

Forum on Minority Issues
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Statement for UN Forum on Minority Issues

29 November 2011

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Honorable chairperson,
Independent Expert on Minority Issues
United Nations High Commissioner for Human Rights
Distinguished Delegates

Firstly I would like to thank you very much for granting me an opportunity to speak in the important forum on minority issues on behalf of my community and I am also grateful to Minority rights groups International and OHCHR for providing the invitation.

My name is Anita Bishankha. I am from Nepal and belong to Dalit community i.e. so-called untouchables. I have been working in a National NGO named as Nepal National Dalit Social Welfare Organization (NNDSWO) as a project Coordinator. NNDSWO is a first registered organization to work for Rights of Dalit and to combat caste based discrimination and Untouchability in Nepal.

Dalits in Nepal are socio-culturally oppressed and economically and politically backward. They are occupational caste groups having particular traditional occupation like shoemaking, tailoring, iron work and gold work. They are placed at the bottom of caste hierarchy and were treated as untouchables or so called lower caste because of their involvement in impure work. Dalit covers 20 % of the total population and Dalit women are half of it. They are marginalized as they have been facing discrimination on the basis of caste, gender and poverty.

Women of Dalit community are deprived from a substantial amount of socio-cultural and economic activities through the denial of entry into the public temples, basic services, no access to common resources, to choose a spouse and/or social relationships, participation, as well as forced labor, dominance, atrocities, social boycott, attitudinal untouchability and discrimination. They have been victimized because of intercaste marriage and accused of witchcraft. They have less access to justice. Moreover, within Dalit women the situation of Terai Dalit women and Badi is even more vulnerable. Due to poverty and illiteracy they have less access to economic opportunities. They have less representation in the decision making process and politics. The Constituent Assembly Election was able to elect 22 female Constituent

Assembly members out of 197 female CA members which is historical achievement in the history however it is not enough.

The most prevalent and burning problems that need immediate attention is intercaste marriage i.e the right to marriage and choice of spouse.. There is an increase in incidents of violence against intercaste married couples. According to a study of the media conducted by our organization in 2010-2011 19 news were related to the victimization of couples who were in intercaste marriages. Recently on November 16 2011, in far western part of Nepal, a Dalit house was attacked and burnt by the family of the so-called higher caste girl to which the his brother was married which is very shocking. In another case, the father was killed and his house was destroyed as his son married a girl from so-called higher community. In 2009-2010 the government brought the scheme of providing 100,000 NPR as an incentive for intercaste marriage with Dalits. This is a positive step taken by the government however it is not enough because there is protection or security of the couple. Therefore, I would like to recommend the initiation of programmes for the protection of intercaste couples at all levels and to create an environment for the integration of these couples in society.

Recently, on 24 May 2011, the Legislature Parliament of Nepal endorsed a Caste-based Discrimination and Untouchability (Crime and Punishment) Bill which has outlawed CBD and untouchability both in public and private places. It is the first time that a law, which criminalizes untouchability practices in the private sphere, has ever been introduced, an important achievement of the Dalit Rights movement and the Dalit civil Society Organisations. However, the government has no plan and policies for its implementation. Therefore, the government needs to develop a special mechanism for raising awareness and effective implementation about Act.

General comments on Draft Recommendations

1. In regard to the recommendations generally, it mentions women facing discrimination on the basis of ethnicity, nationality, language or religion but Dalit women also face discrimination and atrocities on the basis of Caste, an additional basis of discrimination that is not distinguished in this recommendation. This provision must also be included in Recommendation 17, disaggregated data on the basis of caste.
2. In regard to Recommendation 39: I strongly recommend including "women from minority groups or nongovernmental organizations working for minorities or led by minorities" instead of "minority women or minority nongovernmental organization organizations".

It is very hard to establish democracy and peace in a real sense if minority groups are not included in the country as a whole, or in the world. Let's respect, protect and recognize the rights of minority women.