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Background

The caste system was established by Manu, based on Varnashram, which was an occupational classification system. King Jayasthiti Malla and the Shah kings gave legitimacy to the caste system in Nepal. The Dalit population of Nepal is estimated to be about 14% of the total population.

Constitutional Framework and Relevant Legal Provisions

The Constitution of the Kingdom of Nepal, 1990, guarantees fundamental rights, without any discrimination on the grounds of caste, creed, religion, race or ideology. The Constitution requires the Government to implement affirmative action and other measures to eliminate discrimination with a view to promoting and enhancing harmony and respect among the different caste groups. The relevant legal and statutory instruments are:

- New Civil Code 1953
- Treaty Act, 1990
- Civil Liberties Act, 1954
- Legal Aid Act, 1998
- Local Self-Governance Act, 1999

Poverty and Dalits

Poverty is a great challenge for Nepalese society. It is estimated that more than 38% of Nepalese people are living below the poverty line. However the Intensity of **poverty is concentrated among the female-led families and Dalit people**. The average Human Development Indices for Brahmins and Newars (high castes) is 135.9 and 140.7 respectively, compared with 73.6 for hill Dalits. The poverty level of Dalits is 65.68% in comparison to indigenous groups/nationalities, which range from 45% to 59%. **Most of the Dalits in Nepal can certainly be classified as disadvantaged and ultra-poor.**

Development Plans

The Eighth Plan (1992-1997) had a special socio-economic program targeting deprived groups, including Dalits. The Ninth Plan (1997-2002) also had specific policies, strategies and programs for Dalits. But the outputs of these two plans were not very inspiring. The Tenth Plan (2002-2007) represents a renewed commitment by HMG/N to this all-important task. The Plan has the **sole objective of the reduction in the poverty level, and one of four pillars of the Plan is Social Inclusion of People including Dalits.**

Government strategies for Dalit Empowerment

The long term vision of the Tenth Plan, for the **upliftment** of Dalit and neglected communities is to **raise the living standard of Dalits** (who have lagged behind in the society due to conservative social systems and beliefs) **and neglected communities by empowering them on the basis of equality and mainstreaming them into the development efforts while enhancing their self respect.** The strategies and policies of the Tenth Plan focus on economic and social development, empowerment, modernizing traditional skills and increasing the social prestige of Dalits. Some important aspects of the Plan are:

- Different Social, Educational (free secondary level education and others) and Economic **Programs** have been set to this end.

- **Research** work and studies will be conducted through GOs and NGOs to identify the situation of different Dalit groups and different aspects of their life with a view to uplift their life.
- **Institutional arrangements** to implement Dalit-related programs are to be managed through LBs, NDC, NSDUB, NGO etc
- Dalit empowerment activities and programs will be **monitored** by LBs, NDC, HRPC and NPC.
- Cost for **financing** the implementation of these programs will be borne by Rs.500 million from a Poverty Alleviation Fund (PAF) and Rs.1100 million in grants from HMG through LBs.

Governmental efforts for the upliftment of Dalits include the establishment of a NSDUB, the National Dalit Commission, a pilot project for the upliftment of Dalits, plans for reservations for Dalits and poverty-alleviation projects through the Ministry of Local Development.

NSDUB

HMG/N established the NSDUB in 1997. The Board has concentrated on limited skills development, scholarships and income generation and awareness-raising programs.

National Dalit Commission

HMG/N established NDC in 2001 to draft a bill on NDC, make necessary recommendations for legal and policy arrangements, investigate and monitor the cases and social disputes based on caste discrimination, recommend strategies for the effective implementation of the CERD at the national level, monitoring and coordination of the works of NGOs on the upliftment of the Dalits and launch programs on social awareness aimed at eliminating caste-based discrimination.

Pilot Project for the upliftment of Dalits

A Pilot Project, in twelve districts with dense Dalit population, has been initiated by MoLD last year. This Project includes income generating, skill enhancing and awareness raising programs. NSDUB implements this program by mobilizing the communities through LBs. NGOs and CBOs from this year.

Reservation for Dalit

MoGA has initiated a discussion for the reservation to Dalit, indigenous people and women in civil service. The road map for Administrative Reform Program of HMG/N has proposed 10 % reservation for Dalit people in civil service.

MoES has also initiated reservation for Dalits in the study of medicine (MBBS). Tribhuvan University also has recently announced its policy on reservation for Dalits, indigenous people and women. A high level Committee was formed to recommend on reservation for Dalit, indigenous people and women in education, employment, health, civil service and political representation. Recent decision of the court regarding the reservation had created a compulsory environment to enact a law for reservation.

Some examples of MoLD initiatives

MoLD has initiated several Dalit focused poverty alleviation projects like RUPP, DLGSP, DFDP etc. through LBs.

NHRAP for Dalit People has been approved by HMG/N with clear mandate to different line ministries, LBs and NGOs.

Situation Analysis

Constitutional and Legal Provisions are sufficient to some extent but their implementations are very weak.

Development plans have tried to accommodate Dalit issue from the 8th plan. The outputs of the 8th and 9th plan were not very inspiring. The current 10th plan has an objective of poverty alleviation. It has set the social inclusion strategy among others for Dalit people.

The monitoring and evaluation mechanism of HMG/N and MoLD doesn't fully support to compile Dalit-based information. NHRAP is a milestone towards monitoring Dalit upliftment projects by an institution like HRPC in the country.

Establishment of NDC as an Independent Statutory National Body with separate legal base is in process and needs to be completed soon. NSDUDB is the only one institution that implements programs that directly benefit Dalit Communities. It contributes towards their upliftment.

A consolidated effort towards this end is yet to be formulated. Cooperation between national and international partners is under discussion for this purpose.

HMG/N has initiated some affirmative actions for Dalit community. Some reservation strategies for Dalit community have been worked out. But the process has been slowed during last months.

Problems

From the above analysis the problems of Dalit people in Nepal can be categorized as follows:

- Inadequate database on Dalit,
- Lack of collaborative approach among HMG/N, I/NGO's, Donors and other agencies,
- Ineffective implementation mechanism for the Dalit upliftment projects,
- Lack of proper M&E mechanism,
- Negative interpretation of religion on caste issue,
- Few non Dalit initiation for Dalit upliftment,
- Less priority for the promotion of traditional and indigenous technology,
- Ineffective implementation of Laws related to Dalit,
 - LSGA
 - Other Acts
- Inadequate access to development facilities,
- Inadequate development efforts,
 - Projects/Programs
 - Resources
 - Implementation
- Very low level of education and awareness,
- Poor health condition of Dalit people,
- Triple exploitation of Dalit women,
- Lack of sufficient affirmative actions,
- Highly unacceptable attitude in the society towards Dalit,
- Lack of PPP initiation towards Dalit upliftment,
- Agricultural extension/development projects/programs don't address Dalit issue properly,

Recommendations

Based on the situation analysis the following recommendations have been made for the upliftment of Dalit people.

- Collaborative approaches efforts,
- Implementation of Plan & Policies,
- Dalit Audit
- Institutionalization of National Dalit's Commission (NDC),

- Mass Movement for Education and Awareness,
- Religion for Dalits,
- Empowerment of Dalit women,
- Promotion of traditional and indigenous technology,
- Implementation of Constitutional and Legal Provisions,
- Research and Development,
- PPP for Dalit people,
- Agriculture Extension/Development,
- Separate M&E Mechanism,
- Mainstreaming of Dalit mainstreaming programmes,

Conclusion

Poverty is a great challenge of Nepalese society. Incidence of poverty lies greatly between the rural Dalits. Dalit women are double victimized. So civil society, international partners and the government should join hands to eliminate caste-based discrimination-a century long evil of the society.

We have to resolve this problem in a collaborative way exploring the co-existence, co-operation and participatory culture of the society. Private sector also should take responsibility for the elimination of this evil from the society.

Dalit issues should be focused in national perspective with Dalit empowerment programs for i) the promotion of **employment** ii) entrepreneurship development, soft loan, market promotion and technology transfer iii) social development and **education** iv) leadership development v) religious and cultural awareness vi) mainstreaming by appropriate policy and program intervention.

We are aware of that we have come a long way in our march towards this end. We are also aware of the fact that we still have a long way to go to attain all our objectives. I am sure such consultative meeting will help us to share with our partners the progress we have made and the challenges we have faced so far.