work with the help of their husbands in the traditional jobs of Dalits. Those working in Haliya Pratha (bonded labor) or Khala Pratha (forced labor) are not even earning from their work. They may get food grains. Lack of modern technology skills and financial resources prevent them from getting employed in new industries or trade in the market. Dalits who change from traditional occupation to wage labor do not therefore necessarily improve their economic conditions.

### The traditional forms of occupation of Hill Dalit:

| Community           | Occupations  |
|---------------------|--|
| Kami                | metalwork (produce kukri, weapons, agricultural tools, gold and silver works (jewelry), house construction, works related to soil and timber, produce bamboo products and copper utensils)   |
| Sarki               | Leather works (make shoes, jackets, belts, etc)  |
| Damai/Dholi         | Play Panche Baja musical instrument during marriage and on auspicious occasions, tailoring, play Nagara musical instrument during special occasions in temples and palaces, government's messenger to inform community people by playing Dhol (traditional drum) |
| Gaine               | Singing by playing Sarangi (musical instrument)  |
| Badi:               | Produce musical instruments such as Madal, Dholak, clay products such as Chilim, gagri (and lately associated with sex work by some women)   |
| Tatma, Khatbe, Kori | Weaving clothes  |
| Chamar/Harijan      | Leather works and Washing cloths   |
| Dom                 | Bamboo products, play musical instruments, cut umbilical cords during childbirth, dig burial places, burn dead bodies  |

|                     |  |
|---------------------|--|
| Dusadh/Paswan/ Pasi | Godayit ('Messenger') of social events; village watchmen; Kamtiya (watchmen to secure the harvest) |
|---------------------|--|

Some of the traditional Dalit occupations are gradually disappearing. Kami, Sarki, and Damai have modernized their occupations such as jewelry business, leather-related business (shoes, jackets, belts), tailoring business (boutique), and so on, however many Dalits are still engaged in menial tasks such as street cleaning, sex work, dead body disposal, and so on.

Dalits are skilled artisans who have historically worked in their own craft. They are skilled in ironwork, goldsmithing, tailoring, shoemaking, bamboo crafts, and other crafts. These jobs, however, were practiced as bondage or low-paid labourer, and exploitative and stigmatizing behaviors are still pervasive in various forms.


Due to a lack of modernization, limited market access, and a lack of legal arrangements for patenting indigenous skills, knowledge, and practices, Dalits are at risk of being displaced from these jobs. There is a need for a law that protects and develops Dalit traditional vocational skills, as well as encourages them to modernize these professional practices.

# Chapter 4

## CDWD and Forms of Modern Slavery

The Global Estimates on Modern Slavery (2023) positions Nepal at 121<sup>st</sup> rank among 160 countries, with a prevalence rate of 3.3 out of every 1000 population. Nepal also has a 46 out of 100 modern slavery vulnerability rate and 45 in the government response to modern slavery. The CDWD communities are most vulnerable to modern slavery forms. The main forms of modern slavery are:

- 1. Agricultural /Farm bonded labour:** Throughout Nepal, there are communities of agricultural bonded labourers who have traditionally been forced to work another person's land under the pretext of repaying an ever-increasing debt. The phenomenon has arisen out of unequal agrarian relations and discrimination based on ethnicity and caste. In Nepal, traditional bonded laborers are referred to as 'Kamaiya', 'Haliya', 'Harawa', 'Charawa'. Haliya and Harawa Charawa belong to mostly Dalit communities. Now, bonded labor in Nepal prohibited by law and bonded labor have been freed and are in the process of rehabilitation. Despite legal measures, the lack of effective implementation of rehabilitation programs has resulted in freed bonded laborers not experiencing true freedom.
- 2. Forced Labour:** Nepal is identified as one of the countries with a high risk of forced labor. This risk encompasses both traditional forms of bonded labor and emerging manifestations of forced labor. Historically, various groups such as Kamhari, Haliya, Kamaiya, and Harawa-Charawa have been subjected to traditional bonded labor in Nepal. Forced labour is most common in agriculture and forestry.
- 3. Bonded Labour:** Landless, Dalit, and untouchable communities are often forced by their circumstances to borrow sums of money from rich landowners to meet their various subsistence needs. Generations of a family get trapped in this cycle of loan repayment – working as laborers without pay for the landlords. Bonded labour exists in Brick Industries, foreign employment, adult entertainment industries, and child enslavement in embroidery industries in the far western Terai region of Nepal.

- 
4. **Sex Work:** The Badi community, a minority group in Nepal, has historically faced challenges, including economic backwardness, illiteracy, and limited employment opportunities. In the past, due to these circumstances, women from the Badi community were compelled to engage in sex work as a means of survival. Despite the government's initiatives to address the challenges faced by Badi women, it is evident that these measures are insufficient to comprehensively bridge the historical gaps.
  5. **Domestic Servitude:** Dalit women and children are forced to work in non-dalit and are paid a very low wage (Nation as a whole).
  6. **Village/City cleaning, working with waste or recycling, Gutter Cleaning/Manhole cleaning:** Pote, Chyame, Jyapu from the Newar community found in Kathmandu, Bhaktapur, and Lalitpur are discriminated against on work and descent. Likewise, Dom and Mestari community in Madhesh are sanitation workers. They are engaged in works like village/city cleaning, working with waste or recycling, and gutter cleaning/manhole cleaning.
  7. **Traditionally estate labour /plantation labour:** Dalits in the Terai region get involved in agricultural activities (sugarcane, paddy plantations) on land belonging to non-Dalits.
  8. **Child Soldiers:** A large number of Dalit youth/children were involved in the Maoist movement, a brutal civil war 1996-2006 in Nepal. The Maoists' policy of recruiting children for fighting or supporting combat is one of the most disturbing aspects of Nepal's decade-long insurgency.
  9. **Forced Marriage:** Forced marriage is more prevalent in rural areas of Nepal.
  10. **Beggary:** The beggars are usually of Terai origin and are mostly Dalit communities.
  11. **Leather Tanning:** There are some small-scale leather tanning works undertaken by Dalits in far western districts such as Baitadi and Bajura.
  12. **Drum beating/ Performers at funerals:** Damai from Dalit community beats drum in funerals in hilly region of Nepal.

# Chapter 5

## Forms of Discrimination Faced by DWD Communities

Dalits, belong to one of the most marginalized and oppressed communities in Nepal and are traditionally considered untouchable in customary practices, despite being outlawed. Dalit community people face various forms of economic, social, cultural, political, and religious forms of discrimination or segregation. They are not only discriminated by the so-called higher caste people in the Hindu caste hierarchy system but also by people within the sub-groups of Dalit.

DWD Communities face multi-dimensional discrimination and segregation from society, these are economic, social, cultural, political, and religious in nature. To understand the deep-rooted stigma and discrimination, the report aims to look at various forms.

| Forms of Discrimination | Nature of Discrimination  |
|-------------------------|---|
| Social                  | <p>Non-DWD Communities have their separate taps, wells, and other water resources for drinking water and for household use whereas, DWD Communities are compelled to use the water resources which non-DWD communities use for agriculture, animal feeding, bathing, etc.</p> <p>DWDs are discriminated against in the social and cultural spheres. During the events conducted by non-DWD Communities like wedding ceremonies, there will be different foods and places to dine for DWD Communities. There are social practices where some Dalit castes are considered auspicious and other Dalits are considered inauspicious. For example, meeting Damai while starting a new and important journey/task is considered auspicious, but doing so for Kami is considered inauspicious.</p> |

|           |   |
|-----------|---|
|           | <p>Dalits are considered impure and untouchable by non-DWD community members, thus are not allowed to use the same taps, wells, and other water resources that non-DWD community people use, to sit next to the non-DWD community members and eat with them together during any events like marriage ceremonies. They are not allowed to enter the non-DWD's house and non-DWD don't eat the food if it comes in contact with DWD community people.</p> <p>The non-DWD community people prohibit to get married to DWD community people. DWD communities are also prohibited to enter the house of non-DWD communities.</p> |
| Religious | <p>People from CDWD are restricted from entering temples and offering their prayers from a distance away. They are not allowed to practice Hindu rituals, norms, and values in the same manner as other castes. Thus, discarding the basic human right of freedom of religion.</p>  |
| Cultural  | <p>In Nepalese society, endogamy is widely practiced, even more in Dalit communities. However, marriages between DWD and non-DWD are discouraged and socially disapproved. Marriages between the higher-caste DWD and lower-caste DWD are also disapproved. Discrimination amongst DWD is as rampant as those between DWD and non-DWD.</p>  |
| Political | <p>Decision-making power is not given to the CDWD community and their candidacy in politics is always questionable. CDWD community women's candidacy in the elections is only limited to the ward (local) level.</p>  |
| Economic  | <p>DWD communities have very less material possessions as they are socioeconomically backward.</p> <p>Land ownership among Dalits are very low, with the majority of them being landless population.</p> <p>There is systemic discrimination among the Dalits in the employment market. Many qualified candidates are rejected or not called for interviews due to their caste.</p>   |



# Chapter 6

## Protection & Development Mechanisms for DWD Communities

The Preamble of the Constitution of Nepal has expressed a strong commitment to ending all forms of discrimination and untouchability. It has guaranteed rights to equality (Article 18) and nondiscrimination with the provision of affirmative action for minorities, women, Dalits, and backward classes, including persons with disability. Article 24 has guaranteed rights against untouchability and caste-based discrimination; Article 29 rights against exploitation based on religion, customs, rituals, and any other harmful practices. Article 40 offers the specific guarantee of rights of Dalits, which include proportionate inclusive representation and participation in all state structures (article 42); access to free education with the scholarship up to higher education for Dalit students and special provision for technical and vocational higher education; social security; right to land for landless and housing for homeless Dalit families.

The Caste-Based Discrimination and Untouchability (Offence and Punishment) Act, 2068 (2011) was enacted in 2011. This law is formed against discrimination. It is also amended three times in 2016, 2018, and 2019 to increase the punishment to at least three months of imprisonment and to increase the penalty in line with the advocacy of CSOs working on Dalit issues. This act criminalizes caste-based discrimination and untouchability in both private and public spheres. Furthermore, the Act is focused on protecting the right of every person to equality, freedom and to live with human dignity, by creating a situation where there exists no untouchability and discrimination.

Dalit Empowerment Bills have been passed in 2 provinces and in other provinces it is under discussion in the province assemblies. Furthermore, Federal Government (FG), Province Governments (PGs), and Local Government (LGs) have allocated some budgets for scholarship, child nutrition, skill development and awareness raising, etc.

The National Dalit Commission (NDC) is a constitutional body. It is established under the Article 255 of the Constitution. The primary objective of establishing the NDC is to provide safeguards against the exploitation of Dalits and to promote and protect their social, educational, economic, and cultural interests.

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# Chapter 7

## Responses of National level NGOs


As of July 2019, more than 50 thousand non-government organizations (NGOs) have been associated with Social Welfare Council (SWC)<sup>2</sup> in Nepal. According to the SWC's annual report for the fiscal year 2022/23, a total of 1586 projects spanning various themes, submitted by 10,202 national NGOs, have received approval.

However, the current data does not provide insights into the status of Dalit-led NGOs, their access to funding opportunities, or the number of projects they undertake. An estimate derived from the membership of the Dalit NGO Federation (DNF) indicates that more than 300 Dalit NGOs are actively working across the country. At the national level, prominent organizations advocating for Dalit causes include DNF, Feminist Dalit Organization (FEDO), Nepal National Dalit Social Welfare Organization (NNDSWO), Samata Foundation, Jagaran Media Center (JMC), Rastriya Dalit Network (RDN) Nepal, Dalit Welfare Organization (DWO), Center of Dalit Women (CDWN), and others.

Some of the key responses of national level Dalit NGOs for the rights, freedom and justice of Dalit community of Nepal are:

- Collective policy advocacy of CSOs with a unique collaboration with Dalit political leaders and constituent assembly members during constitution making process, succeeded in enshrining specific provisions for Dalits in the constitution of Nepal (2015).
- Joint advocacy also led to the enactment of the Caste-Based Discrimination and Untouchability (Offence and Punishment) Act in 2011, along with the reservation of seats for Dalit women at the ward level through the Local Election Act.
- Uniting, networking, and mobilizing Dalit and Dalit women at grassroots levels, empowering them to influence in decisions.

<sup>2</sup> <https://www.swc.org.np/>

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- Investigating and documenting cases of human rights violations, abuses, and atrocities against Dalits, providing legal support and protection to ensure access to justice.
  - Empowering communities affected by the agricultural bonded labor system and actively supporting their rehabilitation processes.
  - Mobilizing fund from national and international agencies for development and upliftment of Dalit.
  - Internationalizing Dalit issues through various channels with the European Union (EU) and the United Nations (UN).
  - Engaging in knowledge and evidence production on Dalit issues.



Status of CDWD in Nepal

# Chapter 8

## Response from International Countries, Agencies and CSOs

As of July 2019, 245 international non-government organizations (INGOs) are working in Nepal under the agreement with SWC. According to the SWC's annual report for the fiscal year 2022/23, INGOs secured approval for 54 projects with a funding size totaling NPR 30.48 billion. As per regulations, these funds are channeled through national NGOs. However, anecdotal data suggests that Dalit NGOs face challenges in accessing funding opportunities compared to other general NGOs. The response to Dalit causes appears insufficient when considering the multifaceted problems faced by the Dalit community.

Some of the key responses of international countries, agencies and CSOs which have positive contributions for the Dalit cause are summarized below:

- Some INGOs are proactively focusing on Dalits and establishing collaborations with Dalit NGOs to implement projects covering diverse themes such as education, livelihood, and advocacy.
- Despite funding and responses being relatively limited, bilateral donors such as USAID, FCDO, SDC, Norad, and multilateral agencies like UN agencies, ADB, and World Bank Groups are channeling funds and implementing inclusion policies and intersectional approaches to positively impact Dalits. Notably, USAID is actively promoting inclusion through its Country Development Strategy.
- Organizations such as the International Labor Organization (ILO) and INGOs like LWF Nepal, Freedom Fund, and Action Aid Nepal are actively working towards eliminating bonded labor, a cause that directly impacts Dalit groups.
- Certain countries like Finland and Denmark have been actively raising questions for Dalit issues during international reviews of reporting on conventions such as CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women), ICERD (International Convention on the Elimination of Racial Discrimination), and UPR (Universal Periodic Review).

# Chapter 9

## Overall Major Findings and Learnings

1. Dalits are socially, economically, and politically backward. They experience the threat of exclusion, such as denial of access to labour, exclusion from social gatherings, rites de passage, festivities, and other community as well as religious activities, at the hands of 'upper caste' groups for resisting the prevalent forced labor.
2. The situation of Madhesi Dalits is more critical in comparison to Hill Dalits in education, health, sanitation facilities, employment opportunities, and so on. Dalit women suffer the most from discrimination and violence like CBD and GBV. They have to face triple discrimination and violence as they are women, poor, and Dalit.
3. Non-Dalit community mentality and attitude toward discrimination against the Dalit community is still very difficult to change since they want to maintain their place in the established hierarchy.
4. Apart from direct compulsion to do forced labor, Dalits are also engaged in indirect forced labor. Many poor and landless Dalits continue their traditional caste-based occupations no matter how humiliating they may be, such as Haliya, Harawa, Charawa, etc.
5. Key positions in political parties are mostly held by higher caste people. There is a very low null representation of Dalits in all planning and executive bodies that guide the overall development process of Nepal. Thus, they are excluded from the very planning process and development outcome.
6. DWD community people suffer from numerous violence and discrimination especially, DWD women and girls like rape, murder, untouchability, physical, mental, and sexual assault, etc. However, more than half of these cases do not get registered and they don't get published in the media and news. By giving a certain amount of money to the victim, DWD people dismiss the cases by using their powers.

# Chapter 10

## Recommendations

### Enacting Government Policies

- The constitution of Nepal, 2015, has included rights against exploitation in Article 29 under the fundamental rights. The constitutional provisions must be effectively implemented, enact necessary laws, and formulate policies and programs.
- Government should enforce anti-discrimination laws: Anti-discrimination laws can provide a legal framework to hold individuals and organizations accountable for discriminatory behavior. Enforcing these laws can help to promote a culture of respect and equality.

### Passing Legislation

- The Dalit empowerment bill should be executed by all municipal levels.

### Formulating Programs and Projects

- The specific programs and projects for the DWD community should be carried out by the government and different CSO organizations so that the DWD community will be directly benefited.

### Making Budget allocations

- In the case of Nepal, there is a practice of budget allocation in a lump sum. So, the budget should be allocated with a specific budget heading with specific activity so that it will be beneficial to the CDWD.

### Others

- Accessibility to government data and reports has to be made available for the people who help Human Rights Defenders (HRD) in defending the rights and interests of the DWD community and reformative solutions could be proposed by Civil society organizations.





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