**Human Rights Movement, Economic Rights and, Poverty and Inequality in Nepal**

Nepal’s Multidimensional Poverty Index (MPI) of 2021 – a measure that attempts to disaggregate poverty across several indicators – reports that 17.4% of the population in the country is multidimensionally poor[[1]](#footnote-1). It acknowledges that there are disparities between urban and rural areas, across provinces and age-groups. Despite that, the MPI report of the Nepal government remains optimistic about its economic prospects, as the disaggregated data of the multi-faceted poverty points out at the improvement in various poverty indicators in the past two years.

Meanwhile, according to the World Bank’s Nepal Development Update report, one-third of Nepal’s population of 29.8 million, which lives close to the poverty line, is at the risk of being pushed into poverty due to the current pandemic[[2]](#footnote-2). It further points out that job losses due to the pandemic were widespread and are among the highest in South Asia impacting the most vulnerable groups[[3]](#footnote-3).

In the years prior to the pandemic, Nepal faced two economic shocks that significantly reduced the quality of life for many in the country: the 2015 earthquake, which was soon followed by an effective blockade of the Nepal-India border due to the country’s contested new constitution. It is, therefore, important to set the economic impact of COVID-19 in the context of these recent developments.

**Economic Rights in Nepal**

In 2015, a new constitution of federal Nepal was promulgated, which interestingly purports to advance social democratic values. Indeed, it has guaranteed various economic rights, including those to education, health, employment, food, housing and social security, as fundamental rights[[4]](#footnote-4). However, the promises have been tenuous, and these rights remain largely unmet.

Take the health care situation in the country, for example. Since adopting federalism, Nepal’s health care system has witnessed some promising changes like expansion of primary health care facilities at local levels[[5]](#footnote-5). However, these centers are limited in their facilities like specialized health services, and do not meet contemporary standards of basic healthcare, frequently requiring patients to travel to cities for specialist care. In fact, 84.8% of the population does not have access to quality health care[[6]](#footnote-6). As a result, in practical terms, Nepalis from around the country are often forced to rely on private healthcare providers for a wide range of health concerns, which severely disadvantages those in the lower economic strata.

Given that this effectively excludes a substantial proportion of citizens from accessing necessary health care, it is difficult to argue that the Nepali state has made serious efforts to meet its citizens right to health. In fact, according to some experts, recent moves by the government in addressing the pandemic show that they continue to apply laws that are ill suited to prevent rights violations by both public and private sectors during a health crisis[[7]](#footnote-7).

Another example concerns the social-safety provisions. Poverty is often reflected in an individual or a household’s severely constrained purchasing capacity. In a society where people are required to engage with the market place to meet most, if not all, of their needs, low purchasing power translates into failures to meet healthcare, education, nutrition, and housing needs. This fact about poverty requires economic rights to be looked at as an essential part of human rights, and not a minor partner to a comparatively more important bundle of civil and political rights. Social-security measures, therefore, would have been the natural instruments for ensuring that economically disadvantaged groups can exercise their economic rights.

However, the absence of such provisions on a universal scale disproportionately impacts economically vulnerable groups like the country’s informal workers, who constitute more than 80% of the total labour force in Nepal[[8]](#footnote-8). The fact that economic rights of millions of Nepalis continue to be violated was most viscerally seen in scenes of thousands of internal migrant workers from Nepal’s major cities returning home to their villages, many on foot, during the lockdown[[9]](#footnote-9). Some belonging to vulnerable groups died of hunger and other nearly starved[[10]](#footnote-10).

Another example of such violations of economic rights is seen in the right to housing. Not only has the government been unable to address the right to housing of thousands who were rendered homeless after the 2015 earthquakes[[11]](#footnote-11), there have also been recorded instances of violence perpetrated by security forces against squatters who were forcefully evicted from their temporary shelters[[12]](#footnote-12).

This also raises the broader concern about inequality, its links with possible state interventions, and what this might mean for people’s ability to exercise their economic rights. Economists working on inequality have, for instance, noted that measures like accessible education, health care and social programs can mitigate inequality to certain extent[[13]](#footnote-13). Under such a scenario, one might therefore expect such public provisions to encourage or enable protection of human rights, In Nepal, however, both these measures, as well as other provisions that allow economic mobility, are conspicuous by their absence. In other words, not only is the state ill equipped to address inequality, but in failing to do so, existing problems of poverty and the associated undermining of rights continue unabated.

**Whither Nepal’s Human Rights Movement?**

The twin conventions – ICESCR and ICCPR – adopted by the UN in 1966, have been subject to competing views in the subsequent decades, from economic rights being questioned for justiciability to the claim that both sets of rights are interconnected. A long thread of arguments emerging from a wide range of interlocutors proposes the mainstream of human rights collective have been unable to respond to the ravages brought forth by many economic deprivations, some of it linked to economic globalization and neoliberal shifts.

The Covid-19 pandemic has further reignited worldwide debates about increasing economic inequality. The pandemic has not only demonstrated the disparity among countries as seen in the inequitable vaccine distribution between countries, but also the widening inequality between different groups of people within countries. As a result, the notion that Covid-19 affected everyone equally has been largely dismissed. Where does Nepal’s human rights movement stand in this conversation about inequality?

One suggestive answer comes from the fact that the human rights movement in Nepal has not been able to incorporate the ideas of inequality robustly into the human rights debates. In general, it seems to be the case that human rights fraternity in Nepal have not just been largely unengaged with questions of economic inequality and structural issues, and how to bring them within the human rights fold – they appear to have tacitly given into the proposition that neoliberalism is an accepted mode of economic development and that the role of human rights movement is to just watch out for cultural and political aberration.

Take for instance the health care crisis during the pandemic. When the daily rates of deaths surged and as hospital charges became exorbitant[[14]](#footnote-14), many observers on the left side of the spectrum critiqued it as being a neoliberal excess, while other political activists saw in this unethical business and healthcare practice. However, few voices from the human rights community found an expression for this social and economic crisis. This inability to articulate a real material crisis – which precisely is the inability to exercise the right to healthcare – is not unusual and is the reflection of the larger problem facing the human rights community right now. In fact, among the key intellectual questions regarding the human rights movement in Nepal has been its inability to deal with questions of economic inequality.

At the same time the human rights community has missed an opportunity to connect all these deprivations of economic rights with ongoing shifts in political economy. To be more precise, rights movements in the country have not sufficiently linked human rights with concerns about inequality and the fate of individuals and households who are left at the mercy of the markets for fulfilling needs that are considered fundamental human rights. In the process, by failing to connect the language of human rights with the concrete problems of inequality, they have not taken advantage of a quite fertile social and political environment for promoting economic rights – even as calls for public access to health care and education continue to remain quite popular with a large section of the population.

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Nepal

1. <https://npc.gov.np/images/category/MPI_Report_2021_for_web.pdf> [↑](#footnote-ref-1)
2. <https://openknowledge.worldbank.org/handle/10986/35420> [↑](#footnote-ref-2)
3. Ibid. [↑](#footnote-ref-3)
4. <https://www.lawcommission.gov.np/en/archives/category/documents/prevailing-law/constitution/constitution-of-nepal> [↑](#footnote-ref-4)
5. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7480568/> [↑](#footnote-ref-5)
6. <https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/publication/wcms_809272.pdf> [↑](#footnote-ref-6)
7. <https://www.icj.org/nepal-seeking-a-rights-based-approach-to-healthcare/> [↑](#footnote-ref-7)
8. <https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/publication/wcms_809272.pdf> [↑](#footnote-ref-8)
9. <https://www.nepalitimes.com/latest/walking-3-days-to-get-home/> [↑](#footnote-ref-9)
10. <https://kathmandupost.com/province-no-2/2020/06/04/the-lockdown-is-killing-the-poor-and-the-marginalised> [↑](#footnote-ref-10)
11. <https://kathmandupost.com/national/2019/04/24/four-years-after-nepals-deadly-earthquakes-survivors-continue-to-live-in-disarray> [↑](#footnote-ref-11)
12. <https://www.recordnepal.com/what-led-to-the-violence-in-motipur-that-left-four-people-dead> [↑](#footnote-ref-12)
13. <https://www.amazon.com/Global-Inequality-New-Approach-Globalization/dp/067473713X> [↑](#footnote-ref-13)
14. <https://kathmandupost.com/health/2020/10/09/private-hospitals-fleecing-covid-patients-also-forcing-ordinary-patients-to-pay-virus-safety-charges> [↑](#footnote-ref-14)