



## **National Coalition Against Racial Discrimination Monthly Update November 2012**

### **NCARD Activities**

#### **Statement On Situation Of Indigenous Women In Nepal submitted to the Commission on the Status of Women (CSW)**

16 Nov – NCARD submitted a joint written statement with National Indigenous Women's Federation (NIWF), [Lawyers' Association for Human Rights of Nepalese Indigenous Peoples](#) (LAHURNIP) and [Forest Peoples Programme](#) (FPP) to the Commission on the Status of Women (CSW) relating in part to its 57th Session's priority theme of 'the elimination and prevention of all forms of violence against women and girls'. The statement presented political and economic context, evidence, current state of practice and gaps and challenges regarding rights of indigenous women and girls, including some recent cases, with reference to the submission made by NIWF, LAHURNIP and FPP to the 56th session of the Commission to reinforce the recommendations made in the submission.

Click [here](#) to read the full statement on NCARD's website.

#### **Workshop on Identifying Legal and Policy Gaps for Nepal's Marginalized Groups**

With support from SANKALPA Women's Alliance for Peace, Justice and Democracy, NCARD conducted a 2 and half day workshop mentioned above from 21-23 November 2012 at Agriculture Development Bank Training Center, Bode, Bhaktapur in order to meet the following objectives:

- To identify and analyze gaps in national laws and policies relating to the issues of Nepal's marginalized groups and NCARD's target groups – indigenous peoples, Madhesis, Dalits, Muslims and other ethnic, religious and linguistic minorities – vis-à-vis relevant international human rights laws and standards (with particular focus on women from those groups)
- To recommend changes to incorporate in the national laws and policies and strategies for strategies for advocacy and other measures for the action

A total of 27 participants, 14 females and 13 males, from different geographical regions of Nepal and involved in legal or policy research and advocacies or working in community levels representing 12 NCARD alliance member organizations and 3 partner organizations attended the workshop. The workshop was effective to a great extent for identifying legal and policy gaps of Nepal for the marginalized groups of the country, analyzing their major issues and determining challenges and needs for actions.

Click [here](#) to read the full report of the workshop on NCARD's website.

## News Updates

22 Nov - **NCARD alliance member organization, Gurkha Army Ex-Servicemen's Organization (GAESO) has carried out mass last rites for more than 60 thousand Gurkhas, killed or missing while fighting for the British during the World Wars, in Syangja western Nepal.**

According to GAESO, around 60,000 Nepali Gurkhas died or went missing in several conflicts in which Britain was involved in over the past two centuries. Thousands of family members, religious leaders from different communities along with others gathered for the last rites that lasted for three days. *Republica* [Link 1](#), [Link 2](#); [Tamuhyula](#) in Nepali

7 Nov – **District Court of Kalikot in western Nepal has sentenced three persons for 10 years imprisonment each on charge of killing Manbire Sunar, a Dalit for entering a local shop to light his cigarette.** The three men along with a woman from 'high' caste group had brutally attacked Sunar who died on the way to hospital last year. The woman was acquitted of her charges. Dalits are still considered untouchables in many parts of Nepal while laws against caste-based discrimination (untouchability) are very weak. [eKantipur](#) in Nepali

9 Nov – **A writ petition has been filed at Nepal's Supreme Court seeking inclusion in appointment of judges.** Advocates Dipendra Jha, Sunil Ranjan Singh and Laxmi Rai filed the petition seeking a stay order against Judicial Council's process to appoint judges until the allocation of seats for marginalized communities are not done. They have argued in their writ petition that the JC has violated the principle of inclusion that has been guaranteed by the Interim Constitution, Public Service Act and other laws. The petitioners have asked the apex body to issue a mandamus to direct the defendant to categorically allocate seats for marginalized communities as per the spirit of the principle of inclusion. While the Supreme Court has refused issuing the stay order, deliberations on the petition are ongoing. [The Himalayan Times](#)

26 Nov – **Indigenous peoples have questioned the reliability of Nepal's 2011 census report** after twelve identified indigenous groups were been omitted from the report bringing down the indigenous population to 35% of the total national population – 2% less since the earlier census. They have also objected to the increase in the percentage of Hindus by 1% to 81% of the total population. Nepal Federation of Indigenous Nationalities (NEFIN) has announced a series of protests against the errors and demanded review of the report.

According to the report, Nepal's population stands at 26.5 million. There are 125 caste/ethnic groups reported in the census 2011. Chhetri is the largest caste/ethnic groups having 16.6% of the total population followed by Brahman-Hill (12.2%), Magar (7.1%), Tharu (6.6%), Tamang (5.8%), Newar (5%), Kami (4.8%), Musalman (4.4%), Yadav (4%) and Rai (2.3%). Similarly, there are 123 native languages with 44.6 speaking Khas-Nepali as their first language followed by Maithili (11.7%), Bhojpuri (6%), Tharu (5.8%), Tamang (5.1%) and Newar (3.2%) languages. The report shows followers of Hinduism make 81.3% of total national population while those following Buddhism, Islam, Kirat, Christianity and natural religions make 9%, 4.4%, 3%, 1.4% and 0.4% respectively. [eKantipur](#) and [Nagarik News](#) in Nepali

14 Nov – **Badi women in Nepal have reportedly been compelled to return to prostitution after government fail to provide them with alternative profession even after 5 years since its commitment.** Statistics show that there are around 10,000 Badi people living in Nepal. Sometimes called untouchables among the untouchables, they have for decades been doomed to supporting their impoverished families through prostitution. [Nagarik News](#) in Nepali

25 Nov - **Nepal's Land Reforms Ministry has called for support from experts on access of women, Dalits, Indigenous peoples to land, land reforms and management and poverty alleviation, among other issues to formulate National Land Policy.** The Ministry had invited

applications from such experts within 10 days to select from interested experts. [Ujyalo Online](#) in *Nepali*

2 Nov – **Indigenous Bhujel community has torched award-winning novel Seto Dharti in Pokhara for humiliating the community in the novel.** The novel has stereotyped the community as 'Dole', the ones who carry bridal carriages. While the publishers did not agree with the accusations and have been rushing to get the novel re-print, the community has warned of further protests. [Republica](#)

23 Nov - **After months of gestation, a group of leaders from indigenous and other marginalized ethnic groups, along with those from dominant caste groups, have finally formed a new party, Federal Socialist Party Nepal.** Leaders from the new party vowed to create an alternative political force to champion single ethnic identity-based federalism and a proportional, inclusive governance system in the country. The party has adopted "federalism for ethnic emancipation and socialism for class emancipation" as its signature slogan and stated that championing single ethnic identity-based federalism and building a society of social justice were the new party's major objectives. [Republica](#)

25 Nov – **152 women were killed and 23 raped in Nepal within a year**, according to the data made public by National Women Commission in a research report titled "Access to Justice: Legal provisions for rape in Nepal" released marking **16 Days of Activism Against Gender Violence.** [Nagarik News](#) in *Nepali*