



NEPAL REPORT

March 2021



TABLE OF CONTENT

AIM

Nepal

Human rights

Human rights violations against minorities in Nepal

Human rights events of March 2021

Concluding remarks

Aim

This report is intended to raise awareness about the difficulties minorities and marginalised groups face during these times in Nepal. This report includes the result of the ongoing research and media monitoring undertaken by various sources who have reported cases such as human rights violations against religious minorities, women, disabled people, and various castes. In this report, there will be an overview of the current situation in Nepal and highlights the most significant violations committed against minorities in March 2021

Nepal

Full name: Federal Democratic Republic of Nepal

Government: Federal Democratic Republic with a multi-party system

Population: 29 million (29,136,808)

Capital: Kathmandu

Largest city: Kathmandu

Area: 147,181 km²

Major languages: Nepali (44.64%), Maithili (11.67%), Bhojpuri (5.98%), Tharu (5.77%), Tamang (5.11%), Newari (3.20%), Bajjika (2.99%), Magar (2.97%), Doteli (2.97%), Urdu (2.61%) (statistics, 2012)

Major religions: Hinduism (81.34%), Buddhism (9.04%), Islam (4.39%), Kirat (3.04%), Christianity (1.41%) (statistics, 2012)

Major ethnicities: Chhetri (16.6%), Brahman-Hill (12.2%), Magar (7.1%), Tharu (6.6%), Tamang (5.8%), Newar (5%), Kami (4.8%), Musalman (4.4%), Yadav (4%), Rai (2.3%) (statistics, 2012)

Life expectancy at birth: 72 years for females and 69 years for males (statistics, 2012)



Image source : <https://excitingnepal.com/testimonial/nepal-exciting-nepal-treks/>

Human Rights violations against minority and marginalised groups in Nepal

Nepalese minorities face discrimination based on several factors, including religion, caste, and gender. According to the Nepal Human Rights Year Report 2020¹, around 80% of the human rights violations in 2019 were against women. There was a significant increase in rape cases, domestic violence cases, and death cases, of which 13 were related to dowry. (Sansar, 2020) Regarding religion, the constitution of Nepal recognised Nepal as a “secular” nature of the state² and guarantees individuals the freedom to freely practice, profess and preserve their religion. However, several discriminating regulations persist. (Affairs, 2018)

¹ <https://www.hrw.org/world-report/2020/country-chapters/nepal#>

² <https://classic.iclrs.org/content/blurb/files/Nepal.pdf>

Human Rights events of March 2021

Musahar community's lack of citizenship as deprivation of their fundamental human rights



Source: <https://thehimalayantimes.com/nepal/musahars-deprived-of-land-for-lack-of-citizenship>

The Musahar³ community of Dhangadi⁴ has been of their right to identity. Although the Musahar families have been living in their ancestral land for years, they have not been able to obtain citizenship certificates⁵, which puts them at risk of not being recognised in the government's database, meaning they might be deprived of their land due to lack of citizenship. (Service, 2021)

Musahars belong to the Dalit community of the Terai region of Nepal who reside primarily in the southern parts. Members from the Musahar community are considered one of the minorities facing severe discrimination from society (Kattel, 2019). The Musahar community have been deprived of health and educational facilities, job opportunities, and other basic facilities provided by the government due to the lack of citizenship. (Service, 2021)

³ https://joshuaproject.net/people_groups/17711/NP

⁴ <https://en.wikipedia.org/wiki/Dhangadhi>

⁵ <https://www.nepjol.info/index.php/sijssr/article/view/28912>

Victims of Maoist rebel insurgency seeking justice



© Getty Images/AFP/P* Mathema

Source: <https://www.dw.com/en/nepal-struggles-with-transitional-justice/a-56904188?fbclid=IwAR2P84Z1N4yJDgbx329g6kyqW-AsHltKb1DYsB0otWGqM5U5jKmlLppwecc>

Thousands of people in Nepal are still seeking justice due to an armed conflict between the Maoist communist party⁶ and the government forces that ended in 2006, also known as the most insurgent conflict. The conflict lasted a decade, and many people suffered through various means of torture, rape, death, and forced disappearances (Vaid, 2021). After the insurgency ended, there was an establishment of a comprehensive peace accord that cleared the way to establish the two transnational justice mechanisms that were new to Nepal. The first mechanism was the Truth and Reconciliation Commission (TRC), and the second one was the Commission of Investigation on Enforced Disappeared Persons (CIEDP). These were established to investigate the violations of human rights during that period (Vaid, 2021).

As Nepal continues to face various political problems and instability in the government following the insurgency, these investigations kept delaying. The victims and their families have hardly seen any successful prosecutions towards the violations and crimes committed (Vaid, 2021). Om Prakash Sen Thakuri (the director of advocacy) mentioned how the political uncertainty in Nepal has a significant impact on transitional justice because the government is changing again in time (Vaid, 2021).

⁶ <https://www.mtholyoke.edu/~sapko20s/classweb/World%20Politics/page%204.html>

Bhagrathi rape-murder case reminding Nepal of Nirmala Pant



Source: <https://thehimalayantimes.com/nepal/baitadi-teen-murder-case-prime-suspect-reveals-location-of-the-deceaseds-watch>

17-year-old Bhagrathi went to school like any other day on the 3rd of February, 2021. She never returned home that day after school and was last seen going through the forest. Her body was found in the middle of the forest the next day with signs of abuse and assault (Setopati, 2021). A 16-year-old minor who is the prime suspect for the rape and murder of Bhagrathi has been remanded to a correction centre by the District Court of Baitadi, Nepal (Setopati, 2021).

Bhagrathi murder reminds the Nepalese community of the rape and murder of the 13-year-old girl Nirmala Pant in 2018. Both cases highlight how these teenage girls were brutally raped and murdered in the far west of Nepal. Despite various protests regarding the increasing female violence in Nepal, many cases of rape and murder remain unsolved till now. (Sharma, 2021)

As rape cases surge in Nepal, many activists question the possibility of the death penalty. Nepal is one of the first countries in Southern Asia that abolished the death penalty in the 1990s. The Constitution of Nepal⁷ prohibits laws that prescribe capital punishment. Nepal is also a signatory to the various human right charters⁸ which mandate abolishment of the death penalty. (Kamdar, 2020)

⁷ https://www.mohp.gov.np/downloads/Constitution%20of%20Nepal%202072_full_english.pdf

⁸ <http://www.moljpa.gov.np/wp-content/uploads/2019/04/List-of-Multilateral-Treaties-Signed-by-Nepal.pdf>

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