

FEDO Report

on Dalit Women: Beijing +25



**Feminist Dalit Organization
(FEDO)**

ANNEX - Photos related with Beijing +25 Consultation in Nepal



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Acronyms and Abbreviations

BPFA:	Beijing Platform for Action
CA:	Constitution Assembly
CBS:	Central Bureau of Statistics
CEDAW:	Convention on the Elimination of all forms of Discrimination against Women
CIEDP:	The Commission of Investigation on Enforced Disappeared Persons
CRC:	Convention on the Rights of the Child
CTEVT:	Council for Technical Education and Vocational Training
CVCP:	Conflict Victim Common Platform
CVNA:	Conflict Victim National Alliance
FEDO:	Feminist Dalit Organization
NDC:	National Dalit Commission
NDHS:	Nepal Demographic Health Survey
NDHS:	Nepal Demographic and Health Survey
NGO:	Non-Governmental Organizations
NLSS:	Nepal Living Standards Survey
NNDSWO:	Nepal National Dalit Social Welfare Organization
UN:	United Nations
UNDP:	United Nations Development Programme
WOREC:	Women's Rehabilitation Center

Background

Beijing Platform for Action and FEDO -

Who are Dalit Women?

Dalits in Nepal are considered ritually “impure” and “untouchable” in society. They have been facing caste - based discrimination for centuries. Dalit are the bottom of the social hierarchy. According to the 2011 census, the total Dalit constitute 14% where Dalit women comprises 7.2% of the total population in Nepal. Dalits are by virtue of caste discrimination and untouchability, the most excluded and marginalized in health, social, economic, educational, political and religious spheres and deprived of human dignity and social justice in The Nepalese society.

Dalits are one of the most marginalized communities in Nepal. They have been historically subjected to caste-based discrimination. Despite many progressive provisions in law prohibiting caste- based discrimination they continue to be subjected to various forms of discrimination and in some instances to inhuman treatment. Dalit women faces multiple forms of discrimination due the intersection of caste, class and gender. These are often the poorest people in the country. Thus, this group of women suffers from interlocking hierarchies, discriminations and inequities

Within the Dalit community, women are even more disadvantaged and marginalized in the society and continue to suffer from multiple forms of discrimination based on caste, gender and class. They are particularly vulnerable to both family as well as social violence. Dalits in general and Dalit women in particular still live their lives as “second class” citizens. Due to centuries exclusion, deprivation, discrimination and untouchability, Dalit women have been facing extreme poverty, illiteracy, landlessness, restricted livelihood options, poor access to resources and poor participation in political and decision making processes are the key problems where as they are placed at the absolute bottom of the social hierarchy as they face systematical and structural discrimination.

1.The Feminist Dalit Organization (FEDO) is a national level non-governmental organization founded in 1994 to establish the rights of Dalit women by organizing and empowering them for their mainstreaming into the national development. FEDO has been working to promote Dalits’ rights and to eliminate caste and gender discrimination and promote justice and equality in Nepalese society since its establishment (www.fedonepal.org). FEDO is a national associate of IDSN, an international network working for the elimination of caste-based discrimination and similar forms of discrimination based on work and descent (www.idsn.org).

Feminist Dalit Organization (FEDO)¹ - a group of concerned Dalit women founded in 1994. FEDO was the first national-level non-governmental organization to represent Dalit women, advocate for their concerns and address their immediate needs. FEDO works on both caste and gender discrimination. It aims to promote Dalit rights, eliminate caste and gender discrimination and endorse justice and equity in Nepali society. It has established 56 district chapters and mobilized over 53,850 Dalit women in 2154 Dalit women's groups. FEDO is determined to end all kinds of discrimination and empower Dalit women to participate as full members of Nepali society.

Implementation Process

FEDO hereby presents the implementation process by Nepal on the rights of women, in the Context of the Beijing +25, exposing the following critical areas, divided into: current status, gaps and challenges and recommendations.

Critical Areas

Dalit Women, Poverty and Economy

Current Status

The Social Security Act (2018) classifies eight different groups, who are entitled to social security benefits. They are senior citizens, economically deprived communities, incapable and helpless persons, helpless single women, PWD, children, and others incapable of taking care of themselves. Nevertheless, elderly people, especially women, do not have money at their disposal. Likewise, the intersectionality of women with disabilities and Dalit women has not been sufficiently addressed when providing social benefits.

Feminization of the poverty is worldwide phenomenon so as in case of Nepal as most of the productive resources are not owned by women though the percentage of the household head is 20% it is not because their ownership has increased it is rather due to 10 years of conflict (1996-2006) between government and Maoist rebel forces and overseas employment as an estimated more than 4 million largely male population work in Gulf countries and

Malaysia. There is no separate study about Dalit women therefore, similar 20% of the household head could be Dalit women. The poverty among Dalit is highest while the country's poverty rate was 21.6% in 2015 (Ministry of Finance) and poverty of Dalits was 42%. According to economic survey 2018 published by Ministry of Finance the poverty of Nepal has gone down to 17.2% but there is no separate data neither for whole Dalits nor for Dalit women. Though the trend among Dalits have increased to go for overseas employment there is no survey to determine to what extent that has contributed to reduce their poverty. Likewise, among other caste and ethnic groups the trend for women going for overseas employment has increased but among Dalit women it is very uncommon. Therefore, there is no basis to guess the reduction of poverty among Dalit women. The reduction of poverty trend can be seen on the following table among different caste and ethnic groups.

Table 1 - Status of poverty by caste and ethnicity

Caste/Ethnicity	1995-96	2003-4	2010-11	Poverty reduced by
Brahmin/Chhetri	34.1	18.4	11.87	22.3
Terai middle caste	28.7	21.3	28.69	0.01
Dalits	57.8	45.5	42	15.8
Newar	19.3	14	10.5	8.8
Ethnic groups hill	48.7	44	28.25	20.45
Ethnic group Terai	53.4	35.4	25.93	27.47
Muslim	43.7	41.3	20.18	23.52
Other minorities	46.8	31.3	12.34	34.46
Nepal	41.8	30.8	25.2	16.6

Source: NLSS 1, 2, and 3, CBS, Nepal Government

The access to financial security increases the chances of getting out of poverty trap. A nationwide survey carried out by Sociology and Anthropology department of Tribhuvan University (the government supported largest university of Nepal) shows that while almost 18%

of the country's population have the access to financial resources through banks and cooperatives only 8% of Dalit population has that access. This clearly shows that a large population of Dalits need access to it to come out of the poverty trap.

Table 2 - Access to financial institution by caste/ethnicity

Ethnicity	Household %
Hill Brahmin	27.63
Terai Caste	19.14
Hill Dalit	8.03
Terai Dalit	8.83
Hill Janjati	16.22
Newar	28.29
Muslim	3.29
Total	17.79

Source: Sociology and Anthropology department, TU, 2013

In Nepal, Dalit women constitute the majority of the poor and are also the ones who are the most vulnerable. Their engagement with family farm and care work leaves them little time for income generating activities. Similarly, traditional gender roles along with cultural, socio-economic structures often restrict Dalit women's ability to secure access to incomes and resources such as assets, information, skills and education.

The economy of the country or society runs with the participation of different sections of the society and so is the economy of Nepal. As stated, earlier poverty among Dalits is the highest with 42% that means most of them are involved in subsistence economy. Due to rampant poverty among them their contribution on the economy may not be very high, but they used to be the engine of the economy in the past. It was mainly due to two reasons; one was their traditional occupations of various kinds and another was labour force as they did not have other productive resources such as land and education. The traditional occupation included metal work of various kinds, leather work, weaving and sewing of clothes. Now due to industrialization their traditional occupation has been taken over by the factory produced goods turning them into a

labour force. While male Dalits migrate temporarily outside their villages their female members remain in the village and work as seasonal labour in the agriculture. For working as agriculture labour they hardly get cash rather grain from two to four kilos mostly unhusked rice. The following tables show the situation of Dalits in the economic sector.

Table 3 - Spread Between Agriculture and Non-Agriculture Activities by Ethnicities

Ethnicity	Agriculture %			Non-agriculture %		
	Male	Female	Total	Male	Female	Total
Hill Brahmin	46.6	72.9	59.2	53.4	27.1	40.8
Terai Caste	59.7	76.8	64.6	40.3	23.2	35.4
Hill Dalit	54.7	82.1	69.3	45.3	17.9	30.7
Terai Dalit	64.1	78.9	69.4	35.9	21.1	30.6
Hill Janjati	57.3	75.7	66.5	42.7	24.3	33.5
Newar	29.5	50.9	38.7	70.5	49.1	61.3
Muslim	51.0	73.8	57.8	49.0	26.2	42.2
Total	57.1	77.9	66.6	42.9	22.1	33.4

Source: Social Inclusion Survey, Sociology and Anthropology Department, Tribhuvan University, 2013

Considering the above table, more women seem to be engaged in agriculture work compared to their male counterpart. As only 57.1% of male are engaged in agriculture while it is 75.7% in case of female. If we see the situation of caste and ethnicity, then it is hill Dalit female with 82.1% are engaged in agriculture work while it is 78.9% for Terai Dalit women which is still higher than the Terai caste women with 76.8%. If we see the male situation then 64.7% Terai Dalit male are engaged in agriculture work as they also work as agriculture labour. When we see the non-agriculture sector then less Dalits are engaged compared to other caste and ethnic groups. In total 42.7% male are engaged in non-agriculture work while it is just 22.1%. The situation of both hill and Terai Dalit female is not so different from the national average as it is 17.9% for hill Dalit and 21.1% for Terai Dalit. The engagement of female of all caste ethnic groups is similar though the engagement of hill Dalit women is comparatively low.

Gaps and Challenges

The situation of poverty in Nepal is decreasing gradually by implementing different poverty eradication policy and programs through five years national plan, yearly policy and programs but the status of Dalit women is still below poverty line. The program and policies formulated by Government are not effective to address the access of Dalit women to employment opportunities, social security services and rights to property as clearly defined by the constitution of Nepal 2015, Article 38(5, 6) on the basis of positive discrimination. Taking out Dalit women out of poverty is a major challenge in one hand there are several schemes of both government and non-government entities, but they are not accessible to the Dalit women. For example, there are several micro finance institutions and banks who provide loan to enterprising women, but their interest rate is very high and Dalit women do not have access to the collateral.

Recommendations

- Government should provide land to the landless Dalit women through formulating, amending and implementing necessary laws, policies and programs.
- Government should conduct different skill based and employment-oriented programs countrywide particularly targeting Dalit and marginalized women those are backward in terms of employment and entrepreneurship.
- The People housing Program implementing by the Government should be reached to targeted community in time and the provision should be in place to ensure ownership of Dalit women to the housing.
- The Government should formulate and enforce the specific programs to ensure the economic rights of Dalit women as defined by constitution, international laws and instruments that Nepal has ratified and in line with Sustainable Development Goals
- The development agencies also need to have poverty alleviation program meant for Dalit women.

Education and Training of Dalit women

Current Status

According to Article 31 of the Constitution every citizen shall have the right to compulsory and free education up to the basic level (grade 8) and free education up to the secondary level (grade-12). Article 38 (5) explicitly empowers women with the right to obtain special opportunity in education, health, employment and social security through affirmative action.

The importance of education in facilitating social mobility has heightened in Nepal during the last few decades. Dalit parents, although they themselves are illiterate and are poverty-stricken, are eager to send their children to school. The increase in net enrolment rate in school, including that of Dalits, shows this trend through consecutive censuses. Despite this phenomenon, educational attainment of Dalits, especially of Dalit girls, is a gross failure (Koirala 1996, 2002).

The education is considered to be the gateway for socio-economic development as well as prosperity. The education can be divided into four categories, one literacy (those who cannot attend formal education), primary education (class one to five), secondary education (six to twelve) and higher education (university level from bachelor to masters and above) and last category could be technical education for vocational training. In Nepal there is a separate institution to provide vocational training with accreditation CTEVT (Centre for Technical Education and Vocational Training). The level of attainment to these different categories of education and training determines the situation of different social groups or castes. The following table shows the literacy status and gross enrollment at basic level of different social groups.

Table 4 - Literacy status and gross enrollment at basic level by social groups

Ethnicity	Adult literacy %			GER at basic level		
	Male	Female	Total	Male	Female	Total
Hill Brahmin	88.9	67.8	77.6	105.7	108.7	107.1
Terai Caste	62.9	33.3	48.0	90.7	83.0	87.0

Hill Dalit	60.3	42.9	51.8	108.2	112.2	110.2
Terai Dalit	33.4	12.3	22.8	75.6	64.3	70.1
Hill Janjati	76.0	56.1	65.2	111.5	113.4	112.5
Newar	86.3	67.9	76.5	109.6	111.5	110.5
Muslim	47.9	23.2	35.4	73.0	62.4	67.9
Total	71.7	48.8	59.6	102.2	101.8	102.0

Source: Adapted from Social Inclusion Survey, Sociology and Anthropology Department, Tribhuvan University, 2013

From the above table one can see the status of different social groups. While the hill Dalit women have the literacy of 42.9% but that of Terai Dalit women is 12.3% which is six times less than average women literacy of Nepal. The gross enrollment rate among Terai Dalit women is also less with 64.3 whereas national average is 101.8. Both of these indicators are sufficient to show that investment of state on education has not reached these social groups.

The gross enrollment at the secondary and tertiary level is not also very satisfactory which can be seen on the following table. The national average ration of enrollment is 99.1 but it is 47.6 for hill Dalit and 19.6 for Terai Dalit women. At the tertiary level it is more miserable. While it is 0.7 for hill Dalit women and 0.3 for Terai Dalit women. It is highest among hill Brahmins male and Newar female with 28.2 and 16.3 respectively. Though hill Brahmin women lag behind their male counterpart, but they are much ahead than hill and Terai Dalits whereas situation of both hill and Terai Dalit women cannot be compared with them.

Table 5 - Spread in Education of Women - Ethnicity

Ethnicity	GER at Secondary Level			GER at Tertiary level		
	Male	Female	Total	Male	Female	Total
Hill Brahmin	163.4	161.1	162.2	28.2	15.7	21.6
Terai Caste	94.8	63.5	80.1	11.5	4.4	8.2
Hill Dalit	57.8	47.6	52.5	1.8	0.7	1.2
Terai Dalit	40.8	19.6	30.6	2.1	0.3	1.2

Hill Janjati	95.5	97.4	96.5	6.8	5.2	6.0
Newar	149.4	153.3	151.4	18.9	16.3	17.5
Muslim	42.6	21.8	32.6	3.0	1.0	2.0
Total	99.1	88.9	94.0	10.1	5.5	7.7

Source: Adapted from Social Inclusion Survey, Sociology and Anthropology Department, Tribhuvan University, 2013

CTEVT provides skill based both formal and information trainings to the youths upon the attainment of it one can enter into the job market more easily than having other type of education. The CTEVT has the policy of providing some quota to Dalits and women but not sufficient enough to improve their situation. Particularly among the Dalit women it has not reached therefore, it is not possible to measure its effect.

Nepal has adopted federal system of government and has been divided into 7 provinces. The province no 2, five and seven have brought policies to improve the education of girl child and women. The province two has a special program called Beti Bachao, meaning save daughter educate daughter. This program is meant for those attending government run schools in which most of the Dalit children do and likely to benefit from this initiative. The province no six also has similar program and will deposit Rs. 500 every month in the name of newly born girl child and from this initiative too Dalit girl child is likely to benefit. The province 2 is running this program in its second year and province six in the first year so time has not come to discuss its effect, however, one can think that if implemented honestly this type of program is likely to bring lasting change in the lives of girls.

Gaps and Challenges

The educational status of Dalit women is not sound for the multiple reasons as, due to the weak economic condition of the Dalit family, they cannot afford to send their children to school and The access of Dalit women to the quality education is also far beyond their economic capacity, consequently they cannot compete for the employment and other life opportunities. Similarly, geographical complexity is another hindrance to access in education and patriarchal mind-set of Nepalese society obstacles women and girl child's reach to education.

Recommendations

- To increase the access of Dalit children in education, the scholarship that has been providing by the states should be increased.
- Government should launch school enrolment campaign targeting Dalit girls.
- Government should made free education up to secondary, higher level and vocational-technical education for Dalit women those who are deprived of education.
- Government should include supporting education for the elimination of mal-cultural practices existing in Nepalese society like caste-based untouchability, Chhaupadi, witchcraft and sexual, reproductive health education in the secondary and higher-level education curricula as a mandatory education.
- Some of the provinces like province 2 and province 6 have started girl child motivating program that are helpful to retain the girls in school. Such program needs to be replicated in other provinces and government of Nepal need to take special measures.

Dalit Women and Health

Current Status

The government of Nepal has the enacted Public Health Act (2018), focusing on integrated service provision for reproductive, child and maternal health, with an emphasis on the quality of care and the strengthening of referral mechanisms. The Multi-Sector Nutritional Plan II, 2018-22 targets children, teenaged girls, pregnant women and breast-feeding mothers in low-income groups. The Constitution of Nepal 2015, in its Article 16 under Fundamental Rights states that (1) every person has the right to live in a clean environment, and (2) every citizen shall have the right to basic health services free of cost from the state as provided for in the law. National health policy stipulates universal health coverage. Similarly, the gender equality and social inclusion (GESI) policy in the health sector states that “affirming the international standards of recognizing health as fundamental rights of every individual in Nepal, with special priority will be towards people who are socially and economically deprived section of gender, caste, ethnic groups and region” (Ministry of

Health 2009).

The health of Dalit women cannot be said satisfactory compared to other caste groups of Nepal due to various other factors such as poverty their health is so. Now National Demography and Health Survey carried out in 2016 and made public in 2017 does not have disaggregated data with caste and ethnicity so it is not possible to refer to that. The overall health situation of the country has improved but what is that of Dalit and other marginalized caste groups. The following table shows the overall health situation of Dalit women.

Table 6 - Disaggregate Health Indicators - Dalit Women

Indicators	National Average	Dalit
Child Mortality (every 1000)	54	77
Maternal Mortality	46	67
Rate of birth	2.6	3.2
Use of Contraceptives	43.2	40

Source NDHS 2006

Considering the above table, maternal mortality among Dalit women is higher with 21 than the national average. While giving birth to babies out of 100 thousand birth 21 Dalit women are likely die more. This means while giving birth to babies they do not deliver in hospital or do not have professional attendant who could assist in safe delivery. The use of contraceptives among Dalit women is also less with 40 whereas national average is 43.2% which means the rate of birth is high which is 3.2 compared to 2.6.

The nutrition status of Dalit women particularly Terai Dalit women is very alarming as under this category 45.7% of them fall as those having body mass less than 18.5 are considered thin. While the national average is 68.5% who are normal. Those who are second undernourished is from Muslim community as 35.9% of the Muslim women are underweight.

Table 7 - Weight of Women - Disaggregated by Ethnicity

Ethnicity	Normal (18.5-24.9)	Underweight (<18.5)	Overweight (>=25)
Hill Brahmin	66.0	16.9	17.1
Hill Chhetri	73.3	14.9	11.8
Hill Dalit	69.5	17.3	13.2
Madhesi Dalit	51.1	45.7	3.2
Newar	63.2	10.0	26.9
Hill Janjati	75.7	8.6	15.7
TeraiJanjati	68.0	26.3	5.7
Muslim	52.3	35.9	11.8
Total	68.5	18.4	13.2

Source: Adapted from Social Inclusion Survey, Sociology and Anthropology Department, Tribhuvan University, 2013

Gaps and Challenges

Dalit women are going through many health problems due to the lack of health education and access to the services that has been providing by the government, such as, gap in the knowledge of Dalit women about reproductive and sexual health results STD, uterine prolapse, uterine cancer and obliged to give birth many children. Similarly, they are also suffering from malnutrition, communicable diseases due to the lack of knowledge and access of clean drinking water, sanitation.

Recommendations

- Government should formulate policy and implement in entire country of Nepal to prepare Dalit women health volunteers and provide opportunity.
- There should be free health treatment for major diseases occurred in Dalit women and Dalit community and accessible.
- The health insurance program that has been conducting by the Government is not reached to Dalit community and due to weak economic situation Dalit women are unable to participate in the program, so there should be free health insurance for the

Dalit women.

- Government should conduct WASH programs for the Dalit women those are backwarded in terms of health and sanitation.
- Government should launch special programs targeting safe motherhood, reproductive health, uterine prolapse of Dalit womens.
- Malnutrituion is a major problem especially among Dalit women and children and the local level government need to identify the malnourished women and take the remedial measures to overcome it.

Marking the 16 days of activism against GBV, FEDO organized an “ Interaction on Women in Gender Violence in Sudurpaschim Province,” in Dhangadhi. On the occasion, Mohan Joshi senior reporter of Dhangadhi Post National Daily presented the analytical paper on the status of the women in gender-based violence based on the study conducted by FEDO. According to the study, a total 731 cases women violence were registered in different district police stations of the provinces from January to September 2019, among which in 119 cases i.e. 16.2% the victims were from the Dalit community. Among the various forms of violence, rape stands in the top position with 163 cases reported, followed by attempt of rape and polygamy in second and the third position with total incidents of 82 and 75 reported respectively. A total of 35 cases of human trafficking were reported. Likewise, the total incidents of witchcraft allegation and unnatural sex were 3 each. The total incident of the 2-child marriage and 5 Child sexual abuse were reported.

Violence against Dalit women

Current Status

Nepal can be regarded as progressive country in the world as it has adopted and implemented different measures to tackle both gender as well as caste-based violence. Nepal has ratified international instruments like CEDAW and ICERD and also formulated laws and policies. Likewise, there are many international development agencies working in Nepal supporting the issues of gender-based violence to overcome them and UNICEF which is one of the largest. One of the root causes of gender-based violence is considered to be the unequal distribution of family property as son inherits the

ancestral property and daughter does not, in order to overcome such situation Nepal has already put an equal property rights act in place and now girls can inherit ancestral property too.

One of the Dalit rights related organization NNDSWO carried out a human rights study related to Dalits in 2013 and analyzed 30 incidents which occurred in the different parts of the country. According to that study out of 30 incidents 18 (60%) were related with domestic violence where main culprits were close family members and mostly their husbands. Another violence is related with sexual harassment or exploitation and there were 7 incidents (23.3%) in which 2 were related with attempt to rape 4 rape and one sexual exploitation. Dalit women mostly single and aged women are accused of practicing witchcraft and they are in extreme cases fed human excreta to condemn them and out of thirty 3 (10%) were related with that. Out of 30 cases one was murder and one was human trafficking. Though the study does not have any comparison with national data or other counterpart, however, it can be assumed that among all social groups Dalit women are more vulnerable to such extreme forms of discrimination and violence because of their socio-economic status in the society.

Marking the 16 days of activism against GBV, FEDO organized an “Interaction on Women in Gender Violence in Sudurpaschim Province,” in Dhangadhi. On the occasion, Mohan Joshi senior reporter of Dhangadhi Post National Daily presented the analytical paper on the status of the women in gender-based violence based on the study conducted by FEDO. According to the study, a total 731 cases women violence were registered in different district police stations of the provinces from January to September 2019, among which in 119 cases i.e. 16.2% the victims were from the Dalit community. Among the various forms of violence, rape stands in the top position with 163 cases reported, followed by attempt of rape and polygamy in second and the third position with total incidents of 82 and 75 reported respectively. A total of 35 cases of human trafficking were reported. Likewise, the total incidents of witchcraft allegation and unnatural sex were 3 each. The total incident of the 2-child marriage and 5 Child sexual abuse were reported.

One of the unique features of violence that Dalit women face is from inter-caste marriage. While most of the sociologist agree that

integration of caste ethnicity becomes possible when people from different caste groups get involved as marriage is taken as marriage between not just couple but with whole of the two families. But the situation with Dalit women mostly become different as they are not accepted by the families of groom and suffers are mostly Dalit women and their children as they are denied citizenship, properties of the father and social trauma.

Usually women and men fall in love during their teen age and legal marriage age for Nepal is 20 years. When such couples elope, the Dalit boy is charged with rape, sexual harassment and in extreme cases human trafficking under which he has to face severe punishment. If a couple belongs to a non-Dalit group, then under age marriage is not considered crime and are easily accepted by the society. When a couple is Dalit and non-Dalit then not just the family of non-Dalit but whole society attacks the Dalit person. Therefore, it is a very bit human rights issue in Nepal despite the protection of law and other incentive by the government. In 2008 Government of Nepal provisioned a cash incentive of Rs. 100,000 (US Dollar 1000 approx.) and it continued for four years and now such provision has not been continued

Studies show that physical attack, rape, sexual harassment and assault, murder, murder attempt, trafficking, torture, and abduction are some of the major forms of physical violence inflicted upon Dalit women in Nepal. Indecent and inhumane treatment, verbal abuse, and humiliation are other forms of violence Dalit women in Nepal experience on a daily basis. Psychological violence and abuse are another form that is less known and under-reported. Psychological violence includes threat of exclusion, punishment, violence, and other forms of measures to assert control over women's body, movement, and expression. The physical, verbal, and psychological violence, in combination or otherwise, impacts women's health and well-being in negative ways, including trauma, psycho-social disorders, stress and anxiety disorders, fear, psychosis, and more importantly, reduced self-esteem and confidence.

Gaps and Challenges

Violence against Dalit women takes multiple forms. They suffer a higher degree of domestic violence from family, as well as physical and mental abuse by the dominant castes. The prevalence of

trafficking and forced sex work among Dalit women shows the nature of their vulnerability. Further, they are subjected to the most degrading and humiliating forms of treatment by dominant caste on account of untouchability. Violence against Dalit women, unfortunately, is used as weapons for enforcing their subjugation. The issues of violence against Dalit women is not discussed widely as they suffer different types of violence than their non-Dalit counterpart. There is a gap in getting justice as Dalit women do not have easy access to the judicial bodies.

Recommendations

- The main basis of violence is caste and gender-based discrimination. Some measures need to be taken to address them in terms of psychosocial counselling, rehabilitation and compensation.
- The government do not have disaggregated data of violence against Dalit women, So the research conducting by the government agencies should be Dalit and marginalized women oriented and publicize likewise.
- Government should Formulate and enforce strong policies and laws particularly to address violence against Dalit women.

Dalit Women and Armed Conflict

Current Status

Specific characteristics of Hindu Nepali society are full of discrimination and domination based on gender, caste and ethnicity. Therefore, there is a conflict in the society. Voices against the existing discrimination and exclusion were raised from different social and political movements. Dalit started an organized movement fighting against the caste-based discrimination from 1946 and similar movements were started by Dalit women in 1956. During the Maoists insurgency between 1996 to 2006, more than 13,000 people lost their lives, out of them, more than 1100 were Dalits. The significant numbers of the people from the most excluded communities participated in the movement, so did the Dalit women. The 25% of the deaths could be estimated from Dalit women. No systematic study has been conducted on the subject. But it can be observed that most of the Dalit women were victimized

during the conflict period.

A significant number of Dalit were associated with the Maoist party with an ambition to establish a governance system where everyone will have an equitable and dignified life. A significant number of Dalit involved in the Maoist movement were Dalit males. As the males were engaged in the movement, Dalit women had additional challenges in their livelihood in the grassroots areas.

In many cases, Dalit women were arrested, raped and murdered. A 15-year school girl Maina Sunar was arrested by the Nepal Army on 15 February 2004 from the Kavrepalanchok district. She disappeared and after a long investigation, it was found that she was murdered in an army barrack.

Dalit women faced challenges from both sides; the state and the Maoist. In the grassroots areas, the settlements of the Dalit community were used as shelters by the Maoist rebels. Therefore, those Dalit settlements were always targeted by the state arm force. Dalits were often threatened, arrested, and tortured by the armed force. Dalit women were also raped and murdered. There are numbers of such cases of murder, disappearance, and cases related to the physical and mental problems that happened to the Dalit women by both parties that haven't addressed by the government. The conflict-stricken Dalit women are still seeking for justice, waiting for their disappeared relatives, and tackling with physical and mental challenges created by the conflict.

Similarly, many Dalit women became single mothers and their children orphans as many male Dalit lost their lives. The government of Nepal has formed the Truth and Reconciliation Commission (TRC). It was expected that the people suffered from the human rights violation find-out truth and victims get justice. It was also expected that the conflict victim Dalit women can file the cases in a safe and conducive environment to get justice. The Commission of Investigation on Enforced Disappeared Persons (CIEDP) has been formed, which is also expected to find out the disappearance status of Dalit too.

In the case of Nepal, the victims and their relatives who have access to the political power can get justice and compensation by the government, but the highly marginalized and vulnerable Dalit women don't have easy access to such powers. Dalit women are also reluctant to file the cases because they feel that the potential

perpetrators may further torture them. In addition, they are not even confident to get justice as they don't have access to political connections.

Gaps and Challenges

The problems faced by the conflict victims have a severe concern to get justice and find-out their relatives, but the commissions haven't caught-up the spirit of their concerns. The political leaders also have felt threatened because they also can be pulled as a perpetrator of the human rights violation cases. In the case of Nepal, the victims and their relatives who have access to the political power can get justice and compensation by the government, but the highly marginalized and vulnerable Dalit women don't have easy access to such powers. Dalit women are also reluctant to file the cases because they feel that the potential perpetrators may further torture them. In addition, they are not even confident to get justice as they don't have access to political connections.

The networks like the Conflict Victim Common Platform (CVCP) and the Conflict Victim National Alliance (CVNA) and other organizations have to give priority to the most vulnerable Dalit women in the processes of getting justice and finding the disappeared relatives. The commissions also have to give priority to those vulnerable communities proceed cases related to the human rights violations. In addition, the National Dalit Commission, and Dalit Civil Society Organizations haven't given enough attention to the conflict victim Dalit and Dalit women, so, they need to consider this issue as an important task to be done.

Recommendations

- It has observed that Dalit women are highly victimized in the ten years of political conflict by both conflicting parties. Their family members of Dalit women have lost their life, disappeared, injured and facing psychological problems too. The Dalit women have become single mother, inter-caste marriage have converted into divorces. Therefore, the state has to ensure the representation of Dalit women in the established mechanism to address the concerns of conflict victims.
- In the context of Nepal those who have power and connection they get justice comparatively easily then the marginalized

people. Dalit women are still behind the political power and access to justice. Therefore, a priority should be given to conflict victim Dalit women in the process of getting justice.

- Dalit women have felt unsafe to file complain against the potential perpetrator because they are in the power and Dalit are getting in/direct threaten from them. Thus, the government has to ensure their safety to file the cases in the process of getting justice.
- Dalit women have multiple consequent effects of the conflict. The state should identify such effects and provide appropriate remedy to the conflict victim Dalit women.
- Among the conflict victims, Dalit women are highly vulnerable. The organizations working for the rights of the victims need to understand their venerable situation and give priority to their concerns.

Dalit Women in Power, Decision making and Institutional Mechanisms

Current Status

The Constitution guarantees women's right to participate in all structures and bodies of state based on the principle of proportional inclusion. Accordingly, women have achieved a significant representation in federal parliament and the state and local level assemblies, however the participation of Dalit women is not sufficient for their meaningful participation and institutional representation.

The New Constitution has ensured three spheres of the governments in the federal governance structure. In 2017, the election of federal parliament, provincial parliaments, and the local governments held. Out of total 275 MPs, 19 Dalit including 13 Dalit women represent in the federal parliament. The federal parliament has 16 different thematic committees; one of the highly influential committee is "Directive Principles and Responsibilities of the State of the Constitution Implementation and Monitoring Committee", which is led by the Dalit woman member of parliament. Similarly, there are 32 members of parliament representing Dalit community in all seven provincial assemblies and among them, 25 are Dalit

women. There is no representation of Dalit in the provincial cabinet in except the province one. The provincial government of Province one has recently nominated as a State Minister for the Ministry of Social Development.

There are 753 local governments that have been functioning across the nation. None of the Dalit women have elected as a Mayor and ward chairs of the local governments. However, 11 and 14 Dalit women have been elected as the deputy mayor and vice chairperson respectively. This includes 6,567 from Dalit women in ward level ward members. This is a significant number of representations at the local government; however, their voices in the decision-making process are still weak because they are still a minority in the local governments.

The Council of Ministers: Total Number of Ministers are 25, among them 22 (88%) are male and only 3 (12%) are female. Of the total 25, 13 (52%) belong to Khas/Arya, 7 (28%) Madhesi, Tharu and Muslim, 5 (20%) Janajati and only 1 (4%) Dalit.

Secretaries of the Government Ministries: Total number of special class secretaries are 67, among them only 3 (4.5%) are women. By cast and ethnicity 61 (91%) are Khas/Arya. Janajati and other groups (Madhesi and Tharu) count only 4.5% each. Two out of the three women secretaries also belong to Khas/Arya, and only one belongs to other community.

Mayor of Municipalities and Chairperson of Rural Municipalities: The dominance of Khas/Arya men remains unchallenged as they record the highest representation in key decision-making positions as 48% mayors, 44% chairpersons and also 44% ward chairs. In almost all of the 753 Municipalities/Rural Municipalities the Deputy Mayors and Vice Chairs are women, 91% of them are Khas/Arya women. In key positions as Mayor/Chair and Ward Chair, only 2% women are represented. More than 90% elected Deputy Chair/Mayors belong are Khas/Arya.

Constitutional Commissions: There is only one women representation in each of the Constitutional Commissions such as the Public Service Commission, the Commission for the Investigation of Abuse of Authority, the National Human Rights Commission, the Election Commission and others. (Source <http://sdg.npc.gov.np/resource/2659/>)

Gaps and Challenges

The representation of Dalit and women have been politically and constitutionally accepted inclusion in the Nepal. To some extent, the political parties and the state has compelled to implement inclusion in their structure, however, the principle and practices have a huge contradiction. The structure of all three spheres of the governments, political parties, bureaucracy, law-enforcement agencies, other stakeholders haven't been implemented the principle of proportional representations. The election act has given a space to be represented as a member in the ward of the local government, but those Dalit women representatives have less influential role within the government structure. On the one hand, they are not in key decision-making position and on the other hand they are in minority within the structure, therefore, their voices haven't heard in the decision-making processes. A group of elite ruling caste has started a discourse against the reservation to Dalit women claiming that Dalit women representatives have make no differences to the community therefore the quotas should be dismissed. Dalit movement has a responsibility to fight against such conspiracy and protect the constitutional rights to participate in the state governance structure.

Recommendations

The following are the Recommendations to ensure meaningful participation of Dalit women in decision-making level;

- The election system should be amended to ensure proportional representation of all marginalized communities in the political spheres including Hill and Madhesh Dalit women.
- The local level election act has ensured the representation of Dalit women in the ward committee, however, local government operation act, 2017 hasn't defined their role and responsibility. The local government should allocate specific responsibility to make decisions and execute their authority.
- The structure of major political parties is still exclusionary. They haven't given space to Dalit women in the party structure. Therefore, the parties should follow the principle of proportional representation and should initiate an effort to develop leadership capacity of Dalit women.
- The Dalit movement should develop a strategy to mobilize and

support elected Dalit women representatives to make changes happen toward Dalit community and play an influential role in the policy formulation processes.

Dalit Women and The Media

Current Status

According to Global Media Monitoring Project Report of 2015 only 23% of media persons in print, TV and radio in Nepal are women. Currently, there are 13,050 members in Federation of Nepali Journalists. Out of which 2354 (18.03%) are female. Women's representation in decision making body is even more limited: only 14.6 % representation of women in FNJ and 14.8% in Association of Community Radio Broadcasters. As of 2016/17 there were total 740 FM radio operating in Nepal. Only 7% of the total owners/operators were women. Out of the total 60% employees are male and 40% female.

Representation of Dalit women in media institutions is important to bring their issues in the public sphere. It has said that representation is important to bring the truth and real concerns/contents of the community in the media. It was hard to find-out anyone journalist and writer from Dalit women before the restoration of democracy in 1990. In the last 25 years, the numbers of media institutions and the journalists from Dalit women also have increased. A radio program was started on Dalit issues in radio Nepal in 1996 where Dalit women also were in a production team. Nepal government started providing licenses to the private and community FM radios from 1996. More than 700 FM stations have got licenses and operating. As per a survey conducted in 2010, there were 79 women Dalit journalists were working in Nepal. But, in the last 10 years, the number of Dalit and Dalit women journalists has increased significantly.

Currently, journalists from Dalit women have been working for mainstream media such as Radio Nepal, Nepal Television, daily newspapers, online news portals, television stations, private and community radio stations. Systemic studies haven't been done after 2013 about the participation of Dalit in Nepali media; however, the trends display that journalists from Dalit women have been

increasing in number. In the last 25 years, the number of Dalit women writers has been increasing gradually. The women writers occasionally write articles on the issues of Dalit women for creating a wider public discourse in the popular mainstream media. Few of them conduct researches, write articles, and translate Dalit related documents as knowledge products. But it is still difficult to find Dalit women columnist.

The participation of journalists from Dalit women have increased, however, their representation in the decision-making level is rare. It's very hard to find Dalit women editor in chief, copy editor, and other key positions in the media institutions. Similarly, they have rare representation in the media related governmental and non-governmental institutions. For example; Dalit women don't have representation in the key positions of the government owned media institution like; National News Agency, Nepal Television, Radio Nepal, Gorkhapatra Cooperation, etc. No-one Dalit woman has representation in the Press Council Nepal. Federation of Nepali Journalist (FNJ) has one central committee member from Dalit women. It shows that the key governmental and non-governmental institutions haven't given space to Dalit women.

The growing numbers of media institution have also produced Dalit women journalists. But, their representation in the Nepali media is hardly 1%. The state has acknowledged the idea of inclusion in principle, which has to be practiced by the media institutions as well. At least the government should ensure meaningful representation of Dalit women in the government owned media institutions. Similarly, the state should formulate a policy to ensure that all media institution should have a representation of Dalit women following a principle of proportional inclusion. Furthermore, the government also has the responsibility to increase trained journalists through providing scholarships to the students, offering journalism training and courses etc., but the government haven't taken any initiation toward this direction.

Gaps and Challenges

Participation of Dalit women in the media institution definitely affects in covering their contents. But media institution neither have a policy to make an inclusive structure nor give priority to publish contents on the marginalized communities including Dalit

women. In case of the existing media policy and editorial policy of the media institution ensure the participation of Dalit women in institutional structure and give priority to the contents of Dalit women that would help to bring the issues of Dalit women in the public discourse. To some extent, interactions have started in this direction, but, hasn't made any policy change so far.

Recommendations

- The governmental owned institutions like National News Agency, Nepal Television, Radio Nepal, and monitoring mechanism like Press Council Nepal and other related departments still are not inclusive. The government should ensure the representation of Dalit women in the state-owned media institution.
- Elaborate/amend media policies to ensure the participants of Dalit women in the media structure, produce and disseminate contents on Dalit women.
- Provide scholarships to the Dalit women to study journalism and mass communication.
- Provide opportunities like; training, on-the job training, and establish a conducive environment for their professional growth of Dalit women in journalism sectors. The media institutions and the organizations working on Dalit issues need to work together to increase the number of journalists and writers from Dalit women.

The Girl Child

Current Status

The Constitution of Nepal has many provisions for ensuring right of children in 10 different clauses under Article 39. According to Article 39 every child has the right to name, birth registration and identity; the right to



education, health, maintenance, proper care, sports, entertainment for overall personality development; the right to elementary child development and child participation. No one can employ a child to work in any factory, mine or similar other hazardous work. It prohibits child marriage, trafficking, abduction, kidnapping or taking on hostage.

The total population of the children in Nepal is 41.84 percent of the total population, among them population of girl child below 18 years of age comprises 20.60 percent whereas boy child comprises 21.23 percent of total population of Nepal¹¹. The data demonstrate the large number of populations are children those are determining pillars of development for the future of the country. Hence, their overall growth and development in terms of health, education, and violence against them should be upheld very effectively to address the rights of the children.

The country has ratified many international treaties on child rights and has national laws and policies are in place for the promotion and protection of child rights, but the violence against children is still the prime issues against the laws and constitution. In 2018 and 2019 there were 995 and 1420 rape cases against the girl aged below 18 years reported respectively². Similarly, trafficking of children, gender selective child birth and child labor is also another impediment that halts the development of children in Nepal. ILO study shows that 1.6 million children between the ages of 15-17 engaged in child labor, out of which 62,000 children between ages of 5-17 are engaged in hazardous work³. Trafficking

In Nepal marriage before the age of 18 is considered child marriage. 41 percent of women are married before they turn 18⁴. The country has the third highest child marriage prevalence in South Asia. In some communities, Child marriage is the customary, socially established practice that has been carried on for generation. Mostly, this practice is prevalent in the Dalit and marginalized community

1. Status of Children Improving Report: <https://risingnepaldaily.com/main-news/status-of-children-improving-report>
2. Central Bureau of Statistics Nepal, 2011
3. The Working Child, report: <https://thehimalayantimes.com/business/perspectives/the-working-child/>
4. UNFPA report on Child Marriage <https://nepal.unfpa.org/en/node/15217>

because of many factors as poverty, illiteracy, patriarchal mind set. Child marriage has numerous adverse effects on the overall wellbeing of a girl child who is mentally, psychologically and physically not prepared for married life and this must be eliminated for numerous adverse consequences on society.

In rural Nepal, menstruating girls and women are banished to sheds called “Chhapati, where they suffer in cold and isolation, often at risk of illness and animal attacks. When girls started menstruating, she was banished to the Chhaupadishid outside her house until she stopped bleeding. In this shed she was to have no contact with her family, and deprived of nutritious food too. This practice is mostly found in rural and some extent urban areas of far and mid-western regions of Nepal, where girls and women have to experience higher risk of sexual violence, animal attacks and isolation routinely. Consequently, they have to suffer from serious sorts of illness due to lack of adequate hygienic arrangements and in many cases of death in Chhaupadishid reported often. Although the Supreme Court of Nepal banned Chhaupadiin2005, and in 2010 the National Plan of Action against Gender-Based Violence in Nepal recognized it as a form of violence against women but the practice still continues by ignorance and religious-belief.

Gaps and Challenges

The existence of violence against girl child is a fact in Nepal. The patriarchal society along with gendered based values regard the girl next to none. Dalit girls for that matter are always vulnerable. The protection mechanisms including reporting mechanism are not effective enough as they are not being able to utilize the existing legal provisions and to reduce the inequalities and discriminations.

The factors for child labor in Dalit community are poverty, illiteracy and ignorance that prevents children overall developments. Among which poverty plays the major role for the child labor in Nepal. In Nepal 25.2 percent population living below poverty line, that results families are forced to send their children to work to sustain their families. The consequences of social inequities reinforced by social discrimination is also reason for practice of child labor. Children from marginalized groups in rural areas of Nepal are more likely to drop out of school to work, the economic inability of parents forced their children to enter the labor market that challenge the various child

rights. Nepal has committed to eliminate child, early and forced marriage by 2030 with target 5.3 of the Sustainable Development Goals. Similarly, Nepal has ratified the Convention on the Rights of the Child in 1990 which sets a minimum age of marriage, and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1991, which obligates states to ensure free and full consent to marriage. But the government is not so serious towards enforcing the laws that prevent child marriage effectively.

Recommendations

- To increase the access of Dalit children in education, the scholarship that has been providing by the states should be increased.
- Due to weak economic condition of Dalit family the children are unable attend the school, so realizing the fact Government should formulate and implement the encouraging programs for the Dalit children to attend school.
- Among the girl child of Dalits, there is a problem of gender discrimination as a result of that they get less nourishment in the family and they are sent to government schools rather private school. There should be a campaign to raise awareness of anti-gender discrimination at the household level.
- The government of Nepal used to provide nutrition allowance to under five children of Dalits and now this has been handed over to the local governments and some of them are not providing such allowance, so all local governments need to continue this practice.

Conclusions

The general status of women in Nepal have improved over the years as country has adopted gender friendly and inclusive policies. As a result of that in the parliament as well as in the local bodies their representation has increased to more than 33% which is one of the highest in South Asia as well as in the world. This has been achieved due to the mandate of the constitution 2015 as it has adopted the principles of social justice and proportionate inclusivity at the functioning of both governments as non-government sectors. The constitution has also mandated the inclusion of Dalits in most of the state organs as well as election process and its outcome. When

there is inclusion of Dalits it is mandatory for political parties to have 50% of them to be Dalit women. As a result of that in the current federal parliament out of 26 (19 houses of representative and 7 upper house) 13 are Dalit women. Likewise, the election law has mandated to have one Dalit women out of 2 women out of 5 members ward committee. As a result of that more than 6500 ward members are Dalit women. This type of political empowerment as well as representation of Dalit women is a matter of pride for Dalit movement of Nepal. However, the increased representation has come up with many challenges as well which have been adequately discussed in the previous sections of this report.

Though the political representation and empowerment of Dalit women can be stated satisfactory but most other indicators are not satisfactory in terms of economy, education, and health, in comparison with male counterparts from same community and dominant caste on the basis of multiple reasons as; they do not have equal access, control, distribution to the opportunities, resource and services that has been provided by the states and private sectors.,

The country has embraced a policy of prosperous Nepal and happy Nepali so as adopted SDGs and declared that Nepal will achieve the goals by 2030. The spirit of SDG is leaving no one behind and as discussed extensively in the earlier sections of this report. Neither the policy of prosperous Nepal happy Nepali policy nor the plans for SDGs has stated policies to address the worst situation of Dalits in general and Dalit women in particular.

Therefore, the laws and policies formulated by the Government should be Dalit women friendly to mainstream them in all spheres of government and non-government sectors. As upon leaving behind the mainstreaming of Dalit women and marginalized community to the development, we cannot transform nation into prosperous, inclusive, equality-based country where every citizen enjoys their rights equally. Hence, the policy and program that will be formulated by the Government based on indicators of Sustainable Development Goals should target Dalit women of the country.

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WORKING GLOBALLY AGAINST CASTE-BASED DISCRIMINATION

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