

**Human Rights Council
Sub-Commission on the Promotion and Protection of Human Rights
Working Group on Minorities
12th Session, 8-11 August 2006**

Agenda Item 3a

Thank you Mr. Chairman for giving me this floor to present my issues. I am Pratik Pande from Nepal representing on behalf of Jagaran Media Center, which is a Dalit based organization of Nepal.

First I would like to give a very brief introduction of the community I represent here; the **DALITS**¹. Dalits lie in the lowest strata of feudalistic Nepali society. They are discriminated in the basis of their caste and are considered as "untouchables". Dalit Civil Society claims it to be around 20% of the total population of the country.

Mr. Chairman, I would like to speak here regarding the political representation and effective participation in decision-making of the Dalits during and after the process of restructuring and forming NEW NEPAL.

We welcome the positive step of Government of Nepal, Maoists and also Civil Society that all of them have agreed for the election of Constituent Assembly. The Government has also formed an Interim Constitution Drafting Committee (ICDC) in 16 June 2006, which is supposed to submit its draft interim constitution on 9 August. However, this is to be noticed that there was no representation of Dalits in this committee, in the first phase. But after huge protest and pressure, Nepal Government agreed to include one Dalit in Drafting Committee and was nominated on 31st July before 10 days of their working tenure.

Mr. Chairman, In the 4 June 2006, House of Representatives (HoR) declared Nepal as '*An untouchability-and-discrimination-free country.*' This sounded really good but it was more or like declaring the polluted Kathmandu City as '*A pollution free city*'. Mr. Chairman, we are yet to see how many Dalits' life will be actually changed by just making an announcement.

Article 2.3 of UNDM says that *the state should assure that the person belonging to minorities have right to participate effectively in decisions on the national level.* But having seen and analyzing all the process of state, we fear that the voice of Dalit - this excluded community whose voice was never heard - will not be heard again; Therefore, I would like to make few recommendations for making new

¹ To know more about Dalits, please visit, <http://www.jagaranmedia.org.np/jagaran-media-nepal-content.php?mid=2&smid=19>

Nepal – *'An Inclusive Nepal'* where everyone has right to live life with dignity and without discrimination:

- **Affirmative action:** State should assure the meaningful, proportional and dignified representation of Dalits, Madhesis, Indigenous, Disables, Women and all other minorities before, during and after election of constituent assembly.
- **Legal protection:** The new forming constitution of Nepal must guarantee of equality and special mechanism for effective monitoring must be implemented.
- **End religious intolerance:** State mechanism should get rid of the Hindu fundamentalism as a progressive step towards building New Nepal.
- **Political participation:** State should guarantee the Proportional Electoral System to assure proportional representation of Dalits, Madhesis, Indigenous, Disables, Women and all other minorities.
- **Monitoring by civil society:** My organization and other minority representatives will continue to monitor all abuses, particularly in villages, where Dalit are most vulnerable;
- **Action by the UN and international agencies:** we hope that bodies like this will continue to offer us a forum and will put pressure on our government to honor its commitments.

Thank you Mr Chairman for giving me this floor to keep my issues.

Prepared by:

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