

Nepal

Monthly Report

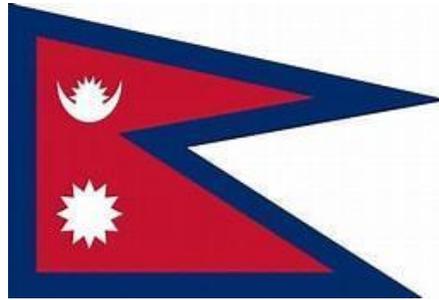
July 2021

Introduction

Global Human Rights Defence (GHRD) collects information from various (local and international) organisations and media resources to monitor the human rights of religious minorities and marginalised groups in Nepal. In July 2021, human rights violations occurred against indigenous groups, women, and children. This report is intended to raise awareness of the situation of minorities in Nepal and to encourage constructive policy changes by national and international bodies.

Nepal

Country Profile



- **Full name:** Federal Democratic Republic of Nepal
- **Government:** Federal democratic republic with a multi-party system
- **Population:** 29 million (29,674,920)
- **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)

Current situation

Nepalese minorities face discrimination based on several factors such as religion, caste, and gender. According to the Nepal Human Rights Year Report 2020 (Nepali ansar, 2020), around 80% of the human rights violations in 2019 were against women. There was a significant increase in cases of rape, domestic violence, and death, of which 13 were related to dowry (Sansar, 2020). When it comes to religion, the Constitution of Nepal recognises Nepal as a ‘secular’ state and guarantees individuals the freedom to freely practice, profess, and preserve their religion. However, Hinduism remains the most practiced religion and, as a result, other religious groups are marginalised and oppressed. This religious separation has also resulted in the establishment of a caste-based system. The pure castes, which represent most of the population, include Brahman, Chhetri, and Vaisya. While the impure minority groups include Sudra, Dalits, Muslims, and foreigners (Torri, 2019). Several discriminatory practices based on gender, caste, and religion exist in Nepal until the present days (Affairs, 2018).

Human Rights events July 2021

Nepal still needs to take measures against human trafficking cases



Image Source: <https://kathmandupost.com/columns/2021/07/29/standing-with-nepal-s-survivors-of-trafficking-in-persons>

In July 2021, five Nepalese children, who had disappeared for two years, were rescued from human traffickers in India. They were rescued by the Biswa Sewa Bistar, an NGO, with the help of the Consulate General of Nepal in Kolkata, India. (Nepalese Voice, 2021). The children were kidnapped and taken as prisoners in a

children's home in Jalpaiguri, West Bengal (Nepalese Voice, 2021). Following this event, the government of Nepal formed a law enforcement unit dedicated to human trafficking, known as the Anti-Trafficking-in Person Bureau. The unit investigates human trafficking cases and takes steps towards amending the 2007 Human Trafficking and Transportation Control Act (United States [US] Department of State, 2021).¹

Despite the efforts, the government still does not fully meet the minimum requirements for the elimination of human trafficking. According to the National Human Rights Commission of Nepal, around 35,000 Nepalese individuals were victims of human trafficking prior to the pandemic, and 1.5 million were at risk. This past year's pandemic has further compounded the risks faced by Nepal's marginalized communities, making them more vulnerable to exploitation and human trafficking (Kathmandu Post, 2021). Additionally, as stated by Nepal's Ministry of Women, Children, and Senior Citizens, in 2019-2020 nearly 68 % of reported human trafficking cases involved internal trafficking, 24% of victims were sent to India, and 8% were exploited in third countries (Kathmandu Post, 2021).

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amongst the Nepalese community (the Himalayan Times, 2021) There are numerous reasons why Nepali girls and women are experiencing even more violence. Deeply rooted gender inequality, misogyny/sexism, impunity, and indifference to sexual violence are ingrained into the Nepalese everyday life and will take time and effort to change.

Furthermore, data collected by the Women's Rehabilitation Centre (WOREC 2020) suggests that the COVID-19 pandemic and the subsequent lockdown exacerbated the lead to a total of 200 recorded cases of violence committed against children and women in the first month of the pandemic alone. However, the actual number of survivors must be substantially higher, since most survivors, do not report it, as they want to protect their family's honour from repercussions (eg. Threats of further violence)

There are many NGOs and INGOs committed to the fight against rape and violence against women, rape culture, and issues of gender-based violence. In 2010, Nepal enacted the gender-based violence (GBV) Elimination Fund to provide money to the victims and to educate the population regarding this pressing matter. However, many local bodies in Nepal have not yet taken the advantage of the fund (UNESCO, 2021)

UN review identifies denial of rights by the Nepali government



Image Source: <https://www.fidh.org/en/region/asia/nepal/government-denies-rights-of-tibetan-refugees-in-un-review>

During the recent United Nations (UN) Universal Periodic Review (UPR), it was established that the Nepali government failed to state its commitment to respect and protect the rights of the Tibetan refugees who currently reside in Nepal. The UPR Report, adopted on the 8th of July of 2021 during the 47th session of the UN Human Rights Council, issued some critical recommendations concerning the refugees. However, the Nepalese government opted to only note but not accept these recommendations. One of the key recommendations, that the Nepalese government failed to accept, was the call to register and verify every Tibetan refugee living in Nepal accompanied by the refugees receiving governmentally issued identification documents. The lack of proper documentation has been the cause of many issues Tibetan refugees are facing in Nepal. It includes the lack of access to education, legal work opportunities, or medical, and other government services.

The Nepali government accepted a diverse set of recommendations which would, if only implemented, guarantee an improvement of the living standards of the Tibetan refugees and the many human rights challenges they are facing (eg., as: the right to freedom of expression, the right to freedom of peaceful assembly, or protection of the rights of vulnerable groups, including ethnic minorities).

Woman Accused of Stealing SIM card is Beaten Mercilessly by her Neighbors



Image Source: Sajjad Hussain/AFP via Getty Images

Dukadevi Darji Tamang is a woman who has been undergoing treatment at the intensive care unit of Dharan-Based BP Koirala Institute of Health Sciences, after an attack allegedly perpetrated by her neighbours in retaliation for stealing a SIM card. (the Nepalese Voice, 2021)

The trauma caused by the violence affected her mental health resulting in her control of herself – throwing her arms and legs in a sudden outburst of uncontrollable anger, as her father Harka Bahadur Darji said. Mr. Darji decided to consult the village's witch doctor in search of help for his daughter. This prompted the Ward Chairman of Kanepokahri-5, Charan Gurung, to send her to the Dharan-based hospital.

Both the court and the police failed to provide justice to impoverished Tamang and her family. This is another case in which members of the ethnic minority of the Dalit community have been enduring violence committed against them. On Friday, Tamang's family filed another complaint against the three neighbours, under offenses against pregnancy protection². The neighbours, however, have refuted all the charges against them. According to Pushpa Magar, one of the alleged perpetrators, Dukadevi was drunk when they had a verbal argument on May 14.

² *Offenses against pregnancy protection*

Acts committed against a pregnant woman, which constitute a violation of Nepal's The Right to Safe Motherhood and Reproductive Health Act, 2075 (2018)

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