



**SAFETY AND CARE NEEDS
ASSESEMENT OF
DALIT WOMEN ACTIVISTS AND
WOMEN HUMAN RIGHTS
DEFENDERS**



Dalit Women Network (DWN)

**STUDY
REPORT**



**Safety and Care Needs
Assessment of
Dalit Women Activists
and
Women Human Rights Defenders**

Study Report

October 2024

DALIT WOMEN NETWORK (DWN)

Safety and Care Needs Assessment of Dalit Women Activists and Women Human Rights Defenders

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National Human Rights Commission of Nepal

केन्द्रीय कार्यालय (Central Office)
पुल्चोक, ललितपुर, (Pulchowk, Lalitpur, Nepal)



Message

I am pleased to write this message in the report entitled "Care and Safety Needs Assessment of Dalit Women Activists and Women Human Rights Defenders" prepared by the Dalit Women Network (DWN). The report primarily aims to address the needs of Women Human Rights Defenders (WHRDs) who are actively involved in combating caste-based discrimination and gender-based violence at the grassroots level. It is important to note that women from Dalit and marginalized communities continue to face rights violations, such as caste-based discrimination, untouchability, and various forms of gender-based violence and economic disparity. Perpetrators of caste-based discrimination and gender-based violence are punishable by law. Therefore, it is the responsibility of the state to establish a conducive environment where all citizens can safeguard their human rights and dignity eliminating social and economic injustices such as caste-based discrimination, untouchability, violence against women, and barriers to development opportunities.

The Dalit Women Network (DWN) has been playing a crucial role in engaging women human rights defenders (WHRDs) to strongly defend and protect survivors of caste-based discrimination and gender-based violence at the community level. The work of women human rights defenders especially in support of survivors of human rights violations should be recognized and protected. State mechanisms, national human rights institutions, women's rights organizations, and civil society actors should collaborate to promote and protect human rights defenders, particularly focusing on Dalit and marginalized women. The report highlights numerous issues of serious nature and challenges faced by Dalit women and women human rights defenders, especially at the community level. There are still some acute challenges to the assurance of fundamental freedoms and access to the state justice system where Dalit and women human rights defenders continue to be persecuted for their work.

AV

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This report is certainly useful for human rights organizations, legislators, policymakers, civil society actors, development workers, researchers, and academicians who are focusing on human rights and humanitarian issues and are committed to articulate and defend the rights of vulnerable people of the grassroots. While necessary priority and action will have been realized in the protection and recognition of human rights defenders, it seems essential to formulate the special policy and legislation for the promotion, protection, and even recognition of human rights defenders and implement it effectively at all levels of government. State and development partners must set aside adequate resources for their enhancement.

I trust the report will provide a solid foundation for real collaboration between governments, human rights actors, civil society organizations, and national human rights institutions to guarantee full respect of the defenders and ensure human rights, fundamental freedoms, democracy, and the rule of law for them also. I am confident that the report findings and recommendations will serve as a guide, providing inspiration, courage, and energy to women human rights defenders to help eliminate caste-based discrimination and gender-based violence and enable the defenders to benefit from the comparative experiences and human rights practices developed elsewhere. With the firm belief that the National Human Rights Commission of Nepal will always be with the defenders of human rights and assure solidarity in this kind of work to combat caste-based discrimination and gender-based violence. Finally, I would like to express my gratitude to DWN and its study team for publishing this report as an important advocacy document useful for the community of human rights defenders.

Dr. Surya Dhungel
Commissioner

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The Study 'Safety and Care Needs Assessment of Dalit Women Activists and Women Human Rights Defenders' assessed the safety and care needs of Dalit women activists and WHRDs in economic viability, livelihood sustainability, legal protection, social and cultural support, and health. It identified risks, threats, and challenges in efforts provided by Dalit women activists against caste-based discrimination and gender-based violence, including local support mechanisms. The study was conducted in Kirtipur Municipality of Kathmandu district. The study team collected and analyzed information to reach conclusions. During the study, we made good coordination and collaboration among researchers, DWN members, staff, and the persons involved in the need assessment. The findings were based on reviews of documents, in-person interviews, focus group discussions, and interviews with key informants conducted in the field.

We would like to express our gratitude to Mr. Bharat Nepali, Researcher/Editor, and Mr. Ram Sundar Nepali, Study Coordinator, for their guidance in designing the tools and techniques for data collection in the field, generating additional secondary information, and editing the study report. We also extend our gratitude to Mr. Riban Mangrati for facilitating focus group discussions (FGDs) and key informant interviews (KIIs), and to Ms. Sirjana Nepali for collecting field-level information through in-person interviews and case studies. We appreciate the valuable input and time the study team devoted from the beginning to the completion of the report.

The study took a longer time to complete. Since we began to understand the power of study on the safety and care Needs Assessment of Dalit women activists and WHRDs, the whole process of this study was very sharp learning for us. The study has raised several significant issues, adding new dimensions to the debate on the safety and care needs of Dalit

women activists and WHRDs working at the community level. Moreover, it contributes significantly to the discourse on how the government, civil society organizations, and concerned stakeholders engage to protect Dalit women activists and WHRDs as outlined in the UN Declaration of Human Rights Defenders.

Dalit Women Network (DWN) expresses its sincere gratitude to the participation of Dalit women activists and WHRDs, locally elected women, women political leaders, the Deputy Mayor, judicial committee members, social development officer, women development officer, and police officer of Kirtipur Municipality who shared their thoughts, experience, and information about answering the questions during the study. We are grateful to Ms. Bal Kumari Bishwakarma, Chairperson of DWN, and Moti Lal Nepali, Chairperson of Dalit Welfare Association (DWA), for their invaluable time and effort in this study.

I heartily appreciate and acknowledge that the credit for the best outcome of the study goes to the support of all concerned individuals and stakeholders. Without their contribution, this report could not have been successfully brought out in this shape. At last, I would like to request the government's concerned authorities, women organizations working on the issues of WHRDs, other civil society organizations, and all concerned individuals and stakeholders at the local, provincial, and federal levels to go through the analysis and recommendations of the study to apply them in practice.

Thank you.

Man Kumari B.K.

Executive Director

Dalit Women Network (DWN)

ACRONYMS AND ABBREVIATIONS

ADWAN	Association for Dalit Women Advancement of Nepal
ALRC	Asian Legal Resource Center
AWID	Association for Women’s Rights In Development
BS	Bikram Sambat
CAN	Change Action Nepal
CBDU	Caste-based Discrimination and Untouchability
CBO	Community-Based Organization
CDWN	Center for Dalit Women Nepal
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CERD	Convention of the Elimination of All Forms of Racial Discrimination
COVID	Corona Virus Disease
CPP	Community Police Partnership
CRPD	Convention on the Rights of Persons with Disabilities
DWA	Dalit Welfare Association
DWN	Dalit Women Network
FEDO	Feminist Dalit Organization
FGD	Focus Group Discussion
FMW	Feminist Movement Worker
FWLD	Forum for Women, Law and Development
GBV	Gender-based Violence

GR	General Recommendation
HRD	Human Rights Defender
HRTMC	Human Rights Treaty Monitoring Committee
ICCPR	International Covenant on Civil and Political Rights
ICCSEER	International Covenant on Cultural Social and Economic Rights
IDSN	International Dalit Solidarity Network
INSEC	Informal Service Sector
KII	Key Informant Interview
LGBTI	Lesbian, Gay, Bisexual, Transgender and Intersex
NAWHRD	National Alliance for Women Human Rights Defenders
NGO	Non-Governmental Organization
NHRC	National Human Rights Commission
NP	Nepal Police
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organization for Security and Cooperation in Europe
SRPC	Shadow Report Preparation Committee
SWC	Social Welfare Council
THT	The Himalayan Times
TKP	The Kathmandu Post
UAF	Urgent Action Fund
UN	United Nations
UPR	Universal Periodic Review
WHRD	Women Human Rights Defender
WOREC	Women Rehabilitation Center
WSC	Webs of Safety and Care

EXECUTIVE SUMMARY

Introduction

Dalit women have long faced the problems of caste discrimination, untouchability, and gender-based violence due to the hierarchical social structure rooted in Nepali society. Dalits and marginalized women are deprived of necessities, public services, and facilities such as education, economic opportunities, employment, and health. Dalit women activists and women human rights defenders have been fighting bravely to address the issues of caste-based discrimination and gender-based violence. Yet, they face harassment, insecurity, threats, and risks due to the discriminatory social structure rooted in the society. Women's rights activists are constantly working to make women from Dalit and marginalized communities just and transformative. It is believed that the movement of Dalit women rights activists and women human rights defenders will contribute significantly to ending gender-based violence and caste-based discrimination at the local level.

Dalit women activists and WHRDs monitor human rights violations and document cases to provide justice services for survivors of caste-based discrimination and gender-based violence at the community level. However, non-Dalit women activists cannot see through the issues of Dalit women the same way Dalit women activists can. This adversely affects Dalit women who have been violated and made unsafe in their activism and volunteerism for fighting caste-based discrimination and gender-based violence. It is crucial to raise awareness, empower, and safeguard Dalit women activists and WHRDs to challenge social norms, values, and systems with safety and care in their efforts to end discrimination and violence against women in society.

Against this backdrop, the study focused on identifying the safety and care needs of Dalit women activists and human rights defenders, including

risks, threats, challenges, and support mechanisms to deal with them. Based on the findings of the study recommendations have been provided to ensure the significant role of Dalit women activists and WHRDs from the perspective of safety and care in the women's movement. The study conducted in-person interviews with 40 Dalit women activists and WHRD. Similarly, Focused Group Discussions (FGDs) were conducted with locally elected Dalit and non-Dalit women and political women leaders, and Key Informant Interviews (KIIs) conducted with members of the local judicial committee, deputy mayor, police, and government officials were conducted with participating 24 persons.

Major Findings

Within the four thematic areas, the study derived the following major findings:

Economic viability and livelihood sustainability

Dalit women activists, who rely on traditional occupations like shoemaking, tailoring, agriculture, and construction, face limited self-employment opportunities and access to public resources, and services, hindering their ability to expand economic opportunities and ensure livelihood sustainability.

Nepotism, favoritism, and caste-based discrimination have hindered the engagement of Dalit and marginalized women in enterprises and business activities. Modernizing traditional occupations can assist Dalit women activists in promoting enterprise and business.

Dalit women activists and WHRDs receive minimal support from their families, organizations, and the community for personal income generation. The government and non-government organizations partially provide training, equipment, and technological support.

Community housing, skill-based training, technical support, and group mobilization from local government and NGOs are the available

community-level resources for skill development and economic empowerment.

Dalit women activists and WHRDs have limited capacity in women's economic rights, disaster management, environmental protection, good governance, and other development opportunities.

The demand is that the government and NGOs should offer employment opportunities, skill development training, financial investment, and seed money to ensure the economic and livelihood sustainability of Dalit women activists and WHRDs.

Women's rights movement must advocate for the economic upliftment of Dalit women activists and WHRDs and engage them in political work and the Dalit women's movement.

Legal and political protection

Dalit women activists face caste-based discrimination and untouchability in public places, private homes, and temples, but these incidents have not been reported to legal support mechanisms.

Dalit women activists and WHRDs lack knowledge about policies, laws, programs, and plans, and their voices are often not heard because of the dominance of their male counterparts at the decision-making level of local government.

Dalit women activists and WHRDs face challenges in legal and political protection due to political leaders' negligence, the limited capacity of local judicial committee members, the lack of social protection schemes, and the possibility of physical attacks.

Despite local mechanisms like judicial committees, mediation centers, and police in place, Dalit women activists and WHRDs often avoid providing support and reporting cases due to fear of social stigmatization, victim-blaming, and compromising family honor.

Support mechanisms are not playing an effective role in protecting the

human rights of women and addressing the persistence of CBDU and GBV at the local level.

Dalit women activists and WHRDs argue that while ward offices and mediators provide an accessible platform for survivors, finding a complete solution is challenging due to the existing mechanisms.

Social and Cultural Support

Dalit women and the entire Dalit community face widespread social and cultural challenges, including social stigmatization, caste-based discrimination, and untouchability, due to religious norms.

The social and cultural barriers faced by Dalit women's rights activists and women's human rights defenders are male-dominated societies, hierarchical structures, limited resources, limited legal knowledge, and the dominant mindset of men and non-Dalit individuals.

Dalit women activists and WHRDs highlight negative perceptions, ignorance, and unacceptance as inhibiting factors in social and cultural support, along with a culture of silence, lack of collaboration, superstition, religious beliefs, and other harmful practices.

Dalit women and girls endure social, cultural, and religious violence, as well as physical, psychological, and cultural abuse, worsened by persistent caste and gender discrimination in society.

The women's movement has been facing obstacles such as lack of self-initiation, nepotism, favoritism, political bias, structural discrimination, family burden, economic crisis, and lack of information about social institutions.

Health and Well-being

Dalit women activists and WHRDs face various health problems and risks, including uterus, thyroid, migraines, stomach issues, gastritis, urinary infections, high blood pressure, back pain, tumors, tuberculosis,

cancer, heart, and chest pain.

Domestic violence, high blood pressure, and heart-related health issues negatively impact women's mental health, with Dalit women activists experiencing higher rates of depression and anxiety compared to non-Dalit women.

Political maneuvering, lack of information, prioritizing health services for relatives and friends, leaving women's voices unheard, and lack of information sharing are barriers to increasing access to health services and resources.

The lack of health education, worse economic conditions, unequal opportunities, and underrepresentation of women in local health structures and decision-making processes are prevalent issues.

Dalit women face significant financial burdens, lack of awareness, and limited access to health services compared to non-Dalit women.

Recommendations

Based on the findings of the study, the following recommendations are furnished for concerned stakeholders to take into consideration on safety and care of Dalit women activists and WHRDs:

- The National Human Rights Commission should play a vital role in debating and passing legislation on Human Rights Defenders from parliament based on the UN Declaration.
- The National Human Rights Commission, National Women Commission, and National Dalit Commission should enhance the capacity of WHRDs to investigate and prosecute cases of caste-based discrimination and gender-based violence with a safety and care approach.
- The federal, provincial, and local governments should establish standards for the safety and care of Dalit women activists and

- WHRDs, and implement programs to address their economic, legal, political, social, cultural, and health issues.
- The government of Nepal must introduce protection mechanisms for Dalit women activists and WHRDs to be replicated through the local government.
- Maintain records of Dalit women activists and WHRDs to carry out promotional programs and adopt procedures for their recognition and respect at the local level.
- Local government should establish a safeguard mechanism to acknowledge and document the efforts of Dalit women activists and WHRDs in investigating and prosecuting cases of caste-based discrimination and GBV.
- Local government should focus on designing and implementing effective policies, programs, plans, resources, and services for the economic viability of Dalit and marginalized women, modernizing their traditional occupation.
- Develop and implement local policies and guidelines to ensure women's rights to education, health, and justice, and to end discrimination and violence against women.
- Introduce a human rights action plan in human rights and access to justice for Dalits and marginalized women at the local level.
- Enhance the capacity of Dalit women activists and WHRDs in women's rights, disaster management, environmental protection, good governance, and development opportunities through the development of a guideline framework.
- Civil society organizations should strongly launch the advocacy with the government to effectively implement the UN Declaration on the Protection of Human Rights Defenders and CEDAW recommendations from Dalit and marginalized women's perspectives.

- Strengthen and sustain the women's movement at the grassroots level through self-care awareness, capacity building, and policy advocacy to address the problems and challenges related to the safety and care of Dalit women activists and WHRDs.
- NAWHRD should actively support Dalit women activists and WHRDs at the community level by empowering, mobilizing, and advocating for legal solutions to emerging challenges.

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Chapter - One

INTRODUCTION

1.1. Introduction

Nepal has a deep-rooted and historical issue of caste-based discrimination, untouchability (CBDU), and gender-based violence (GBV) that has been perpetuating cycles of suffering and inequality which was elevated due to the COVID-19 pandemic. Dalit women are subjected to caste-based discrimination and gender-based violence, physical, sexual, and psychological abuse, trafficking, child marriage, accusations of witchcraft, inter-caste marriage, domestic violence, forced labor, exploitation, and social abuses. They suffer from triple discrimination as oppressed by the so-called high caste people (which equally affects both male and female Dalits), oppressed by the design of the Hindu patriarchal system, and oppressed by Dalit male counterparts.

From the direct compulsion to do forced labor, Dalit women are victimized by the labor exploitation system due to caste-based discrimination and untouchability deeply rooted in Nepali society. They are compelled to perform casual and irregular jobs with little or no wages with the existence of an exploitative labor system. Dalit women are also discriminated against in public places when they go to purchase daily food items from grocery shops, non-Dalits do not allow them to touch crates of milk. They are not allowed entry into temples and are excluded from equitably receiving government services and entitlement.

Discrimination and violence silently bother Dalits and marginalized women, who often remain unaware of their rights for centuries, and endure discrimination in education, economic opportunities, employment, health, and daily life, further compounded by untouchable practices. Dalit women human rights defenders have been mobilized to strengthen human rights and access to justice for Dalit women. Dalit Women Network (DWN) has mobilized Dalit women to engage as Dalit women

activists and women human rights defenders to fight against caste-based discrimination and gender-based violence at the local level. It has set up a vigilance committee and a team of women's rights activists to support Dalit women activists and women human rights defenders.

Dalit and marginalized women are facing economic, political, legal, and social problems and threats to constructively and proactively engage with women's rights campaigns at the community level. There is still a lack of strategic direction and mechanisms for the safety and care of Dalit women activists and women human rights defenders. The study is essential for Dalit women activists and women human rights defenders at the local level to seek respite, well-being, and connection from a feminist and politicized lens. Therefore, the study carried out to identify the different risks and violations that Dalit women activists and WHRDs face, as well as a holistic approach to security, underscores the Need for differential support and gender-specific protection measures that take into account their needs and realities (Barcia, 2014).

The “Webs of Safety and Care” Framework of Urgent Action Fund Asia and Pacific looks at the holistic safety and care of activists and defenders. This means the framework looks at recognized roles of women, trans and non-binary defenders they may hold. The different lenses allow Dalit women activists and women human rights defenders (WHRDs) to reflect on their lives beyond their identity as an activist and defenders only and how their other identities also impact their safety, care, and well-being. For this, the WSC Framework has been used to identify the needs of Dalit women activists and WHRDs categorized into four thematic areas: economic viability and sustainable livelihood, legal and political protection, social and cultural support, and health well-being.

The Economic Viability and Livelihood Sustainability focus on assessing the needs of Dalit women activists and women human rights defenders to secure financial and economic resources at the personal and family level and continue social and political work. Economic viability and livelihood sustainability have described women's economic empowerment in mobilizing and securing financial resources to continue their social and

political work and live a dignified life.

Legal and Political Protection focuses on assessing the enforcement of national and local policies and laws aligned with international human rights standards to protect and support Dalit women activists and human rights defenders. It describes the legal and political rights of Dalit women activists and women human rights defenders by analyzing the enforcement of local and national policies and laws aligned with international human rights standards outlined in the UN Declaration on Human Rights Defenders.

Social and Cultural Support focuses on recognizing the need for respect and acknowledgment from family and society for the efforts of Dalit women activists and WHRDs. This involves analyzing discrimination based on age, gender, ethnicity, caste, political beliefs, and cultural or religious factors.

Health and well-being focus on assessing the awareness and knowledge of Dalit women activists and Women Human Rights Defenders regarding physical and mental health. It also examines the healthcare services and facilities provided by health institutions, family, friends, and service providers to support women's health in immediate and long-term ways.

1.2. Objectives of the Study

The Objectives of the Study on the Safety and Care Needs Assessment of Dalit Women Activists and Women Human Rights Defenders are:

1. To assess the safety and care needs of Dalit women activists and women human rights defenders (WHRDs) by analyzing the economic viability and livelihood sustainability, legal and political protection, social and cultural support, and health and well-being aspects.
2. To identify the risks, threats, and challenges endured by Dalit women activists and WHRDs in the campaign against caste-based discrimination and gender-based violence along with local support mechanisms.

3. To provide recommendations based on the findings to strengthen the role of Dalit women activists and WHRDs from a safety and care aspect in the women's rights movement at the local level.

1.3. Methodology of the Study

This study was women-centric and sought to gather first-hand information from Dalit women activists and WHRDs, and collected the perspectives of locally elected women, women political leaders, lawyers, police, and local judicial committee members on the safety and care of women involved in the rights movement. The Holistic Safety and Care Approach model was adapted to **design and develop** tools for this study. A common tool of data collection for the assessment, close-ended and open-ended structured questionnaires were used for in-person interviews, and separate open-ended semi-structured types of checklists were used for FGDs and KIIs to collect data and explore particular contexts and meanings reflecting the objectives of safety and care needs of Dalit women activists and WHRDs.

The tools, sample size, and participation for the study were agreed upon and finalized as below:

Tools	Sample size	Who participated?
In-person Interview	40 participants	Dalit women activists and women human rights defenders (WHRDs).
Focus Group Discussions (FGDs)	17 participants in 3 FGDs	A total of 17 participants participated in 3 FGDs covering locally elected women, women political leaders, and women activists from Dalit and non-Dalit communities to discuss women's human rights, women participation in decision-making, protection mechanisms for Dalit women activists and women human rights defenders.

Key Informant Interviews (KIIs)	7 participants in KIIs	A total of 7 key informants such as the Deputy Mayor, local judicial committee members, a social development officer, a women development officer, a lawyer, and a police officer participated in KIIs to discuss policy, programs, and plans related to economic development, health, legal empowerment, mediation, justice, and local protection mechanisms.
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Participant's Profile in In-person Interview: This study is titled "Safety and Care Needs of Dalit Women Activists and Women Human Rights Defenders". In-depth interviews took place in the Kirtipur Municipality of Kathmandu to explore the concept and approach of Holistic Safety and Care to closely identify the safety and care needs of Dalit women activists and WHRDS.

- 67.5% of participants are Dalit women, and 32.5% are non-Dalit women.
- 47.5% are aged 20-40, and 52.5% are above 40.
- 90% of the participants are married, 5% are unmarried, and 5% are widowed.
- 10% have studied up to 8th grade, 50% have studied from 9th to 12th grade, and 12.5% have obtained a Bachelor's degree.

Participants for in-person interviews were chosen using a purposive sampling method. Interviews were conducted conversationally to allow participants to freely respond to the questions. Rules of interviews including confidentiality, consent taking, and informing their freedom to deny answering specific questions or leaving the interview at any stage

of the interviews were followed. The following guiding questions were used for the interview.

Economic Viability and Livelihood Sustainability

- What is the economic situation of Dalit women activists and WHRDs and what problems do they face to meet their families' needs?
- What resources, services, and capacities are available for Dalit women activists and WHRDs to support their economic viability and livelihood sustainability?
- How have Dalit women activists and WHRDs been empowered to engage in political work, leading to economic sustainability and the continuation of the Dalit women's movement?

Legal and Political Protection

- What legal and political problems and challenges do Dalit women activists and WHRDs face locally?
- Are legal and non-legal mechanisms in place at the local level to prevent and protect human rights violations?
- What efforts and measures are being made to prevent and respond to caste-based discrimination and gender-based violence and support Dalit women activists and WHRDs at the local level?

Social and Cultural Support

- What are the social and cultural problems and challenges Dalit women activists and WHRDs face in their work?
- What are the social and cultural barriers, including inhibiting factors for Dalit women activists and WHRDs to work against caste-based discrimination and gender-based violence?
- How do Dalit women activists and WHRDs promote their activism to engage in the women's movement?

Health and Well-being

- What are the physical and mental health problems and risks Dalit women activists and WHRDs face?
- What is the level of health awareness among Dalit women activists and WHRDs?
- Is physical and mental health care service available and affordable for Dalit women activists and WHRDs at the local level?

Data Analysis, Quality Assurance, and Report Writing

In-person interviews with Dalit women activists and WHRDs, Focus Group Discussions (FGDs), and Key Informant Interviews (KIIs) were used as primary data collection techniques. Data collected from in-person interviews was monitored daily through debriefing. The feedback and technical backstopping were provided based on the needs. Microsoft Excel was used to disaggregate data in line with the major themes and objectives of the study and categorize it into separate variables.

Secondary data relating to the subject from books, relevant news, articles, the internet, and journals was referred to the historical context; national, and international protection mechanisms, incidences of caste-based discrimination, gender-based violence, risks and threats faced by Dalit women activists, and WHRDs in their activism from the safety and care approach. The nature of this study is partly descriptive and partly diagnostic with the application of a mixed method for data collection. The findings in the report are generated by analyzing quantitative and qualitative data. The qualitative data was used to substantiate the interpretation of the findings and results. The study was carried out with limited resources.

1.4. Operational Definitions

The study aimed to identify and analyze the safety and care needs of Dalit women activists and women human rights defenders in a holistic approach to promote activism and volunteerism in the feminist movement. For this,

the following terms are used with the following meanings in particular:

Safety and Care: Safety and Care refer to the essential resources for Dalit women activists and women human rights defenders, as well as their networks. These resources help reinforce community-based safety and care structures and practices to address the various risks, threats, and challenges they encounter in their activism.

Economic Viability and Livelihood Sustainability: Economic Viability and Livelihood Sustainability refers to the economic empowerment of Dalit women activists and Women Human Rights Defenders that helps to mobilize and secure financial resources to continue their social and political work and live a dignified life.

Legal and Political Protection: Legal and Political Protection refers to the legal and political rights of Dalit women activists and human rights defenders by enforcing local and national policies and laws aligned with international human rights standards outlined in the UN Declaration on Human Rights Defenders.

Social and Cultural Support: The recognition and respect provided by family and society for the work of Dalit women activists and WHRDs without discrimination based on age, gender, ethnicity, caste, political belief, and cultural or religious belief are defined as social and cultural support.

Health and Well-being: Health and well-being are defined as the awareness of health, stress management, access to healthcare services, and family collaboration. These aspects are crucial for the immediate and long-term needs of Dalit women activists and WHRDs.

Holistic Safety and Care: Holistic Safety and Care means that rather than looking separately at the importance of economic viability and livelihood sustainability, legal and political protection, social and cultural support, health, and well-being to integrate them and highlight their interrelatedness to provide safety and care for Dalit women activists and WHRDs.

Chapter - Two

HISTORICAL CONTEXT

2.1. Historical Context of Women Human Rights Defenders and Dalit Women Activists

Women Human Rights Defenders (WHRDs) in Nepal are working to end the culture of silence and empower women to become changemakers. Women human rights activists and other activists such as male, lesbian, gay, bisexual, transgender, or any other sexes who defend the rights of women fall as women human rights defenders. Women Human Rights Defenders investigate, gather information, and report on human rights violations, advocating for specific issues of women's human rights (ALRC, 2011). The movement of WHRDs has overseen substantial milestones over the years encouraging women like ourselves to come together in a concert fashion to put an end to violence against women. Protection of the rights of women will be a mere dream without ending all forms of violence against them.

The situation of women continues to be a major cause of concern. As women continue to challenge the feudal, patriarchal structures, unequal gender power relations, and structural inequalities; protectionist responses are reinforced. WHRDs must participate in all of the country's political movements often those who struggled for women's rights alongside democratic rights were marginalized or even excluded from the movement. During the armed struggle, hundreds of women who took up arms to struggle for broader fundamental rights found themselves for their rights even within the political nexus. The battle for freedom, equality, social transformation, and justice has been the agenda of the women's movement in Nepal.

The human rights movement in Nepal then culminated as a movement

for all; the 'realization of all human rights for all' will be able to see its full effect. Inspired by the solidarity among all women activists, WOREC organized a national consultation on women human rights defenders on March 3-4, 2006 to bring forth the issues of WHRDs in the context of Nepal. Some 450 women human rights defenders from 64 districts took part in identifying main concerns and developing national strategies to defend human rights – the right to be WHRDs. The consultation focused on the diverse challenges faced by women and lesbian, gay, bisexual, and transgender (LGBTI) human rights defenders: the Need for documentation to develop specific national and international protection mechanisms.

The Second National Consultation focused on the role of WHRDs in the Constituent Assembly. The consultation held in June 2006 was focused on "women's participation for an inclusive and democratic Constituent Assembly". More than 500 WHRDs from 68 districts participated in the consultation. Women's representation in the Constituent Assembly and that representation was based upon the geographical and socio-cultural diversity of Nepalese women was the main topic of discussion. Restructuring the political parties to ensure adequate representation of women at all levels of decision and policy-making was also addressed in the consultation.

As the movement progressed, registering the level of human rights violations perpetrated against women and recognizing the work of WHRDs in a systematic order became crucial to the development of this movement. Caste-based discrimination, untouchability, enforced disappearance, extortions, torture, rights of ethnic groups, rights of sexual minorities, and rights to freedom of opinion and expression are issues that the women's human rights movement is struggling to promote and protect. The documentation of cases of women's human rights violations began in the context of armed conflict with the support of Women Human Rights Defenders between 2005 and 2006. Women Human Rights Defenders themselves were at risk at that time. They were the target of specific threats, harassment in their work, torture, beatings, arbitrary arrest and

detention, death threats, and restrictions on their freedoms of movement, expression, association, and assembly.

WHRDs were the victims of false accusations, and unfair trials and convictions. WOREC Nepal documented incidents of violence perpetrated against female defenders. The 105 cases of violations of WHRD's rights documented, illustrated the extent of the suffering of WHRDs due to the lack of specific protection mechanisms for ensuring their rights to defend. There were incidences of WHRDs being raped, murdered, and intimidated for their work in strengthening a culture of democracy and human rights in the country (ALRC, 2011). It impacted women's participation in political structures and their self-esteem and resulted in increasing trends of violence and abuse against them.

The Fourth National Consultation of Women Human Rights Defenders in November 2007 marked the second International Women's Human Rights Defender's Day to share the experiences of WHRDs in the current political context of Nepal. The National Alliance of Women Human Rights Defenders (NAWHRDs) was formed during the fourth national consultation. This was a unique platform for WHRDs with a 23-member executive body representing the diverse nature of the women's movement including networks focusing on disability, Dalits, housing rights, sexual minorities, Muslims, Badi, land rights, and the entertainment sector.

WHRDs have long been playing a significant role in the protection and promotion of women's human rights in various political movements, which usually targeted them for their work (ALRC, 2011). The Declaration of Human Rights Defenders was released in 1998 by the United Nations as an important instrument for the protection of human rights (NHRC of Nepal, 2022). Most notably article 12 (2) gives the primary responsibility for developing specific measures for protecting women human rights defenders and human rights defenders in general to the state. The primary role to play in promoting and protecting human rights by the state has been recalled on numerous occasions by the Human Rights Council.

WHRDs use common tools such as different advocacy strategies, and

mobilization of public opinion to remind the state of its obligations. WHRDs become vocal about those issues, they are sexually targeted and their family members are used as a weapon against them to reduce them to silence. They are active in advocating against all forms of violence against women, rape, torture, domestic violence, acid burning, and murder. They are also campaigning for economic, social, and cultural rights such as land rights, property rights, housing rights, food rights, sexual and reproductive rights, rights of women working in the entertainment sector, rights of the disabled, and rights of marginalized groups.

Human rights defenders, both men and women, have proven to be the backbone of society during the COVID-19 pandemic: from whistleblowers who first raised alarms, to frontline workers securing access to healthcare for marginalized groups, journalists providing accurate news and information, civil society repairing social breakdowns, and scientists and lawyers combatting hate speech and discrimination. WHRDs face opportunities and challenges during the COVID-19 pandemic. WHRDs support a human rights-based approach to the pandemic, provide checks and balances to emergency powers, and lay the groundwork for creating resilient gender-equal cultures. However, COVID-19 has provided a cover under which WHRDs are being targeted for their work, resulting in harassment, intimidation, violence, incarceration, and even disappearance (UN WOMEN, n.d.).

Although the law provided protection, women faced systemic discrimination. Dalit women in particular faced gender and caste discrimination. Dalit rights activists maintained that laws against discrimination are too general and did not explicitly protect Dalit rights. They said most cases went unreported, and those that were reported rarely resulted in official action (Department of State, 2023). Irrespective of the efforts of WHRDs to advocate for social transformation and an end to structural violence, violence against women has been recognized as an "issue" but not as a "political issue". However, the state is slow to respond and implement court decisions or operationalize public policies in criminal justice. Rampant impunity, lack of serious commitment,

and a low level of political will from political leaders are challenges to addressing the root causes of discrimination and violence against women in Nepal.

Historically, systematic caste-based discrimination in Nepal originated around the time of the promulgation of the *Muluki Ain* (National or Civil Code), which was in effect from 1854 to 1963 and was a direct legacy of the medieval code. The King Mahendra later amended this National Civil Code. However numerous studies have revealed that this amendment failed to bring any significant changes whatsoever to caste-based discrimination or untouchability. The deeply rooted and systematic framework present in Nepal has normalized both deliberate and passive discrimination, indignity, and inequity in the everyday lives of Dalits. The impact of the *Muluki Ain* has been so profound that despite the criminalization of caste-based discrimination and untouchability in Nepal, it continues to pervade all levels of society virtually (Suji, 2019).

Dalit communities remain socially and economically vulnerable, politically and educationally excluded and disempowered in society, and continue to suffer from access to justice, marginalization, and economic deprivation. Although the legal provisions in Nepal have prohibited discrimination based on caste, in reality, caste-based discrimination and untouchability practices still widely exist in society. Lack of accountability for human rights violations affects access to justice and compliance with the rule of law and fosters general disregard for law and order and insecurity of Dalit women and other vulnerable groups. Withdrawals of criminal cases involving serious human rights violations undermine the rule of law and accountability (FEDO, 2002).

The society and state caused atrocities to Dalits for centuries but compared to the sufferings they had to go through, the struggle and movement were not so strong that challenged the society and state that compelled it to change the evil of untouchability and problems resulting from caste-based discrimination. The situation of Dalits in Nepal still today has not remarkably changed. Particularly on the economic front, most of the

Dalits have become poorer than before. The movements of Dalits have been divided into four stages (i) Movements before 1950 (during the Rana regime), (ii) Movement after the democracy of 1950, (iii) Movements during the Panchayat regime (1961-1990, and (iv) Movements after the restoration of democracy (1990 onwards). All three stages before 1990 have been considered 'then' and 1990 onwards 'now' (FEDO, 2002). The movement of Nepali Dalits against discrimination and social injustice is more than seven decades old but not much has been achieved.

Nepal has enforced the Caste-based Discrimination and Untouchability (Offense and Punishment) Act to recognize the cases of caste-based discrimination as illegal practices under the legal framework. The act resulted from prolonged struggles and pressure from Dalit activists, civil society organizations, and the international community. However, the implementation of the act has not been found very satisfactory as caste-based atrocities are still occurring throughout the country. Consequently, Dalits are still not getting justice and fully enjoying their human rights.

Despite positive efforts of the government to address the issues of caste-based discrimination, there has been a lack of adequate investment from the government to sensitize its public officials and raise public awareness among people to change social behavior and discriminatory attitudes. Similarly, although different organizations and institutions are working on the cause of the elimination of caste-based discrimination, the result has not been as expected. Although the legal provisions in Nepal have prohibited discrimination based on caste, in reality, discriminatory practices are still widely practiced in the society.

The history of women and Dalit movements is more than seven decades old. So far, the women's movement has been dominated by women belonging to the dominant caste – *Bahun-Chhetris* and the *Newars*. There is a negligible presence of Dalit women in the activities and campaigns organized by the organizations leading the women's movement. The main contention of the Nepali Dalit women activists is that the women's movement and the Dalit movement in Nepal do not address Dalit women's issues. They criticize the Nepali Dalit movement for being

male-dominated and male-centered and the Nepali women's movement for being led by upper-caste and middle-class women, thereby excluding Dalit, Madhesi, Janajati, and poor women (Suji, 2019).

Dalit movement is also gaining momentum. Although most of the leaders of the Dalit movement are Dalit men, nevertheless Dalit women leaders are also coming up. There is no doubt whatsoever that Dalit women can contribute significantly to both women's and Dalit movements in eliminating gender-based and caste-based discrimination respectively (FEDO, 2002). Unfortunately, both movements are heading in opposite directions concerning mutual help and cooperation. Nowadays, many other Dalit women's organizations are actively working to organize and empower Dalit women from the federal level to the grassroots level. The exclusion of Dalit women by the government, the women's movement, and the Dalit movement led to the formation of the Feminist Dalit Organization (FEDO) in 1994. FEDO is a non-governmental organization with social movement objectives. It uses advocacy networks to bring the movement inside institutions.

For a quarter of a century, the Association for Dalit Women Advancement Nepal (ADWAN) is committed to promoting and protecting human rights, including economic, social, cultural, and political rights in Nepal. The activities of ADWAN have focused on empowering women, children, Dalits, and marginalized people in society since 1998. It has championed the cause of Dalits and marginalized communities through socio-economic, advocacy, livelihood, and education programs. Center for Dalit Women Nepal (CDWN) was established as an NGO in March 2016 to help Dalit and marginalized women claim their rights, develop economically, and live in dignity. It is based in Kathmandu but works in rural districts to improve the dignified living conditions of Dalit women and Dalit communities. Except for the establishment of NGOs by a few Dalit women activists, the separate political wings of Dalit women have not been seen in existence to combat caste and gender-based discrimination as of now.

2.2. Dalit Women Network (DWN) and Dalit Women Activists in the local context

Dalit Women Network (DWN) is one of the Dalit women's rights organizations that started as a campaign for protecting the human rights of Dalit women in April 2018 at Kirtipur and formally registered as a non-governmental organization in the District Administration Office (DAO) on 20 February 2019. It has been affiliated with the Social Welfare Council (SWC). The core interest of the DWN movement is empowering women and holding local government responsive and accountable with a special focus on advancing human rights and access to the development and justice for Dalit women. DWN has made strong relationships with local government, women organizations, Dalit organizations, civil society organizations, and relevant stakeholders to raise the issues of rights, entitlements, and inclusion of Dalit women at local levels.

The organization has contributed to the promotion and protection of the human rights of Dalit women by strengthening the structure of the feminist movement (Dalit women groups, Dalit women activists, women human rights defenders, and its alliances) at the local level. DWN believes itself a campaigner to increase access for Dalit women to resources and service delivery, building the capacity of women human rights defenders, and women activists in advocacy campaigns to prevent caste and gender-based discrimination and promote inclusive local governance from Dalit women's perspective.

A group/network composed of 23 Dalit women activists and women human rights defenders (WHRDs) has been established at Kirtipur municipality level to promote and safeguard the human rights of women who belong to Dalits, marginalized, and other excluded groups. The group will constantly conduct monthly meetings to discuss issues and cases related to caste-based discrimination, untouchability, and gender-based violence. A group/network of Dalit women activists and WHRDs is acting as a vigilance or watchdog committee. The members of the group/network have been trained to function as women human rights defenders (WHRDs) to promote and protect the rights of Dalits, marginalized, and

other excluded women at the community level. During the group/network meetings, the Dalit women activists and WHRDs are encouraged and oriented to provide legal assistance to victims of human rights violations (caste-based discrimination and gender-based violence).

DWN provided food items and health and hygiene kits to over 100 families of Dalit women activists in Kantipur Municipality, Kathmandu, during the COVID-19 pandemic. The families were dealing with difficult circumstances, including struggles with accessing daily food, healthcare, and maintaining good hygiene. In addition to this support, 10 Dalit families received tailoring and shoe-making machines to help sustain their traditional occupations and livelihoods. Furthermore, 20 female activists received training in psychosocial counseling to support the traumatized community members. The Dalit women activists also played a vital role in providing community support during the COVID-19 pandemic.

A Vigilance Committee has also been formed with 15 members, comprising Dalit women activists, women human rights defenders (WHRDs), and locally elected women leaders. This committee has been established to monitor and provide legal aid for the victims of caste-based discrimination, untouchability, gender-based violence, and other human rights violations. Its primary task is to monitor and legally support cases of Gender-Based Violence (GBV) and human rights violations. The vigilance committee works in close coordination and cooperation with local committees, including judicial, ward-level mediation, police, lawyers, and human rights activists for investigating and prosecuting cases of untouchability and gender-based violence. They regularly meet to identify and monitor caste-based discrimination, untouchability, GBV, and human rights violations and provide legal assistance to the victims (DWN, 2024).

Dalit women activists and women human rights defenders are also facing huge caste-based discrimination, untouchability, gender-based violence, and exploitation. Poverty and lack of other means of livelihood forced them to continue their traditional occupation with very minimum

wage. Lack of knowledge and skills in modern technology and financial resources prevents employment in new industries or trade markets. Government officials generally ignore Dalit women seeking government services and at times ill-treatment. They are treated like second-class citizens and services provided are delayed. There are safety and security threats for Dalit women activists to claim the human rights and justice of Dalit women. The caste system hinders the ability of Dalit women activists to sustain their activism or protect themselves from risks and threats.

In these circumstances, DWN is providing its effort and contribution to addressing the issues of caste-based discrimination, gender-based violence, and different forms of violence and exploitation against Dalit women activists and WHRDs. Working alongside experienced women activists and women WHRDs from Dalits and marginalized groups will benefit from their wisdom, mentorship, and knowledge. The formation and mobilization of Dalit women activists and WHRDs group/network and vigilance committee is an investment in the long-term sustainability of the Dalit women movement which contributes to building a holistic safety and care structure for fighting against caste-based discrimination and gender-based violence at the grassroots level. DWN should collaborate with provincial and national activists to mobilize Dalit women and WHRDs against caste-based discrimination and gender-based violence at the grassroots level by giving attention to safety and care strategies.

Chapter - Three

INTERNATIONAL AND NATIONAL PROTECTION MECHANISMS

3.1. Committee on the Elimination of Discrimination against Women (CEDAW)

The Committee on the Elimination of Discrimination against Women (CEDAW) is the body of independent experts that monitors the implementation of the Convention on the Elimination. The CEDAW committee consists of 23 experts on women's rights around the world. It was established in 1982 to monitor the State's compliance with its international obligations under the 1979 Convention on the Elimination of All Forms of Discrimination against Women (Barcia, 2014). It is an international legal instrument that requires countries to eliminate discrimination against women in all areas and promotes women's equal rights.

The countries that have ratified the Convention are to present an initial report within one year of ratification and subsequent periodic reports every four years on the progress made to achieve equality for women in the country. The Committee examines national reports and holds dialogue with State parties to exchange views and gather information on the measures taken to advance the situation of women in the country. At the end of each session, the Committee adopts Concluding Observations highlighting the progress achieved, as well as areas of concern and recommendations for improving the situation of women's rights in the country. Civil society organizations play a crucial role in this process by submitting independent or shadow reports and oral presentations to bring women's concerns to the attention of the CEDAW Committee.

Nepal ratified the CEDAW Convention on April 22, 1991. The Convention

obliges States parties to submit to the Secretary-General a report on the legislative, judicial, administrative, or other measures that they have adopted to implement the Convention within a year after it entered into force and then at least every four years or whenever the Committee on the CEDAW so requests. These reports, which may indicate factors and difficulties in implementation, are forwarded to the CEDAW for consideration. However, the initial report of Nepal was submitted only on November 16, 1998. The second and third periodic reports were submitted on November 26, 2002. The fourth and fifth combined periodic reports were submitted after a significant gap in July 2009. The Shadow Report on the fourth and fifth periodic reports was submitted in 2011. Consequently, the CEDAW Committee considered the issues at its 989th and 990th meetings, and on 20 July 2011, issued the Concluding Observations to the Government of Nepal.

The Government of Nepal has not obliged either of the two requests. Considering the vulnerability of women in the aftermath of the earthquake that struck the country on April 25, 2015, and the urgency to implement the new constitution, the Civil Society comprising more than 50 organizations decided to prepare the Alternate Report on CEDAW in the absence of the Sixth Periodic Report of the government. This report was prepared to encourage the government to submit the due 6th Periodic Report in a participatory manner involving coordination from different organizations working on the women's rights sector. The provided information on the status and implementation of women's rights is categorized in Articles 1-16 of the Convention. Three issues Women and Disaster; Women, Peace, and Security; and Women's Right to Information have been identified as critical issues and thus have been incorporated into this report.

This report, while documenting positive implementation of the rights of women also pointed out the gaps that remain and even mentioned some of the regressive steps that have been taken about women's rights in Nepal. It made several concrete recommendations that must be addressed in the immediate future if Nepal does complete compliance with CEDAW

and its General Recommendations (CEDAW SRPC, 2016). Shadow Report on Sixt Periodic Report of Nepal on CEDAW (2018 October) was prepared in a participatory manner involving a coalition of 93 civil society organizations i.e. CEDAW Shadow Report Preparation Committee (SRPC) with Forum for Women, Law, and Development (FWLD) as the Secretariat of the coalition. Documenting the positive implementation of this report has pointed to the critical areas of concern about women's rights in Nepal. It also made recommendations that should be addressed during constructive dialogue and in concluding comments for Nepal to comply with CEDAW and its GR.

While looking at the article related to Discrimination Against Women in this report, the critical areas of concern were: the absence of a definition of discrimination against women in line with the definition of discrimination in Article 1.3; indirect forms of discrimination have not addressed by the law. No viable steps have been taken to address intersectional and multiple forms of discrimination against women, especially Dalit women, women with disabilities, displaced women, women from religious and sexual minorities, indigenous women, and Madhesi women. The Constitution has prohibited discrimination on any ground and has amended gender-discriminatory legal provisions. Recommendations were: adopt a comprehensive definition of discrimination against women in the legislation to encompass both de jure and de facto discrimination, direct and indirect discrimination in line with Article 1 of the Convention along with the definition made by CRPD and CERD to address the issues of intersectionality and multiple discrimination (FWLD, 2018).

Nepal has been making legal and institutional improvements for the promotion of women's rights, by establishing protection mechanisms such as the National Human Rights Commission and National Women's Commission. However, the status of Nepali women remains vulnerable due to weak enforcement of laws, policies, and plans of action, and poor performance of state mechanisms. It is partly happening due to a lack of infrastructure, resources, and responsible governance, but mostly because of the state's unwillingness to invest enough resources for the protection

of women and their rights. Although not an urgent protection mechanism, working with the CEDAW Committee can contribute to enabling an environment for WHRDs and providing legitimacy to their work.

Since Nepal is a state party to major international human rights instruments, it has adopted a comprehensive legal framework for domesticating international obligations into national legislation. The Constitution of Nepal, 2015 (hereinafter "The Constitution") in its preamble aims to end all forms of discrimination and oppression against all people of Nepal. It guarantees the right to equality and rights of women under the fundamental rights. Moreover, it can be seen that the Constitution contains provisions for institutional mechanisms relating to gender equality. Other Nepalese statutes also reveal legal safeguards on special provisions for women. However, the deep-rooted patriarchal mindset often takes precedence over these laws and policies, regressing the status of women.

Despite the legal guarantees for women's rights and gender equality, practical implementation remains a major challenge to the compliance of Nepal's treaty obligation under CEDAW. There is a lack of concrete measures especially on the monitoring part to improve the implementation of the function and responsibilities being taken by all the state mechanisms (Executive, Legislature, and Judiciary) on the issues of concern, especially for Dalit women and other women who are living in the vulnerable condition.

The alternate report (CEDAW Shadow Report) is prepared in collaboration with more than 100 NGOs/CBOs from all seven provinces of Nepal, in line with the government's recent periodic report focusing on VAW, FMWs, WHRDs, online GBV, and women's health. This is a supplemental report to the consolidated alternative report of the CEDAW led by the Forum for Women, Law, and Development as part of the collective efforts of the Human Rights Treaty Monitoring Committee (HRTMC). The CEDAW treaty is a tool that helps women around the world to bring about change in their daily lives. The countries that have ratified the treaty, CEDAW have proved invaluable in opposing the effects of discrimination, which include violence, poverty, and lack of legal protections, along with the

denial of inheritance, property rights, and access to credit.

UN experts on gender discrimination voiced concerns over the difficulties elected Dalit women face in Nepal, the Need for proportional inclusion of Dalit women in the Judiciary, and the extreme poverty faced by many Dalit women as a result of discrimination and stigmatization. The comments were made by the CEDAW committee members at the review of the 6th periodic report of Nepal, on 23 October 2018. The Feminist Dalit Organization (FEDO) of Nepal and IDSN presented a joint civil society report, denouncing several instances of discrimination against Dalit women, such as low level of representation in government, the lack of specific legislation on multiple forms of discrimination, like gender and caste, stereotyping, and cultural prejudices against Dalit women (Sunar, 2021).

During the dialogue with the government, the Committee experts inquired of the Government on the enactment of a comprehensive legal definition of gender and its intersectional forms, which affects Dalit women. The Committee also voiced concern about the difficulties elected Dalit women face to represent their interests, mostly due to lack of capacity to perform the relevant duties or to discrimination and stereotypes regarding their place. Moreover, the experts inquired the government on the measures taken to remove Dalit and rural women, and other vulnerable groups, from extreme poverty, in which 25 % of the population remains. However, the government of Nepal does not seem serious about implementing CEDAW recommendations from the perspective of Dalit and marginalized women.

As public service delivery occurs primarily at the local level, biased attitudes and behaviors of local actors and institutions are central to effectively addressing the problem with due diligence. Despite laws and mechanisms, due to various malpractices at local and central levels, Nepal is failing to progress in actuality. There is still a wide scope for developing the necessary strategy to fill the gap of exclusion and inequality and accelerate the achievement of substantive equality and inclusion through an intersectional approach within women ensured by CEDAW.

3.2. UN Declaration on Human Rights Defenders

Following the UN Declaration on Human Rights Defenders, the term “human rights defender” is understood to include anyone who, individually or with others, acts to promote or protect human rights, regardless of their profession or other status (OSCE ODIHR, 2014). Human rights defenders expose human rights violations and advocate, alert, and draw attention to prevent such violations. Human rights defenders stand as the first and closest source of information about incidents of human rights violations. The Universal Declaration of Human Rights, 1948, and the International Covenant on Civil and Political Rights, 1966 have recognized the freedom of human rights defenders by providing for freedom of thought and expression, and the right to peaceful assembly and association.

Nepal is a party to seven major international human rights conventions including other various human rights conventions. The Declaration of Human Rights Defenders was released in 1998 by the United Nations as an important instrument for the protection of human rights. All rights for all are the fundamental values of human rights. If human rights are concentrated on any specific group, gender, region, or community, it would violate the essential principles of human rights such as justice, equality, and dignity. The state provides for constitutional, legal, and institutional measures for realizing the norms and values of human rights, while international laws are recognized.

Human rights defenders play an important role in preventing human rights violations, seeking justice and reparations for violations, and advocating for improvements in the human rights situation through oversight, monitoring, and lobbying. However, human rights defenders face specific risks and are often targets of serious abuses as a result of their human rights work. Therefore, they need specific and enhanced protection at local, national, and international levels (OSCE ODIHR, 2014). In this connection, WHRDs are working in Nepal to advance human rights and fundamental freedoms, end discrimination and structural violence, and empower women to become change-makers instead of victims. They are exposed to heightened risks due to the specific nature of their work,

the issues they are working on, the context in which they operate, their geographical location, or because they belong to or are associated with a particular group.

WHRDs have faced serious discrimination based on gender, work, and the rights they work for. The struggle of WHRDs to change patriarchal norms, values, and structural violence has culminated in control over their bodies and physical integrity. WHRDs who identify as lesbian, gay, bisexual, transgender, intersex, and queer (LGBTI) persons (including trans men), sex workers, women's health workers, Indigenous rights activists, historically marginalized women's rights champions, women migrant workers, women impacted by conflict and poverty, women with a disability and users of drugs are often further marginalized by the social stigma they carry, increasing their exposure to violence and threats (ALRC, 2011).

The rights of human rights defenders have not been guaranteed as enshrined in the Declaration of Human Rights Defenders. The security of HRDs, particularly WHRDs, should be the priority of the state, and status should enforce the laws, policies, and mechanisms for the protection of HRDs that respect and document the contribution of HRDs and WHRDs. The state should be responsible and accountable for the protection of those who are at risk as a result of their work in defending those rights, and on measures to create and consolidate a safe and enabling environment in which human rights defenders are empowered to carry out their vital work (OSCE ODIHR, 2014).

3.3. Special Rapporteurs to Support Human Rights Defenders

The Declaration on Human Rights Defenders was adopted in 1998 by consensus by all member states of the General Assembly. In 2000, the United Nations Commission on Human Rights (replaced by the Human Rights Council in 2006) established the mandate of the Special Representative to promote the effective implementation of the Declaration on the rights of human rights defenders. The

Human Rights Council elaborated on human rights matters further in 2011, 2014, 2017, and 2020. Now the Special Rapporteur on the situation of human rights defenders supports the implementation of the Declaration on Human Rights Defenders.

The Special Rapporteur carries out different activities to support the implementation of the Declaration. For example, it can take up individual cases. The Special Rapporteur can receive information concerning violations against WHRDs and can contact the State where the alleged violations (s) have occurred. The Rapporteur can request states to take appropriate action to address the alleged violations (Barcia, 2014). Several civil society organizations participated in drafting the Declaration to ensure it contained robust protections for defenders. The Declaration does not establish new rights; rather, it clarifies existing rights to facilitate their practical application to the role and circumstances of human rights defenders.

The mandate of the Special Rapporteur is easily accessible. It is not a legal mechanism and the person sending the communication to the Special Rapporteur doesn't need to be a lawyer or to exhaust any domestic remedies at the local or national level. The Special Rapporteur can bring international attention to violations against WHRDs and put pressure on national governments to act. The effectiveness of this mechanism is limited for several reasons. Many women human rights defenders are unfamiliar with the process, and states often fail to respond to the Special Rapporteur's requests for individual communications. The Rapporteur has a limited capacity for follow-up.

The Special Rapporteur can also undertake official country visits to gather information about the situation of defenders, identify specific concerns, and make recommendations to different State institutions on how to address those concerns. States have to consent to these visits. During these visits, the Special Rapporteur meets with various stakeholders, including government representatives, national human rights institutions, UN agencies, civil society organizations, WHRDs, and the media.

The Special Rapporteur also has a mandate to issue annual reports to the UN Human Rights Council and the UN General Assembly. These reports describe the activities undertaken during the year and analyze trends and concerns. Some reports analyze specific themes related to defenders and the challenges that they face. For example, in 2010, the Special Rapporteur presented a report to the Human Rights Council drawing attention to the risks and challenges faced by WHRDs and providing specific recommendations to enhance their protection. The role of the Rapporteur is to release a report with conclusions and recommendations for further action to improve the situation of defenders in the specific country. The reports are formally presented at the Human Rights Council.

Many of the reports include a chapter analyzing the situation of Women Human Rights Defenders in a specific country. The Special Rapporteur recommends the government "Recognize the legitimate work of women human rights defenders, acknowledge it as human rights work, ensure the removal of all obstacles that impede their work, and take proactive measures to support such work." While implementation of the recommendations depends on the willingness of the State, the reports are a useful tool for national advocacy. Therefore, strong advocacy is needed at the national level to recognize the legitimate work of women human rights defenders and support their work.

3.4. Legal System and State's Obligation for the Protection of Human Rights Defenders

The fundamental principle of human rights is that they are universal. If human rights only focus on specific groups, genders, regions, or communities, it contradicts the essential principles of human rights, such as justice, equality, and dignity. Governments should implement constitutional, legal, and institutional measures to uphold human rights values and norms, and should also comply with international laws. Consequently, government bodies, agencies, and human rights advocates play crucial roles in achieving the human rights of all citizens. Since its establishment in 1945, the United Nations has been rapidly developing

international human rights law. In parallel, mechanisms are being developed at both the international and national levels to ensure the implementation of human rights provisions.

As Nepal has ratified 24 international conventions on human rights, the state should be responsible and accountable to respect, protect, and enforce the provisions of human rights at the national level. Article 52 of the Constitution of Nepal mentions the obligation of the state to prevent and promote fundamental rights and human rights to observe the directive principles of the state, and gradually implement the policies. International treaties ratified by Nepal under Section 9(1) of the Nepal Treaty Act, 2047 are applicable as the laws of Nepal, and their provisions are recognized in the event of conflicts with prevailing laws. The preamble of the Constitution of Nepal emphasizes the commitment to the civil liberties, fundamental rights, and human rights of the people. Part III of the constitution outlines various fundamental rights, and various laws will have been formulated to implement the provisions and fundamental rights of the ratified human rights conventions in Nepal (Nepal Law Society, 2015).

The state is not only responsible for protecting its citizens and upholding their human rights but also for fulfilling the promises it has made regarding human rights. Fundamental rights serve as a measure of how well the government treats its citizens and also reflect the governance system of the nation. In the event of a breach of these rights, the judiciary has the authority to issue directives for remedy, and the state or government must ensure that fundamental rights are enforced. National Human Rights Institutions (NHRIs) play an important role in monitoring and promoting international human rights norms in a country. However, to function as an effective NHRI, they must adhere to the “Paris Principles” of 1993 (Kaundal & Shanthakumar, 2023).

In this connection, the national human rights institutions enshrined in the Constitution of Nepal have played an important role in protecting and promoting human rights at the national level. According to the constitution

and law, these commissions will study, monitor, study, and investigate various human rights issues and make recommendations and suggestions to the Government of Nepal or the concerned agencies. Eight different constitutional bodies have been set up to ensure the implementation of the human rights provisions committed by the state. Part 25 of the Constitution provides for the National Human Rights Commission. Part 27 includes the National Commission for Women, The National Dalit Commission, the National Inclusion Commission, the Indigenous Peoples Commission, the Madhesi Commission, the Tharu Commission, and the Muslim Commission (Bajagain, 2021).

The National Human Rights Commission is responsible for protecting and promoting human rights. Article 245 of the Constitution of Nepal 2015 has mentioned that the National Human Rights Commission has to ensure the respect, protection, and promotion of human rights and its effective implementation (Giri, 2022). There is a provision in the NHRC to establish a competent court for the protection and promotion of constitutional and legal rights, with defined functions, duties, and powers. As a constitutional body, NHRC has a key role in the effective protection of the rights of people which are safeguarded by the constitution and scattered laws (Giri, 2022). In line with the United Nations Declaration on Human Rights Defenders: the international human rights treaties and conventions, and the constitution and legal provisions of Nepal, the National Human Rights Commission introduced and implemented the Human Rights Defenders Guidelines in 2012 AD (NHRC of Nepal, 2022).

In addition, the Ministry of Home Affairs has issued the 'Order on Security and Protection of Human Rights Activists, 2021' to end the problems faced by human rights defenders while monitoring human rights violations. This order was issued and put in place in line with the prevailing laws of Nepal and the UN Declaration on Human Rights Defenders, 1998. The provisions of the order include action against anyone who intimidates or attacks the human rights defenders and relief and compensation to them or their families in case of any inconvenient

incident. As per the order, it shall be the duty of the government officials and security personnel to provide security to the human rights defenders.

No human rights defenders shall be arrested and sued for staging a peaceful protest against any person, government official, or leader for the protection or restoration of the human rights of citizens. Similarly, rights activists may seek information from the concerned bodies or officials regarding violations of a citizen's ability. If the concerned bodies or officials refuse to provide them with information, they can file a complaint with the National Human Rights Commission. Security arrangements shall be made for the security of human rights activists when they are engaged in collecting information about human rights violations. Legal action shall be initiated against any person or government official who is found to have intimidated and harmed the human rights defenders.

Human rights defenders play a crucial role in ensuring access to justice for victims and drawing attention to related issues. However, they often face various challenges, including psychological, social, physical, and legal obstacles, as they work to protect the rights of individuals and communities. The ongoing work of human rights defenders in support of victims has sparked widespread public grievances due to the lack of recognition and support for their efforts and identity. Given the current lack of security and recognition for human rights defenders, it is crucial to establish and effectively implement a law aimed at protecting and promoting their work. Human rights defenders are seeking protection, safety, and proper acknowledgment in their work.

Human rights defenders advocate for human rights education to prevent violations, seek justice and reparation when rights are violated, and oversee, monitor, and lobby for improved human rights conditions. The National Human Rights Commission is actively working to identify, secure, and support the role of human rights defenders, who play a crucial role in protecting and promoting human rights. The role of NHRC is to fulfill its constitutional mandate and advocate for the rights of human rights defenders. NHRC, National Women Commission, National Dalit Commission, and other national human rights institutions should play

the effective role of fulfilling their constitutional mandate in protecting and promoting the human rights of women from Dalits, marginalized, minority, and vulnerable groups, with priority first to recognize the activism of Dalit women activists and WHRDs with their safety and care (Bajagain, 2021).

3.5. Safety and Care for Women Human Rights Defenders and Dalit Women Activists

Women human rights defenders and Dalit women activists are committed to protecting and promoting the human rights of Dalit, marginalized, and minority groups. Many women human rights defenders have gone on to set up their organizations and safe houses to help their communities. The responsibilities of women human rights defenders and Dalit women activists include monitoring and documenting human rights violations, such as violence against women and caste-based discrimination, providing immediate assistance to victims, and collaborating with relevant stakeholders.

Men human rights defenders may not fully address women's issues in the same way as women human rights defenders do, and non-Dalit women human rights defenders may not effectively advocate for Dalit women. To ensure that the concerns of Dalit women are addressed, defenders and activists from both Dalit and non-Dalit communities must work together. Without the involvement of women human rights defenders and Dalit women activists, the prevalence of caste-based discrimination and gender-based violence may go unnoticed.

Safety and Care for women human rights defenders is a burning issue worldwide and also in Nepal. WHRDs need to engage constructively and safely with a sense of ownership and commitment to the causes of human rights violations and gender-based violence for women. This ensures that the struggle for justice and equality continues. Engaging WHRDs and women rights activists in human rights-related work will encourage them in their communities and beyond. Their energy and creativity can lead

to innovative approaches to promoting and protecting women's human rights.

WHRDs and Dalit women activists are exposed to gender-based violence because they are women, sometimes experiencing violence within their movements and organizations or at the hands of family or community members. WHRDs face all these types of violence because they defy a patriarchal culture and a hegemonic notion of sexuality that has placed women in an unequal position in the public and private spheres. The violence against WHRDs is often not registered because the State is not committed to considering political violence. In addition, WHRDs confront challenges derived from their work denouncing violations of human rights and seeking justice.

The risks and violations faced by Dalit women activists and WHRDs emphasize the necessity for tailored support and gender-specific protection measures that address their unique needs and challenges. Several mechanisms have been developed to protect WHRDs at risk, including initiatives developed by WHRDs, NGOs, national governments, and regional and international human rights bodies. Currently, specific mechanisms and solidarity networks can not be seen in place to build collective capacities and strategies, and a safe space to dialogue for WHRDs (Barcia, 2014). Traditional norms and societal attitudes discourage WHRDs from advocating for human rights, and their families and communities often undermine their status as activists. WHRDs are not trusted by their families and communities, and they are subjected to accusations of moral misconduct and blamed for disrupting families. They frequently encounter derogatory comments about their choice to engage in activism.

However, women human rights defenders face more hostility from their families and communities compared to their male counterparts. Families often refuse to support WHRDs and it is challenging to convince the community of the importance of their work. WHRDs also have to deal with financial crises at home, the burden of household work without help from family members, and false accusations of defiance and corruption

without a moral or religious basis. Dalit WHRDs face even greater challenges due to caste-based discrimination, compared to those from so-called upper castes (ALRC, 2011).

The UN Declaration on Human Rights Defenders recognizes the protection of human rights defenders as a fundamental human rights issue. States are obliged to respect the rights outlined in the document. However, in practice, full implementation has been lacking. Specifically, the rights of WHRDs have not been guaranteed as outlined in the Declaration. While the declaration adopted by the General Assembly is not legally binding, it includes rights explicitly mentioned in fundamental human rights documents such as the ICCPR, ICCSER, and Universal Declaration of Human Rights, all of which Nepal has ratified. As a result, Nepal must fulfill these rights as a state.

Many human rights defenders, including women activists and defenders, are working actively in their workplaces under great threats despite the lack of a separate mechanism, and more specifically, no laws have been made to protect the human rights defenders in Nepal. Informal Sector Service Center brought draft legislation on Human rights defenders in 2009. This draft is prepared based on the UN Declaration on Human Rights Defenders, which includes the definition of defenders, activities, duties, rights of defenders, and the state's duty to the defenders. The draft has made a provision for the remedy for the violation of the rights of defenders. Human rights defenders can complain to the district court about difficulties they face within one month of the incident (INSEC, 2011).

The draft legislation on Human Rights Defenders has been submitted to the National Human Rights Commission, but no action has yet been taken to debate and pass it in parliament. The National Human Rights Commission plays a significant role in addressing women's human rights violations. Women from any place can approach their respective NHRC development offices and lodge complaints to seek further assistance. There is no boundary in human rights for all times without any discrimination irrespective of religion, ethnicity, race, color, financial condition, and

nationality. Equality, justice, and human dignity can not be imagined without fundamental or established norms and values of human rights (NHRCN, 2020).

Dalit women activists experience significant discrimination based on their caste, as well as untouchability, gender-based violence, and exploitation. If the human rights of Dalit women activists and WHRDs are violated, they may file a writ at the court and file a complaint in the nearest police office. It shall be the duty of the police officers are concerned to investigate the case of the human rights violation with top priority for legal action. Nepal police have prioritized legal strictness against organized and heinous crimes and inhuman treatment of women and children with citizens-friendly service, and zero tolerance for corruption and malpractices. (NP 2019). Nepal Police has initiated a comprehensive campaign to prevent crime and maintain order at the community level by endeavoring a community police partnership. The police have been working closely with 753 local governments in 77 districts to orient and mobilize community people on law and order issues (CPP 2019).

Under the Constitutional provision and mandated by the Local Government Operation Act 2074 BS, Judicial Committees are established and operational in 753 Local Governments to mitigate the inefficiencies of the formal legal system and bridge the formal/ informal justice divide. Judicial committees were envisioned as the first line of justice to link individuals to various justice providers – mediation centers at the ward level, the lowest level court at the district level, the police, government legal departments, and other relevant justice service providers (Shrestha & Wagley, n.d.). The judicial committees are mandated to settle disputes between the citizens through mediation and adjudication as Chapter 8 (Section 46 to 53) of the Act has detailed the Jurisdiction and procedures to be adopted (Asian Academy for Peace, 2019).

Although the act has made clear the processes and jurisdictions of the Judicial Committees, there are many problems and challenges facing their effective operation. Most of the elected representatives, including the deputy mayors and deputy chairpersons, are inexperienced. They

also lack knowledge and experience in administrative and managerial matters, let alone judicial processes. If Judicial committees become effective, the jurisdiction of the District Court can also be gradually transferred to these local courts. There is a space for community Police Partnership, Local Judicial Committees, Mediation Centers, women's rights organizations, and civil society organizations to work together as safety and care mechanisms to prevent and protect the risks and violations faced by Dalit women activists and WHRDs through adopting gender-specific protection measures at the local level.

Chapter - Four

FINDINGS OF NEEDS ASSESSMENT

4.1. Findings of Safety and Care Needs Assessment of Dalit Women Activists and WHRDs

The findings from the study are categorized under four areas from the perspective of holistic safety and care of Dalit women activists and women human rights defenders: (i) economic viability and livelihood sustainability, (ii) legal and political protection, (iii) social and cultural support, and (iv) health and well-being. The findings of the study are presented based on the assessment.

4.1.1 Economic Viability and Livelihood Sustainability

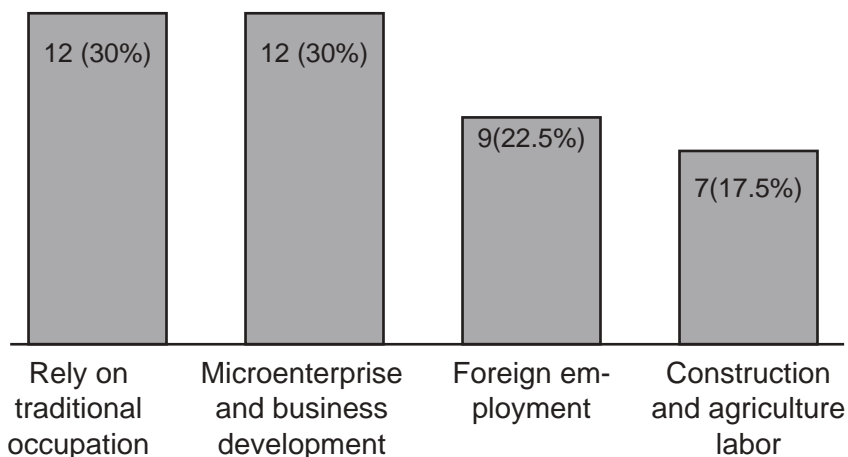
The study particularly focused on assessing the needs of Dalit women activists and women human rights defenders (WHRDs) to secure financial and economic resources at the personal and family level and continue social and political work.

4.1.1.1. Main source of income

Out of 40 participants, the assessment found that 12 (30%) rely on traditional occupations like shoemaking and tailoring for family income. Another 12 participants (30%) from non-Dalit communities stated that they depend on micro-enterprises and small businesses to sustain their families. Nine out of 40 (22.5%) participants rely on foreign employment and 7 (17.5%) earn income through wage labor in agriculture and construction.

4.1.1.2. Investment in economic empowerment and livelihood

Figure 1 : Main source of income



sustainability

Out of 40, 27 (67.5%) interview participants reported that they have skills that help them earn a living, while 13 (32.5%) participants do not have any skills to support their economic viability and livelihood. They are involved in traditional occupations to sustain their livelihood, but some struggle to cover all their expenses with their family's income. A few participants mentioned that they have been saving their earnings regularly without making any investments for economic empowerment and livelihood sustainability.

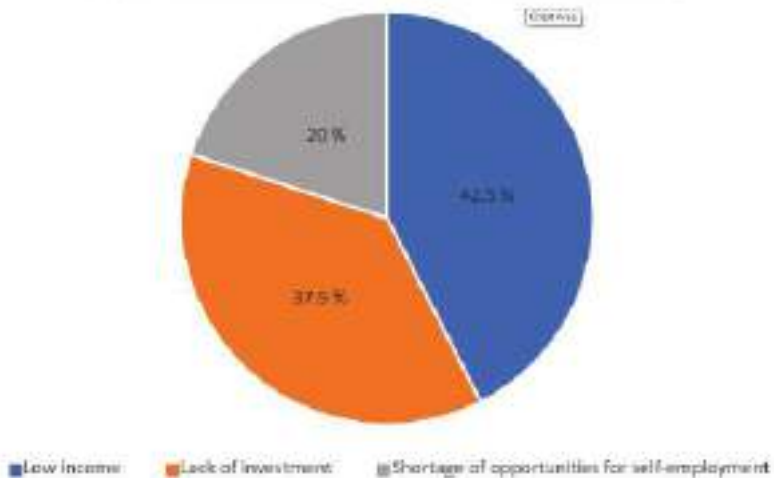
The FGD has highlighted the importance of economic opportunities to improve the economic situation of women from Dalits and marginalized groups so that they no longer have to depend financially on their husbands and male counterparts.

4.1.1.3. Problems and challenges in economic viability

The participants have faced problems and challenges in achieving economic stability and sustainable livelihoods for themselves and their

families. These include: (i) 17 (42.5%) participants said about low family income, making it difficult to cover household expenses and earn a living; (ii) 15 (37.5%) participants expressed the lack of necessary investment to run their enterprises businesses, leading to difficulties in repaying loans and meeting their children's education expenses, and (iii) shortage of opportunities for self-employment expressed by 8 participants (20%) out of the 40 participants in the interview.

Figure 2: Problems and challenges in economic viability



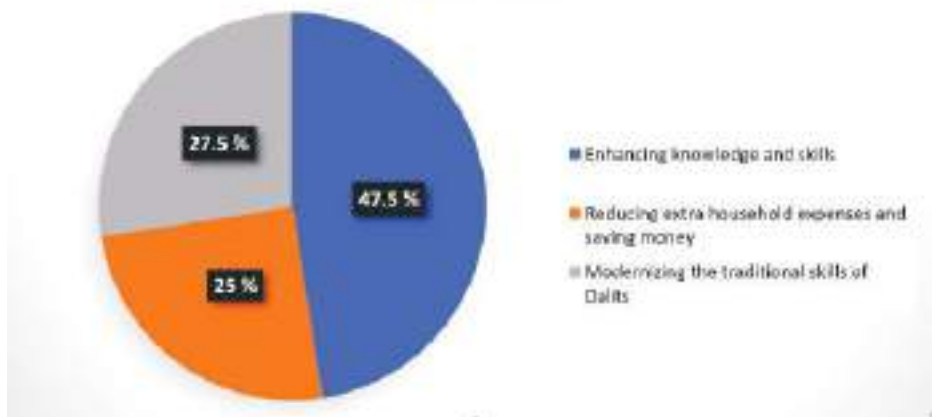
4.1.1.4. Effect of problems and challenges faced by women activists and defenders in their livelihood

The assessment examined the difficulties and obstacles encountered by women in attaining economic stability and livelihood sustainability for themselves and their families. Among the 40 participants interviewed, 28 (70%) participants expressed that low income has a detrimental effect on the physical and mental health of women, making it difficult to cover household expenses and afford their children's education, and 12 (30%) participants expressed the lack of knowledge and skills hamper to manage their enterprises and businesses.

4.1.1.5. Measures to address problems and challenges in economic viability and sustainable livelihood

Out of 40 participants, 19 (47.5%) said that enhancing their knowledge and skills and receiving support from the local government to obtain loans from financial institutions are the best ways to address the problems and challenges faced in running their enterprises and businesses. Ten participants (25%) expressed that reducing extra household expenses and saving money would be helpful, while 11 participants (27.5%) suggested modernizing the traditional occupations of Dalits to create self-employment opportunities.

Figure 3: Measures to address problems and challenges in economic viability and sustainable livelihood



4.1.1.6. The capacity to address the problems in economic viability and livelihood sustainability

Out of the 40 participants in the survey interview, 21 (52.5%) indicated that they have the necessary interpersonal communication skills to start and run an enterprise and business, 6 (15%) have leadership capacity, and 13 (32.5%) have knowledge and skills in promoting enterprise and business development. It reveals that most participants possess good communication skills, leadership capacity, and knowledge needed to run a business.

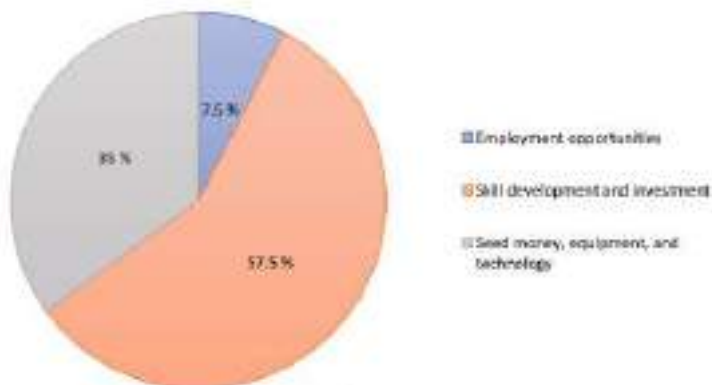
Figure 4: The capacity to address the problems in economic viability and livelihood sustainability



4.1.1.7. Resources and services required for economic viability and livelihood sustainability

Out of the 40 participants in the interview; 3 (7.5%) participants talked about employment opportunities related to their skills, 23 (57.5%) participants mentioned skill development and financial investment in enterprise and business through loans at low-interest rates without collateral, and 14 (35%) participants talked about receiving seed money, equipment, and technology support from private, government and non-government organizations to support their economic viability and livelihood sustainability.

Figure 5: Resources and services required for economic viability and livelihood sustainability



4.1.1.8. Support from family, organization, and community for economic empowerment and other development opportunities

Interview participants expressed that they receive support from their husbands for earning personal and family incomes, training and equipment from local government and non-government organizations to support income-generating activities, and the community unites and shows solidarity when needed, particularly in starting enterprises and businesses. The government and NGOs partially provide training, equipment, and technological support to some extent for economic empowerment and other development activities. Dalit women activists and WHRDs have limited capacity in areas such as women's economic rights, disaster management, environmental protection, good governance, and other development opportunities.

4.1.1.9. Supporting organizations and networks for economic development

Interviews with participants revealed that various organizations, such as the Women Empowerment Center, CAN, Dalit Women Network, World Vision, Good Neighbors, Ward Offices, Kirtipur Municipality, Lumanti Support Group for Shelter, Self-help Group, Sisters Group, and Women Groups, are working on economic empowerment at the local level. However, Dalit women activists and WHRDs receive nominal support from their families, organizations, and the community to increase personal and family income.

4.1.1.10. Available and accessible public resources and services for creating economic opportunities

The interview participants stated we do not have adequate access to public resources, services, and technical assistance to create economic opportunities and livelihood support for Dalit women activists and WHRDs. The government and non-government organizations partially provide training, equipment, and technological support to some extent

for economic development and livelihood improvement activities. The available resources and services i.e. Community housing, skill-based training, technical support, and group mobilization from local government and NGOs at the community level are nominal for economic viability and livelihood support.

The interview participants highlighted the presence of political bias, nepotism, favoritism, and caste-based discrimination against Dalit and marginalized women makes it difficult to engage in economic and livelihood sustainability-related enterprises and business activities. The participants emphasized the need for strong advocacy from networks and women's rights-based organizations to support the economic upliftment of Dalit women activists and WHRDs. Economic upliftment can help to engage women activists and defenders in their political work and the Dalit women's movement.

4.1.2. Legal and Political Protection

The study focused on assessing the enforcement of national and local policies and laws aligned with international human rights standards to protect and support Dalit women activists and human rights defenders.

4.1.2.1. Experience of caste-based discrimination and untouchability

Dalit women activists and women human rights defenders have experienced various forms of caste-based discrimination and untouchability. These include insults while speaking, being separated from eating, being banned from public places, not being allowed to sell water-mixed food items, segregation in public gatherings, being prohibited from cooking and serving food in public functions and being denied entry into private homes and temples.

However, they have not taken any action to punish the perpetrators of untouchability, discrimination, or violence against Dalit women.

Furthermore, they have not complained and reported the incidents to others. The reason behind not complaining about incidents of caste-based discrimination is the fear of revenge or attack. Even if they do speak up, they may not believe that they will receive justice, as they perceive that only non-Dalits have the power to deliver justice.

Case 1 :

According to a Dalit woman ward member, she was not invited to the public worship program organized by the community in the public temple. Another non-Dalit woman ward member was invited as a guest at the event. Religiously, Dalit women ward members are discriminated against and insulted in this way.

Case 2 :

Non-Dalit community denied a Dalit woman activist from worshipping in the Jalpadevi temple situation at Ward No. 6 of Kirtipur Municipality saying that it is a temple of our family deity. Dalit Women Network, along with the respective ward chair, other ward elected members, and civil society representatives, talked about allowing Dalit women to worship in the temple without discrimination in the public place. The ward chair also pledged to take the initiative to solve the problem. But so far, the Dalit women have not been allowed to worship in the temple. Now, the temple has been locked.

Case 3 :

There was not allowed to touch a basket containing milk when a Dalit woman, the former ward member went to buy milk at a grocery shop. She has been earning her living from the profession of stitching clothes. She has experienced non-Dalit women not being touched in measuring bodies for sewing clothes. Such discrimination persists indirectly in society by now.

4.1.2.2. Participation in policy or law-making processes

More than 80 % of participants do not have information about whether the municipality can make new policies or laws at the local level. Similarly, 25 (62.5%) participants expressed that either they or their family members were not in a leadership position in any organization during the interview. Women only hold the position of president and secretary in the groups formed by themselves. The assessment found that women are not in the senior positions of the committee and CBOs formed by men's leadership.

Dalit women are getting opportunities only for token representation as per the mandatory provision for representing women. The voices of locally elected Dalit women are not heard at the decision-making level of local government. The role of locally elected women is consistently subordinated to their male counterparts. They attempt to utilize their power in the local government and are met with male and so-called higher caste, pressure, and sometimes violence.

FGD participants stressed an increasing awareness among locally elected women and women political leaders about the importance of being politically involved. The problems and challenges faced by locally elected women are lack of trust from the people of their constituencies, political and psychosocial violence, mental torture, and not listening to their voices in meetings at ward and community levels.

4.1.2.3. Participation in planning processes

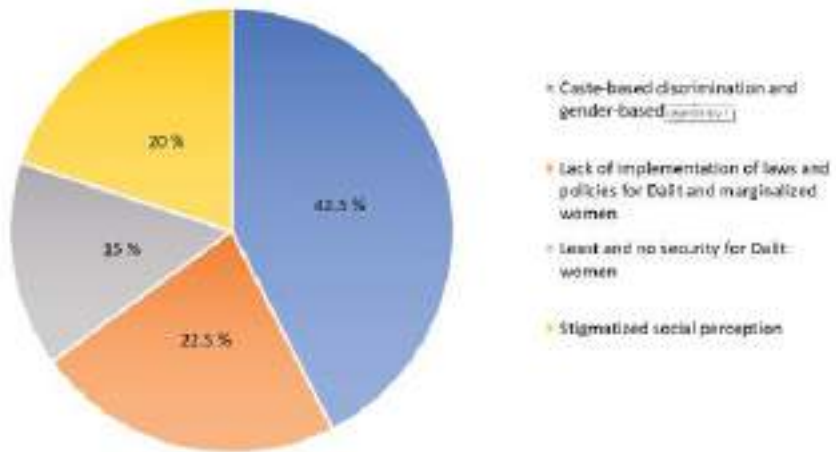
Out of 40 interview participants; 3 (7.5%) participants expressed that they had participated in discussions in the planning meeting conducted by the ward offices, and 37 (92.5%) participants did not know about their participation in planning processes organized by the municipality. Very few participants hardly say they participate in the discussions of planning processes organized by the Municipality.

4.1.2.4. Problems and challenges in legal and political protection

Out of the 40 interview participants, 17 (42.5%) participants expressed

that men do not listen to women; less trust, and have fewer opportunities for capable women due to the prevalent of caste-based discrimination and gender-based violence in society, 9 (22.50%) emphasized lack of gender-friendly laws and policies to support the issues of Dalit and marginalized women is challenging; 6 (15%) said about no security for Dalit women; and 8 (20%) expressed stigmatized social perception, accusation, backbiting, and no family support are challenges and risks they are facing in legal and political protection.

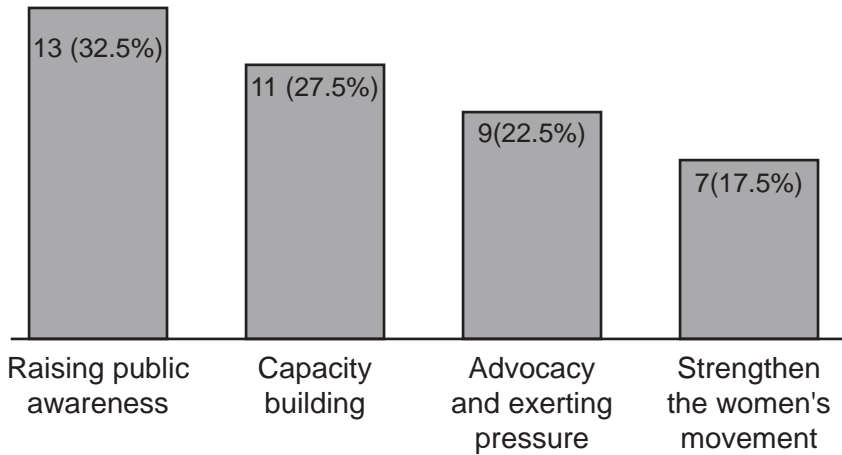
Figure 6: Problems and challenges in legal and political protection



4.1.2.5. Measures in dealing with the problems, challenges, and risks in legal and political protection

Out of 40 interview participants, 13 (32.50%) talked about raising public awareness among women; 11(27.50%) said the capacity building of women; 9 (22.50%) emphasized advocacy and exerting pressure on political and legal authorities; and 7 (17.50%) said about strengthening the women’s movement and support to the women organization are the measures to deal with the problems, challenges, and risks that have appeared before them in the security and care of women activists and defenders.

Figure 7 : Measures in dealing with the problems, challenges, and risks in legal and political protection



4.1.2.6. Legal and political skills

Out of 40 interview participants, 21 (52.50%) said that they have the ability to speak and win the hearts of others; 13 (32.50%) have leadership skills; and 6 (15%) have the knowledge to understand and explain legal matters.

4.1.2.7. Challenges and risks to create a conducive political and legal environment

The assessment found that the current political and legal environment poses challenges and risks for women activists and defenders to be involved in the human rights and justice of women are community people only trust the elected male representatives, biases based on caste and gender, political ideology, and affiliation, negligence of political leaders, local judicial committee, mediation centers to Dalit women issues, no social protection schemes for WHRDs.

4.1.2.8. Support from family, organization, and community for legal and political protection

Dalit women activists and WHRDs are not getting adequate political and legal protection. They have received training on leadership skills and capacity building on human rights, law, and mediation from the Dalit Women Network and local government in legal empowerment, political participation, and inclusion. Freedom from family burden, trust of community people, motivation, and appreciation of their work are needed to raise the voices of Dalit women activists and WHRDs against injustice and human rights violations. They expect support from their families, organizations, and communities regarding political and legal protection to be involved in human rights and social justice for women. Families, societies, institutions, and governments should be sensitive to addressing women's safety issues. In particular, women's rights activists agree that women's safety should be ensured from their homes internally.

4.1.2.9. Political and legal mechanisms for safety and care

The interview participants said that Dalit Women Network, TEWA, Women Empowerment Center, Change Action Nepal, Peace Volunteer Group, Women Groups, WHRD Network, Police Administration, Women Cell in Ilaka Police Office, WHRD Local Judicial Committee, Good Neighbors, Ward Level Mediation Committee are the existing institutions, mechanisms, or networks that provide political and legal support for safety and care of Dalit women activists and women human rights defenders at the local level. They are not effectively functioning for the safety and care of Dalit women activists and WHRDs.

Dalit women activists and WHRDs have expressed the need for specific mechanisms to advocate for the end of violence against women and create an enabling environment to exercise their freedom and rights as defenders. The measures include an adequate response from the state on issues of human rights violations, guarantee of the safety of their family members – especially children and safe houses (for temporary or longer stay), counseling services regularly, and, when needed, providing relocation of the activists and defenders.

4.1.2.10. Available services and support mechanisms for legal and political protection

The women's cell in the police office, legal counseling from the local judicial committee, and the ward-level mediation center will offer support services for justice. Dalit women activists and WHRDs are actively working on the issues around CBDU and GBV by raising voices to increase their access to available services and support mechanisms for legal and political protection. Even though there are local mechanisms (judicial committee, mediation center, police) in place, CBDU and GBV survivors hardly seek support and report the cases due to fear of social stigmatization, victim-blaming, and fear of compromising family honor.

Support mechanisms have not been created to protect Dalit women activists and WHRDs and address the persistence of CBDU at the local level. Dalit women activists and WHRDs said that ward offices and mediators are the most accessible platforms for the survivors. They also emphasized that finding a complete solution to the problem was impossible with the existing mechanism alone.

The participants of KIIs shared about the budget allocation from local government to the programs for legal literacy, economic empowerment to the programs for legal literacy, economic empowerment, and technology and equipment transfer targeting women. The municipality has not formulated policies or programs to ensure the safety and care of Dalit women activists and WHRDs. The safety and care of WHRDs is a relatively new area for the local government.

4.1.2.11. Hindrance in accessing available services and support mechanisms for political and legal protection

The participants in the interview indicated that they lack convenient access to available services and support mechanisms for legal and political protection. The caste-based discrimination, gender-based violence, political bias, lack of information, and nepotism have hindered access to the available services and support mechanisms in the work of

providing rights and justice for survivors of caste-based discrimination and gender-based violence.

4.1.3. Social and Cultural Support

The study focused on identifying the Need for recognition and respect provided by family and society for the work of Dalit women activists and WHRDs by analyzing the discrimination based on age, gender, ethnicity, caste, political belief, and cultural or religious norms.

4.1.3.1. Social and cultural problems, and challenges

The majority of interview participants (more than 60%) expressed that there are pervasive social and cultural problems, which are social stigmatization, caste-based discrimination, and untouchability, such as denial of worship in the temple, community gatherings, and feasts due to religious norms, and traditional thoughts followed by so-called upper castes. Prevalent caste-based discrimination, gender-based violence, and male-dominated society are problems and challenges to engage Dalit women activists and women human rights defenders in the women's movement. The political, social, and cultural challenges have directly affected the work of Dalit women activists and WHRDs.

4.1.3.2. Barriers to combating caste-based discrimination and gender-based violence

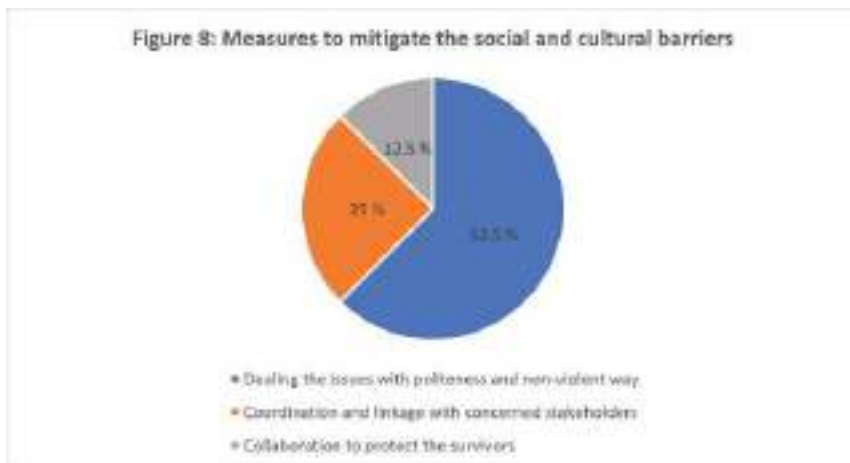
The male-dominated society, hierarchical social structure, lack of resources, limited knowledge and capacity of Dalit women activists and WHRDs in legal matters, the dominant and hierarchical mindset of male and non-Dalit people, and the role of dividers are the social and cultural barriers. These social and cultural barriers create unfavorable situations for Dalit women activists and WHRDs to combat caste-based discrimination, untouchability, and gender-based violence against Dalit women in society.

4.1.3.3. Other inhibiting factors in social and cultural support

Other inhibiting factors in social and cultural support expressed by interview participants are the negative perception, ignorance, and unacceptance from males on the work of Dalit women activists and WHRDs, culture of silence, lack of collaboration and unity among women, superstition, religious belief, traditional thinking, and harmful practices. The violence against Dalit women and girls is being practiced based on social, cultural, and religious norms and beliefs. Dalit women experience domestic violence, partner violence, sexual abuse physical and psychological, social, or cultural violence due to the persistent caste and gender discrimination in society.

4.1.3.4. Measures to mitigate the social and cultural barriers

Among 40 interview participants, 25 (62.5%) suggest dealing with the issues with politeness and non-violent way, 10 (25%) suggest coordination and linkage with concerned stakeholders such as political leaders, legal advisors, human rights organizations, law enforcement agencies to provide justice for survivors of discrimination and violence through legal treatment, and 5 (12.5%) suggest collaboration with political leaders, mediators, and other concerned stakeholders. It shows that the coordination, linkage, and collaboration with women rights activists, and formal and informal justice actors is a prime concern to protect the survivors of caste-based discrimination and gender-based violence.



4.1.3.5. Mechanisms, available public services, and resources for social and cultural support

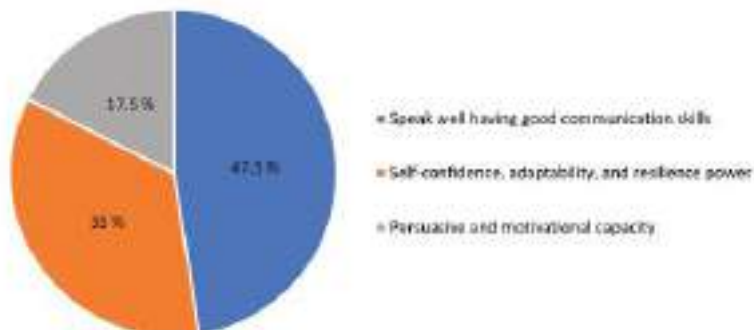
It came to know from the interview participants that Women Dalit Network (DWN), Change Action Nepal (CAN), National Human Rights Commission, National Women Commission, National Dalit Commission, Police Administration, World Vision, Good Neighbors, Local Government, Local Judicial Committee, Women's Cell in Police Office are the organizations and mechanisms to motivate, aware and empower community people in the aspects of social and cultural support. However, the national human rights institutions – NHRC, Dalit, and Women Commissions have not carried out any activities to build the capacity of civil society organizations to ensure the human rights of Dalit and marginalized women at the local level.

Interview participants said that available public services and resources for social and cultural support that they can easily access are *guthi*, services from municipality and wards, vigilance committee and network/group formed and mobilized by Dalit Women Network (DWN), cooperatives and micro finances, local judicial committee. They provide services for conducting ritual work, legal counseling, mediation services, assistance to survivors for fair justice, and dispute resolution through building social and cultural harmonious relations.

4.1.3.6. The capacity of women to grab social and cultural support

Out of 40 interview participants; 19 (47.5%) expressed that they can speak well having good communication skills, 14 (35%) participants have patience, self-confidence, adaptability, honesty, and resilience power and 7 (17.5%) have persuasive ability to grab social and cultural support.

Figure 9: The capacity of women to grab social and cultural support



4.1.3.7. Challenges and risks of embarking on a women's rights-based campaign

Out of the 40 respondents in the interview, 30 (75%) participants said the challenges and risks they face when embarking on a campaign to claim their rights. The challenges and risks for Dalit women activists and WHRDs are people accused of running after money, negative perception towards the social work of women, lack of security/safety, local authorities reluctant to prevent and respond to victims and survivors of caste-based discrimination and gender-based violence, and poor economic situation.

4.1.3.8. Factors preventing activism in the women's movement

Most interview participants expressed a lack of self-initiation, nepotism, favoritism, financial crisis, and lack of knowledge and information about social and cultural services and resources provided by social institutions. The caste and gender-based discrimination, political biases, reluctance from local authorities, structural discrimination, and family burden for women are the significant factors that prevent activism in the women's movement.

4.1.4. Health and Wellbeing

The study focused on assessing the awareness and knowledge of Dalit

women activists and Women Human Rights Defenders on physical and mental health, the healthcare services and facilities provided by health institutions, family, friends, and service providers to support women's health in immediate and long-term situations.

4.1.4.1. Essential things for personal health and well-being of women

The interview participants emphasized the importance of consuming healthy and nutritious food, having access to clean drinking water, practicing meditation, and engaging in physical exercise. These are essential for the personal health and well-being of women. Some also highlighted the significance of sanitation and environmental improvements at the family and community levels for women's good health and well-being.

4.1.4.2. Problems and risks in the health and well-being of women

During the interviews, participants expressed various health problems and risks such as uterus, thyroid, migraines, stomach problems, gastritis, urinary infections, high blood pressure, back pain, tumors, tuberculosis, cancer, heart, and chest pain. A lack of awareness, an unbalanced diet, the use of hazardous pesticides, pollution, and a lack of proper physical exercise are attributed to the women's health and well-being. It was observed in the field that inadequate hygiene practices, such as improper handwashing, unhygienic water storage in bottles and drums, and drinking contaminated water. Health issues such as poor sanitation and limited healthcare access are major contributors to the illnesses in Dalit communities.

4.1.4.3. Mental health problems

Interview participants have expressed their experience of domestic violence, high blood pressure, and heart-related health problems, which affect their mental health. Dalit women activists face discrimination and

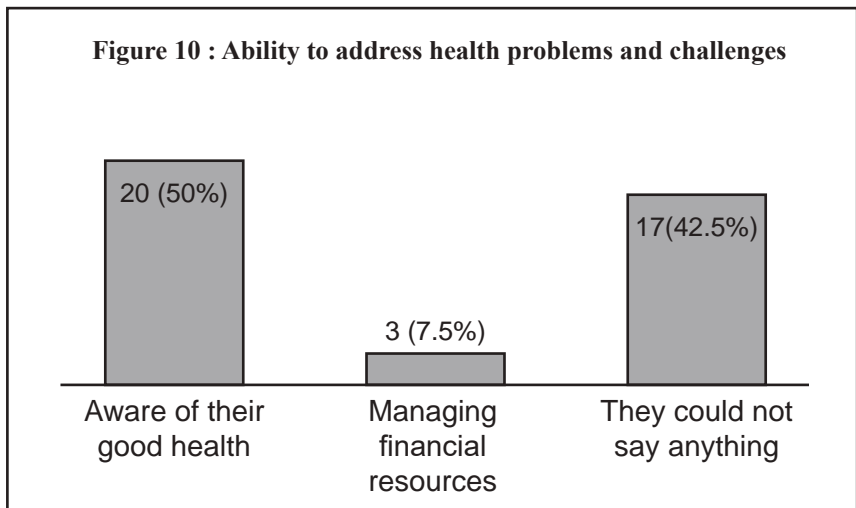
have a greater prevalence of depression and anxiety when compared with non-Dalit women human rights defenders. Causes of stigma were identified from the discussion in the interview to be supernatural, religious, cultural, caste-hierarchy, and a lack of awareness.

4.1.4.4. Level of health awareness

During the interview, 21 (52.50%) participants mentioned that physical exercise, physiotherapy, a balanced diet, and drinking plenty of water for better health, and 19 (47.50%) participants expressed regular health checkups, care, and stress management are essential to maintain their physical and mental health.

4.1.4.5. Ability to address health problems and challenges

During the interview, 20 (50%) participants expressed their ability to make people aware of good health with basic knowledge of medical treatment; only 3 (7.5%) participants can manage financial resources for treatment by taking loans from women cooperatives and groups; 17 (42.5%) could not have said anything in addressing the problems and challenges occurred in their physical and mental health.



FGD and KII participants shared that Dalit women activists, since they generally come from financially weak backgrounds and thus due to lack of nutritious diet, they do face multiple health problems. The local government has established a psycho-social counseling center to provide services for women affected by violence, trauma, and mental health.

4.1.4.6. Support from family, organization, and community

Most of the interview participants expressed that the family takes care during the illness and takes them to the hospital so that the family is supportive. However, Dalit and marginalized women are facing financial problems for their health treatment. In times of urgency, they will not get loans and borrowings from the community, cooperatives, and banks.

4.1.4.7. Available services, resources, and facilities on health and well-being

While asking the interview participants about available services, resources, and facilities for health and well-being; they expressed that health posts, hospitals, medical/clinics, health volunteers, and sometimes private and non-governmental organizations conduct health camps, provide medicine, health counseling, and ambulance services in their areas. Some interview participants did not provide information about available health services and resources. The health services accessible to Dalit women are significantly low compared to non-Dalit women.

4.1.4.8. Barriers to accessing health services, resources, and facilities

The barriers to increasing access to available services, resources, and facilities for health and well-being are political maneuvering, lack of information, priority for relatives and friends of service providers, voices of women being left unheard, health service providers, hospitals, and no information sharing. There is a lack of education, a worse economic situation, unequal opportunities, and less participation and representation

in the local health committee and decision-making process. The health services accessible to Dalit women are significantly low compared to non-Dalit women. Dalit and marginalized women are facing financial burdens and a lack of awareness and services for obtaining health support and treatment.

Chapter - Five

CONCLUSIONS AND RECOMMENDATIONS

5. 1. Conclusions

This study has raised and analyzed the issues, problems, and needs of the safety and care of Dalit women activists and women human rights defenders from different lenses in a holistic way. It analyzed the issues in four areas: (i) economic viability and livelihood sustainability, (ii) legal and political protection, (iii) social and cultural support, and (iv) health and well-being to reflect the lives of Dalit women activists and WHRDs and their efforts to promote and protect the human rights of women in society.

5.1.1. Economic Viability and Livelihood Sustainability

Dalit women activists rely on traditional occupations such as shoemaking and tailoring, including wage labor in agriculture and construction work as the source of their family income. Women human rights defenders from non-Dalit communities depend on micro-enterprises and small businesses to sustain their livelihood due to the limited opportunities.

Many Dalit women activists and WHRDs face financial challenges in running businesses and enterprises. The income of most Dalit women activists and WHRDs is not sufficient to survive for their families. They face a lack of opportunities for self-employment, which makes it hard to repay loans, make household expenses, and cover their children's education expenses, resulting in adverse effects on their physical and mental health.

Most participants possess good communication skills, leadership capacity, and knowledge needed to run a business. However, they receive nominal support from their families, organizations, and the community

to increase personal and family income. The government and non-government organizations partially provide training, equipment, and technological support to some extent for economic development and livelihood improvement activities.

The available resources and services i.e. Community housing, skill-based training, technical support, and group mobilization from local government and NGOs at the community level are nominal for economic viability and livelihood support.

Dalit women activists and WHRDs have limited capacity in areas such as women's economic rights, disaster management, environmental protection, good governance, and other development opportunities.

Dalit women activists and WHRDs need to enhance their knowledge, skills, and support mechanisms from the local government to obtain loans from financial institutions at low interest rates without collateral.

The modernization of the traditional occupation of Dalits is the best way to address the problems and challenges Dalit women activists face in running their occupation towards promoting enterprise and business.

During the interview, the majority of the participants highlighted that government and non-government organizations should work to provide employment opportunities, skill development training, financial investment, and seed money for the economic sustainability and livelihood support of Dalit women activists and WHRDs.

Dalit women activists and WHRDs are exposed to gender-based violence because they are women, sometimes experiencing violence within their movements and organizations or at the hands of family or community members.

Women rights activists must advocate for the economic upliftment of Dalit women activists and WHRDs and engage them in political work and the continuation of the Dalit women's movement.

5.1.2. Legal and Political Protection

Dalit women activists and women human rights defenders have experienced various forms of caste-based discrimination and untouchability. These include insults while speaking, being separated from eating, being banned from public places, not being allowed to sell water-mixed food items, segregation in public gatherings, being prohibited from cooking and serving food in public functions, and being denied entry into private homes and temples.

Dalit women activists and women human rights defenders lack knowledge about policies, laws, programs, and plans, and their voices are often not heard because of the dominance of their male counterparts at the decision-making level of local government.

The stigmatized social perception, accusation, backbiting, and no family support are problems and risks Dalit women activists and WHRDs are facing in legal and political protection. They face legal and political challenges due to the negligence of political leaders, the limited capacity of local judicial committees, the lack of social protection schemes, and the possibility of physical attacks.

Families, societies, institutions, and governments should be sensitive to addressing women's safety issues. In particular, women's rights activists agree that women's safety should be ensured from their homes internally.

The incidents of caste-based discrimination and untouchability have not been complained about and reported to the legal mechanisms due to fear of revenge or attack, male-dominated society, hierarchical social structures, and lack of knowledge in legal matters. Despite this, very few efforts on leadership skills and capacity building on human rights, law, and mediation were provided by DWN and local government.

Despite local mechanisms like judicial committees, mediation centers, and police in place, Dalit women activists and WHRDs often avoid providing support and reporting cases due to fear of social stigmatization, victim-blaming, and compromising family honor.

Support mechanisms are not playing an effective role in protecting the human rights of women and addressing the persistence of CBDU at the local level.

Dalit women activists and WHRDs argue that while ward offices and mediators provide an accessible platform for survivors, finding a complete solution is challenging due to the existing mechanisms.

5.1.3. Social and Cultural Support

Social stigmatization, caste-based discrimination, and untouchability, such as denial of worship in the temple, community gatherings, and feasts due to religious norms, and traditional thoughts followed by so-called upper castes are the pervasive social and cultural problems faced by Dalit women and entire Dalit community.

Among the social and cultural barriers faced by Dalit women's rights activists and women's human rights defenders are male-dominated societies, hierarchical structures, limited resources, limited legal knowledge, and the dominant mindset of men and non-Dalit individuals. These social and cultural barriers create unfavorable situations for Dalit women activists and WHRDs to combat caste-based discrimination, untouchability, and gender-based violence against Dalit women in society.

The negative perception, ignorance, and unacceptance from males on the work of Dalit women activists and WHRDs, culture of silence, lack of collaboration and unity among women, superstition, religious belief, traditional thinking, and other harmful practices are other inhibiting factors to bring women activists in front.

The violence against Dalit women and girls is being practiced based on social, cultural, and religious norms and beliefs. Dalit women experience domestic violence, partner violence, sexual abuse, and physical and psychological, social, or cultural violence due to the persistent caste and gender discrimination in society. In particular, women's rights activists agree that women's safety should be ensured from their homes internally.

The coordination, linkage, and collaboration with women rights activists, and formal and informal justice actors is a prime concern to protect the survivors of caste-based discrimination and gender-based violence.

DWN, CAN, World Vision, Good Neighbors, local government, and other CBOs will provide services and resources for raising community awareness, legal counseling, mediation, legal aid, and advocacy for human rights and justice.

The women's movement has been facing obstacles such as lack of self-initiation, nepotism, favoritism, political bias, structural discrimination, family burden, economic crisis, and lack of information about social institutions.

The caste and gender-based discrimination, political biases, reluctance from local authorities, structural discrimination, and family burden for women are the significant factors that prevent activism in the women's movement.

5.1.4. Health and Well-being

The health problems and risks such as the uterus, thyroid, migraines, stomach problems, gastritis, urinary infections, high blood pressure, back pain, tumors, tuberculosis, cancer, heart, and chest pain Dalit women activists and WHRDs face.

A lack of awareness, an unbalanced diet, the use of hazardous pesticides, pollution, and a lack of proper physical exercise are attributed to the women's health and well-being. Domestic violence, high blood pressure, and heart-related health problems affect the mental health of women.

The Dalit women activists face discrimination and have a greater prevalence of depression and anxiety when compared with non-Dalit women human rights defenders. Causes of stigma and mental health are supernatural, religious, cultural, caste-hierarchy, and a lack of awareness.

Dalit women activists and WHRDs mentioned that physical exercise,

physiotherapy, a balanced diet, drinking plenty of water for better health, regular health checkups, care, and stress management, are essential to maintain physical and mental health.

Domestic violence, high blood pressure, and heart-related health issues negatively impact women's mental health, with Dalit women activists experiencing higher rates of depression and anxiety compared to non-Dalit women.

The available public services and resources for health and well-being are health posts, hospitals, medical/clinics, female community health volunteers, and private and non-governmental organizations conducting health camps, medicine, health counseling, and ambulance services at the local level.

Political maneuvering, lack of information, prioritizing health services for relatives and friends, leaving women's voices unheard, and lack of information sharing are barriers to increasing access to health services and resources.

The lack of health education, worse economic conditions, unequal opportunities, and underrepresentation of women in local health structures and decision-making processes are prevalent issues.

The health services accessible to Dalit women are significantly low compared to non-Dalit women. Dalit and marginalized women are facing financial burdens a lack of awareness and limited access to health treatment and services compared to non-Dalit women.

Overall, the major issues and challenges faced by Dalit women activists and WHRDs are low family income, lack of investment, shortage of opportunities in the creation of self-employment, social stigma, caste-based discrimination, untouchability, gender-based violence, poor social protection system, not effective implementation of policies and laws, etc. Dalit women activists and WHRDs have the capacity to some extent to address the issues and challenges faced by them. Consequently, the study has concluded that it is imperative to strengthen the women's movement at

the grassroots level through public awareness raising, capacity building, economic empowerment, access to justice, political participation, health rights, and policy advocacy to address the issues and challenges endured in the safety and care of Dalit women activists and WHRDs.

5.2. Recommendations

Based on the findings of the study on safety and care needs assessment of Dalit women activists and WHRDs, the following recommendations have been derived for future actions of concerned stakeholders to consider:

- The National Human Rights Commission should play a vital role in debating and passing legislation on Human Rights Defenders from parliament based on the UN Declaration.
- The National Human Rights Commission, National Women Commission, and National Dalit Commission should enhance the capacity of women human rights defenders to investigate and prosecute cases of caste-based discrimination and gender-based violence with a safety and care approach to their activism.
- The Government of Nepal (federal, provincial, and local government) should establish specific standards to ensure the safety and care needs of Dalit women activists and WHRDs and implement the programs and policies to address their issues from economic, legal, political, social, cultural, and health aspects.
- The government of Nepal must introduce protection mechanisms for Dalit women activists and women human rights defenders to be replicated through the local government.
- Details and records of Dalit women activists and WHRDs should be maintained to carry out promotional programs and adopt necessary procedures for their recognition and respect at the local level.
- Local government should establish a mechanism and create a supportive environment to acknowledge and document the efforts of Dalit women activists and WHRDs in investigating and prosecuting

the incidents/cases of caste-based discrimination, untouchability, and gender-based violence.

- Local government should focus on designing and implementing effective policies, programs, and plans, investing financial resources and services for the economic viability of Dalit and marginalized women, and modernizing their traditional occupation.
- The policies and guidelines on women's rights to education and health, ending all kinds of discrimination, untouchability, and violence against women, and access to justice for the survivors should be developed and implemented at the local level.
- Special provisions should be established for the safety and care, emergency, rescue, and rehabilitation of Dalit women activists and WHRDs who will be more vulnerable due to their engagement in the human rights of women from Dalit and marginalized groups.
- A human rights action plan should be introduced in human rights and access to justice for Dalits and marginalized women.
- The capacity of Dalit women activists and WHRDs should be enhanced in areas of women's rights, disaster management, protection of the environment, good governance, and development opportunities through the development and use of a guideline framework.
- Civil society organizations should strongly launch the advocacy with the government for effective implementation of the United Nations Declaration on the Protection of Human Rights Defenders, 1998, and CEDAW recommendations from the perspective of Dalit and marginalized women.
- The women's movement should be strengthened at the grassroots level through public awareness, capacity building, and policy advocacy to address the issues and challenges endured in the safety and care of Dalit women activists and WHRDs.
- The women's movement should be strengthened and sustained at the grassroots level through self-care awareness, capacity building, and policy advocacy to address the problems and challenges seen in the

safety and care of Dalit women's activists and women human rights defenders and to lead a stress-free life for women.

- NAWHRD should strongly support Dalit women activists and WHRDs at the community level by empowering, mobilizing, and advocating for legal solutions to emerging challenges.

अध्ययनको निष्कर्ष र सिफारिश/सुझावहरू (संक्षिप्तमा)

परिचय

नेपाली समाजमा जरा गाडेर बसेको पदानुक्रमित सामाजिक संरचनाका कारण दलित महिलाले जातीय विभेद, छुवाछूत र लैङ्गिकतामा आधारित हिंसाका समस्याहरू लामो समयदेखि भोग्दै आएका छन् । दलित र सीमान्तकृत महिलाहरू शिक्षा, आर्थिक अवसर, रोजगारी, स्वास्थ्य जस्ता आधारभूत आवश्यकता, सार्वजनिक सेवा र सुविधाहरूबाट बञ्चित छन् । दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूले जातीय विभेद र लैङ्गिकतामा आधारित हिंसाका मुद्दाहरूलाई सम्बोधन गर्न साहशपूर्वक लड्दै आईरहेका छन् । तापनि समाजमा जरा गाडेर बसेको विभेदकारी सामाजिक संरचनाका कारण उनीहरूले उत्पीडन, असुरक्षा, धम्की र जोखिमको सामना गरिरहेका छन् । दलित र सीमान्तकृत समुदायका महिलालाई न्यायपूर्ण र रूपान्तरणकारी बनाउन महिला अधिकारकर्मीहरू निरन्तर लागिपरेका छन् । दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूको आन्दोलनले स्थानीय तहमा लैङ्गिक हिंसा र जातीय विभेद अन्त्य गर्न महत्वपूर्ण योगदान पुऱ्याउने विश्वास लिईएको छ ।

दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकले समुदाय स्तरमा घटेका मानव अधिकार उल्लंघनका घटनाहरूको अनुगमन गर्नुका साथै जातीय विभेद, छुवाछूत र लैङ्गिक हिंसा पीडितलाई न्यायका लागि पहल गर्न घटनाको अभिलेख राख्छन् । तर, गैरदलित महिला अधिकारकर्मीले दलित महिलाका मुद्दालाई दलित महिला अधिकारकर्मीले जसरी हेर्न सक्छन्, त्यसरी हेर्न सक्दैनन् । यसले जातीय विभेद, छुवाछूत र लैङ्गिकतामा आधारित हिंसाविरुद्ध लड्ने सक्रियता र स्वयंसेवामा उत्पीडन र असुरक्षित बनाइएका दलित महिलाहरूलाई प्रतिकूल असर पारेको छ । समाजमा महिला विरुद्ध हुने भेदभाव र हिंसा अन्त्यका लागि सामाजिक मूल्य, मान्यता, र प्रणालीलाई सुरक्षा र सावधानीका साथ चुनौती दिन दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूलाई जागरुक तुल्याउनु, शसक्तिकरण गर्नु र संरक्षण गर्नु महत्वपूर्ण छ ।

यसै पृष्ठभूमिमा आर्थिक व्यवहार्यता र जीविकोपार्जनको दिगोपना, कानुनी तथा राजनीतिक संरक्षण, सामाजिक तथा सांस्कृतिक सहयोग, स्वास्थ्य र कल्याणका पक्षहरूको विश्लेषण गरी दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूको सुरक्षा र हेरचाह

सम्बन्धी आवश्यकताहरूको पहिचान गर्नका लागि अध्ययन केन्द्रित थियो । जातीय भेदभाव, छुवाछूत र लैङ्गिक हिंसाविरुद्धको अभियानमा दलित महिला अधिकारकर्मी तथा महिला मानव अधिकार रक्षकहरूले सामना गर्नुपरेका जोखिम, धम्की र चुनौती साथै उनीहरूको सुरक्षा र संरक्षणका लागि स्थानीय सहयोग संयन्त्रहरूको अवस्था पत्ता लगाउने प्रयास पनि यस अध्ययनले गरेको छ ।

अध्ययनमा ४० जना दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूलाई व्यक्तिगत अन्तर्वातामा सहभागि गराईएको थियो । त्यसैगरी, स्थानीय तहमा निर्वाचित दलित र गैरदलित महिला, राजनीतिक महिला नेताहरूलाई लक्षित समूह छलफल र स्थानीय न्यायिक समितिका सदस्यहरू, नगर उपप्रमुख, प्रहरी र सरकारी अधिकारीहरूलाई मुख्य सूचनादाता अन्तर्वातामा संलग्न गराईएको थियो जसमा २४ जना व्यक्तिहरू सहभागि थिए । अध्ययनको निष्कर्षका आधारमा महिला आन्दोलनमा सुरक्षा र हेरचाहको दृष्टिकोणबाट दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूको महत्वपूर्ण भूमिका सुनिश्चित गर्न सुभावा/सिफारिसहरू प्रदान गरिएको छ ।

अध्ययनको प्रमुख निष्कर्षहरू

चार वटा विषयगत क्षेत्रभित्र रहेर अध्ययनले निम्नानुसारका प्रमुख निष्कर्षहरू निकालेको छ :

आर्थिक व्यवहार्यता र जीविकोपार्जनमा दिगोपना

- जुत्ता बनाउने, कपडा सिलाउने, सिलाइकटाई जस्ता दलितका परम्परागत पेसा, साथै कृषि र निर्माण क्षेत्रको मजदुर कार्यमा निर्भर दलित महिला अधिकारकर्मीहरूले सीमित मात्रामा आर्थिक अवसर पाउने गरेका छन् स्वरोजगारीका लागि बाधा र चुनौतीको सामना पनि गरिरहेका छन् ।
- सार्वजनिक स्रोत र सेवामा दलित महिलाहरूको पहुँच कम छ, जसले गर्दा आर्थिक अवसर सिर्जना र जीविकोपार्जनका लागि उनीहरूको क्षमता विकासमा बाधा पुऱ्याईरहेको छ ।
- नातावाद, पक्षपात र जातीय विभेदका कारण दलित तथा सीमान्तकृत महिलाहरू उद्यम तथा व्यावसायिक गतिविधिमा संलग्न हुन सकेका छैनन् ।
- परम्परागत पेसालाई आधुनिकीकरण गर्न सकियो भने मात्र दलित महिला अधिकारकर्मीहरूको उद्यमशीलता र व्यवसाय प्रवर्द्धनमा सहयोग पुग्दछ ।
- दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूले व्यक्तिगत

आयआर्जनका लागि आभनो परिवार, संस्था र समुदायबाट न्यूनतम सहयोग पाउँदछन् भने सरकारी र गैरसरकारी संस्थाहरूले आशिक रूपमा तालिम, उपकरण र प्राविधिक सहयोग प्रदान गरिरहेका छन् ।

- सीप विकास र आर्थिक सशक्तीकरणका लागि सामुदायिक भवन, सीपमूलक तालिम, प्राविधिक सहयोग र स्थानीय सरकार तथा गैरसरकारी संस्थाबाट समूह परिचालन आदि समुदायस्तरमा उपलब्ध स्रोत, साधन र सुविधा रहेका छन् ।
- आर्थिक अधिकार, विपद् व्यवस्थापन, वातावरण संरक्षण, सुशासन र अन्य विकासका अवसरहरूमा दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूको क्षमता सीमित छ ।
- दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकको आर्थिक तथा जीविकोपार्जनको दिगोपना सुनिश्चित गर्न सरकार र गैरसरकारी संस्थाले रोजगारीका अवसर, सीप विकास तालिम, वित्तीय लगानी र बीउ पूँजीको व्यवस्था गर्नुपर्ने माग गरिएको छ ।
- महिला अधिकार आन्दोलनले दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूको आर्थिक उत्थानका लागि पैरवी गर्नुपर्दछ र उनीहरूलाई राजनीतिक कार्य र दलित महिला आन्दोलनमा संलग्न गराउनु पर्ने देखिएको छ ।

कानूनी र राजनीतिक संरक्षण

- दलित महिला अधिकारकर्मीहरूले सार्वजनिक स्थल, निजी घर र मन्दिरमा जातीय भेदभाव र छुवाछूतको सामना गर्नुपरेको छ, तर यस्ता घटनाहरू कुनैपनि कानूनी सहायता संयन्त्रमा रिपोर्ट गरिएको देखिदैन ।
- दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूलाई नीति, कानून, कार्यक्रम र योजना तर्जुमा बारे जानकारीको अभाव छ र स्थानीय सरकारको निर्णय गर्ने तहमा पुरुष समकक्षीहरूको अधीपत्य रहने हुँदा महिलाहरूको आवाज प्रायः सुनिदैन ।
- राजनीतिक नेताहरूको लापरबाही, स्थानीय न्यायिक समितिका सदस्यहरूको सीमित क्षमता, सामाजिक सुरक्षा योजनाको अभाव र भौतिक आक्रमणको सम्भावनाका कारण दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूले कानूनी र राजनीतिक संरक्षणमा चुनौतीहरूको सामना गर्दै आईरहेका छन् ।
- न्यायिक समिति, मेलमिलाप केन्द्र र प्रहरी जस्ता स्थानीय संयन्त्रहरू भए तापनि दलित

महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरू अक्सर सामाजिक कलंक, पीडितलाई दोषारोपण र पारिवारिक इज्जतमा आँच आउने डरले प्रभावितहरूको मुद्दालाई साथसहयोग र रिपोर्टिंग गर्न डराउँछन् ।

- महिला मानव अधिकारको रक्षा गर्न र स्थानीय स्तरमा हुने जातीय विभेद, छुवाछूत र लैङ्गिकतामा आधारित हिंसालाई दृढतापूर्वक सम्बोधन गर्न सहयोगी संयन्त्रहरूले प्रभावकारी भूमिका खेल्न सकेका छैनन् ।
- दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकको तर्क छ कि वडा कार्यालय र मेलमिलापकर्ताहरूले पीडितहरूका लागि पहुँचयोग्य प्लेटफर्म त प्रदान गर्छन्, तर विद्यमान संयन्त्रहरूको कारण पूर्ण समाधान खोज्न चुनौतीपूर्ण देखिन्छ ।

सामाजिक र सांस्कृतिक सहयोग

- दलित महिला र सम्पूर्ण दलित समुदायले धार्मिक मान्यताका कारण सामाजिक लाञ्छना, जातीय भेदभाव, छुवाछूत लगायत व्यापक सामाजिक र सांस्कृतिक चुनौतीहरूको सामना गर्नु परिरहेको छ ।
- दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकका क्षेत्रमा कार्यरत संस्थाहरूले सामना गर्नुपरेका सामाजिक र सांस्कृतिक अवरोधहरूमा पुरुष प्रधान समाज, पदानुक्रमित संरचना, दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूले पाउने सीमित सामाजिक र सांस्कृतिक सहयोग, उनीहरूको कामप्रति नकारात्मक धारणा, र अस्वीकार्यता बाधकका रूपमा देखिएका छन् ।
- त्यस्तै मौन रहने संस्कृति, सहकार्यको कमी, अन्धविश्वास, धार्मिक विश्वास र अन्य हानिकारक अभ्यास, सीमित स्रोतसाधन, सीमित कानूनी ज्ञान, पुरुष र गैर-दलित व्यक्तिहरूको प्रभुत्वशाली मानसिकताको सामना गर्नुपर्ने स्थिति दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूमा देखिएको छ ।
- दलित महिला तथा बालिकाहरूले सामाजिक, सांस्कृतिक र धार्मिक हिंसाका साथै शारीरिक, मनोवैज्ञानिक र सांस्कृतिक दुर्व्यवहार सहनुपरेको छ ।
- आत्म-दीक्षाको कमी, नातावाद, पक्षपात, राजनीतिक पूर्वाग्रह, संरचनात्मक भेदभाव, पारिवारिक बोझ, आर्थिक संकट, र सामाजिक संस्थाहरूको बारेमा जानकारीको कमी जस्ता अवरोधहरू महिला आन्दोलनले स्थानीय तहमा भेल्दै आईरहेको छ ।

स्वास्थ्य र कल्याण

- दलित महिला अधिकारकर्मी तथा महिला मानव अधिकार रक्षकहरूले पाठेघर, थाइराइड, माइग्रेन, पेटसम्बन्धी समस्या, ग्यास्ट्राइटिस, पिसाबको संक्रमण, उच्च रक्तचाप, ढाड दुख्ने, ट्युमर, क्षयरोग, क्यान्सर, मुटु र छाती दुख्ने लगायत विभिन्न स्वास्थ्य समस्या र जोखिमको सामना गर्नुपर्दछ ।
- घरेलु हिंसा, उच्च रक्तचाप र मुटुसम्बन्धी स्वास्थ्य समस्याले महिलाको मानसिक स्वास्थ्यमा नकारात्मक प्रभाव पारेको छ ।
- दलित महिला अधिकारकर्मीहरूसँग गैरदलित महिलाको तुलनामा डिप्रेसन र चिन्ता सम्बन्धी उच्च खालको अनुभव छ ।
- राजनीतिक चलखेल, सूचनाको अभाव, आफन्त, साथीभाइ र नातेदारका लागि स्वास्थ्य सेवालार्ई प्राथमिकता दिनु, महिलाको आवाज नसुन्नु र सूचना आदानप्रदानको अभाव स्वास्थ्य सेवा र स्रोतसाधनमा पहुँच बढाउन बाधक छन् ।
- स्वास्थ्य शिक्षाको अभाव, खराब आर्थिक अवस्था, असमान अवसर, स्थानीय स्वास्थ्य संरचना र निर्णय प्रक्रियामा महिलाको न्यून प्रतिनिधित्व जस्ता समस्या समुदायमा व्याप्त छन् ।
- गैरदलित महिलाको तुलनामा दलित महिलाले ठूलो आर्थिक भार, चेतनाको कमी र स्वास्थ्य सेवामा सीमित पहुँचको सामना गर्नुपरेको छ ।

समग्रमा दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकहरूले सामना गर्नुपरेका प्रमुख समस्या र चुनौतीहरू न्यून पारिवारिक आय, लगानीको अभाव, स्वरोजगार सिर्जनामा अवसरको अभाव, सामाजिक लाञ्छना, जातीय भेदभाव, छुवाछूत, लैङ्गिक हिंसा, कमजोर सामाजिक सुरक्षा प्रणाली, नीति तथा कानूनको प्रभावकारी कार्यान्वयन नहुनु आदि देखिएका छन् । दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकसँग केही हदसम्म उनीहरूले सामना गर्नु परेका समस्या र चुनौतीहरूलाई सम्बोधन गर्ने क्षमता छ । फलस्वरूप, दलित महिला अधिकारकर्मी तथा महिला मानव अधिकार रक्षकको सुरक्षा र हेरचाहमा आइपरेका समस्या र चुनौतीलाई सम्बोधन गर्न जनचेतना अभिवृद्धि, क्षमता अभिवृद्धि र नीतिगत पैरवीमार्फत तल्लो तहसम्म महिला आन्दोलनलाई सुदृढ तुल्याउन आवश्यक रहेको यस अध्ययनले स्पष्ट पारेको छ ।

सिफारिश/सुभावाहरू

अध्ययनको निष्कर्षको आधारमा दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकको सुरक्षा र हेरचाहमा ध्यान दिन सम्बन्धित सरोकारवालाहरूलाई निम्न सुभावा/सिफारिशहरू प्रस्तुत गरिएको छ :

- राष्ट्रिय मानव अधिकार आयोगले संयुक्त राष्ट्रसंघको घोषणापत्रका आधारमा मानव अधिकार रक्षकसम्बन्धी कानूनमाथि बहस गर्न र संसद्बाट पारित गर्न महत्वपूर्ण भूमिका खेल्नुपर्छ ।
- राष्ट्रिय मानव अधिकार आयोग, राष्ट्रिय महिला आयोग र राष्ट्रिय दलित आयोगले जातीय विभेद, छुवाछूत र लैङ्गिक हिंसाका घटनाको अनुसन्धान र अभियोजनका लागि सुरक्षा र हेरचाहको दृष्टिकोणबाट महिला मानव अधिकार रक्षकको क्षमता अभिवृद्धि गर्नुपर्दछ ।
- संघ, प्रदेश र स्थानीय तहले दलित महिला अधिकारकर्मी तथा महिला मानव अधिकार रक्षकको सुरक्षा र हेरचाहका लागि मापदण्ड निर्धारण गरी उनीहरूको आर्थिक, कानूनी, राजनीतिक, सामाजिक, सांस्कृतिक र स्वास्थ्य समस्यालाई सम्बोधन गर्ने गरी कार्यक्रम र नीति कार्यान्वयन गर्नुपर्दछ ।
- नेपाल सरकारले दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकका लागि स्थानीय सरकारमार्फत कार्यान्वयन हुने गरी संरक्षण संयन्त्रको थालनी गर्नुपर्दछ ।
- दलित महिला अधिकारकर्मी तथा महिला मानव अधिकार रक्षकको विवरण र अभिलेख राखी प्रवर्द्धनात्मक कार्यक्रम सञ्चालन गर्ने र स्थानीय तहमा उनीहरूको पहिचान र सम्मानका लागि आवश्यक प्रक्रिया अवलम्बन गर्ने ।
- जातीय विभेद र लैङ्गिकतामा आधारित हिंसाका घटनाको अनुसन्धान र अभियोजनमा दलित महिला अधिकारकर्मी तथा महिला मानव अधिकार रक्षकको प्रयासलाई मान्यता दिन र अभिलेख राख्न स्थानीय सरकारले सुरक्षा संयन्त्र स्थापना र सहयोगी वातावरण सिर्जना गर्ने ।
- दलित तथा सीमान्तकृत महिलाको परम्परागत पेशालाई आधुनिकीकरण गर्दै उनीहरूको आर्थिक विकासका लागि स्थानीय सरकारले प्रभावकारी नीति, कार्यक्रम, योजना तर्जुमा तथा वित्तीय स्रोत तथा सेवाको व्यवस्था र कार्यान्वयनमा ध्यान केन्द्रित गर्दै जाने ।
- शिक्षा, स्वास्थ्य र न्यायमा महिलाको अधिकार सुनिश्चित गर्न र महिला माथि

हुने भेदभाव र हिंसाको अन्त्य गर्न स्थानीय नीति तथा निर्देशिकाको विकास गरी कार्यान्वयनमा ल्याउने ।

- स्थानीय तहमा दलित तथा सीमान्तकृत महिलाको न्यायमा पहुँच र मानव अधिकारसम्बन्धी कार्ययोजना लागू गर्ने ।
- महिला अधिकार, विपद् व्यवस्थापन, वातावरण संरक्षण, सुशासन र विकासका अवसरहरूमा दलित महिला अधिकारकर्मी तथा महिला मानव अधिकार रक्षकको क्षमता अभिवृद्धि गर्ने ।
- मानव अधिकार रक्षक संरक्षण सम्बन्धी संयुक्त राष्ट्रसघीय घोषणापत्र र दलित तथा सीमान्तकृत महिलाको दृष्टिकोणबाट सिडका सुभावलाई प्रभावकारी रूपमा कार्यान्वयन गर्न नागरिक समाजका सघसंस्थाले सरकारसँग जोडदार पैरवी गर्नुपर्दछ ।
- दलित महिला अधिकारकर्मी तथा महिला मानव अधिकार रक्षकको सुरक्षा र हेरचाहमा देखिएका समस्या र चुनौतीको सम्बोधन गर्न र महिलाहरूलाई तनावमुक्त जीवन जिउन स्वःहेरचाह सचेतना, क्षमता अभिवृद्धि र नीतिगत पैरवीको माध्यमबाट आधारभूत तहमा महिला आन्दोलनलाई सुदृढ र दिगो बनाउने ।
- राष्ट्रिय महिला मानव अधिकार रक्षक सञ्जालले दलित महिला अधिकारकर्मी र महिला मानव अधिकार रक्षकलाई समुदायस्तरमा सशक्तीकरण, परिचालन र अधिकार तथा न्याय प्राप्तमा आएका चुनौतीहरूको कानूनी समाधानका लागि दरो पैरवी गर्नुपर्दछ ।

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Annex 1:

Narrations of Focus Group Discussions and Key Informant Interviews

During the focus group discussions, participants were divided into three groups: locally elected Dalit women, locally elected non-Dalit women, and women leaders from political parties. They were asked questions to discuss the specific roles played by elected women and women political leaders in preventing caste-based discrimination and gender-based violence in society. The participants were also asked about the work of Dalit women activists and women human rights defenders, the challenges they face in economic, legal, political, cultural, and health domains, and the existing policies, laws, and mechanisms for their protection at the local level. Here are some common observations that the participants pointed out.

The participants stressed the importance of economic opportunities, livelihood sustainability, political and legal protection, social and cultural support, and health and well-being in creating a safe and enabling environment for Dalit women activists and human rights defenders. These factors motivate and help women human rights defenders to be more effective in defending human rights. Dalit women activists and WHRDs must improve their economic status so that they no longer have to depend financially on their husbands. Dalit women, in particular, face moral pressure to sustain their livelihood due to the limited opportunities to engage with enterprises and businesses.

There is an increasing awareness among locally elected women and women political leaders about the importance of being politically involved. However, locally elected Dalit women face problems and challenges such as a lack of trust from the people of their constituencies, political and psychological violence, mental torture, and not listening to their voices in meetings at ward and municipality levels. Political parties do not encourage or support Dalit women activists and WHRDs,

denying them political space. Women in politics are at risk of having their reputations discolored by rumors of relationships with their male counterparts, causing tensions within their families. Furthermore, women are often sidelined from important decisions and they have to struggle more to get political, social, legal, and economic support compared to their male counterparts.

Many locally elected Dalit women are familiar with legal procedures to address caste-based discrimination and gender-based violence, but their voices are often not taken seriously. Even the police administration might hesitate to address these issues. It can be difficult for women human rights defenders, especially Dalit women activists, to access affordable legal services. Women often face victimization and are labeled as "politically biased," which can discourage them from seeking the necessary services and resources for their safety and protection. Despite being local elected representatives, there have been instances where Dalit women have experienced domestic violence at home and faced caste discrimination from their colleagues.

The participants in the FGDs said that Dalit women activists and women human rights defenders are working to address human rights violations against women and Dalits. However, they are not very active in handling cases of caste-based discrimination and gender-based violence consistently. Dalit women activists and WHRDs face daily issues of defamation and character assassination during their work, which affects their mental health. They are also forced to manage double responsibilities - at home and in the workplace - leading to increased physical fatigue. Dalit women activists, since they generally come from financially weak backgrounds and thus due to lack of nutritious diet, they do face multiple health problems. The problems individuals face at the household and community levels need to be addressed, and the capability of Dalit women activists and WHRDs should be improved to make them more active in human rights activities.

A Key Informant Interview (KII) was conducted with the Deputy Mayor, a local judicial committee member, a social development officer, a

women's development officer, a Dalit women lawyer, and the police. The participants were asked about the role of local government in promoting women's rights and development opportunities, and about the local judicial committee's efforts to prevent and respond to caste-based discrimination and gender-based violence against Dalit women activists and WHRDs. The local government has allocated a budget to implement programs for legal literacy, economic empowerment, and technology and equipment transfer targeting women.

The local government has planned to offer health check-up facilities for single women with a 50% discount on treatment at Kirtipur Hospital and free ambulance services for permanent residents. The hospital has established an oxygen plant to provide free oxygen to asthma, heart, and lung disease residents. Free health check-ups with iron and calcium tablets are provided for pregnant women in maternity conditions. Similarly, the plan includes free dialysis for kidney patients and the government health insurance program. The local government has established a psycho-social counseling center in Kirtipur municipality which can provide services for women affected by violence, trauma, and mental health. Both current and former locally elected women have been working to promote development and raise awareness of legal rights for women from Dalit and marginalized communities.

Despite measures to integrate gender equality and social inclusion, the municipality has not formulated policies or programs to ensure the safety and well-being of Dalit women activists and Women Human Rights Defenders. The Dalit Women Network (DWN) has organized awareness programs addressing caste-based discrimination and gender inequality in collaboration with the local government, focusing on the challenges faced by Dalit women activists and WHRDs. The safety and care of WHRDs is a relatively new area for the local government. This initiative needs to be prioritized by the local government to promote and protect human rights at the community level.

Dalit Women Activists and WHRDs often seek legal services to assist victims in their interactions with the police. They act as mediators

without directly reporting the cases to the police. However, there is a public perception that the police, judicial committee, and ward-level mediation centers do not acknowledge the work of Dalit women activists and WHRDs and have not taken tangible steps to collaborate with them. While the police administration has set up separate cells for women and Dalits to safeguard their rights, they are closely monitoring Dalit women's human rights. Dalit women activists have limited or no access to resources and services for their safety and care. The legal services and facilities provided by local judicial committees and mediation centers are inadequate in protecting the human rights of Dalit women in society.

Annex 2: Questionnaires for Participants

अन्तर्वाता दिने व्यक्तिको व्यक्तिगत जानकारी

१. जिल्ला:

२. नगरपालिका/गाउँपालिका:

३. वार्ड नं.

४. लिङ्ग :

- महिला
- पुरुष
- लैंगिक तथा यौनिक अल्पसंख्यक

५. तपाईंको वैवाहिक स्थिति के हो ?

- अविवाहित
- विवाहित
- सम्बन्ध विच्छेद
- विवाहित तर अलग बसेको
- विधवा/विधुर
- भन्न चाहन्न

६. तपाईंको शैक्षिक योग्यता कति हो ?

- पढाइबाट विञ्चित, असाक्षर
- साधारण लेखपढ र साक्षर
- आधारभूत तह (६ कक्षा देखि ८ कक्षा सम्म)
- उच्च/माध्यमिक तह (९ कक्षा देखि १२ कक्षा सम्म)
- स्नातक
- स्नातकोत्तर वा सो भन्दा माथि
- अन्य

आर्थिक उत्थान र दीगो जीविकोपार्जन

७. तपाईंको परिवारको जीविकोपार्जनका मुख्य आयश्रोत के के हुन् ? (बहु उत्तर हुनसक्ने)

- ज्याला मजदुरी
- खेतिपाति/किसान

- व्यापार/व्यवसाय
- जागिर (सरकारी)
- जागिर (निजि क्षेत्र, गैसस)
- वैदेशिक रोजगारी
- परम्परागत पेशा (जस्तै जुत्ता सिलाउने आदि ।)
- अन्य

८. जिविकोपार्जनलाई योगदान पुग्ने कुनै/केही सीप छ ?

- छ छैन

९. जिविकोपार्जनलाई योगदान पुग्ने कुनै/केही परम्परागत जातीय सीप छ ?

- छ छैन

१०. तपाइको परिवारमा आफ्नै आम्दानीले सबै खर्चहरू धान्न पुग्दछ ?

- पुग्छ आंशिक पुग्दछ
 पुग्दैन भन्न चाहन्छ

११. तपाईं वा तपाईंको परिवारले आम्नो आम्दानी नियमित रूपमा वचत गर्नुभएको छ ?

- छ छैन भन्न चाहन्छ

१२. तपाईंको परिवारले केही रकम कतै लगानी गर्नुभएको छ ?

- छ छैन भन्न चाहन्छ

१३. तपाईंले व्यक्तिगत र पारिवारिक रूपमा आर्थिक विकास र दीगो जीविकोपार्जनमा कस्ता समस्याहरू भोगिरहनु भएको छ ?

१४. यी समस्याहरूले तपाईंको आर्थिक उत्थान र दीगो जीविकोपार्जनलाई कस्तो र कसरी असर गरिरहेको छ ?

१५. यी समस्याहरूलाई तपाईंले कसरी सम्बोधन गर्नहुन्छ ?

१६. आर्थिक विकास र दीगो जीविकोपार्जनमा देखापरेका समस्याहरूलाई सम्बोधन गर्न तपाईंसँग क्षमता के छ ?

१७. तपाईंलाई आर्थिक विकास र दीगो जीविकोपार्जनका लागि कस्ता किसिमका श्रोत र सेवाहरू चाहिन्छ ?

१८. तपाईंको आर्थिक अवस्था सुधार गरी दीगो जीविकोपार्जनमा आम्नै परिवार, सस्था र समुदायबाट कस्तो सहयोग कसरी प्राप्त गरिरहनु भएको छ ?

१५. तपाईंको आर्थिक विकास र जीविकोपार्जनको कामलाई सहयोग गर्ने अन्य सञ्जालहरू कुन छन् ?
२०. आर्थिक अवसर र दीगो जीविकोपार्जनको लागि तपाईंलाई उपलब्ध हुनसक्ने र सजिलै तपाईंको पहुँचमा पुग्न सक्ने सार्वजनिक स्रोत, सेवा र प्राविधिक सहयोगहरू के के छन् ? जुन तपाईंले आर्थिक अवसर र जीविकोपार्जनका लागि सजिलै प्रयोग गर्न सक्नु हुन्छ ?
२१. आर्थिक विकास र दीगो जीविकोपार्जनको लागि उपलब्ध सार्वजनिक सेवा र श्रोतहरूमा तपाईंको पहुँच पुग्न सकेको छैन भने के के चीजले वाधा पुऱ्याएको छ ?

कानुनी र राजनीतिक संरक्षण

२२. गएको १२ महिनाको अवधिमा तपाईंले जातको आधारमा कुनै जातीय भेदभाव वा छुवाछूतको अनुभव गर्नु भएको छ ?

छ छैन भन्न चाहन्न

२३. यदि छ भने, कस्तो प्रकारको जातीय भेदभाव वा/प्रकृतिको छुवाछूत महशुस गर्नुभएको छ? (बहुउत्तर हुन सक्ने)

- | | |
|---|------------------------|
| - कुरा गर्दा खसालेर कुरा गर्ने | - खाना खाँदा अलग्याउने |
| - सार्वजनिक स्थल (मन्दिर)मा बन्देज लगाउने | - जातीयगत शब्द हो |

च्याएर बोल्ने

- | | |
|---|----------------------------|
| - सार्वजनिक भेलाहरूमा बस्दा छुटै बसाउने | - भोज भतेरमा अल्लगै बसाउने |
| - भोज भतेरमा खाना बाँड्न नदिने | - अन्य |

२४. यदि छुवाछूत/भेदभाव वा हिंसा अनुभव गर्नुभएको छ भने, कुन स्थानमा गर्नुभएको छ?

- | | |
|------------------------|-------------------------------|
| - पानी भर्ने ठाउँमा | - स्थानीय चिया पसल/होटल |
| - भोज भतेर | - सार्वजनिक समारोह |
| - विद्यालय परिसर | - अस्पताल परिसर |
| - अन्य सरकारी कार्यालय | - गैरसरकारी संस्था |
| - हाट/वजार | - स्थानीय पालिका/वडा |
| - प्रहरी कार्यालय | - व्यक्तिको निजि घर (गैरदलित) |

- व्यक्तिको निजि घर (अन्य दलित) - अन्य

२५. यदि छ भने, तपाईंको विरुद्ध भएको छुवाछूत/भेदभाव वा हिंसा विरुद्ध पीडकलाई सजाय दिलाउन कुनै कार्य गर्नु भयो ?

गर्रँ गरिन भन्न चाहन्न

२६. यदि घटना विरुद्ध अरुलाई भनेको/उजुरी गरेको भए, कसलाई गर्नुभयो ? (बहुउत्तर हुनसक्ने)

- दलित अगुवा/अधिकारकर्मीलाई भनें
- समूहमा कुरा उठाएँ
- प्रहरीमा उजुरी गर्रँ
- वडामा उजुरी गर्रँ
- पालिकामा उजुरी गर्रँ
- जि.प्र.का. मा उजुरी गर्रँ
- अदालतमा उजुरी गर्रँ
- राष्ट्रिय दलित आयोगमा उजुरी गर्रँ
- पत्रकार
- अन्य

२७. पीडकले सँजाय पाएको छ ?

छ छैन भन्न चाहन्न

२८. यदि घटना विरुद्ध अरुलाई भनेको/उजुरी नगरेको भए, किन गर्नुभएन ? (बहुउत्तर हुनसक्ने)

- कसलाई भन्ने/उजुर गर्ने ठाउँ थाहा नभएर
- प्रतिआक्रमण वा हमला गर्छन भन्ने डरले
- उजुर गरेपनि कसैबाट कुनै न्याय पाउछु भन्ने आशा नभएर
- न्याय पाउने ठाउँमा गैरदलित/विपक्षीको मात्र बोलवाला भएकाले
- अन्य

२९. समाजबाट जातीय भेदभाव तथा छुवाछूत अन्त्य हुने र दलित समुदायको अधिकार सुरक्षित हुने कुरामा तपाईं कत्तिको आशावादी हुनुहुन्छ ?

- अति धेरै
- धेरै
- कम
- अति कम
- केही परिवर्तन होला जस्तो लाग्दैन
- थाहा छैन/भन्न सक्दैन

३०. पालिकाले स्थानीय स्तरमा नयाँ नीति वा कानून बनाउन सक्ने बारेमा जानकारी छ ?

छ छैन भन्न सक्दैन

३१. यदि छ भने, पालिकाले आयोजना गरेको कुनै नीति वा कानून बनाउने छलफलमा सहभागी हुनुभएको छ ?

छ छैन भन्न सक्दैन

३२. यदि छ भने कुन संस्थामा छ ?

- | | |
|-----------------------------|-----------------------------|
| - विद्यालय व्यवस्थापन समिति | - वन व्यवस्थापन समिति |
| - टोल विकास समिति | - उपभोक्ता समिति |
| - सरसफाई सम्बन्धी | - विपद् व्यवस्थापन सम्बन्धी |
| - सहकारी | - सामुदायिक संस्था |
| - अन्य | |

३३. कुन पदमा हुनुहुन्छ ?

- | | |
|-----------|--------------------|
| - अध्यक्ष | - उपाध्यक्ष |
| - सचिव | - कोषाध्यक्ष |
| - सदस्य | - भन्न चाहन्न/भन्न |

सक्दैन

३४. कानुनी र राजनैतिक संरक्षणमा तपाईंले भोग्दै आएका समस्या, चुनौति तथा जो खिमहरु के के छन् ?

३५. कानुनी र राजनीतिक रूपमा तपाईंको सामु देखापरेका समस्या, चुनौति तथा जो खिमहरुलाई कसरी सम्बोधन गर्नुहुन्छ ?

३६. तपाईंसँग कस्तो किसिमको कानुनी र राजनितिक क्षमता छ ?

३७. अहिलेको राजनीतिक र कानुनी वातावरणले तपाईंलाई अधिकार र न्यायको क्षेत्रमा काम गर्न जोखिम छ कि छैन ? छ भने ती के के हुन् ?

३८. राजनीतिक र कानुनी संरक्षणको सम्बन्धमा तपाईंले आभनो परिवार, संस्था र समुदायबाट कस्तो सहयोग पाईरहनु भएको छ ?

३९. तपाईंको सुरक्षाका लागि राजनीतिक र कानुनी सहयोग प्रदान गर्ने संस्था, संयन्त्र वा

सञ्जालहरु छन् ? छन् भने कुन छन् ?

४०. कानुनी र राजनीतिक संरक्षणको लागि तपाईंलाई सजिलै उपलब्ध हुन सक्ने सेवा र संयन्त्रहरु के के छन् ? जुन सजिलै प्रयोग गर्न सक्ने तपाईंसँग क्षमता छ ?
४१. तपाईंको कानुनी र राजनीतिक संरक्षणको लागि उपलब्ध सार्वजनिक सेवा र श्रोतहरुमा तपाईंको पहुँच पुग्न सकेको छैन भने के के कुराले बाधा पु-याएको छ ?

सामाजिक तथा सांस्कृतिक सहयोग वा समर्थन

४२. सामाजिक र सांस्कृतिक रूपमा तपाईंले कस्ता किसिमका समस्या र चुनौतीहरुको सामना गर्नु भएको छ ?
४३. तपाईंले जातीय विभेद तथा छुवाछूत र लैङ्गिकतामा आधारित हिंसाका कस्ता खालका समस्याहरु भोगिरहनु भएको छ ? यसका विरुद्ध काम गर्दा के कस्ता जोखिमहरु देखा पर्दछन्?
४४. अभियानमा लाग्दा देखापरेका जोखिमहरुलाई कम गर्न तपाईंले प्रतिक्रिया गर्नु हुन्छ कि हुँदैन ? प्रतिक्रिया गर्नुहुन्छ भने कसरी ?
४५. तपाईंले सहयोग गर्दै आउनु भएका काममा सामाजिक र सांस्कृतिक सहयोग र समर्थन प्राप्त गर्न सक्नु भएको छैन भने तपाईंलाई के के कुराले रोकेको छ ?
४६. सामाजिक र सांस्कृतिक सहयोग र समर्थन प्राप्त गर्न तपाईंसँग कस्तो किसिमको क्षमता छ ?
४७. वर्तमान सामाजिक संरचना र सांस्कृतिक वातावरणले अधिकारको अभियानमा लाग्दा तपाईंले कस्ता किसिमका चुनौति र जोखिमहरुको सामना गरिरहनु भएको छ ?
४८. तपाईंको मानव अधिकार हनन भयो भने न्यायका लागि कानुनी सहयोग प्रदान गर्ने संस्था, संयन्त्र वा सञ्जालहरु छन् कि छैनन् ? छन् भने कुन छन् ?
४९. सामाजिक र सांस्कृतिक रूपमा सहयोग पाउनका लागि उपलब्ध सार्वजनिक सेवा र श्रोतहरु के के छन् जसलाई तपाईंले सजिलै प्राप्त गर्न सक्नुहुन्छ ?
५०. सार्वजनिक सेवा र श्रोतको पहुँचमा पुग्न तपाईंलाई के के कुराले बाधा पु-याई रहेको छ ?

स्वास्थ्य र कल्याण

५१. तपाईंको व्यक्तिगत स्वास्थ्य र कल्याणसँग प्रत्यक्ष सरोकार राख्ने चीजहरु के के छन्?

५२. स्वास्थ्य र कल्याणकारी कार्यका लागि तपाईंले सामाना गरिरहनु भएका समस्या, चुनौती र जोखिमहरू के के छन् ?
५३. समुदायमा तपाईं र अन्य महिलाहरूले शारीरिक र मानसिक स्वास्थ्यसम्बन्धी कस्ता किसिमका समस्याहरू भोगिरहेका छन् ? त्यस्ता समस्याहरूले के असर पारिरहेको छ ?
५४. शारीरिक र मानसिक स्वास्थ्यको समस्याहरूबाट तपाईंमाथि पार्न सक्ने असरलाई कम गर्न के गर्नुहुन्छ ?
५५. तपाईंको स्वास्थ्यका लागि परिवार, संस्था र समुदायले कसरी सहयोग गरिरहेको छ ?
५६. महिलाको स्वास्थ्य र कल्याणका लागि तपाईंको ठाउँमा उपलब्ध सार्वजनिक सेवा र श्रोतहरू के के छन् ? जुन तपाईंले आफ्नो क्षमता अनुसार सजिलै प्राप्त गर्न सक्नुहुन्छ ?
५७. स्वास्थ्य र कल्याणका लागि उपलब्ध सार्वजनिक सेवा र श्रोतहरूमा तपाईंको पहुँच पुग्न के के बाधा र कठिनाईहरू छन् ?



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