FEDO at the UN OHCHR for CEDAW

Feminist Dalit Organization (FEDO) participated at the 6th periodic review of Nepal, at 71st session of Convention on Elimination of all Forms of Discrimination Against Women (CEDAW) committee held on 23rd October 2018. FEDO was represented Durga Sob, Kala Swarnakar, Renu Sijapati, Shanti Paswan and Upashana Pradhan.

In the conference Ms. Durga Sob, the Founder President of FEDO delivered a statement to the committee members that highlighted on the need for proportional representation at the judiciary, as they continue to face multiple forms of discrimination due to their economic vulnerability, persistence of deeply rooted gender discriminatory and stereotyped attitudes and behavior.

Sob stressed on the political representation of Dalit women. "The representation of Dalit women has been ensured by the constitutional provision of representation of women by 33%. This has resulted in the election of 6567 Dalit women to represent in ward committees. Further, in higher level post of Deputy /vice chair 16 Dalit women out of 753 which is just 2% which is not proportionate to their population of 14% among women."
She added that, "those who have been elected are going through discrimination and humiliation as in our recent interaction with them several cases of gender and caste based discriminations were reported. They have been finding difficult to cope up with the situation to address the need of their fellow Dalits in general and Dalit women in particular, as most of these local units are not allocating sufficient funds rather diverting to physical constructions. Their plights are also ignored by the local level unit meetings which are largely dominated by so-called upper caste males. Many of them have lack skills and leadership to assert their rights and entitlements."

Sob also highlighted the case of Buddhima Bishwakarma, aged 45 of Bardibas, Mahottari who was beaten brutally while fetching water from a public tap; presenting the situation of Dalit women. She stated that, "the Government of Nepal has been claiming that it has done great deal of works to uplift the situation of women of Nepal with one of the highest representation of nearly 33% in the political front has not paid sufficient attention to provide rescue, relief and rehabilitation to thousands of Buddhima. We as representative organization of Dalit women of Nepal on behalf of FEDO have also submitted an alternative report to the committee. It is my earnest request to the committee to look into the heart-breaking situation of Dalit women of Nepal and encourage government and other stakeholders including international communities to do not just de jure justice but de facto justice as well.”
Visit of Special Rapporteur with Dalit women

Special Rapporteur on Violence against Women, Ms. Dubravka Šimonović, visited Feminist Dalit Organisation (FEDO) on 22 November to examine the issues and challenges of caste-based discrimination and violence against women in Nepal.

On the occasion, FEDO presented the situation of Dalit women based on a study conducted by FEDO on the "Status of Violence Against Dalit Women and Children" at sixteen districts namely, Ilam, Jhapa, Morang, Saptari, Siraha, Parsa, Chitwan, Kavrepalanchowk, Kaski, Palpa, Banke, Bardiya, Surkhet, Kailali, Doti and Dadeldhura. The report helped us to bring forth the evidence of different forms of violence faced by Dalit women, and sometimes without their realization. The participants shared their own experiences and of the ground on how violence is perpetuated because of caste-based discrimination and Untouchability. To support this, many cases of unsatisfactory judicial interventions such as of Maya B.K (case of rape) Ajit Mijar (case of inter-caste marriage), Mana Sarki (case of murder) and Laxmi Pariyar (case of witchcraft) which are the examples of forms of inhumane behavior.
Parliamentarians, activists, civil society organizations as well as development practitioners who were present on the occasion also discussed the issues and challenges of Dalit women with the focus on violence.

It was opined that despite the adoption of Caste-based discrimination and Untouchability (Offence and Punishment) Act 2017, the system still fails to address the issue and provide justice and people's attitude which portrays harsh reality of the perception and attitude towards Dalit and Dalit women.

To address this sort of situation, the SR suggested to reach out to the mass as vigorously, make press release so that it creates pressure as well as reach out to the Optional Protocol to Convention on the Elimination of all forms of Discrimination against women.

She urged Government to adopt a specific National Action Plan on violence against Dalit and indigenous women, in line with the commitments made under Article 22 and 23 of the UN Declaration on the Rights of indigenous peoples. “Such Action Plan should comprise of appropriate temporary special measures to speed up their full participation at decision-making levels,” she added.

She also urged for Strengthening the capacity of the police force and judiciary; ensuring adequate training for members of Judicial Committees of the local government; raising awareness among women and girls, particularly in rural and remote areas of the country, about the new laws that are in place, as well as the mechanisms that they can avail of in order to report incidents of violence.
and gender based-discrimination; implementing the necessary legislative or other measures to prohibit mandatory mediation and conciliation, in relation to all forms of violence against women covered by the CEDAW Convention and its General Recommendation 35.

She opined that due to patriarchal values coupled with poor economic status and illiteracy, Dalit women are being the victim of various forms of violence and discrimination. Raising concern over women and girls trafficking she said, “there is no any specific definition of the crime of trafficking in national law and the detailed guidance as to its various punishable elements is also not available, thus, the Government should revise the Bill to amend the Human Trafficking and Transportation (Control) Act to bring it in line with the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and to ratify the Palermo Protocol as a matter of priority.” She also urged the government to build up the investigative capacity of the Human Trafficking and Transportation Control Bureau within the police, particularly in Districts along border areas, and to ensure the provision of adequate shelters and support facilities, for the victims of trafficking.

She congratulated Nepal on increased political participation of women and also appreciated the Nepalese society for taking steps to openly acknowledge the levels of violence against women in the country. She believed that with the government implementing effective policies on eradicating violence against women, in cooperation with civil society, Nepal could accelerate the eradication of harmful practices such as Chhaupadi, to ensure gender equality and the right.
General Secretary of Feminist Dalit Organization of Nepal (FEDO Nepal) Renu Sijapati has highlighted the several problems faced by Dalits in Nepal in obtaining citizenship certificates.

In a statement jointly issued by Feminist Dalit Organization (FEDO) and International Dalit Solidarity Network (IDSN) at the Human Rights Council 11th Forum on Minority Issues on 30 November, she said that in absence of proper required legal documents Dalits are being deprived of the citizenship and the vice-versa.

She pointed out that due to the lack of citizenship certificate, Dalits are being unable to register on the voters’ list; register marriages or births; buy or sell land; appear in professional exams; open bank accounts or have access to credit; however, due to illiteracy, lack of awareness and poverty, at times they do not even approach the authorities to get citizenship certificates.

“Dalits have been subjected to humiliation and to long-standing deeply and rooted discrimination, of which, statelessness is a serious manifestation. Many Dalits are forced to work as Haliya and Khali (forms of bonded labour) and cannot own the land they work in. They are deprived of equal access to the basic social services and securities,” she added.

She also opined that the presence of inconsistent provisions in the Constitution and in the draft Citizenship Amendment Bill are posing difficulties for Dalit women to get citizenship for their children which are born from the forced prostitution as seen in the case of Badi women. The draft bill requires self-declaration with justification for the children having no identification of their fathers.

She also urged all stakeholders to voice against this form of discrimination so as to ensure full and equal access to political, social, economic and cultural rights.

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