



Submission to the UN Universal Periodic Review of Nepal

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Economic, Social and Cultural Rights of
Minorities, Indigenous Communities and other
Marginalized/Vulnerable Groups



THE
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FEDERATION

The Lutheran World Federation (LWF): Founded in Lund Sweden in 1947, is a global communion of 145 churches in the Lutheran tradition representing over 72 million Christians in 98 countries. LWF has consultative status with ECOSOC since 1952. The Lutheran World Federation Nepal (LWF Nepal), a country program of LWF Department for World Service (DWS), has been working with marginalized and disadvantaged communities for over 30 years in the areas of assistance for refugees, disaster risk reduction, emergency preparedness and response, sustainable livelihoods, and community-led actions for governance and justice.

The Finnish Evangelical Lutheran Mission (FELM): is a mission organization of the Evangelical Lutheran Church of Finland. Founded in 1859, FELM operates in about 30 countries, including Nepal. In Nepal, FELM works in the fields of food security, livelihood, health and sanitation, education and peace with focus in reducing poverty and improving the situation of poor and marginalized communities. FELM-Nepal Development Cooperation Program covers 30 districts of Nepal through nine partner NGOs.

Summary

1. This submission is prepared based on primary data collected through a field survey, focus group discussions, individual interviews and consultations with relevant organizations in Nepal from November 2014 to January 2015. The submission also benefited from relevant secondary sources such as the past and current projects of LWF and FELM in Nepal, including their public reports.
2. The key issues addressed in this submission are the economic, social and cultural rights of minorities, indigenous communities and other marginalized and vulnerable groups. In Nepal, **Dalits, persons with disabilities, former bonded laborers, indigenous peoples** (such as the Adivasi, Janajati and Madhesi) and **Muslims** continue to live on the margins of society in relation to the enjoyment of human rights and fundamental freedoms, including economic, social and cultural rights (ESCRs). **Women and children** belonging to these groups face double marginalization.
3. During its first UPR, Nepal accepted the recommendation “to step up efforts to achieve the effective realization of economic, social and cultural rights for the marginalized and vulnerable groups by ensuring that they are provided with adequate access to food, health, education, and fair employment”. In this respect, since then Nepal adopted encouraging legislative and policy frameworks related to ESCR that should be welcomed such as the ‘Fourth National Human Rights Action Plan (2014)’, ‘Food and Nutri-

tion Security Plan (2013)’, and the ‘National Health Policy (2013)’. However, the field survey carried out by the LWF and FELM in three regions has revealed that most government authorities at the local level remain unaware of the Fourth National Human Rights Action Plan. Moreover, the implementation of the other policies largely leaves women, children, the elderly and persons with disabilities behind especially within already marginalized communities.

4. Although the Interim Constitution 2007 incorporates a number of ESCRs as fundamental rights, the implementation of these fundamental guarantees remains poor, particularly due to lack of legislative framework and enforcement. Most stakeholders during consultations stressed on the need to adopt framework legislation and comprehensive national policies on ESCRs.

1. Equality and Non-discrimination

5. Caste based discrimination and untouchability persist against the **Dalits**, despite the criminalization of such act through adoption of Caste-based Discrimination and Untouchability (Offence and Punishment) Act, 2011. The lack of regulation to enforce the provisions of the Act remains a key challenge for the realization of its provisions. Apart from degrading the human dignity of the victims and their families, discrimination and untouchability significantly weakens Dalits’ ability to enjoy their human rights in general and ESCR in particular.
6. Discrimination against **women**, especially Dalit women, remains a big concern in Nepal. Even after the adoption of “the Domestic Violence Act”, the implementation remains very poor. Victims of domestic violence rarely report to the law enforcement agencies. Most of these violations, regardless of their severity, are mediated outside the courtroom. This is due to a number of factors, including the lack of awareness about the law and lack of effective legal aid for victims to have access to the existing legal institutions.
7. Another category that faces a high level of discrimination is **children with disabilities**. According to the Millennium Development Goals (MDGs) progress report, among the 800,000 school-aged children who are not enrolled in schools in Nepal, a significant portion of them are children with disabilities. Although the government policy aims to promote an inclusive education, in practice the system encourages segregation by providing separate under-resourced schools for children with disabilities such as the separate school for the deaf, visually

impaired and children with physical and intellectual disabilities.¹ Children with disabilities lack access to school, including in terms of physical access (no ramps or disability-friendly toilets are provided) and communication barriers (no sign language instruction or Braille teaching materials). Additionally they face negative attitudes of teachers, and a curriculum that does not adequately address children with different learning needs.

8. Although the government has set up some institutions – such as the National Women Commission (NWC), National Dalit Commission (NDC) and National Muslim Commission (NMC) – to address discrimination against the aforementioned groups, these institutions are severely under-resourced and therefore unable to effectively realise their mandates. For example, most of the violations against women and Dalits occur in the rural communities, but both NWC and NDC operate from Kathmandu without its branches in the regions and districts making them inaccessible for the very people they are meant to serve. Moreover, NDC lacks a concrete legislative basis for its authority. Since it was established by an executive order, its independence, credibility and effectiveness are compromised.

2. The Right to Adequate Food and Nutrition

9. Lack of food and nutritional security continues to represent a serious problem in Nepal. While food insecurity is found throughout the country, it has disproportionately affected some groups more than others and they include Dalits, former bonded laborers, such as *ex-Kamaiyas*², *ex-Haliyas*³ and *Kamlaris*⁴, indigenous peoples, rural poor and Muslims. The Interim Constitution 2007 has recognized food sovereignty along with the rights to employment and social security as

¹ In Kailali, for example, most of the children with disabilities attend the school run by the Unified Disabled Society (UDS), a local DPO rather than going to public schools, for the latter is not accessible to children with disabilities.

² Kamaiya was a traditional system of bonded labor in Southern belt of Mid and Far Western Nepal and people affected by this system were called Kamaiya or Kamaiyas. In the Kamaiya system, Kamaiyas used to receive meals as desired by the master and were given very little free time.

³ Ex-Haliyas are former land tillers. The Haliya system involved the hiring of tillers or ploughmen on a contract basis, and existed in the hill districts of the Mid and Far Western regions in particular. Ex-Haliyas used to receive two meals in a day from the landlord. While Kamaiyas were mostly from indigenous Tharu communities, most Haliyas were Dalits and were victims of double discrimination: based on caste and labor exploitation.

⁴ Kamlari was one of the forms of bonded labor system that existed in Far and Mid-Western parts of Nepal. In this system girls from Tharu community were employed as domestic workers by landlords. Although the system was formally abolished, the Government has not come up with effective rehabilitation programs and they are trapped in the same vicious cycle of exploitation as ex-Kamaiyas and ex-Haliyas.

fundamental rights. However, these fundamental guarantees remain ineffective due to lack of operational laws and enforcement mechanisms.

10. On the one hand, the existing legal and policy provisions seem inadequate to recognize the human right to adequate food and do not provide entitlement for the individuals, nor do they oblige the government to respect, protect and fulfill the right as required by the constitution and international human rights instruments, including CESC which Nepal is party to. On the other hand, there is lack of implementation of the existing legal provisions of various Acts which, if implemented effectively, may improve the right to food of the poor and marginalized. The recent initiatives of the government include formulation of Food and Nutrition Security Plan (FNSP) under the Agricultural Development Strategy (ADS) for the decade 2013-23. The Plan, formulated in line with Three Year Plan (2010-13) and Multi-sector Nutrition Plan for Accelerating the Reduction of Maternal and Child Under-nutrition in Nepal (MSNP), aimed at enhancing food security of the marginalized and vulnerable groups through designing and implementing appropriate interventions for the period between 2013-22. Similarly, the Fourth National Human Rights Action Plan incorporates a number of programs and activities towards strengthening food security of the marginalized groups. However, these policies and programs are yet to yield concrete results to change the existing situation. The field survey conducted by LWF and FELM revealed that women, children, elderly and persons with disabilities from the poor and marginalized communities are disproportionately suffering from food insecurity.
11. The Government measures seem inadequate to improve food safety of vulnerable groups, particularly indigenous peoples, former bonded laborers, Dalits, Muslims, persons with disabilities and those who are living with HIV/AIDS. The subsidized food distribution schemes carried out by the Nepal Food Corporation fails to target the most needy and vulnerable groups. The field survey of LWF and FELM observed that the food distribution scheme of the government through the Nepal Food Corporation does not include *Mushhar*,⁵ *Santhal*,⁶ poor Muslims and *ex-Kamaiya* communities.
12. Nepal is vulnerable to natural disasters that can result in human suffering as well as destruction of property and livelihood

⁵ *Mushharare* one of the lowest untouchable caste groups of the Terai and comprise 0.04 percent of population in Nepal.

⁶ *Satars* or *Santhals* is another marginalized ethnic group in Nepal mainly found Jhapa, Morang and Sunsari districts. According to Central Bureau of Statistics, they are around 40,000 in number.

support systems. The combined problems of chronic vulnerability, poverty, poor governance and lack of accountability and the high risks of disasters raise serious humanitarian concerns in Nepal. Given the greater likelihood of a violation of the right to food in such situations, immediate humanitarian assistance, including food support and protection of people and property seem to be matter of urgency for Nepal. However, Nepal's Interim Constitution does not provide a right to be protected from disasters, or protect the right of individuals and groups in an emergency to access humanitarian assistance, nor is there any comprehensive legal framework that guarantees the rights of affected populations in crisis. The Natural Calamity Relief Act 1982 is the sole legislation which offers marginal protections to safeguard the rights of the affected population in natural calamity.

3. The Right to Adequate Housing

13. The right to adequate housing is a major concern for a majority of Nepalese and particularly so in the case of marginalized and vulnerable groups. Major impediments to realize the right to adequate housing include forced evictions and displacement; soaring land and housing prices, especially in urban areas; land grabs; lack of tenure security; and lack of basic services such as: safe drinking water, adequate sanitation, and energy for cooking, heating, lighting and food storage. Every year a large number of people die in the winter due to inadequate and insecure housing because of the cold wave particularly in the *Tera*⁷.
14. During its first UPR, it was recommended to Nepal to “continue pursuing and enhancing housing programs”. Accordingly, the government of Nepal has taken initiatives to enhance access of the marginalized and vulnerable groups to housing and land, particularly through implementation of rural housing programs, such as *Janta Awash Karyekram*⁸ (People's Housing Program) which targets the poor and the most marginalized groups in order to meet their housing needs. However, this program has a limited coverage and the target groups and families must own land to benefit from this program. Since most marginalized and vulnerable groups do not own land, they were unable to benefit from this program.

⁷ This is the low and flat land of Nepal, which covers 17% of the country.

⁸ The government launched *Janta Awash Karyekram* through the 2009/2010 fiscal budget, targeting the most marginalized groups in the Kapilvastu, Saptari and Siraha districts. As of 15 January 2015, the government built 5, 619 houses for marginalized communities.

15. Although the Government has been supporting ex-*Kamaiyas*, ex-*Haliyas*, indigenous peoples, Dalits and women with the provision of providing land, financial support and tax rebates⁹ for women who want to purchase land, these measures remain largely inadequate to enable these groups to enjoy their adequate standard of living, including the right to adequate housing.¹⁰

4. Right to Education

16. Nepal received a number of recommendations related to right to education during its first UPR. Since then, although the government has put in place several legislative and policy measures to realize the right to education for all children, serious challenges remain especially for **Dalit children, Muslim children, children belonging to different indigenous communities** and **children with disabilities**. Among Dalits, the problem is acute in the Mushahar community. Similarly, children from former bonded laborers, such as ex-*Kamaiyas* and ex-*Haliyas*, face various obstacles that prevent them from accessing education. This was particularly observed in the field survey conducted by LWF and FELM. Children from Muslim community also face special challenges with regard to their right to education because, although the government has adopted a policy to mainstream religious education institutions with public education system, in practice public schools still do not recognize *Madrassa* educated students. Therefore, Muslim children coming from a *Madrassa* are unable to continue their studies at public schools.
17. The Interim Constitution has recognized the right to education as a fundamental right and every citizen shall have the right to receive free education from the State up to the secondary level. Moreover, the government has taken a number of legislative and policy measures and developed plans and programs towards “ensuring that children everywhere, boys and girls alike, complete their primary education by 2015”. In particular, the government has been implementing the School Sector Reform Plan since 2009 which aims to improve existing services relating to education and has introduced reforms, such as

⁹ The Fiscal Ordinance 2013 provided for the reduction of land registration fee at the rate of 25 percent and 30 percent for urban and rural areas respectively and this special measure continues even today.

¹⁰ The LWF and FELM survey discovered that out of 50 respondents in Kailali and Morang, 34 respondents stated that they do not have land ownership or any form of tenure security. As of 15 January 2015, the Government has distributed 32,509 ex-Kamaiyas ID cards for facilitating their rehabilitation dividing them into four categories: red, blue, yellow and white based on the severity of their problems.

Early Childhood Education and Development (ECED) and restructured education into basic and secondary levels. Recent initiatives by the government include the drafting of a bill that would make basic education compulsory which is currently under consideration in the legislative parliament. Similarly, the government endorsed Multilingual Education Implementation Guidelines in 2010 to implement the legal provisions necessary to provide primary education instruction in the mother tongue.

18. Lack of awareness of the right to education among parents, inadequately trained teachers, lack of appropriate teaching materials, inaccessibility of and long distance to schools, lack of transportation funding, and negative parental attitudes about the learning capabilities of their children remain some of the major barriers of children with disabilities, which contributed to their lower enrolment and higher dropout rates. According to UNICEF Nepal, children with disabilities constitute of only one percent of the total enrolment at primary level and 0.6 percent at secondary level, making them the group that faces the highest disparity in access and participation in education.
19. Although the government has formulated Accessibility Guidelines in 2013, with a view to enhance access for persons with disabilities to public places and buildings including public toilets and schools, the lack of effective implementation of such guidelines continues to be a critical issue. The draft bill on the rights of persons with disabilities, which aims to replace the current Protection and Welfare Disabled Act, 1982, in line with the UN Convention on the Rights of Persons with Disabilities (CRPD) has been pending in the parliament and requires urgent attention from the government to effect the provisions of CRPD for the advancement of Nepal's persons with disabilities. The lack of effort on the part of the government to nationally implement measures called for by CRPD deprives many persons with disabilities of their fundamental human rights, including the right to mobility and movement.
20. Although the gap between boys and girls in school enrolment has significantly narrowed, the prevalence of cultural practices and gender discrimination, including low social status of girls, early marriage, the segregation of females during menstruation (also known as "*Chhaupadi*"), and the lack of separate functional toilets for girls in schools continue to become major barriers to girl's education in many parts of the country. The *Kamlaris* continue to face hurdles in their access to education, and many must quit attending school mainly due to the poor financial condition of their families.

21. In order to ensure education for all, the government has to work beyond the 2015 MDG deadline, particularly to address some key challenges preventing marginalized communities from realizing their right to education. Additionally in order to sustain current achievements and improve the quality of education, targeted measures such as scholarship programs, school feeding programs, instruction in students' mother tongue, making drinking water available in schools, and providing accessible toilets for girls and children with disabilities, must be implemented to enhance enrolment and retention of the children from the Dalits, *ex-Kamaiya* and *ex-Haliya*, and Muslim communities, as well as street children, and those belonging to highly marginalized indigenous communities.

5. Right to Health

22. Nepal's Interim Constitution has recognized the right to basic health services free of cost from the state, including reproductive rights as fundamentally guaranteed. The National Health Policy 2014 is one of the key policy documents introduced recently. The National Health Insurance Policy 2013 aims at ensuring universal health coverage and provides guidance for the implementation of a National Health Insurance Program as part of the Three Year Plan (2010–2013). Similarly, the Ministry of Health & Population has been implementing various other policies and strategies surrounding oral health, nutrition, sanitation, abortion services, and access to medicines, HIV/AIDS, gender equity and social inclusion. However, such policy provisions must be translated into binding provisions by enacting the necessary laws required, which is yet to happen.
23. The government is also implementing various health care programs aimed at providing free health care services to the general public and target groups. These programs, among others, include *Aama Suraksha* (Safe Motherhood), the Uterine Prolapse Treatment Program, the Free Health Care Program and some additional free services for target groups. Subsidies are also being provided for the treatment of heart disease, kidney problems, cancer and other serious diseases. There is a provision for free distribution of 42 essential medicines through district hospitals, 35 essential drugs from primary health care centers and 25 from health posts and sub-health posts. There is also provision of medical treatment free of cost for the poor, needy, persons with disabilities and female health workers in the event of illness.
24. These initiatives have contributed to increased life expectancy and decreased the infant mortality and maternal mortality rate. However, there is a lack of disaggregated

data and information to assess whether the marginalized and vulnerable groups have benefited from such programs.

25. Since government hospitals and primary health care centers lack skilled medical staff and essential medicines and fail to offer quality health services, people are compelled to go to private hospitals and medical clinics. Private services are financially beyond the reach of poor and marginalized groups. As a result, they often have to sell productive resources, such as land or household assets, or forfeit school fees, compromising their rights to housing and education.
26. The health sector budget has risen for the past five years with NPR 33.69 billion earmarked for the fiscal year 2013/14, which represents 6.5% of the government's total budget. Despite the increase, the results are not so promising. There has been an increasing trend of funds being diverted to other areas when the authorities come under pressure to meet delivery targets at the end of the fiscal year.

6. Access to Productive Resources (Land, Forest and Water)

27. **Land:** Access to land in Nepal is often vital to fulfilling basic necessities, including food, shelter, health and education. However, ownership of land and land reform continues to be a challenge given the great disparity in landholdings coupled with a lack of political will for land reform. Although a vast body of legislation exists dealing with access to land in Nepal, particularly the Land Act 1964, non-enforcement of landholding and ceiling provisions represent critical gaps in the implementation of existing legal provisions, including the Land Act. These still have not been implemented even after the order of the Supreme Court in *the Madhav Basnet Case*.¹¹
28. The Redistribution of Land Scheme under the Land Act requires that land be distributed to landless people with priority given to free bonded laborers, the downtrodden (Dalit) and indigenous people. However, the Act assumes that the landless will be able to pay the cost of the land prescribed by the price determination committee.¹² The Act neither allows

for distribution of land free of cost nor prescribes any special loans for the landless to make such a purchase, making it extremely difficult for them to benefit from these provisions.

29. Though the provision of a tax rebate encourages land registration for women,¹³ and is said to have had a positive impact on enhancing women's land ownership, to date, there has not been any comprehensive study to measure the overall impact of these policies. Most notably, this policy is criticized because women belonging to marginalized groups cannot afford to buy land to begin with, and thus cannot take advantage of the tax rebate.¹⁴ Alongside the tax rebate and promotion of joint ownership of husband and wife, other measures, such as loan schemes based on minimal interest rates should be introduced and scaled broadly to enable women from all communities to purchase land.

30. Forest: In an agrarian country like Nepal, forestry remains an integral part of rural livelihoods and represents an important source of non-wood forest products, including food, fodder and fuel that generate income particularly for the rural poor. The Forest Act 1993 and the National Park and Wildlife Conservation Act 1973 are key legislation dealing with access to forest resources. However, both of these pieces of legislation have short comings because each lacks provisions that oblige the government to consult with the community when executing development projects that affect the interests and rights of the forest-dependent indigenous communities. The 2009 report of the UN Special Rapporteur on the Rights of Indigenous Peoples noted the above shortcomings in the existing law, especially the National Parks and Wildlife Conservation Act 1973, which fails to recognize indigenous people's rights to free prior and informed consent or to access to their traditional lands and resources.

31. Under the Forest Act, forest officials can legally remove houses and huts constructed on national forest land. Such power to remove peoples' homes raises a serious concern from a human rights perspective, since such power can render persons homeless, which has often been the case in rural parts of Nepal such as in the *Kailali* and *Morang* districts, according to our field research. Of particular con-

¹¹ Supreme Court, *Madhav Basnet vs Government of Nepal*, 17 July 2009; the petitioner pleaded for issuance of an order of mandamus to hold the authorities accountable for not implementing the provisions under the Land Act, 1964 that provides for acquisition requiring the Government prepare an inventory of ownership of the land throughout the country, acquiring land exceeding the legal limit and distribute the land to the landless within 180 days of the receipt of the order.

¹² The Land Act, Section 22.

¹³ If the land is registered as being owned by a woman, there is a reduction of the land registration fee at the rate of 25 and 30 percent for urban and rural areas respectively. The Fiscal Ordinance of 2013 also prescribes a nominal fee of Rs. 100 (approximately 1 USD) for creating joint land ownership for a husband and wife. www.landcoalition.org/sites/default/files/Case_Study_Nepal_CSRC_Joint_Land_Ownership_campaign.pdf

¹⁴ The LWF and FELM also observed this when interacting with Dalit women in Banke district. The consultation was held on 10 January 2015.

cern was the lack of provisions that oblige the authorities to follow set procedures for verifying encroachment, give notice well in advance, conduct meaningful consultation with the affected communities, provide opportunity to challenge the decision of eviction, and provide adequate compensation.

32. The Forest Act does not adequately recognize women's access to and control over forest resources. Though the Community Forestry Guidelines requires 50% female representation in forestry user's groups, this norm is not yet a binding provision. This can be accomplished through amending the Forest Act to bring it in line with international human rights instruments, including ILO Convention 169 to which Nepal is party. With regard to access, women from indigenous communities (such as Tharus, Santhal, and Sonaha) and Dalits in particular have limited access to forest resources.

33. Water: The Water Resources Act 1992, Drinking Water Corporation Act 1989 and Local Self-Governance Act 1999 are the major pieces of legislation regulating access to water resources. However, these laws fail to recognize traditional rights of indigenous communities in relation to water resources which are vital for their livelihoods. Similarly, women's access to water resources and their participation in water resource management remains a challenge. Irrespective of positive legal and policy provisions concerning women's participation guaranteed in the aforementioned laws and the related regulations, women's participation is often considered to be of cosmetic value rather than a productive factor. Among women, the situation of Dalits, women living in poverty and women from *Chhaupadi*¹⁵ areas have poor access to drinking water and sanitation. Additionally, illiteracy among rural women is given as a reason for them not attending meetings.

Recommendations for Action by the State under Review

Based upon the above analysis, we call upon the government of Nepal to consider the following recommendations.

Legal Framework

- Ratify the Optional Protocol to ICESCR with a view to enhance the protection of ESCRs through allowing the Committee on

¹⁵ *Chhaupadi* is a traditional practice prevalent in some parts of Mid-western and Far-western regions which treats girls and women as untouchable and impure and are kept in isolated places like temporary huts and sheds while they menstruate.

ESCR to receive and consider communications from the victims, their families and representatives.

- Strengthen the capacity of judges, lawyers and judicial officers to adjudicate issues of ESCR.

Equality and Non-Discrimination

- Adopt a statutory framework for the National Dalit Commission (NDC), National Women Commission (NWC) and the National Muslim Commission (NMC) to enhance their independence, credibility and effectiveness.
- Establish functional field offices for the NDC, NWC and NMC in relevant regions and districts so that they can be accessed by the beneficiaries.
- Develop and adopt regulations for the effective implementation of the Caste-based Discrimination and Untouchability Act, 2011.
- Develop and implement a longer-term inclusive education plan that clarifies the concept of inclusive education in line with the UNCRPD and outlines steps to integrate children with disabilities, particularly intellectual, developmental and/or psychosocial disabilities, into mainstream schools.

The Right to Adequate Food and Nutrition

- Enact framework legislation on the right to adequate food.
- Strengthen the fundamental guarantee of the right to adequate food, including freedom from hunger in the new constitution.
- Adopt a law on disaster management that enables people in emergencies to claim the right to food and other relief materials and provide an adequate legal basis for the government to operate emergency response system.

The Right to Adequate Housing

- Ensure effective implementation of the current housing programs such as *Janta Awash Karyekram* (People's Housing Program) and prioritize the most marginalized and vulnerable groups.
- Review and amend development policies that lead to evictions and in cases where relocations are needed, provide public services and introduce procedural safeguards such as consultation with the concerned communities, compensa-

tion schemes, advance notification guidelines, and access to competent authorities for appeal processes.

- Provide the right to adequate housing as a fundamental guarantee in the new constitution, and initiate the development of framework legislation towards effective enjoyment of the right.

Right to Education

- Adopt a law that makes basic education free and compulsory, taking special care to provide for the needs of children with disabilities and other vulnerable groups, such as Dalits and former bonded laborers.
- Take specific measures to prevent students from dropping out of primary education, particularly targeting to children belonging to Dalits, indigenous groups, former bonded laborers including *Kamlaris* and other vulnerable groups.
- Revise teacher training materials, and conduct supplementary trainings for existing teachers to promote inclusive education methods and provide adequate information on addressing the needs of children with disabilities, including provision of providing assistive devices mandatory by law.
- Recognize education provided in *Madrasa* and develop curriculum in consultation with students, teachers and parents as well as Muslim community leaders. Also, recognize *Madrasa* schools that already teach according to required curriculum by government.

Right to Health

- Enact new legislation or amend existing legal provisions concerning health care, and ensure broad consultation with

civil society in order to strengthen the implementation of National Health Policy 2014.

- Take concrete measures to upgrade primary health care centers and health posts and sub-health posts, including ensuring quality health care service in such facilities through deploying trained medical staff and supplying essential medicines free of cost.

Access to Productive Resources (Land, Forest and Water)

- Address the existing disparity in land holdings, through effective implementation of land ceiling and land distribution provisions consistent with the Supreme Court order.
- Ensure that land is distributed to the landless free of cost as in the distribution of government land to freed bonded laborers.
- Ensure access to safe drinking water for all populations living within its territorial boundaries.
- Amend existing forestry law to recognize community ownership of forest land and provide for a requirement to consult with the community when executing development projects affecting the interest of the forest-dependent indigenous communities.
- Amend the Forest Act to remodel leasehold forestry and make it pro-poor and pro-marginalized, including enhancing the representation and participation of previously excluded groups in the management of forest land.

Front page photo

An elderly woman learning to write alphabets in Empowerment Education Class run with support from LWF Nepal. Photo: LWF Nepal.

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