



July 02, 2009

Rt. Honourable **Mr. Madav Kumar Nepal**,
Prime Minister of the Federal Republic-Democratic Nepal
Prime Minister's Office, Singhadabar, Nepal.

REF: OBSERVATION MEMORENDUM ON DALIT RIGHTS

Dear Rt. Honorable Mr. Prime Minister,

A partnership delegation from the International Commission for Dalit Rights (ICDR) and American University (AU) has spent the past two weeks investigating caste-based discrimination, gender stratification, and educational issues in Nepal. The delegation has spent time in Kathmandu, Palpa, and the Terai region, observing first-hand the discrimination Dalits face on a daily basis. Through these observations, meetings with various organizations and activists, and personal research, the team has begun to grasp the scope and magnitude of the problems Dalits face as a result of "untouchability."

While visiting the village of Mania in Rupandehi and Laghuwa in Palpa, delegation members heard stories from the villagers about the daily hardships they faced. Poverty, lack of sanitation, landlessness, early child marriage, lack of education, and a lack of alternative economic opportunities all posed insurmountable barriers for the community to successfully provide for itself and create a viable future for its children. Similarly, Dalit women suffer double discrimination based on both caste and gender. According to the feminist Dalit Organization of Nepal, 90% of Nepali Dalit women live below the poverty line and 80% of Dalit women are illiterate. These women are also vulnerable to serious health issues, sex trafficking, domestic violence, and suffer from a lack of social, political, and economic power.



Despite the deep poverty, socio-political inequalities and lack of access to resources, Dalits have been struggling to protect and promote their rights. In this sense, ICDR/AU, through global human rights and social justice movements, are building solidarity and support for the establishment of Dalit rights in the New Constitution of Nepal.

1. **We recognize** that caste- (or work- or descent-) based discrimination, in its most severe forms, affects the lives of nearly 4.5 million people in Nepal. We believe that caste-based discrimination is a major cause of human rights violations, poverty, conflict, and the hindrance of the of democratization process in Nepal.
2. **We appeal** to the Nepalese government, political parties and honourable members of the Constituency Assembly to ensure proportionate representation of Dalits, allocate special Electoral Constituencies for Dalits, and form a Constitutional Dalit Commission.
3. **We urge** the government must to take a stand and enforce the anti-caste discrimination laws currently in place.
4. **We observe** a lack of political party mobilization to include the Dalit community, and acknowledge that their agenda is a serious concern. **We appeal** that the Constituency Assembly (CA) must reform its political party mechanisms and policies and become more friendly and inclusive to the Dalits in political processes.
5. **We believe** that Nepal is in transition and has reached a critical point in its political and social history as it builds a New Constitution. Thus, right now is the time for Nepal to move beyond caste-based discrimination and move towards creating an inclusive society with a government that both serves and protects all people, regardless of caste.
6. **We urge** adherence to the terms of the Vienna Declaration and the program of action of the World Conference on Human Rights (WCHR), according to which it is the duty of states, regardless of political, economic and cultural system, to promote and protect all human rights and fundamental freedoms.



7. **We condemn** discrimination against persons of Asian, African, and indigenous descent, as expressed in the Durban Declaration and Program of Action of the World Conference against racism, racial discrimination, xenophobia and related intolerance.
8. **We appeal** to the Nepalese government to maximize international mobilization to eliminate discrimination based on caste (work and descent), gender, race and all other manifestations; such discrimination must be considered a heinous crime against humanity and it must be punished.
9. **We support** the government initiatives against caste-based inequality and discrimination, and also acknowledge a commitment for democracy, peace, justice and the prosperity of Nepal.
10. The ICDR/AU delegation will continue to work on the issues it observed while in Nepal. It is the delegation's hope that international awareness on these issues will be raised and local, national, and international pressure will eventually result in the discontinuation of the customary practice of caste-based discrimination.

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President /Team Leader

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