



National Coalition Against Racial Discrimination Monthly Update October 2012

National gathering of human rights defenders concludes with a 10-point resolution; Madhesi human rights defenders criticize the gathering for their inadequate participation

Kathmandu, Oct 10 – A national gathering of human rights defenders, organized by National Human Rights Commission (NHRC) in Kathmandu from 8-9 October 2012, has concluded with a 10-point resolution. The resolution calls for necessary amendments to the Commission’s draft of Human Rights Defenders Guidelines, immediate formation of transitional justice mechanisms as per international standards, guarantee of collective rights to Dalits, indigenous peoples, Madhesis and other minorities and marginalized groups and implementation of the concept of Right-based Approach to Development, among others.

Tarai Human Rights Defenders (THRD) Alliance has criticized the Commission for inadequate participation of Madhesi human rights defenders in its National Conference of Human Rights Defenders. NCARD, with other indigenous peoples and human rights organizations had expressed serious concern of no mention at all of rights of indigenous peoples in the draft guidelines - that has been included in the final resolution. *Please contact NCARD office for a copy of the resolution.*

UN General Assembly assesses Indigenous Rights Declaration, Nepal representative all praise for government efforts for indigenous peoples

New York, Oct 22 – Five years after adoption by the General Assembly of the United Nations Declaration on the Rights of Indigenous Peoples much progress had been made, but “we still have a long way to go in fully realizing” those rights — including through rights to land and participation in decisions that affected their lives, the Third Committee (Social, Humanitarian and Cultural) was apprised in the 67th UN General Assembly.

Indigenous peoples remained “mostly invisible” in the implementation, monitoring and evaluation of progress towards the Millennium Development Goals, said Wu Hongbo, Under-Secretary-General for Economic and Social Affairs, and Coordinator of the Second International Decade of the World’s Indigenous Peoples. Thus, Indigenous peoples needed to be kept in mind when considering the post-2015 development agenda, and must be allowed the opportunity to participate in the debates on issues affecting them.

Speaking on the occasion, Nepal government’s representative Janga Bahadur Gurung informed that Nepal had taken several significant measures towards promoting the rights of indigenous peoples, adopting policies and programmes for social justice and affirmative action. To put the indigenous peoples and minorities at the centre of development, the Government had provided participatory planning, capacity development, empowerment and social security. The country’s community forestry programme, in which indigenous communities played an important role in

management, was an example of success. “We can further utilize their creative potential and wisdom for the task of nation-building as well as uplifting their standard of life,” he said. [UN](#)

14 Oct – **Indigenous Bote community in Palpa, southwestern Nepal struggle to live off their traditional livelihoods of fishing and ferrying after Kaligandaki Hydroelectric Project dried off the river in the district.** Sixteen Bode families of Yamgha village have been completely affected while Bodes of surrounding communities are also grappling with loss of traditional livelihoods. [Tamuhyula](#) (in Nepali)

17 Oct – **Dalits in Khalanga village of Pyuthan district in mid-western Nepal are unable to sell the milk they produce as local dairies and consumers refuse to buy milk from them for being Dalits.** As a result, they are facing problems to pay off their loans taken to start the enterprise. Further, the Dalits also reported of being discriminated in access to drinking water and other services. [Kantipur](#) (in Nepali)

10 Oct – **Locals of Ichangu Narayan village in Kathmandu have filed petition at Supreme Court against government decision to resettle squatters and people with low income in their village, arguing that the decision is against the Local Self-Governance (Autonomy) Act of Nepal.** They have also stated that the government’s decision is silent on settlement of local people with low income. The Department of Urban Development on May 31 had called for tenders for construction of houses for squatters and people with low income in Ichangu Narayan. [Republica](#)

7 Oct – **A training program on health organized by the Poverty Alleviation Fund in remote Cheskam village of Solukhumbu district in eastern Nepal was provided in indigenous Kulung language when it was found all women in the village do not understand Nepali.** Local women, timid to even speak to outsiders, expressed happiness to receive the training on sanitation and hygiene, maternal and reproductive health in their own language. [Nepali Samachar](#) (in Nepali)

18 Oct – National Christian Federation of Nepal has warned of protests in November demanding implementation of past agreements after obstructions in last rites as per Christian rituals and ensuing assault on Christians in Tanahun, western Nepal. [Nepali Samachar](#) (in Nepali)

NCARD Activities

NCARD, on 15 October, participated in the **National Dialogue on Transitional Justice** organized by Transitional Justice Resource Centre and World Vision Advocacy Forum in Kathmandu. The dialogue among representatives of civil society organizations and Ministry of Peace and Reconstruction involved discussions on latest developments relating to Truth and Reconciliation and Disappearance Commissions and reparations and amnesty efforts for human rights violations during the Maoist conflict of Nepal.

Forthcoming Events and Requests

NCARD will be organizing a **three-day thematic workshop on ‘Identifying Legal/Policy Gaps for Nepal’s Marginalized Indigenous and Minority groups’** as part of its responsibilities for the project led by Sankalpa Women Alliance. The workshop in participation of representatives from

selected NCARD alliance member organizations will be held in Bhaktapur from 21-23 November 2012.

NCARD calls for contributions from its alliance member and partner organizations for a written statement to be submitted to the UN Civil Society Section on the priority theme of “**The elimination and prevention of all forms of violence against women and girls**” for the **57th session of the Commission on the Status of Women (CSW)** in 2013. **The deadline to send in contributions is 9 November 2012.**

From Our Partners

Tarai Human Rights Defenders (THRD) Alliance and Joint Madhesi Lawyers Forum have launched a book titled ‘In Search of Justice’ documenting cases relating to citizenship, language, national dress, and inclusion. Addressing the launch on 12 October, the Alliance Chair Dipendra Jha said the criticism expressed over those court cases only sought to bolster people’s faith in judiciary and not undermine the supremacy of the court. The cases documented include, among others:

- Termination of application of Radhika Giri, an applicant of hill origin in southern Sunsari district by the Public Service Commission, but the court later upheld her application saying it was the right of the local administration to certify ethnic origin of the residents.
- Repeal of citizenship of 32,000 people in 20 southern districts by the Supreme Court a few years ago but it did not state that they were foreigners, yet it did not direct the concerned bodies to enact appropriate laws to address their problems. [The Himalayan Times](#)

Best regards,

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NCARD is a network alliance of organizations working against all forms of racial discrimination in Nepal since 2001. It has Special Consultative Status with the United Nations Economic and Social Council (ECOSOC).

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