**Feminist Dalit Organization (FEDO)**

**Answers to the key questions sought by the UN Special Rapporteur**

* The nature of poverty and inequality in Nepal, including how poverty is or should be defined and measured, its prevalence, and its distribution.

Nepal though small in geographic size is very big in terms of caste, ethnicity and geographic diversity. It has 125 caste ethnic groups and 123 languages. The poverty in Nepal is measured in three terms, one is availability of food throughout the year from the reliable and regular source of income, the World Bank's definition of a person having less than two dollar of income per day and multiple index of poverty developed by OXFAM and adopted by Nepal Government as well. The Central Bureau of Statistics (CBS) a government agency conducts regular surveys as well as census to determine situation in relation to poverty and other demographics. A recent claim of the government states that the overall poverty of Nepal has gone down to 17.2% but it does not differentiate between caste, ethnicity and geographic regions. Therefore, the data of 2011 of CBS derived from the NLSS (Nepal living standard survey) has to be used. According to NLSS Nepal had average poverty of 25.2% but among the caste and ethnicities the poverty range varied quite a lot. The Dalits who are at the lowest rung of the society had a poverty of 42% and within Dalits there are two categories hill and Madhesi Dalits. While hill Dalits have 43% and Madhesi Dalits 38% but in other social indicators Madhesi Dalits are far behind than their hill counterpart and other caste groups. Nepal has been practicing federalism for the last four years and MPI has to be taken as indicator to show the poverty of seven provinces. The Karnali has the highest MPI with 51.2% and lowest in Bagmati with 12.2% while average is 28.6%. The province two which is Madhesi area has second highest poverty with 47.9%. Among the caste group Brahimin and Newar have the lowest poverty with 11.25%.

* The impact of poverty on civil and political rights, as well as on economic, social and cultural rights such as the rights to health, housing, food, education, and social security.

There is wide spread impact of poverty especially in the lives of Dalits of Nepal. The civil rights have been affected badly as Dalits voters can not vote to the candidates they like the most. Since they are in the extreme poverty they often sell their votes on cash and kind. There are head persons among all Dalit caste groups and they are given monetary attraction by most of the candidates and they mobilize the fellow Dalits to vote to the candidate who gives them money and food items as a result of that the candidates upon elected do nothing or do very little. With regards to economic rights they can not enjoy the rights of work and entertainment. With regards to social rights, while whole of Nepal has a literacy rate of 71% and hill Dalits have 67.8% and Madhesi Dalits of 42.6% (NSIS 2018). With regard to cultural rights many of the cultures are persevered by Dalits but state hardly pay attention for their preservation and promotion. While 95% of Nepali use toilet it is only 73.7% among Madhesi Dalits. With regard to social security Government of Nepal provides social security allowance to Dalits at the age of 60 while it is 70 for other groups. Likewise the under five children receive nutrition allowance of Rs 200 per month. Since statelessness due to not having citizenship card is rampant with 12.6% do not have them (NSIS 2018).

* The potential of and challenges facing the existing social protection system to address poverty, inequality, and social exclusion, especially with a view to protecting informal workers, rural populations, refugees, and unregistered/unrecognized citizens.

According study 66% of Dalits depend on the daily wage work for their livelihoods as they are in extreme poverty. The government of Nepal do not have special mechanisms to address such problems. However, there are about 100 microfinance institutions who are supposed to help them. But such program are not reaching those who are in extreme poverty as they neither can take loan and do productive investment nor payback on time. The current corona pandemic have aggravated the situation. Therefore, there is a great challenges in addressing the situation if inequality and social exclusion.

* The challenges facing the implementation of constitutional guarantees of equality and social inclusion for marginalized groups, such as Dalits, women, non-citizens, indigenous peoples, and religious minorities.

The constitution of Nepal 2015 have many provisions that prevent and promote rights of Dalits, women and other marginalized groups. Out of 31 fundamental rights article 24 and 40 have been dedicated to Dalit rights, article 42 is for social justice and article 281 is for periodic review of human development situation of Dalits and women. Despite having all these constitutional provisions implementation of these provisions are a great challenge. Most of the provisions would be effective only upon enacting the respective laws but while formulating them no such provisions have been kept which would ensure the rights of Dalits and other marginalized groups. For example, the article 40 and its sub-article 5 asks the government to provide land to landless Dalits but while enacting the law no such provisions have been kept. Likewise, there is no sufficient allocation of budget from the governments to address the social problems of Dalits and other marginalized groups but in case of women government claims to allocate more than 22% of its fiscal budget for their development and empowerment.

* The prevailing model of planning and implementing development projects and the consultation and involvement, or otherwise, of indigenous peoples and other affected groups.

The government of Nepal has several entities to ensure planning process and involve the stakeholders where appropriate. One of the major entity is National Planning Commission at the federal level, provincial planning commissions in 7 provinces and 753 local level governments who deliver basic services to the people. While formulating annual plan and budget the local level governments do collect the demands of the people from the settlement level. The provincial and federal governments do not involve ordinary people however, do involve the stakeholders of various sectors. The periodic plans seem to have addressed the issues and problems of Dalits and marginalized groups including specific section for gender and social inclusion but those plans are hardly implemented mainly due to political instability and frequent change of governments and not having proper coordination between different ministries.

* The question of indigenous and rural populations’ access and title to land and income-generating activities, and their intersection with existing issues of poverty and inequality.

The land has great importance in the lives of Nepali people, more and productive land they have more better off they will be with lots of dignity and respect. The poor people usually do not have land, even if they have such land would be either marginal or less productive with less area. According to the study done of NSIS (Nepal Social Inclusion Survey 2018) landlessness among hill Dalit is 7.8% and Madhesi Dalit is 24.5% while it is 4.1% for all Nepal. Among Dalits even though they have land that would not be sufficient enough to make living, as stated earlier those who have to depend on daily wage with 66% means they have no agricultural land. Among indigenous people it is 6.5% that of the hill and with terai it is 4.2% landlessness which means it is not a big issue for them.

* The effectiveness of existing efforts to free, rehabilitate, and integrate former bonded laborers into the economy, and challenges thereto.

In Nepal there are three categories of bonded labour spread across the country. In the eastern part there is a system called *haruwa (forced tiller*) and charuwa (herder) it is estimated to have about 20 thousand families mostly belonging to Madhesi Dalit community. In the mid and far-western part of the country there are ex-kamaiyas (freed bonded labour) who are from Tharu community. In the same region there is another system called Haliya (bonded tiller) which is said to be 17,000 people. The government had rehabilitation package both for kamaiyas and haliya. The problem of kamaiya have been almost resolved and Haliya is still not resolved. Most of the Haliya have their houses constructed but they do not have employment. The government was supposed to procure the land and provide them to make living. With regard to haruwa and charuwa government is yet to have complete rehabilitation program. The country has constitutional provisions not to have any form of slavery and at times the government has abolished them. Their complete rehabilitation is an issue.

* The social and economic impacts of COVID-19 on poor and low-income groups.

In this regard Dalit NGO Federation, Feminist Dalit Organization (FEDO) and Samata Foundation had carried out surveys to ascertain the impact on the lives of Dalits as well as Dalit women. All three studies concluded that Dalits are the hardest hit as 66% of them were wage labourers and during the lockdown imposed by the government they did not have food to eat nor the work. Most of them had to depend on the relief provided either by the local governments or by the philanthropies. In many places report of discrimination in distributing the relief were published by the media though the government had issued a directives of priorities. In such directives it was clearly mentioned that priority should be given to wage earners, single women, Mushahar communities (one of the Madhesi Dalit groups), orphans living in orphanage etc. In most places the local level governments found to be distributing to their voters. The government had announced that there would not be any deaths due to hunger during the lockdown but two persons reported to have died, one belonging to Dalit and another to indigenous people. Since the names of the deceased due to corona is not disclosed it is difficult to ascertain the caste and ethnicity of those dead. Now the government is vaccinating the people and there is no reporting of discrimination in the vaccination campaign.

* The role of fiscal spending, public finance management, and tax policy in relation to poverty.

The government does not have specific fiscal spending or public finance management as well as tax policy in order to poverty reduction. The hundred micro finance institutions are supposed to contribute in reducing poverty but they are heavily taxed at par with the other commercial banks. However, governments have many policies as well as tax rebate for cooperatives but in such cooperatives the members are not from the poor families, rather they are from middle income groups. The access of Dalits into these cooperatives is very low. In the microfinance sector they are supposed to have one percent point less interest rate for Dalits but they levy 15% interest for the loans they provide owing to the fact that they have high cost of fund. They borrow from commercial bank with the interest rate of 11% and provide to poor groups at 15%. In that way government has no policy in addressing the issue of poverty.

* Individuals and organizations the Special Rapporteur should meet with during his country visit.

There are several civil society organizations as well as constitutional bodies to look after the issue of Human rights in general and Dalit rights in particular. With regard to Dalit organizations, the special rapporteur should meet the representatives of Dalit NGO Federation and Feminist Dalit Organization (FEDO) they will gather the representatives of its Dalit Civil society. Likewise, it can meet the representatives of the NGO Federation which is the apex organization of all CSOs of Nepal. He can meet the representatives of indigenous, Muslim and Madhesi people. In this regard there are constitutional bodies for Dalits, indigenous peoples, Muslim, Madhesi, Tharu and women.