

2011

A Country Analysis With a Human Face

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ACRONYMS

ADB	Asian Development Bank
AIDS	acquired immunodeficiency syndrome
ARI	acute respiratory infection
ASRH	adolescent sexual and reproductive health
BMI	body mass index
CA	country analysis
CCA	Common Country Assessment
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CPA	Comprehensive Peace Agreement
CPN-M	Communist Party of Nepal (Maoist)
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CWIN	Concerned Centre for Child Workers in Nepal
DFID	Department for International Development [UK]
DOFE	Department of Foreign Employment
DPT3	three doses of diphtheria, pertussis and tetanus combination vaccine
EHMG	endangered and highly marginalized group
FSW	female sex workers
GBV	gender-based violence
GDP	gross domestic product
GLOF	glacial lake outburst flood
HDI	human development index
HIV	human immunodeficiency virus
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICPD	International Conference on Population and Development
ILO	International Labour Organization
INGO	international non-governmental organization

IP	indigenous population
MOLRM	Ministry of Land Reform and Management
MWCSW	Ministry of Women, Children, and Social Welfare
NAGA	Nutrition Assessment and Gap Analysis
NDC	National Dalit Commission
NDHS	Nepal Demographic and Health Survey
NGO	non-governmental organization
NLFS	Nepal Labour Force Survey
NLSS	Nepal Living Standard Survey
OHCHR	Office of the High Commissioner for Human Rights
SAARC	South Asian Association for Regional Cooperation
SBA	skilled birth attendant
SEA	sexual exploitation and abuse
SLC	School Leaving Certificate
SSRP	School Sector Reform Plan 2009/10–2015/16
STI	sexually transmitted infection
UN	United Nations
UDHR	Universal Declaration of Human Rights
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNCT	United Nations Country Team
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UN-HABITAT	United Nations Human Settlements Programme
UNICEF	United Nations Children’s Fund
UNSCR	United Nations Security Council Resolution
USAID	United States Agency for International Development
VDC	Village Development Committee
WFP	World Food Programme
WOREC	Women’s Rehabilitation Centre [Nepal]

PART I

1. INTRODUCTION

1.1 Background

Embarking on a Common Country Assessment (CCA) is the first step undertaken by United Nations Country Teams (UNCTs) when preparing for a forthcoming programming cycle. The CCA is intended to provide insights into key development challenges facing a country; these are then addressed in a multiyear United Nations Development Assistance Framework or UNDAF, which is the next step in the process and outlines the key areas of work for the years ahead. A CCA is typically organized around particular themes or sectors. However, this time, the UNCT in Nepal has chosen to depart from this more standard approach by attempting to conduct a country analysis (CA) with people at its core—a ‘country analysis with a human face’. In this CA, the UNCT sought to explore such questions as: who should be among the primary ‘clients’ for the next round of United Nations (UN) multiyear programming? How can the UN’s development contribution be measured over the years ahead (or in other words, what should be measured to ensure that the UN’s efforts are having the desired impact on the lives of potential clients)? Which groups have been left behind by recent development gains? Which groups do not experience a ‘level playing field’ in today’s Nepal? Are there groups who, being subject to particular vulnerabilities or future shocks could substantially reverse the development gains they have achieved in recent years? Are there groups who have long-standing grievances that, if unaddressed, might jeopardize Nepal’s fragile peace? By following this approach, potential ‘client groups’ have become the major focus of this CA.

The goal of this CA is not only to identify potential clients for UN development work, but also to identify the structural reasons for their vulnerabilities. In this way, future programming should focus especially on such issues and, it is envisioned, will result in transformational change in the development patterns of the country.

By focusing on beneficiaries, the CA is naturally grounded in a human-rights-based approach to development. As such, it places development policies and processes in a system of rights and corresponding obligations established by international law. This contributes not only to promoting the sustainability of development work but also to empowering people to participate in policy formulation, hold duty-bearers to account, and ensure the fair and equal distribution of available resources.

1.2 Overall Nepal context

Nepal is a small country of enormous diversity. In 2011, its population numbered approximately 26.5 million, with some 80 percent living in rural areas. The Himalayas form its mountainous northern frontier and are barely 200 km from the flat, fertile plains of the Tarai along the border with India in the south. The western border along the Mahakali River is a little less than 900 kilometres from the Mechi River, which forms its boundary on the east. The country’s varied geography is matched by its cultural diversity: Nepal’s census records over one hundred ethnicities, and 59 ethnic/caste groups are represented in the Constituent Assembly. There are about 125 documented languages, with six major ones. It is a multiethnic and multilingual society with numerous variations in ethnicity, caste, language and religion. About two thirds of the population belong to one of the Hindu caste groups, and the remainder comprise various non-caste ethnic and non-Hindu religious groups. The society is dominated by a complex unwritten system of rules, behavioural norms, traditions and convictions. The caste system—expanded to incorporate non-caste ethnic and minority religion groups—still impacts on access to resources and opportunities, despite the Civil Code of 1963 officially ‘abolishing’ all castes. For example, upward mobility for Dalits (a collective term used to refer to certain disadvantaged castes, representing about 15 percent of the population) and certain ethnic groups is, in general, limited.

Nepal's development challenges need to be appreciated against the political backdrop of the last two decades. Following the first People's Movement in 1990, Nepal introduced multiparty democracy and became a constitutional monarchy. However, in 1994, the Communist Party of Nepal (Maoist) (CPN-M) initiated an armed conflict (the so-called People's War) against what it termed the 'feudal' state. Following a continuing escalation of violence, in February 2005, the then-king dissolved Parliament and took control of all state powers. This move eventually resulted in April 2006 in the formation of an alliance between seven major political parties and the CPN-M to resist direct rule by the king through the second People's Movement. After 21 days of confrontation, the king abdicated and Parliament was reinstated. In November 2006, the seven-party alliance and the CPN-M signed a Comprehensive Peace Agreement (CPA) which formally ended the armed conflict. In April 2008, elections were held for a Constituent Assembly, mandated to draft a new constitution, in which the CPN-M won the largest number of seats. The first session of the Constituent Assembly in May 2008 abolished the monarchy and declared the country to be a federal democratic republic. The term of the Constituent Assembly has been extended a number of times since its initiation, as work on drafting a new constitution is yet to be completed.

Nepal is at an important historical juncture. Major, if not all, political parties are currently focused on finding common ground for the creation of an inclusive constitution within a republican federal configuration that is appropriate for the country's political, cultural and demographic realities. However, important political considerations are having a significant impact on progress, and any turn of events—particularly in relation to federalism—can and will shape the future course of the country and by implication the type and structure of development assistance that can be offered to Nepal. Furthermore, the successful transition to stability and prosperity will in all likelihood require the sustained efforts of at least a generation. It should also be recognized at this point that the current uncertainties associated with the lengthy transition to peace might aggravate existing grievances or trigger new conflicts, and could create conditions that give rise to destabilizing political opportunism and impunity.

1.3 Overview and scope of the CA—analysis with a human face

This CA provides an empirically based, qualitative account of the situation of key vulnerable groups in Nepal, as preliminary work for the upcoming five-year UNDAF expected to cover the period 2013 to 2017. It takes stock of various economic, political, cultural, social and environmental realities and their impact on the population. It analyses the different types of vulnerabilities faced by Nepalis and explores their systemic and structural causes. The UNDAF that will follow, which will be designed jointly by the UN and the Government of Nepal, will then set the priorities and outline the programmes required to address these systemic issues in order to improve overall human well-being in the country.

Improving human well-being requires a comprehensive understanding of the realities faced by specific groups in society. Some of these realities are based on history and are deeply rooted in common socio-cultural practices. Others emanate from political processes, past and current conflict dynamics, economic choices, policy forces, or environmental practices and realities. This analysis pays particular attention to these realities.

Putting people at the centre of development planning is particularly relevant in today's Nepal, as it is widely recognized that, despite the country's significant progress in improving overall human well-being, many groups still appear to have been left out of the development process. In overall terms, Nepal's economic growth, along with the associated reduction in poverty, has been encouraging over the past two decades (Table 1.1). Growth in gross domestic product (GDP) has averaged four percent per year between 1990 and 2009, and poverty has fallen by 39 percent. This progress suggests that Nepal will achieve the Millennium Development Goal (MDG) to halve poverty by 2015. The poverty gap ratio has also declined by almost 50 percent, an indication that those who remain poor have experienced a significantly lower degree of poverty.

Table 1.1: Changes in income, poverty and inequality

Indicators	1995/96	2003/04	2008/09
Growth in GDP ^a (%)	5.10	4.30	5.00
Poverty headcount ratio (proportion of population below national poverty line, %)	41.76	30.85	25.39
Poverty gap ratio (ratio of shortfall in income from national poverty line, %)	11.75	7.55	6.10
Gini coefficient (index of inequality in consumption expenditures)	0.34	0.41	0.46

Source: NPC/UNCT 2010; ^a World Bank 2011a.

Similar progress in overall terms has been made for most other MDGs. For example, several targets have already been achieved in education, and various targets on gender equality and health have been achieved or will be by 2015 (Table 1.2). While persistent challenges remain in achieving some of the MDG targets, especially those related to ensuring full employment, universal access to reproductive health and access to improved sanitation, there is no doubt that meaningful progress has been made in improving overall human well-being for Nepal's population.

Table 1.2: Changes in other measures of progress

Indicators	1990	2000	2005	2010	2015 target
Net enrolment rate in primary education (%)	64	81	87	94	100
Ratio of girls and boys in primary education	0.56	0.79	0.90	1.00	1.00
Ratio of literate women to men aged 15–24 years	0.48	n/a	0.73	0.83	1.0
Under-five mortality rate (per 1,000 live births)	162	91	61	50	54
Maternal mortality ratio (per 100,000 live births)	850	415	281	229	213

Source: NPC/UNCT 2010.

Nonetheless, the concern remains that many groups have not benefitted well or equally from development and have been left behind. While the overall poverty trend showed an 11-percentage-point decline from 42 percent in 1995/96 to 31 percent in 2003/04, the pace of reduction for child poverty was only eight percentage points, declining from 44 percent to 36 percent over the same period. More than a third of Nepal's 12.6 million children, the foundation for tomorrow's parents and leaders, live below the national poverty line. This is not all. Measured by factors that constitute a child's well-being, an even larger proportion of Nepal's children suffer from severe malnutrition (just under 50 percent of under-fives are stunted or short for their age), have inadequate access to schooling (10 percent of 5–14-year-olds do not attend school), and are deprived of at least one of the seven basic human needs (69 percent of all children) (NPC *et al.* 2010).

Furthermore, the decline in overall poverty has been accompanied by an increase in inequity and inequality. As seen in Table 1.1, Nepal's Gini coefficient is worsening, indicating that the gap between rich and poor has widened, moving from 0.30 in 1984 to 0.38 in 1996 and 0.46 in 2008—now the highest in Asia (World Bank 2011a). This notion of relative difference also holds for other noneconomic domains of life including human development and social exclusion, with some geographic regions and socio-demographic groups positioned well ahead while others lag behind (UNDP Nepal 2009a). While it is understandable that much of the recent policy focus in Nepal has been on economic growth and employment generation, the core issues of equity and equality must be addressed if the gap between the rich and the poor, the haves and the have-nots, is to narrow rather than continue to widen.

Development is about people. No matter what happens to the economy or society in aggregate, any purported progress that is not accompanied by improvement in actual people's lives cannot suffice. This is especially important for the disadvantaged, marginalized and discriminated against, whose human rights must be (progressively) realized in order to ensure their participation in the development process. Only when the lives of these people improve can progress be considered genuine.

The ‘human face’ approach adopted here centres around this reality. Given that certain groups of people have not benefited to the same extent as others in Nepal, it is important to identify these disadvantaged groups, the status of their vulnerability and exclusion, and the systemic, root causes of these vulnerabilities. The basic premise adopted in this analysis is that, no matter how robust sectoral or thematically driven policies or programmes are, vulnerabilities facing the most disadvantaged groups will not be addressed until their root causes are identified and specifically targeted.

1.4 Process and partners

This CA seeks to identify the most vulnerable groups in Nepal as well as the systemic challenges they face in improving their living standards. Preparation of the CA was facilitated in general by the UNCT in Nepal, and specifically by a technical working group comprising senior representatives from various UN agencies. As a result of an appeal across all UN agencies in Nepal, the technical working group received 191 preliminary profiles of groups considered to be particularly vulnerable. Many of these preliminary profiles were submitted through field offices, and were based on observations from the field. Through a deliberative process of brainstorming, analysis and reorganization, these 191 preliminary profiles were coalesced in a list of 19 groups identified as being the most vulnerable in today’s Nepal, with particular attention being paid to a group’s status on poverty, human development, exclusion and individual protection; in addition, one group was defined as being vulnerable by its location. The list includes three groups composed exclusively of women: women subject to sexual abuse and exploitation; women from the Mid- and Far Western Development Regions; and women of reproductive age (15–49 years). It also includes four child/youth groups: children without basic education (5–14 years); undernourished children (0–4 years); adolescent girls (10–19 years); and unemployed and underemployed youth. There is a specific focus on three minority groups: endangered and highly marginalized indigenous populations; religious minorities; and Dalits. Four of the identified client groups are characterized by their occupation and landholdings: bonded and forced labourers; migrant workers and their families; urban slum dwellers and squatters; and rural landless and land-poor. Finally, six client groups have special designations: people with disabilities; conflict-affected people; people at risk of statelessness; the illiterate; people living in the lowest-performing districts; and people from areas vulnerable to climate change and natural disasters.

For each client group, a team from UN agencies was identified to conduct research and analysis, with a lead author assigned to write a detailed profile. Each team’s remit was to:

- identify and discuss the vulnerabilities and exclusion of the client group;
- identify/explain the structural or systemic causes of the vulnerabilities and exclusion;
- provide a robust definition, based on empirical evidence, of the client group that could serve as a baseline for the future; and
- identify relevant government policies and programmes (where possible) that could provide a natural entry point for future programming.

Each of these background papers underwent internal review by UN staff and external review by scholars, researchers and other experts as well as by independent, civil society activists¹. Comments and suggestions were incorporated into final versions prior to the aggregate-level analysis. This CA, therefore, is the product of a comprehensive and integrated analysis of individual background papers. The contents of the background papers have been summarized into short client profiles presented later in this report. While some of the rich detail may have been lost during summarization, these profiles provide important insights into the situations of individual client groups.

¹ A list of drafters of these background papers and external peer reviewers is provided in Annex 1.

1.5 Methodology and data issues

The methodology applied is descriptive and analytical. While the descriptions did not typically command much analytical power, the goal was to link the descriptive accounts with sound empirical data, wherever available, so that justifiable inferences could be established. Individual client profiles have used some quantitative data; however, these were rather for descriptive purposes. The rest of the analysis takes a more qualitative and analytical form.

Data are primarily from secondary sources. Most have been derived from representative sample surveys such as the Nepal Living Standard Survey (NLSS)², the Nepal Labour Force Survey (NLFS) and the Nepal Demographic and Health Survey (NDHS) as well as from the 2011 population census. No attempt was made to collect and analyse primary data. In a number of instances, disaggregated data are unavailable for important aspects of vulnerability and other relevant characteristics, and sometimes data are outdated. Some of the data presented here may also appear to be somewhat incomplete; this is frequently due to a lack of consistent comparative data. The CA attempts to use as much empirical evidence as possible; however, it is clear that greater use of disaggregated and comparative data would significantly strengthen the analysis, and should be considered an absolute necessity for the years to come.

Analysis of the individual background papers was qualitative. The methodology included, among others, thematizing, categorizing and identifying commonalities amongst the potential client groups and their characteristics as well as commonalities in the underlying causes of vulnerabilities. The process was neither empirical nor driven by analysis of primary data. In addition, there was no application of weights to identify the relative positions of different client groups in the vulnerability mapping or the significance of causes of vulnerability.

It is anticipated that this CA will lead to a set of initiatives and programmes dealing with the underlying issues identified. Assuming it is possible to implement these programmes well, it is hoped that ultimately there will be a positive impact on the vulnerabilities shared by client groups and this will contribute to an overall improvement in human rights and well-being.

1.6 Organization of the report

This report is organized into three parts covering eight chapters. Included in Part I, the present chapter has introduced the report, discussing its objectives, approaches, context, processes and methodology. Chapter 2 provides a comprehensive analysis of the vulnerabilities faced by the various groups, and also defines and presents various manifestations of vulnerability along with their commonalities and differences. This discussion on the causes of vulnerability can be viewed as the most important part of the CA, as it identifies structural and systemic root and underlying causes through a range of lenses—economic, socio-cultural, institutional and political, and geographic and environmental.

Part II focuses on the client groups themselves. Chapter 3 identifies and discusses the different categories and presents some estimates for group sizes. Chapters 4 through 7 present individual client profiles, upon which the aggregate-level analysis is based. With the exception of the profile on people living in the lowest-performing districts, each client profile has the same sections: background and current status, problem analysis, and ongoing efforts to build upon.

Part III concludes the report by summarizing the key findings from the analysis and identifying the challenges that need to be addressed.

² Although the report of the NLSS for 2011 is expected soon, this analysis was not able to use its data, but instead used data from the NLSS for 1995/96 and 2003/04.

2. VULNERABILITY AND ITS CAUSES

2.1 Focus on vulnerability

Development is about improving human well-being and, through this, people's overall quality of life. The concept of human development is important in this analysis, as it focuses on the capability of a person to enjoy the 'freedom' or 'choice' needed to lead a desired lifestyle with dignity (Nussbaum and Sen 1993; Sen 1987, 1992, 1999; Wagle 2005, 2008). With human capability at the core, development is about 'enlarging people's choices' so that their overall quality of life can be improved and maintained (UNDP 1990). While there is no limit to enlarging choices and freedom, as an absolute minimum, people are expected to be able to maintain a healthy life. To obtain this, people need the capabilities to acquire adequate economic resources, to possess and use information or knowledge for informed decision-making, and to maintain adequate physical and mental health.

These concepts of capability and human development are useful for identifying the vulnerabilities of a person or group of people. Vulnerability here signifies both the inability to maintain a dignified human life as well as a susceptibility or fragility to this situation; it often entails a violation of human rights. Put differently, vulnerability is an inability or a lack of preparation to cope with shocks, be they economic losses, health crises, injustices or natural calamities. It can also refer to the incapacity or impossibility to deal with challenges. These challenges may include, for example, poverty, low human development, exclusion, a lack of individual protection, or other forms. One thing is clear, however: the concept of vulnerability is essentially multidimensional, touching on many basic elements of human well-being. Furthermore, it also follows that groups who are vulnerable across multiple dimensions usually manifest a greater degree of overall vulnerability.

This CA describes a situation where the majority of the identified groups are subject to several types of vulnerability in a context where poverty is high, human development is weak, exclusionary practices are pervasive, and individual protection at risk. Given this context, vulnerability in Nepal is not limited to a select group with socioeconomic disadvantages. It can also extend to people who seem economically well-off. Deeply rooted exclusionary social practices add to the vulnerability of many groups. However, rather than concentrating too much on the degree of vulnerability that a particular group exhibits, the goal of this analysis is to identify the different manifestations of vulnerability as applicable to each client group. This detailing of the manifestations of vulnerability will help later in explaining what may be some of the underlying, systemic causes that, together with their overlaps, contribute to creating and perpetuating vulnerability so that potential areas of intervention can be identified.

2.2 Manifestations of vulnerability

This section presents an analysis of the vulnerability of the 20 client groups. This is an aggregate, group-level analysis, focusing on how the various groups are vulnerable in different ways. The various manifestations of vulnerability are examined together with similarities and differences across the groups. Some of the within-group differences are also important, since people within each group may experience different degrees of vulnerability. Conceptual frameworks for poverty, human development, exclusion and individual protection have been applied to highlight different aspects of vulnerability. It is acknowledged that in applying these conceptual frameworks there is clearly some overlap between certain aspects of vulnerability as they apply to the various groups. However, it also demonstrates that regardless of which framework is being applied, the groups identified remain vulnerable. Table 2.1 provides a detailed mapping of each potential client group within the different frameworks.

2.2.1 Poverty

Poverty is an important dimension of vulnerability. Although poverty can be defined in various ways, the primary idea is always the level of income or other economic resources needed to maintain an 'acceptable living standard'. Poverty is clearly linked to different human rights violations. Most importantly, the

Universal Declaration of Human Rights (UDHR) recognizes in Article 25 the ‘right to a standard of living adequate for health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.’ Poverty also affects other human rights such as the right to work (Art. 23), the right to education (Art. 26) and cultural rights (Art. 27).

The challenge in measuring poverty is one of defining the acceptable living standard that will consequently determine the proportion of the population considered to be living in poverty. Various poverty lines have been developed and are used in different circumstances. Internationally, for example, poverty lines have been developed by averaging the national poverty lines used by a group of low-income countries (Ravallion and Chen 1997). Currently, poverty lines of US\$ 1.25 and US\$ 2.50 are used as per capita daily income in purchasing power parity international dollars³ to determine and compare the extent and depth of poverty (World Bank 2011a).

In the context of Nepal, and in this analysis in particular, poverty signifies that a person or household (at which level analyses are typically conducted) is unable to afford a basket of goods and services established as minimally required for an acceptable living standard. Both food and non-food items included in the computation of the national poverty line⁴ are important when considering vulnerability. While actual consumption practice and patterns may differ, the inability to afford this ‘basic basket’ implies that a person or household is vulnerable to inadequate food and nutrition as well as being likely to lack other goods and services such as housing, transportation, clothing and medical necessities. This has direct implications for human health and well-being in general, as well as indirect implications for the well-being of future generations that depend on investment today (Wagle 2008).

Data suggest that, using this definition, the extent of poverty in Nepal has declined over time from 42 percent of the population in 1995/96 to 31 percent in 2003/04 and 25 percent in 2010/11 (CBS 1996, 2005, 2012a). The degree of poverty, defined as the ratio of income shortfall from the poverty line, also declined by almost half over this period. It is important to note, however, that these are overall figures of progress and that not all groups have shared equally in poverty reduction. Between 1996/95 and 2010/11, for example, the poverty headcount ratio for the rural landless and for those with less than 0.2 ha of land declined by 43 percent, but by over 83 percent for those with more than 2.0 ha of land (CBS 2005, 2012a). Additionally, the poverty headcount ratio decreased by 46 percent among so-called upper-caste Hindus, whereas it decreased by 21 percent among Dalits, 10 percent among Hill Janajati⁵, and a mere five percent among Muslims between 1996 and 2004 (CBS 2005).

While Nepal’s poverty-line indicator suggests that good progress has been made in overall income poverty, it should be noted however that other measures of poverty do not show such improvements. The Multidimensional Poverty Index (MPI), developed by the Oxford Poverty and Human Development Initiative and United Nations Development Programme (UNDP), complements income-based poverty measures by reflecting the multiple deprivations that people face at the same time. It identifies deprivations across health, education and living standards, and shows the number of people who are

³ Going beyond market exchange rates, the purchasing power parity values expressed in international dollars account for price differences across countries so that figures can be compared.

⁴ This is based on a daily consumption requirement of 2,124 calories of food for an average person with variations by individual, geographic and occupational characteristics. This need for food, together with allowances for non-food items, translated to NRs 4,404 per year in 1995/96 (CBS 1996). Appropriate cost of living adjustments are made to determine poverty lines for other years. With these adjustments, for example, the poverty lines were determined to be NRs 7,696 for 2003/04 and NRs 9,000 for 2008/09 (CBS 2005; NPC 2010).

⁵ Janajati is defined as a community having its ‘own mother tongue and traditional culture, but not belonging to the Hindu caste system’, and is generally ‘socially backward in comparison to other caste groups’.

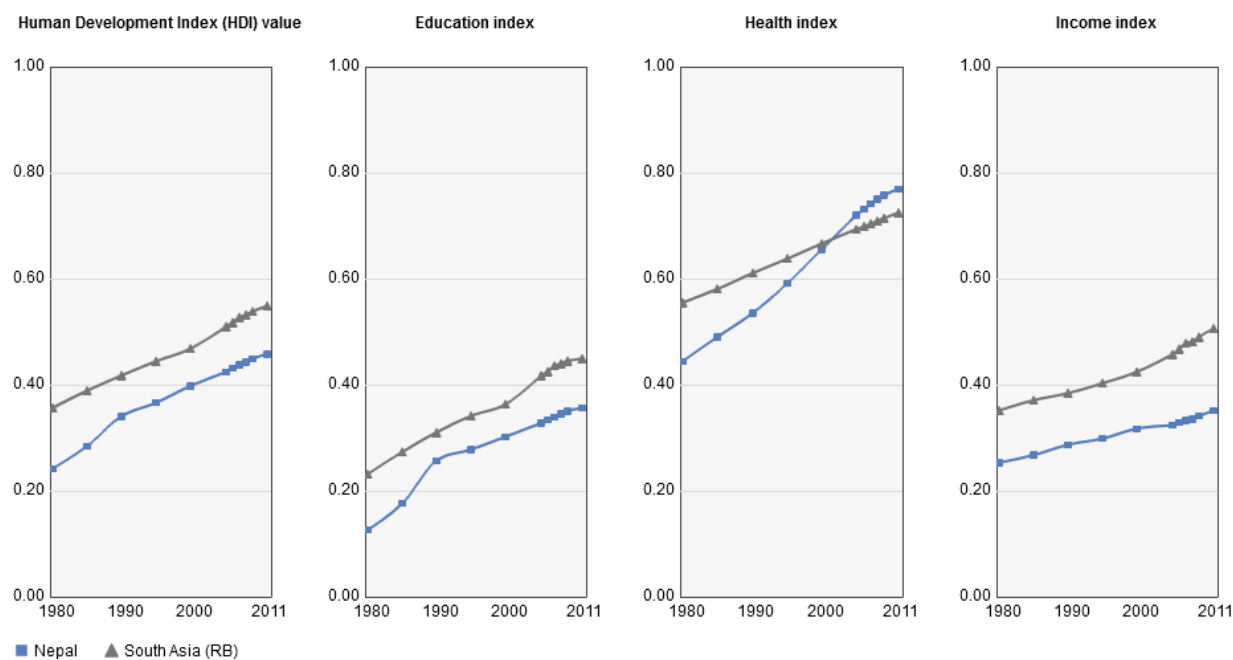
multi-dimensionally poor. By this measure, 64.7 percent of Nepal’s population can be considered poor (OPHI 2011).

As indicated in Table 2.1, most of the potential client groups demonstrate greater vulnerability to poverty than the general population. The focus here is on the performance or condition of groups. However, some groups are not necessarily vulnerable to poverty in themselves. For example, women of reproductive age, adolescent girls, conflict-affected people and migrant workers as groups include people with very diverse backgrounds. In most other cases, however, groups are consistently more vulnerable to remaining poor when compared to the overall population; this particularly applies to Dalits, endangered and highly marginalized indigenous populations, illiterates, bonded and forced labourers, and other groups that are economically marginalized in society. The poverty incidence in 2004 of 45 percent or more among Dalits and endangered and highly marginalized indigenous populations is much higher than the 31 percent found in the nation as a whole. While more recent disaggregated data are unavailable to provide a more complete picture, the discussion, as well as other related indicators of economic resources included in the individual profiles in Part II, suggest that most of the groups are vulnerable to poverty and consequently also to hunger, undernutrition, HIV/AIDS and the poor health status that is likely to accompany poverty.

2.2.2 Weak human development

Human development is another framework that helps to assess vulnerability. Human development is defined as a process of enlarging people’s choices, the most critical being to lead a long and healthy life, to be educated, and to enjoy a decent standard of living. Additional choices include political freedom, guaranteed human rights and self-respect. Cultural liberty and being able to choose one’s identity are also vital parts of human development (Sen 1992; UNDP 1990; UNDP 2004). The concept of human development refers both to the formation of human capabilities, such as improved health or knowledge, and to the use that people make of their acquired capabilities, for example, through work. When measured, for example through the human development index (HDI), human development refers to a level of achieved well-being.

Figure 2.1: Changes in HDI and HDI components, Nepal and regional average (1980-2011)



Source: UNDP Data Tools and Visualisations 2012

The HDI, which is a composite measure of life expectancy, adult literacy, years of schooling and GDP (or gross national income, GNI) per capita, has been steadily improving in Nepal (Figure 2.1). From a score of 0.242 in 1980, it has improved to 0.455 in 2010, an increase of over 150 percent in 30 years (UNDP 2010). Furthermore, it is interesting to note that when the income (GDP per capita) component is removed from the computation, the HDI for Nepal is stronger. This is an indication that the noneconomic indicators are ahead of the economic indicator. In 2001, the HDI was estimated to be 0.421 without the income component compared to 0.377 with the income component (UNDP 2010). In addition, the rate of increase is higher without the income component, indicating that the noneconomic indicators have been improving faster than the economic indicator. For the purpose of this analysis, groups are assessed with respect to three essential elements of human development: health, knowledge and economic resources. Health is taken here to mean more than life expectancy (as used to calculate the HDI); it covers the overall state of health including mortality, morbidity, maternal and child health, nutrition and sanitation. Knowledge covers all aspects of education, training and learning through self-study, the media and other sources. Economic resourcefulness overlaps to some extent with the analysis of poverty, but is enriched here by examining its interrelations with the other two dimensions. Economic resources directly contribute to securing adequate human well-being through improved access to healthcare and knowledge acquisition. Furthermore, as well as contributing to each other, knowledge and good health also contribute to achieving greater access to economic resources. When used in aggregate, these three dimensions have the ability to collectively determine one's status on human development.

It is beyond the scope of this analysis to compute the HDI for each potential client group. However, the discussions and available economic, educational and health indicators presented in the client profiles signify that most groups are consistently vulnerable across all three elements of the HDI. For example, women from the Mid- and Far West are more vulnerable in comparison to men from the same regions, as well as to women from other regions. Similarly, the gender-related development index, which measures equality between men and women in life expectancy, educational attainment and income, is at least 15 percent lower in the Mid- and Far West than in other regions. The only groups not consistently vulnerable to all three components were women of reproductive age, adolescent girls, under- and unemployed youth, migrant workers and their families, conflict-affected people and people at risk of statelessness; however, these groups were all vulnerable in at least one aspect. While most groups when assessed in aggregate are vulnerable on all three components of human development, not everyone in each group is considered equally vulnerable. Nevertheless, such client groups all contain relatively large subgroups that are consistently vulnerable. For example, while not everyone in the religious minorities group is equally vulnerable to low human development, there is a large subgroup, i.e. Muslims, and especially Muslim girls, for whom weak human development is a long-standing problem, with many individuals lacking education and experiencing poor health status.

It is important to note that even when a group is assessed to be intrinsically vulnerable in only one or two dimensions of human development rather than all three, the group may not demonstrate a strong overall human development performance, as each of the human development dimensions interrelates with and affects each other.

2.2.3 Exclusion

While poverty and human development are largely understood in terms of individual deprivation, the concept of exclusion focuses on one's relative position in society overall (Wagle 2008). A dignified human life necessitates meaningful participation in broader social systems, institutions and practices. Just as human development refers to multiple capabilities, inclusion requires integration in multiple facets of societal life. For example, people can be excluded from the economy through limited access to labour and commodity markets, to land or tools, to livelihoods opportunities, etc.; they can be excluded from politics, with access restricted to organizations, consultations, decision-making forums and elections; and they can be excluded from social, civic and cultural activities and the associated 'belongingness' that enrich the associational or civic bonds in human life (Beall and Piron 2005; de Haan and Maxwell 1998; Wagle

2002, 2005, 2008). From a human rights perspective, the principles of non-discrimination and equality, particularly as recognized in Article 2 of UDHR, underlie and provide the basis for the enjoyment of all human rights.

Exclusion can be seen as both process and outcome. For example, social exclusion has been defined as the ‘process whereby certain individuals are pushed to the edge of society and prevented from participating fully by virtue of their poverty, lack of basic competencies and lifelong learning opportunities, or as a result of discrimination’ (Council of the European Union 2004). Exclusion can also describe the current status and characteristics of an excluded individual or group (UNDP 2011). In this section, analysis will focus primarily on exclusion as an outcome; in the next chapter, exclusion will be examined again as a process and a cause of current outcomes and vulnerabilities.

In Table 2.1, vulnerability to exclusion is identified in terms of economic, political and civic/social/cultural exclusion. Most groups appear to be vulnerable to exclusion consistently across all three fronts. This is not surprising, as the three dimensions are interrelated: one form of exclusion is likely to feed into the others, and this is consistently the case with most groups. Because these groups experience a combination of economic, political and civic/social/cultural vulnerabilities, escaping the cycle of exclusion becomes near impossible. A more detailed description of these interlinked forms of exclusion can be found in Part II on potential client groups.

Some groups, however, may experience exclusion in only one or two dimensions. For example, those groups consisting of children and youth might experience vulnerability to economic and civic/social/cultural exclusion but, given their age, are not strongly affected by political exclusion. Migrant workers and their families, on the other hand, are likely to experience political and civic/social/cultural exclusion, but not necessarily economic exclusion.

Three observations are noteworthy regarding exclusion. Firstly, vulnerability to at least one form of exclusion applies to all groups. This is consistent with the notion that lack of integration or ‘embeddedness’ in the broader economy and society is a long-standing problem for all groups. Nepal is a demographically diverse society with a large number of caste, ethnic, indigenous, linguistic and religious groups; discrimination is a major manifestation, as well as a driver, of exclusion. With discriminatory practices engrained in the mainstream hierarchical society, exclusion on some basis is the norm rather than the exception. While Nepal’s legal and regulatory structures have become increasingly inclusive in an attempt to undo some of these deep-rooted and highly institutionalized norms, actual practices do not always follow such regulatory attempts. The economic, political and civic/social/cultural components of exclusion are also highly interconnected; exclusion in one dimension contributes and reinforces exclusion in another.

Secondly, of all the vulnerabilities in Table 2.1, political exclusion is not experienced by the highest number of client groups; these are the four groups containing children or young people. This is not surprising because, with the exception of under- and unemployed youth, these groups are yet to become substantially involved in political participation. For the other groups, exclusion in the political domain, however, touches on an interesting feature of the Nepali political system. Systematic, explicit political exclusion by the state has been less of an issue since 1990, when the constitution first guaranteed basic political rights including adult franchise, press freedom and civil liberties. However, what continues to be an issue is the dominant political practice that prevents some minority groups from going beyond a ‘passive’ form of participation to playing crucial and substantive roles in political activities and governance. The groups that lag most significantly behind in these active forms of political participation include women, bonded and forced labourers, religious minorities, Dalits, people at risk of statelessness, and endangered and highly marginalized indigenous populations. As a result of this political exclusion and their lack of voice, these groups become highly vulnerable to other persistent exclusionary practices in society, as they are unable to advocate for policies and programmes that would positively impact on their situation.

Thirdly, the economic dimension of exclusion, while not exactly the same, is strongly related to poverty as well as to the economic resources dimension of human development. Reflections on these three interrelated economic realities converge throughout most of this vulnerability mapping. Logically, economic integration or inclusion in the broader economy through jobs, self-employment or consumption patterns is expected to increase a person's command over economic resources, making one less likely to be poor. Groups that are vulnerable to economic exclusion, therefore, are typically unable to generate resources and thereby avoid poverty; a scenario that is consistent for almost all of the groups covered in Part II.

Finally, it is also important to highlight that excluded communities often depend on increasingly marginal natural resources. With the increasing impacts of climate change, including climate-induced disasters such as floods and droughts, these excluded communities are likely to become still more vulnerable.

Table 2.1: Key vulnerabilities of client groups

Client group		Vulnerability type								
		Poverty	Weak human development			Exclusion			Weak individual protection	
			Economic resources	Knowledge	Health	Economic exclusion	Political exclusion	Civic/Cultural exclusion	Physical protection	Legal protection
1	Women subject to sexual abuse and exploitation	•	•	•	•	•	•	•	•	•
2	Women from Mid- and Far West	•	•	•	•	•	•	•	•	•
3	Women of reproductive age (15–49 years)	•	•	•	•	•	•	•	•	•
4	Adolescent girls (10–19 years)	•	•	•	•	•	•	•	•	•
5	Endangered and highly marginalized indigenous populations	•	•	•	•	•	•	•	•	•
6	Religious minorities	•	•	•	•	•	•	•	•	•
7	Dalits	•	•	•	•	•	•	•	•	•
8	Persons with disabilities	•	•	•	•	•	•	•	•	•
9	Children without basic education (5–14 years)	•	•	•	•	•	•	•	•	•
10	Undernourished children (under-fives)	•	•	•	•	•	•	•	•	•
11	Under- and unemployed youth (15–29 years)	•	•	•	•	•	•	•	•	•
12	Migrant workers and their families	•	•	•	•	•	•	•	•	•
13	Rural landless and land-poor	•	•	•	•	•	•	•	•	•
14	Bonded and forced labourers	•	•	•	•	•	•	•	•	•
15	Urban slum dwellers and squatters	•	•	•	•	•	•	•	•	•
16	Conflict-affected people	•	•	•	•	•	•	•	•	•
17	People at risk of statelessness	•	•	•	•	•	•	•	•	•
18	Illiterates	•	•	•	•	•	•	•	•	•
19	People from lowest-performing districts	•	•	•	•	•	•	•	•	•
20	People from areas vulnerable to climate change and natural disasters	•	•	•	•	•	•	•	•	•

2.2.4 Weak individual protection

Another framework of vulnerability applied to the status of potential client groups is weak individual protection. This deals with the safety and security of a person as an individual; it is particularly important in relation to respect for and dignity of a person, together with protection from political, legal and social inequality, abuse and discrimination (Nickel 2010). While the focus of human rights is consistently on freedom and human well-being, the most fundamental rights to which a person is entitled include the right to existence as a human being and the right to legal protection as a citizen of a country.

The UDHR provides a number of protections regarding one's ability to exercise political, legal and cultural freedoms. In addition, Nepal is a signatory to a number of legally binding conventions on human rights including the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Rights of the Child (CRC), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). As the primary duty-bearer, the government has an obligation to ensure the promotion and protection of human rights for all citizens—from physical integrity to the rights to education, food, employment, healthcare, housing, and civil and political rights.

The focus of this section is on physical protection or security on the one hand and legal protection on the other. These are important dimensions of vulnerability since the potential client groups may have faced discrimination and violence from the state as well as from different segments of society. These two forms of protection ensure that a person is able to function effectively in society to order to achieve human well-being and to live a life of dignity and respect. Collectively, they provide a basis for individual rights and freedom including non-discrimination based on age, caste/ethnicity, class, creed, gender, geography, religion and sexuality.

More specifically, the right to physical integrity is a prime concern for the well-being of an individual. Included under this form of protection are physical abuses such as killing, torture, assault, rape and other forms of violent activities directed at a person. Physical integrity is the first and foremost necessity in life, with people vulnerable to these physical abuses unable to concentrate on other things that ensure a life of respect and dignity.

If the state and other duty-bearers fail to observe human rights, they can be held accountable on the basis of legal norms and standards contained in human rights instruments. In this sense, the second part of individual protection focuses on legal protection as a citizen, a necessary condition for equal treatment, resulting in the principle of equality of persons and non-discrimination being applied uniformly for all. Legal protection ensures rule of law, with a guarantee of equality of persons before the law and access to justice, due legal process and a fair trial. This notion of legal protection is a necessity because every aspect of life depends on contexts that are circumscribed by laws.

Nepal has obligations to physical as well as legal protection of all its citizens through constitutional guarantees as well as through commitments to international law. However, certain national or sub-national laws, rules and regulations have yet to change in order to conform to these constitutional and international obligations. Access to justice is still a major challenge leading to unequal outcomes. A case in point is that of women, who have the right to protection from violence; yet, for example, women subject to sexual abuse or exploitation are frequently reluctant to seek justice because of the fear, held rightly or wrongly, that they will not be treated justly by a male-dominated judicial apparatus. Another example would be workers' rights, where legal national or international provisions have not been applied equally across all groups of workers including in the informal sector, by geography or by other demographic characteristics such as age, gender, class, caste, ethnicity and religion.

As with exclusion, assessing vulnerability to weak individual protection is complicated since one has to go beyond the existing legal framework. The outcome of such assessment, which by necessity has to

focus on actual practice rather than legislative provisions, is also subject to interpretation. Despite this complexity, an exercise like this with two dimensions of protection helps validate different manifestations of group vulnerability. To maintain consistency within this CA, attention is paid to the individual protection vulnerabilities of subgroups within client groups as long as these subgroups are large enough to record vulnerability for the group as a whole. For example, not all adolescent girls may experience weak legal protection but many do.

As shown in Table 2.1, most of the client groups experience vulnerability to both forms of individual protection. Vulnerability applies consistently to weak physical protection as well as legal protection for most groups. Not only are these groups more vulnerable to physical harm but they often lack adequate legal protection when they do become involved in conflicts or their right to physical integrity is violated. Groups such as adolescent girls, religious minorities and persons with disabilities, for example, are likely to face greater risks of physical maltreatment as a consequence of their status, and are less likely to be able to access protection from the state if conflict or violence against them occurs. Some groups also experience discrimination in current legal structures and provisions; women, for example, are not yet granted the same legal rights to parental property as men nor do they have the same citizenship rights, a notable source of exclusion from other rights. Some groups of women may be especially vulnerable as a result of their unequal access to the justice apparatus, operating as it does in a male-dominated and caste-bound society.

While physical and legal protections are related in that weak legal protection may expose one to weak physical protection, it is useful to think of the latter following, not preceding, the former. Legal protection is expected to provide justice if and when a legal recourse is sought or needed. However, children without basic education and undernourished children, for example, are vulnerable from a legal protection standpoint simply because their situation leaves them without the necessary awareness or education about the legal protection system and justice mechanism. In fact, it is the entire legal and judicial system itself that disallows enjoyment of full legal protection for many of the subgroups included in these client groups, making this form of vulnerability consistently applicable across all of the groups.

The fact that more groups are vulnerable to weak individual protection than to weak human development and exclusion follows from the centrality of security and the rule of law. This is also where the state has greatest responsibility and yet offers the least consistent provisions and processes. Even when legal provisions or structures are in place, the process or practice often discriminates against the groups identified as vulnerable in this CA.

2.3 Underlying and root causes of vulnerability

The previous section discussed the vulnerabilities of client groups. This section discusses the specific causes that help create and perpetuate these vulnerabilities. Initially, for each client group, a causal analysis of the group's vulnerabilities was conducted, using a problem tree outlining immediate, underlying and root causes of manifested vulnerabilities. These causes are often multilayered, with what seem to be immediate causes actually being manifestations or by-products of even deeper causes. The objective of the analysis is to tease out the nuances of cause-and-effect until systemic or structural root causes can be identified. Theoretically, identifying these causes helps pinpoint the specific sources of vulnerabilities for each group. In practice, however, this process can be obfuscated by the intertwining of underlying and root causes, where one feeds into the other. For example, people's lack of awareness renders them unable to harness available services and to recognize their value in improving their well-being. Lack of awareness and knowledge appears to be a core problem. However, the weak institutional capacity of the state to make appropriate services available clearly feeds into this lack of awareness, as well as being a problem in itself. This is often the case in remote and resource-poor areas, where no alternative forms of service are available; remoteness appears to be a central cause of vulnerability as well. Despite these complexities, however, what is absolutely critical is that analysis is taken beyond immediate causes, as they may simply be manifestations of the underlying and root causes.

Exclusion is a useful concept for assessing not only people's current position in society, but also for understanding how certain people, or groups of people, have been subjected to processes of exclusion, resulting in their current vulnerability. The UNCT Nepal has previously defined social exclusion as 'both a cause and a consequence of inequality and discrimination on the basis of hierarchies of gender, caste, ethnicity, religion, class, sexual orientation, disability, age and geography.' The concept of social exclusion is particularly useful in this analysis, as it highlights the fact that vulnerability is not randomly distributed, but rather disproportionately affects certain groups (Kabeer 2010).

The individual profiles included in Part II provide detailed discussions of the immediate, underlying and root causes of vulnerability for each of the client groups. Table 2.2 provides a summary of the matrix of causality across all groups. To facilitate the discussion, these underlying and root causes have been grouped into broader themes: socio-cultural, economic, institutional and political, and geographic and environmental. The following discussion of the causes of vulnerability, therefore, uses this thematically organized⁶ causal matrix. This causal matrix is useful for mapping out all relevant underlying and root causes contributing to the vulnerability of each client group. In addition, it helps ascertain the degree of overlap among causes so that an appropriate understanding can be derived about the strength of any one cause in contributing to the vulnerability of any number of groups.

2.3.1 Socio-cultural causes

Some of the core reasons why the identified client groups are more vulnerable than the mainstream population of Nepal are closely related to existing social, cultural and structural systems and arrangements. Disadvantages are often the result of social hierarchies that define certain groups as subordinate to others on the basis of their identity. In many contexts, the more enduring forms of poverty and vulnerability are often associated with identities that are ascribed from birth, such as caste, ethnicity, minority religious beliefs and, in some cases, disability (Kabeer 2010).

In Nepal, the most fundamental socio-cultural root cause of vulnerability is the structural discrimination emanating from socio-cultural traditions, norms and practices developed over centuries. The dominant Hindu caste system and its institutionalization throughout modern history have determined the position of different groups in the socio-cultural hierarchy. The different social outcomes and realities today—such those as in education, health and jobs—depend to a large degree on this historical context. Nevertheless, the resulting inequities are widely acknowledged and much has been done to overcome them. Important political and legal initiatives have been undertaken at different times in history and especially since the 1990s to incrementally undo, if not fully stamp out, the institutionalization of this system. Notable changes have also occurred in the socio-cultural behaviour and mindset of many Nepali people. Nonetheless, historical and caste-based discrimination continues to contribute to many of the underlying causes of vulnerability for many of the identified groups. Socio-cultural norms and practices institutionalize traditional social hierarchies, and allow practices that might lead to the systematic exploitation or exclusion of those in lower echelons. For example, accepted norms can lead to discriminatory school environments and curricula that in turn result in a lack of education and awareness for some. Traditional mindsets can limit cultural liberty, vital to human development, when people hesitate to express their identity through language, ritual, dress or other acts, for fear of ridicule or diminished opportunity (UNDP 2004). Discriminatory practices also partly determine the participation of certain groups in specific kinds of economic activities, affecting their economic resourcefulness and poverty status. In the case of religious minorities and Dalits, intra-group discrimination causes divisions within the groups themselves, with some subgroups more vulnerable than others.

Another fundamental socio-cultural cause of vulnerability is discrimination based on sex. Women in Nepal generally face challenges created by patriarchal norms and values that have been practiced for

⁶ This thematic scheme will also be used to structure the organization of client profiles in Part II.

generations⁷. In recent decades, important improvements have been made in women's labour force participation, women's educational status, maternal mortality and equality of pay between men and women. However, gender inequality remains a major challenge, and some groups of women, such as those subject to sexual abuse and exploitation, women of reproductive age, adolescent girls and women from the Mid- and Far West, are particularly vulnerable. Women, of course, are distributed evenly across all identity and economic groups, and are not necessarily vulnerable as individuals. However, women of all types find it more difficult than their brothers and husbands to engage in economic activities or generate economic resources, thereby avoiding poverty. Women's lower status also makes them vulnerable to exclusion from communitywide activities as well as broader political activities, and makes them more likely to have low educational attainment and poorer health, leading to weak overall human development.

Analysis of the socio-cultural causes of vulnerability, drawn from the individual profiles and summarized in Table 2.2, highlights that the root causes of discrimination—based on caste, ethnicity, sex and disability and the associated socio-cultural norms and practices—are highly consistent across most potential client groups. Lack of education and awareness, exploitation and exclusion, low self-esteem and socioeconomic status, due in great part to the underlying structures of discrimination, are also moderately consistent across groups. Discriminatory school environments and curricula and linguistic discrimination, which are also linked to other causes, are relevant for a smaller number of groups.

These fundamental root causes—identity-based and sex-based discrimination—touch on an important aspect of vulnerability. Discrimination, whatever form it takes, constitutes a violation of human rights and a lack of individual protection. Many of the groups, whether they are women, identity-based groups or groups defined by socioeconomic or regional characteristics, experience discrimination because of their specific status, and are victims of physical abuse and exploitation and weak legal protection.

Another important socio-cultural aspect of vulnerability is the capacity or confidence of client groups: weak capacity or confidence in itself can be viewed as a form of marginalization and it can also increase vulnerability in other areas. This, in essence, is the immediate result of discrimination that makes groups more vulnerable on many fronts including economic resources and poverty, weak human development, exclusion, and weak individual protection. While seemingly a cause of vulnerability itself, this issue of confidence and awareness also relates to the broader structural system that places many groups such as women subject to sexual abuse and exploitation, adolescent girls, Dalits and illiterates into the lower stratum of knowledge and self-esteem.

2.3.2 Economic causes

Not all vulnerability or exclusion is the result of identity-based or sex-based discrimination. Exclusion from economic life results from, and causes, inequities in assets, material resources, income and employment opportunities and, in turn, causes exclusion in other dimensions (UNDP 2011). Analysis of the individual profiles shows that a core group of underlying and root causes of current vulnerabilities relates to economic realities—be they economic systems, practices or activities. It must be noted, however, that many of the economic issues that client groups are seemingly facing today, in reality emanate or evolve from past social and political arrangements and practices. These economic realities, therefore, cannot and should not be completely divorced from social realities. At the same time, some social or cultural vulnerabilities depend on present and past economic realities⁸. Poverty or inequitable resource distribution, for example, is to a large degree affected by past and/or present social norms and

⁷ Gender inequality and patriarchal norms and values capture the idea of gender discrimination. Yet, it must be noted that patriarchal norms and values are processes that lead to gender inequality as an outcome, with what is observable in terms of gender inequality resulting from a cumulative process of practicing patriarchal norms and values in society.

⁸ This does not mean, however, that socio-cultural discrimination is necessarily a result of economic differences. A person from an upper caste, for example, is unlikely to face caste-based discrimination regardless of their socioeconomic status.

practices. To take another example, the lack of education or awareness partly depends on one's economic resources, with unequal distribution of educational capacities depending on the economic resourcefulness of the past, if not the current, generation.

Table 2.2 indicates that poverty, lack of alternative income or livelihood opportunities, and inequitable distribution of resources are the three causes of vulnerability most consistently expressed across the different client groups. Lack of employment opportunities, lack of functional and technical skills, and landlessness and marginal landholdings are moderately consistent causes of vulnerability. Other factors such as economic contributions not counted or appreciated, lack of access to markets, insecure property ownership, resource scarcity, forced labour and occupation, and slow growth are the least common sources of vulnerability.

While there are many economic factors contributing to vulnerability, three groups stand out. The first includes the lack of alternative income and livelihood opportunities and lack of employment opportunities. This is comparatively consistent across all groups. This is an area in which economic growth, investment, and economic policies and performance greatly shape what kinds of opportunities are available in the labour market. The relevance of these causes may differ according to the group. A lack of opportunities, for example, has a direct impact on economic inclusion in general and income generation in particular. Discriminatory and exploitative practices limit opportunities available to some groups, such as Dalits, and bonded and forced labourers. Vulnerable economic conditions also impact on some children such as undernourished children and children without basic education. Although a direct assessment of broader economic factors is difficult, and other markers of economic performance such as a lack of access to markets and slow economic growth do not consistently apply across all groups, this brief analysis also points to the obvious limitations created by the weak overall economic climate, wherein it is difficult to generate employment for a large chunk of the labour force.

The second group of economic factors increasing the vulnerability of some client groups has to do with broader structural issues and in particular the inequitable distribution of resources. Partly, people experience an elevated level of vulnerability when their resource endowments such as landholdings or other forms of property are low. Compared to the general population and people from other groups, women, bonded and forced labourers, urban slum dwellers and squatters, rural landless and land-poor, endangered and highly marginalized indigenous populations, persons with disabilities, and Dalits tend to have significantly lower resource endowments, which in turn increases their vulnerability. However, the broader issue here is how resources are distributed in society. Historically, this has been dominated by people with high socio-cultural status, depriving a significant portion of the population, including the groups examined in this CA, of economic resources.

There are other factors related to the overall structure of the economy and society that contribute to vulnerability. Factors such as economic contributions not being recognized or appreciated, forced labour and occupation, and insecure property ownership, for example, further amplify the existing structural problems since many groups, and especially women and Dalits, face systematic discrimination. This practice of discrimination holds them to inferior and subordinate status in society, increasing their vulnerability to lack of engagement in economic, social, and even political arenas.

Table 2.2: Key underlying and root causes of vulnerability

Root and underlying causes		Women subject to sexual abuse and exploitation	Women from Mid- and Far West	Women of reproductive age (15–49 years)	Adolescent girls (10–19 years)	Endangered and highly marginalized indigenous populations	Religious minorities	Dalits	Persons with disabilities	Children without basic education (5–14 years)	Undernourished children (under-fives)	Under- and unemployed youth (15–29 years)	Migrant workers and their families	Rural landless and land-poor	Bonded and forced labourers	Urban slum dwellers and squatters	Conflict-affected people	People at risk of statelessness	Illiterates	People from lowest-performing districts	People from areas vulnerable to climate change and natural disasters	
A	Socio-cultural causes																					
A.1	Caste/ethnic discrimination in society	•	•	•		•	•	•	•	•		•		•	•	•	•	•	•	•	•	•
A.2	Patriarchal norms and values (process)	•	•	•	•					•		•		•	•	•	•	•	•	•	•	•
A.3	Gender inequality (outcome)	•	•	•	•	•	•			•	•	•	•	•	•	•	•	•	•	•	•	•
A.4	Intra-group division and discrimination						•	•														
A.5	Low self-esteem and socioeconomic status	•	•		•	•		•	•					•	•			•	•		•	•
A.6	Discriminatory school environment and curriculum	•			•	•	•	•		•					•				•			•
A.7	Lack of education and awareness	•	•	•	•	•	•		•	•	•	•	•	•	•	•	•	•	•	•	•	•
A.8	Exploitation and exclusion	•	•		•	•		•	•	•	•	•			•	•		•	•			•
A.9	Socio-cultural norms and practices	•	•		•	•		•	•	•	•	•	•		•			•	•			•
A.10	Linguistic discrimination					•	•	•		•												
B	Economic causes																					
B.1	Poverty	•	•	•	•	•	•	•	•	•	•		•	•	•	•			•			•
B.2	Inequitable resource distribution	•	•	•	•	•		•	•	•		•		•	•	•						
B.3	Economic contributions not known or appreciated		•		•	•		•				•										
B.4	Forced labour and occupation							•							•							
B.5	Lack of functional and technical skills	•	•			•			•			•	•	•	•	•						
B.6	Lack of employment opportunities		•			•		•		•		•	•	•	•	•	•					
B.7	Lack of alternative income or livelihood opportunities	•	•			•		•	•	•	•	•	•	•	•	•			•			•
B.8	Landlessness or marginal land-holding					•		•						•	•			•	•			•
B.9	Lack of access to markets		•		•						•	•										
B.10	Slow growth											•										
B.11	Insecure property ownership		•									•						•				•

Table 2.2 cont.: Key underlying and root causes of vulnerability

Root and underlying causes		Women subject to sexual abuse and exploitation	Women from Mid- and Far West	Women of reproductive age (15–49 years)	Adolescent girls (10–19 years)	Endangered and highly marginalized indigenous populations	Religious minorities	Dalits	Persons with disabilities	Children without basic education (5–14 years)	Undernourished children (under-fives)	Under- and unemployed youth (15–29 years)	Migrant workers and their families	Rural landless and land-poor	Bonded and forced labourers	Urban slum dwellers and squatters	Conflict-affected people	People at risk of statelessness	Illiterates	People from lowest-performing districts	People from areas vulnerable to climate change and natural disasters
C	Institutional and political causes																				
C.1	Lack of political commitment	•	•	•	•	•	•		•			•	•	•		•	•				
C.2	Low representation in political and policy processes	•	•		•	•	•	•	•						•	•		•			
C.3	Historical exclusion from the state	•	•			•	•	•							•			•	•		•
C.4	Discriminatory laws and legal provisions	•	•		•	•	•	•				•			•			•	•		
C.5	Lack or improper application of laws	•	•		•	•								•	•		•	•			
C.6	Conflict	•	•	•					•	•	•	•	•	•		•	•				
C.7	Weak institutional capacity	•	•		•				•	•	•	•	•	•	•	•	•	•	•		•
C.8	Lack of social protection	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•		•
D	Geographic and environmental causes																				
D.1	Remoteness		•	•		•				•	•	•		•			•	•	•		•
D.2	Dispersion of the affected population					•	•	•		•	•	•					•		•		
D.3	Lack of rural infrastructure		•			•				•		•		•					•		•
D.4	Depleting natural resources		•					•													•
D.5	Natural disaster	•	•													•					•
D.6	Changing weather patterns		•			•															•

The third group of economic factors resulting in increased vulnerability includes income poverty itself, which is highly consistent across all client groups. In general terms, poverty feeds into itself, with poverty today (or of this generation) limiting the ability to do things needed to improve well-being tomorrow (or of future generations). This reiterates the core issue of this CA: a poor lifestyle increases other forms of vulnerability including weak human development and exclusion, with a poor person lacking the resources needed to invest in improving his or her education, skills and health status and to participate meaningfully in the broader community or society. These problems are very common among many client groups including illiterates, Dalits, bonded and forced labourers, migrant workers and their families, and persons with disabilities, who witness multiple manifestations of vulnerability. In addition, poverty is also a factor contributing to a vulnerable position on individual protection: the poor are likely to face an increased risk of physical and legal insecurity since they are often the most discriminated against and the most unlikely to be adequately covered by the state apparatus. The case of religious minorities and endangered and highly marginalized indigenous populations amplifies this nexus between poverty and vulnerability to weak individual protection.

Poverty or inadequacy of economic resources is not just a function of one's individual efforts since what happens in the labour market and how society treats different groups greatly impact how an individual is likely to fare economically. Furthermore, highly interrelated with poverty is the issue of a lack of functional and technical skills. This factor applies consistently across groups, indicating that many groups such as women, under- and unemployed youth, and the rural landless and land-poor demonstrate inadequate preparation for effective labour market participation. Philosophical debates continue over the responsibility to prepare oneself with the skills needed to engage in economic activities; however, those facing inadequacy of resources or inferior status in society typically find it difficult to improve their education and skills. Nevertheless, the high incidence of poverty and lack of technical skills among many groups points to the challenges that must be faced by the state in tackling this issue.

2.3.3 Institutional and political causes

Political institutions and processes are needed to address concerns common to the population or specific groups in a country's jurisdiction. At a general level, these institutions and processes are expected to provide policy remedies or broader frameworks in which public and private actors can function. In this sense, political institutions and processes are not considered immediate causes of underdevelopment or vulnerability impinging directly upon any particular group. In practice, however, political institutions and processes can cause significant difficulties because they create and help execute public policies and laws, further institutionalizing existing rules, norms and expectations. By nature, these processes necessitate compromises from various groups: this is part of a normal political and institutional setting. This only becomes problematic when tradition and a particular mindset call for significant sacrifices from the same groups over and over again.

In any society, policies, laws and regulations often end up institutionalizing the dominant socio-cultural norms and practices; and this is no different in Nepal. Despite the challenge this situation presents, it is important to recognize that over the years many of Nepal's legal provisions have become more inclusive, recognizing the enormous diversity of its population. Indeed, the country is currently in profound political transition, preparing to adopt a republican setup and develop as a secular state. This transition and the associated constitution-drafting process are expected to build on achievements made so far in creating an inclusive society, by formalizing provisions to safeguard the rights and responsibilities of people and their relationships with different levels of government.

Equally important as the policies and legislative framework is the overall institutional capacity. Where this is inadequate, it can add further to the vulnerability of certain groups by allowing serious policy and implementation problems to fester without specific remedies. Institutional capacity becomes critical when problems cannot be resolved through alternative means or without broader interventions. Capacity generally represents the ability of the state to initiate policies and programmes and deliver them to support

or benefit intended groups. It may also include the ability of non-state actors such as national and international non-governmental organizations to do the same. A lack of institutional capacity in the form of human resources, financing and technical expertise can be particularly problematic, as these are required to facilitate the process of improving the lives of people including those facing economic, social, cultural and environmental challenges. Institutional capacity becomes especially important when policy remedies or programmatic resources are needed to address issues such as illiteracy, healthcare, infrastructure development and natural disasters.

For some people, institutional and political causes of vulnerability have an historical perspective. Social and economic exclusion intersect to a great extent with political and institutional exclusion. The social/historical factors that have led to exclusion of certain identity groups on the economic front have similarly excluded them on the political front. Other groups, suffering from economic exclusion irrespective of their social identities, are also likely to be excluded from political institutions.

As Table 2.2 shows, weak institutional capacity is a cause of vulnerability for many client groups. A lack of social protection is also highly consistent across groups. A lack of commitment from political players, conflict, and low representation in political and policy processes are causes of vulnerability for several groups. Similarly, several groups are made vulnerable by historical exclusion from the state, discriminatory laws and legal provisions, and a lack of or the improper application of laws. It is interesting to note that institutional and political causes of vulnerability are more consistently applicable to all groups than economic and socio-cultural causes, indicating that there are great commonalities between groups for this set of causes.

Each of these institutional and political causes is important when considering specific client groups, as they can play significant roles in perpetuating client groups' vulnerable situations. Some appear to be underlying rather than root causes since they are not at the core of the causality chain. However, in general, causes can be grouped into political environment, institutional capacity, and institutional frameworks and practices. Firstly, the political environment of the country has contributed to the vulnerability of many groups; for example, rural landless and land-poor, urban slum dwellers and squatters, and people with disabilities are underrepresented, or not represented at all, in political and policy processes, thus drawing inadequate attention to policies targeting their concerns. A lack of commitment from political parties and leaders toward solving the problems faced by groups such as migrant workers and their families, under- and unemployed youth, religious minorities, conflict-affected people, and women from the Mid- and Far West has been a serious problem. The armed conflict has also created significant setbacks for some groups, especially those in conflict-affected areas. Problems related to the immediate and short-term political environment have caused a lack of urgency on the part of policymakers to solve longer-term problems related to individual protection, poverty and exclusion.

Secondly, existing institutional frameworks and practices favour certain dominant groups, consequently discriminating against others, particularly the client groups. Women from the Mid- and Far West, women subject to sexual abuse and exploitation, marginalized and highly endangered indigenous populations, Dalits, bonded and forced labourers, and people at risk of statelessness, for example, are consistently vulnerable as a result of discriminatory institutional practices, including their historical exclusion from the state and the lack of and improper or inconsistent application of laws. There is either no appropriate legislative framework or, if there is, it is improperly and inconsistently applied in cases such as sexual abuse, landlessness, conflict and statelessness, with the result that many groups do not receive equal legal protection. Given the significant contribution of discrimination to weak individual protection, exclusion, weak human development and poverty, these discriminatory legal provisions and practices have augmented the vulnerability of many client groups.

Thirdly, the institutional capacity needed to address the problems faced by many of the client groups is at the centre of their vulnerability. Had there been social protection available from the state, for example, the extreme vulnerability of these groups could have been alleviated or avoided. In addition, the vulnerability

of many groups is exacerbated by the inadequacy of policies as well as their inefficient implementation in addressing problems such as illiteracy, sexual abuse, unsystematic migration and undernourishment of children. As a result of this, for example, some groups have not improved their health and educational status nor been able to participate meaningfully in economic and cultural activities, and are thus likely to have been left unprotected physically and legally.

2.3.4 Geographic and environmental causes

Deprivation and vulnerability are not distributed randomly. Earlier sections have highlighted how disadvantage disproportionately affects certain identity groups, women and particular age groups. This section examines spatial inequalities, and looks at how geographical and environmental characteristics exacerbate vulnerability and disparity. Spatial disadvantage is often thought of in terms of remote rural areas, but it also appears in urban areas in the form of slums and other areas with poor-quality housing and sanitation and inadequate services (Kabeer 2010), and in the case of Nepal, in clusters that are not necessarily remote.

In order to examine spatial inequalities in Nepal, an analysis was conducted to identify districts that are the lowest performers with respect to several indicators of human development. Due to unavailability of recent data at the district level, it was not possible to calculate the HDI for each district. Instead, eight indicators, which represent different dimensions of human development and well-being and for which recent, reliable data are available, were used to calculate a composite index. The indicators were measures of food security, education (net enrolment rate), child labour, sanitation, per capita development expenditure, health (immunization coverage and expected frequency of diarrheal outbreaks), and gender disparity in secondary education (see Section 7.3 for details).

The map resulting from the analysis (see Section 7.3.2) shows two distinct zones that stand out as the most underdeveloped areas of the country. The first cluster of lowest-performing districts falls in the Mid- and Far Western Mountains and Hills. This area epitomizes ‘remoteness’. It is characterized by rough, hilly and mountainous terrain, far from the capital city. While generally there has been important progress in making Nepal’s rural and remote areas accessible through roads and other infrastructural facilities, people from the Mid- and Far Western Mountains and Hills continue to face enormous accessibility challenges. The road network is poorly developed and other infrastructure is lacking. Agricultural productivity is low, and the distance to markets great. Districts in this cluster are characterized by high food insecurity, prevalence of child labour and high potential for disease outbreaks. Limited economic opportunities lead to significant outmigration, particularly of adult males, altering the social fabric. Lack of education and awareness perpetuates caste and gender discrimination. All of these elements make it difficult for people living in these areas to meaningfully participate in economic, social, civic, cultural and political life.

The second cluster of lowest-performing districts lies in the Central and Eastern Tarai, running from Parsa in the west to Saptari in the east (excepting Siraha, which ranks better than other districts in the cluster). As these districts are not ‘remote’, it is obvious that physical geography is less of an explanation for underperformance than human, political and cultural geography and history. These districts are linked to each other and the rest of the country by the East–West Highway. However, the highway runs through the northernmost parts of the districts; has this division by the highway contributed to unequal distribution of services and budgets within the region? In the past, the region was politically excluded, as the allocation of government budgets was often based on patronage, and few leaders from the region then had powerful voices in Kathmandu (in comparison to districts such as Jhapa, Morang and Sunsari). Although budget allocations in recent years have become more equitable, Bara, Rautahat, Mahottari and Saptari are still among the 10 districts of the country with the lowest per capita development budget expenditure. Development interventions in the past—whether by the government, NGOs or donors—were often concentrated close to the highway. Districts in this region between the Bagmati and Koshi rivers are mostly rain-fed, with no large irrigation schemes to support agricultural productivity. In addition, many of

these districts have poor natural resource endowments, with few forests. Highly stratified social structures and inequitable landownership patterns have also contributed to underdevelopment. These districts fare badly in terms of education (net enrolment rates) too, with Parsa and Rautahat scoring amongst the lowest 10 districts in the country for gender parity in secondary education. However, the reasons for this tend to be socioeconomic rather than geographical. Language remains a barrier, as children often have little exposure to the Nepali language, which is still the main medium of instruction in schools. Early marriage in some social groups impacts access to education. Poverty and landlessness lead families to rely on their children to look after their younger siblings or take care of livestock rather than sending them to school. Overall, this lack of education feeds into a cycle of exclusion.

Geography impacts on vulnerability in other ways too. For example, dispersion across multiple and fragmented spaces can make people less visible and more difficult to organize into groups. This is particularly a challenge for indigenous peoples, religious minorities and Dalits in some districts. In addition, in areas with high concentrations of traditional socio-cultural discrimination compounded by remoteness and a lack of infrastructure, people are often unable to make their problems more widely known. For example, Dalits in the Mid- and Far Western hill districts of Kalikot, Jajarkot, Achham, Doti and Dailekh struggle to make their voices heard in the centres of influence.

Geography also refers to the interactions of humans with the environment. In addition to the challenges of diverse terrain, the effects of climate change, particularly changing weather patterns, are impacting agriculture, water resources and health; this in turn affects livelihoods and overall well-being. Many areas in Nepal are becoming increasingly prone to natural disasters such as droughts, floods and landslides. These environmental causes of vulnerability, while not explicitly root causes themselves, have broad impacts on people's lives. Natural disasters and other effects of climate change may lead vulnerable populations to leave rural areas for cities, where they are likely to join slum dwellers and squatters, vulnerable yet again to poor environmental conditions. Nepal's geology also means that its population is also highly vulnerable to earthquakes, and people living in urban areas, particularly the Kathmandu valley, are especially at risk.

Table 2.2 shows that depleting natural resources, a greater frequency of natural disasters, and changing weather patterns are some of the issues faced not only by people living in areas that are particularly vulnerable to climate change and natural disasters but also by women from the Mid- and Far West, Dalits, urban slum dwellers and squatters, and endangered and highly marginalized indigenous populations. These groups, with their greater dependence on the environment and land, forest and water resources, are at risk of falling into greater poverty, weaker human development and increased exclusion as climatic changes increase or disasters occur. Women are at greater risk of sexual abuse and exploitation during times of crisis and are thus also considered vulnerable to this environmental cause.

This vulnerability to climate change and natural disasters implies a need for protection of development gains so that people do not fall into poverty through the loss of their land and infrastructure (roads, schools, health facilities, water/sanitation facilities, power, etc.) from environmental causes. The most vulnerable and marginalized also need greater social protection in order to cope with the setbacks they face as a result of losses due to climate change, natural disasters or disease outbreaks.

Although geographic and environmental factors do not contribute directly to the vulnerability of most client groups *per se*, groups defined by geography or vulnerability to climate change and natural disasters will include a cross-section of the entire population, and will undoubtedly include members of other client groups who are already vulnerable in other ways.

2.4 Note on intersectionality and vulnerability

Exclusion and vulnerability rarely occur in a single dimension. Social, cultural, economic, political and geographic factors all interact and intersect to create and reinforce different forms of exclusion and vulnerability. As mentioned above, social exclusion can be defined as both a process causing, and an

outcome of, inequality and discrimination on the basis of hierarchies of gender, caste, ethnicity, religion, class, sexual orientation, disability, age and geography. Each of these ‘vectors’ of discrimination is based on an ideology and value framework that sustains the *status quo*. As a consequence, systemic patterns of power and privilege are sustained through social and economic institutions. In addition, these vectors do not act independently of one another but intersect to create new forms of exclusion.

The potential client groups are clearly not homogenous or mutually exclusive. On the contrary, groups intersect, often to significant degrees. For example, 74 percent of Dalits in Siraha are landless. Some 95 percent of bonded agricultural labourers are Dalits. Women from the Mid- and Far Western Hills include Dalit women, Muslim women, highly endangered and marginalized indigenous women, women of reproductive age, adolescent girls, illiterate girls and women, unemployed young women, etc. As this shows, many people may belong to several of the groups, and may experience multiple and unique forms of exclusion and vulnerability. For example, Dalit women face both gender and caste discrimination, experiencing exclusion that neither Dalit men nor non-Dalit women face. The deprivation and constraints faced by a disabled adolescent girl from an indigenous community is qualitatively different and more layered than those experienced by an adolescent girl, a disabled girl from a mainstream group or a non-disabled indigenous girl.

Similarly, within any of the groups, religious minorities and especially Muslims would be more vulnerable than Hindus and especially high-caste Hindus. Muslim women witness greater vulnerability due to their lower status with respect to education, health and economic resources. There is also an important distinction between adolescent girls from the Muslim community and those from upper-caste Hindu communities, and between those from groups of people at risk of statelessness and those not. The vulnerability of children without basic education also varies depending on their status as disabled, orphaned, children from poor families, street children, and children from Muslim families. Educated or literate women from the Mid- and Far West would be less vulnerable than illiterate women in general and, for example, illiterate women experiencing sexual abuse and exploitation in particular.

The link between vulnerability and conflict is another important dimension of intersectionality. Vulnerability to conflict relates to a group’s exposure to risks posed by conflict as well as a group’s capacity to either prevent the threat or mitigate the harm caused. The likelihood of being exposed to conflict as well as the specific experience and impact of it will differ depending on gender, caste, class, ethnicity and religion. While physical harm, violence and insecurity are typical manifestations of conflict, the extent to which one can safeguard against them by using one’s own resources as well as other state resources differs between those with wealth and political power and those without. The ability to cope with the aftermath or impact of any conflict would also differ according to the status of the affected population.

A lack of disaggregated data for many of the potential client groups makes a detailed analysis of the overlapping numbers difficult. However, the concept of intersectionality helps to identify some of the most vulnerable people in Nepal—those belonging to many of the groups presented here. This provides a critical point of departure for the UNCT and its partners, as they begin to prioritize areas of intervention for the next programme cycle. Limited resources can be channelled into programmes that will reach and benefit the most vulnerable in Nepal, i.e., those at the intersection of many of these potential client groups. Programmes designed to benefit a relatively large group, such as women of reproductive age or adolescent girls, can use an intersectional approach to ensure that the most vulnerable of these women and girls are reached. A geographical overlay—as set out in Part II under the section that deals with the lowest-performing districts—might be a good starting point for an intersectional focus.

PART II

3. CLIENT GROUPS

3.1 Client group categories

The potential clients groups included in this CA are quite diverse, and are subject to various forms and degrees of vulnerability as well as to various levels of susceptibility to particular causes of vulnerability. However, given the focus on underlying and root causes, it is possible to classify groups into different categories that focus on the dominant type of cause for their vulnerability. This categorization is helpful in presenting client profiles with appropriate commonalities. By focusing on these common root causes, it should be possible to identify and design a set of interventions that, when done well, should impact positively and fundamentally on several groups at the same time. While it is possible to establish commonalities in different ways—particularly as many groups manifest similar causal commonalities, especially in terms of caste, ethnic and gender discriminatory practices that go back a long way—the present context of the groups as well as the present causal context of their vulnerabilities also need to be considered. For example, at the root of the causality chain for migrant workers and their families may be geographic location, a lack of institutional capacity to provide them with adequate social protection, and a socio-cultural system that has evolved over time. Today, however, the most prominent cause of the vulnerability that forces them to migrate is the lack of employment and other livelihood opportunities.

As presented in Table 3.1, the groups have been divided into four main categories, based on the *current* dominant cause for their vulnerability, be it socio-cultural, socioeconomic, institutional and political, or geographic and environmental.

Table 3.1: Categories of client groups by the dominant causes

Socio-cultural	Socioeconomic	Institutional and political
Women subject to sexual abuse and exploitation	Children without basic education (5–14 years)	Conflict affected people People at risk of statelessness Illiterates
Women from Mid- and Far West	Undernourished children (under-fives)	
Women of reproductive age (15–49 years)	Under- and unemployed youth (15–29 years)	
Adolescent girls (10–19 years)	Migrant workers and their families	Geographic and environmental
Endangered and highly marginalized indigenous populations	Rural landless and land-poor	People from lowest performing districts People from areas vulnerable to climate change and natural disasters
Religious minorities	Bonded and forced labourers	
Dalits	Urban slum dwellers and squatters	
People with disabilities		

The first category of groups comprises those for whom socio-cultural causes are the key to explaining their vulnerability. These groups are vulnerable to social exclusion on the basis of sex, caste, ethnicity and/or disability. These groups of course also experience vulnerability in economic and political spheres, which may in some cases be exacerbated by geographical or environmental factors. However, what distinguishes them from other groups is their vulnerability to discrimination on the basis of ‘inherent’ characteristics.

Groups in the second category are characterized by their extreme vulnerability due to socioeconomic causes. Even though some of their problems are manifestations of traditional socio-cultural practices, the groups’ socioeconomic realities include poverty, inequitable resource distribution, lack of employment opportunities, and lack of functional and technical skills. Although it is true that the vulnerabilities of some groups within this category such as children without basic education and undernourished children

have socio-cultural roots, with social norms, values and practices that make it more difficult for them and their families to access and utilize the resources needed to address their problems, the causes of their vulnerability are better conceptualized in the present context as socioeconomic. This also holds for some other groups in this category since they have socioeconomic causes at the core.

The last two categories are more self-explanatory. The institutional and political category has political processes and environments or institutional frameworks, processes and capacities at its core, with some groups emanating from the political conflict, while others are associated rather with the inability or lack of commitment of the state to provide adequate services to address their needs. The last category includes groups that have either geographic location or environmental issues as the most dominant causes of vulnerability. Although environmental issues are not always the root causes of vulnerability, their associated risks and impact make these groups particularly vulnerable.

3.2 Client group sizes

This analysis does not focus on the size of the groups *per se* nor does it examine the depth of vulnerability experienced by different groups. It is nonetheless useful to provide some estimates of the sizes of the different groups in order to gauge the intensity of their problems within wider society.

Table 3.2 provides estimates of the population of each group. These numbers are estimates only, indicating orders of magnitude. There are two main reasons for this lack of specificity. Firstly, there is a general lack of reliable data in Nepal. Secondly, some of the groups such as women subject to sexual abuse, children without basic education, undernourished children, under- and unemployed youth, slum dwellers and squatters, rural landless and land-poor, illiterate, conflict-affected people, people at risk of statelessness, bonded and forced labourers, and people from areas vulnerable to climate change and natural disasters are not specifically identified in the census. For most of these groups, data are derived from either administrative processes (e.g., for conflict-affected people), sample surveys (e.g., for under- and unemployed youth) or rapid assessments (e.g., for women subject to sexual abuse and exploitation).

It should also be noted that there are considerable overlaps in the estimates since many of the groups themselves overlap. Some conflict-affected people and people at risk of statelessness, for example, may also be women from the Mid- and Far West, bonded and forced labourers, religious minorities, illiterate, urban slum dwellers, or persons with disabilities. Intersectionality is very relevant when thinking about estimated group sizes.

Table 3.2 also indicates that some client groups are quite small, whereas others are relatively large. The number of conflict-affected people, for example, is estimated to 52,000 because the definition is limited to those who were displaced by the conflict. The numbers for children without basic education, endangered and highly marginalized indigenous people, and bonded and forced labourers are less than one million. Groups including undernourished children, rural landless and land-poor, and persons with disabilities are moderately sized at between one and two million. Other groups are relatively large, running to between two million and 10 million. It is notable that the estimates provided for people at risk of statelessness fall between about one to five million, a very wide range that warrants further study to identify the actual size of the affected population.

Table 3.2: Ballpark estimates of the size of client groups

#	Client Group	Size of Population
1	Women Subject to Sexual Abuse and Exploitation	2,500,000
2	Women from Mid- and Far-West	3,175,000
3	Women of Reproductive Age (15-49)	7,118,000
4	Adolescent Girls (10-19)	3,200,000
5	Endangered & Highly Marginalized IPs	744,000
6	Religious minorities (with a specific reference to Muslim women and girls)	579,000
7	Dalits	3,478,000
8	Persons with Disabilities	513,000
9	Children without Basic Education (5-14)	651,000
10	Undernourished Children (< 5)	1,700,000
11	Under- and Unemployed Youth (15-29)	4,354,000
12	Migrant Workers and Their Families	6,300,000
13	Rural Landless and Land Poor	1,300,000
14	Bonded and Forced Laborers	547,000
15	Urban Slum Dwellers and Squatters	2,980,000
16	Conflict Affected People	52,000*
17	People at Risk of Statelessness	800,000 – 5,000,000
18	Illiterate	7,524,000
19	People from Lowest Performing Districts	7,850,000
20	People from Areas Vulnerable to Climate Change and Disasters	10,000,000

**includes displaced people only*

3.3 Organization of client profiles

Chapters 4, 5, 6 and 7 present profiles of the client groups, organized into the categorization described above. Each chapter begins with an introduction, elaborating some of the most critical causes of the groups' vulnerability. The purpose is to highlight areas of commonality and difference, without going into details provided in each client profile that follows.

Based on the detailed background papers prepared in the initial stages of this analysis, each individual client profile includes a brief introduction, an account of the current status of the group, and a problem analysis focusing on immediate, underlying and root causes. Also listed are any major initiatives to date.

4. PROFILES OF GROUPS WHERE SOCIO-CULTURAL FACTORS HEAVILY DETERMINE VULNERABILITY

4.1 Vulnerability types

The socio-cultural category of client groups includes women subject to sexual abuse and exploitation; women from the Mid- and Far West; women of reproductive age (15–19 years); adolescent girls (10–19 years); endangered and highly marginalized indigenous people; religious minorities; Dalits; and people with disabilities.

Client groups in this category show consistently high susceptibility to all vulnerability types, with vulnerability being multidimensional and multilayered. That notwithstanding, there is a particular emphasis on weak human development indicators, continued and high levels of exclusion, and weak individual protection. All groups exhibit high vulnerability to the knowledge and health elements of HDI. For some, their health status is low partly because of significant healthcare issues related to sexual abuse, reproductive health and physical or mental disability; for others, such as endangered and highly marginalized people and Dalits, their health status is also linked to a lack of education and poor economic resources. Furthermore, these groups (excluding such broader groups as women of reproductive age and adolescent girls, for which no such generalizations can be made) also exhibit consistent vulnerability to poverty, limited access to economic resources, and economic exclusion. Finally, they are also at considerable risk of weak physical and legal protection, especially since the women, girls and minorities belonging to these groups remain socially discriminated and marginalized, without sufficient protection from the state. The combination of all these elements is in turn linked with their high susceptibility to political and civil/cultural exclusion, not only in larger society but also within their own communities.

4.2 Causes of vulnerability

Causes of vulnerability for this category most often identified in background papers included lack of education and low awareness of rights; caste and ethnic discrimination; socio-cultural norms and practices; low self-esteem; low status in society; exploitation and exclusion; and gender inequality. Broadly grouped into caste and ethnic discrimination, gender inequality and discrimination, and lack of education, these causes touch on social and cultural practices that have been highly institutionalized in Nepal's society. Patriarchal norms and practices and gender inequality are the overarching issues facing women and girls including women from the Mid- and Far West, women subject to sexual abuse and exploitation, women of reproductive age, and adolescent girls. Other groups, in particular the endangered and highly marginalized indigenous populations, religious minorities and Dalits, face enormous discrimination, exploitation, marginalization and exclusion due to dominant socio-cultural norms and practices. Highly embedded in these practices are also the interrelated issues of low self-esteem and lack of education, which exacerbate the degree of discrimination and marginalization of these groups.

While socio-cultural vulnerability is perhaps most dominant for these groups, they also experience vulnerability due to economic, institutional and political, and geographic and environmental causes. Poverty, inequitable resource distribution, lack of employment and other economic opportunities, and weak technical skills are important, as they limit the capacity and options of many people in these groups to engage in the economy and society, thereby reducing their vulnerability. Institutional and political issues such as a lack of political commitment, low representation in political and policy processes, and especially a lack of social protection are also important, as these factors influence how an individual is treated by the state. Geographic issues including remoteness and dispersion of the affected population increase the hardship and invisibility of some of these groups, in particular women from the Mid- and Far West and endangered and highly marginalized indigenous populations.

4.3 Women subject to sexual abuse and exploitation

4.3.1 Background and current status

Article 1 of the 1993 UN Declaration on the Elimination of Violence against Women defines gender-based violence (GBV) as ‘any act of gender-based violence that results, or is likely to result, in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or in private life.’ The 1995 Beijing Platform for Action expanded the definition by making explicit reference to the rights of women in situations of armed conflict. It also recognized the particular vulnerabilities of women belonging to minorities such as the elderly and the displaced; indigenous, refugee and migrant communities; women living in impoverished rural or remote areas; and women in detention. In 1994, the International Conference on Population and Development (ICPD) called on countries to take full measures to eliminate exploitation, abuse, harassment and violence against women, adolescents and children. ICPD+5, a conference held in 1999 to review progress over the preceding five years, underscored the notion that empowerment of women is not simply an end in itself, but a step towards eradicating poverty and building a more just society. It also called for stronger actions and policies from governments to foster norms and attitudes of zero tolerance for harmful and discriminatory attitudes and all forms of violence against women.

GBV is one of the worst forms of gender discrimination and inequality. In Nepal, GBV takes many forms, ranging from child marriage, forced marriage and dowry-related violence through domestic violence, trafficking and prostitution to child sexual abuse and harmful traditional practices such as *kumari*, *jhuma*, *kamalari* and *chhaupadi*⁹.

Sexual exploitation and abuse (SEA), which can be defined as ‘any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another’, is the worst form of GBV. Women and adolescent girls most vulnerable to SEA include sex workers, workers at dance bars and cabin restaurants, migrant workers, detainees and prisoners, the disabled, and those living in poverty or living with HIV/AIDS. Humanitarian crises are another situation during which girls and women are particularly vulnerable to SEA. Exploitative practices and abuse are often perpetuated in the name of culture and tradition, which views women as subservient, weak and in need of male protection. The greatest risk of SEA among women comes from family members, neighbours and other people they already know.

There is an overall lack of data on GBV and SEA in Nepal, making it challenging to comprehensively assess the full scale and scope of the problem or formulate effective policy interventions that address the root causes. Even when data are available, they are not consistent and underreporting often occurs. Nevertheless, important initiatives are underway and, while the description below of the current status of women subject to GBV and SEA is somewhat indicative, it clearly demonstrates that action needs to be taken.

According to the 2011 NDHS, one in five women aged 15 to 49 years has faced physical violence (MOHP *et al.* 2012). A household survey, carried out by the United Nations Population Fund (UNFPA) in 2007 in Saptari, Mahottari, Rautahat, Kapilvastu, Dang and Dadeldhura, reported that 41.9 percent of 59,235 households had observed GBV in their neighbourhoods (UNFPA 2007). A qualitative study in

⁹ *Kumari* is the tradition of worshipping a pre-pubescent girl as the manifestation of divine female energy; the appointed *kumari* is often restricted in her movements and social contacts. *Jhuma* is the practice of sending a daughter to be a nun at a Buddhist monastery; social pressure may compel families to offer one of their younger daughters as a *jhuma*, and girls are thereafter severely restricted by religious convention in what they can do. *Kamalari* are female bonded domestic workers, who have been sold into service by their family, usually at the age of about nine or 10, but sometimes much younger; they are poorly paid, if at all, and are extremely vulnerable to SEA. *Chhaupadi* is a harmful practice wherein women from some communities are considered ritually unclean during menstruation, pregnancy and post-delivery. They are compelled to live away from their house, usually in a shed, thereby making them vulnerable to violations of their rights.

2009 of 387 married men and women from two major ethnic groups (Brahmin/Chhetri and Tharu) in Dang and Tanahun found that about half of married women reported having experienced sexual violence at some point in their lives (WHO 2009). Similarly, a survey conducted by UNFPA in Dang and Surkhet in 2008 found that 80 percent of 417 women reported domestic violence; of these, 74 percent reported being the victims of non-consensual sex and nine percent reported being the victims of sexual assault and rape (UNFPA 2008). Women of younger age, women with no education, and women belonging to Dalit communities were most at risk of sexual violence. Unmarried girls were reported to be four times more likely to suffer from GBV than married women, and divorced women twice as likely as widows. A study in 2010 of 1,296 married women aged 15–24 years reported that 46 percent had experienced sexual violence from their husbands at some point (CREHPA 2010). Prevalence was highest among Muslims (43 percent), followed by Tharu (40 percent), Tamang (22 percent) and Brahmin/Chhetri (20 percent).

From available data, it appears that husbands and family members are the most frequent perpetrators of GBV. An analysis in 2010 by the Women's Rehabilitation Centre Nepal (WOREC Nepal) of 1,594 cases of violence against women found that domestic violence accounted for 60 percent, followed by social violence (21 percent) and rape (nine percent). Husbands accounted for 43 percent of perpetrators, followed by neighbours (27 percent), family members (23 percent) and others (seven percent). Women aged 26–35 years were most affected, followed by those aged 16–25 years; some 10 percent were below the age of 16 years.

Children and younger women appear to be most vulnerable to SEA. In the first half of 2008, the Concerned Centre for Child Workers in Nepal (CWIN) reported 3,584 cases of child abuse, including a number of cases related to SEA and trafficking (CWIN 2008). A 2001 study conducted by the International Labour Organization (ILO) found that about 12,000 children every year are trafficked outside the country for sexual or labour exploitation (KC *et al.* 2001). Of these, 25 percent were found to be younger than 14 years and more than half were younger than 16 years. A study by the Ministry of Women, Children, and Social Welfare (MWCSW) in 2006 estimated that 40,000 females aged 12–30 years were working in 1,200 cabin and dance restaurants and massage parlours in the Kathmandu valley, where they are forced to engage in sexual activities and are vulnerable to trafficking (MWCSW 2006).

As stated, these figures are not comprehensive, and are likely to capture only a small proportion of actual cases. In addition to the lack of sufficient systematic research on GBV and SEA, there is also significant underreporting of cases on domestic and other violence. To contrast with the numbers above, the following information on the registration and prosecution of cases related to GBV and SEA for 2006/07 was extracted from official sources such as the Attorney General's Annual Report and the Annual Report from the Women's Cell of the Police Headquarters in Kathmandu: only 112 cases of trafficking were filed in the courts, of which 27 were prosecuted, resulting in eight convictions. In addition, 137 cases of rape were reported to the police, with 126 being registered in court, 42 prosecuted and 12 resulting in conviction; and 70 complaints of attempted rape were filed with police, with 41 cases being registered in court, two being prosecuted, and one resulting in conviction.

No research has been carried out to assess the impact of violence against women on productivity or women's contribution to society, but it is likely that women's contributions (and society's benefit) would be enhanced if its incidence were reduced.

4.3.2 Problem analysis

The causes of vulnerability of this group are complex but can be structured into immediate, underlying and root causes. The immediate and underlying causes include trafficking, unequal power relations, consideration of women as property or objects and a burden in the family, drug and substance abuse, alcoholism and unsafe workplaces. Trafficked women, who are often deceived by false promises or are sold by parents or relatives, are frequently exposed to sexual violence (UNFPA/DFID 2011). Factors related to marriage, family and relationships, where women often experience unequal power relations, were found to be a major cause of suicide for women of reproductive age (UNFPA/DFID, 2011).

Domestic violence as well as marital rape, child marriage and specific cultural practices such as *chhaupadi*, *jhuma*, Badi¹⁰ and *kamalari* are also often an immediate result of unequal power relations within family settings. Unmarried girls and single or divorced women, who might be considered burdensome by families, were respectively four and two times more likely to suffer violence than married women and widows. A survey of 425 disabled women found that over half (58 percent) had experienced violence and 22 percent experienced sexual violence (CREHPA 2010). Alcoholism and drunkenness are another immediate cause for GBV and SEA, both in terms of impacting upon domestic violence as well in terms of leading to increased SEA outside the immediate household (UNFPA/HURDEC 2007). The reasons for high alcohol consumption are many, but the lack of meaningful employment and the resulting poor self-image of men is an oft-quoted underlying cause. Intra-family violence is often an immediate factor contributing to children leaving home to fend for themselves, thereby significantly increasing their vulnerability and exposure to sexual violence and exploitation. Unsafe workplaces are another immediate cause of SEA.

Many GBV-affected women stay within an abusive household environment due to their economic and social dependence on their husband, as well as a lack of economic alternatives. Moreover, many women are not aware of the options available to them to seek redress, and shun the police and judiciary for fear of stigmatization or reprisal.

As mentioned above, perpetrators are often husbands, relatives and people known to the victims. Women lack control over their own body as they are widely considered as property or objects and sometimes as a burden to their family. Girls are socialized into accepting violence. Family prestige, fear of husband and mother-in-law, fear of breaking family relations or social traditions, fear of further beating and marginalization, a lack of faith in justice, and the stigma attached to sexual exploitation have all contributed to a culture of silence among victims. This, together with the lack of appropriate services—such as female police officers, female judges or shelter in safe houses and other victim support—exacerbates the underreporting mentioned above.

The most important root causes of SEA include poverty, conflict and displacement, a patriarchal social structure, and a weak governance system. Combined, these create an environment in which women and girls are subject to a subordinated status and are more likely to be subjugated by men. Analysis of two national maternal mortality and morbidity studies shows that income poverty and social exclusion are contributing to female suicide (UNFPA/DFID 2011). Women whose parents are poor and depend on their husbands are at higher risk of sexual violence (WHO 2009).

Women face ingrained discrimination because of the patriarchal nature of society, and are further disadvantaged depending on their caste, ethnicity and geographic location (WOREC Nepal 2010). Patriarchal social values and norms are reflected in many cultural and religious, economic, legal and political practices. The socialization of children inculcates a belief that women are the weaker sex and need the protection of men, are less intelligent, and their actions should be restricted to within the household.

The armed conflict also often led to women having to take on heavier responsibilities, while men's responsibilities were sometimes diminished. Armed conflicts create large numbers of female-headed households, when men have been conscripted, detained, displaced, disappeared or killed. In these circumstances, women have had to bear greater responsibility for their children, elderly relatives and sometimes for the wider community. The very fact that many of the men are absent often heightens the insecurity and danger for the women and children left behind, and accelerates a breakdown of traditional protection and support mechanisms. In terms of economic dependency, women report that if a husband knows his wife and her parents are poor and dependent upon his income, the wife is more prone to experience sexual violence (WHO 2009). Women face additional financial pressure if their husband has

¹⁰ Badi women are often compelled to support themselves and their families through prostitution.

migrated for work or has died. Women's lack of control over economic assets, lack of autonomy and independence, lack of opportunities for education and employment, and poor health status (according to the findings of the NDHS 2011, 35 percent are anaemic and six percent are suffering from uterine prolapse (MOHP *et al.* 2012) are other underlying factors that contribute to women's vulnerability to SEA. Unsafe migration, an unregulated entertainment industry, insufficient effectiveness of law enforcement and a biased justice sector are also important underlying factors.

In terms of governance, the overall environment and regulatory framework for the promotion of human rights and democracy remains weak in Nepal. Even where legal norms and frameworks exist, their implementation is slow, capacities and willingness are lacking, and the centre is disconnected from the districts, jeopardizing the delivery of services. The security and justice sector—including police, public prosecutors, lawyers and the judiciary—is dominated by men from higher castes, many of whom are perceived not to be sufficiently gender-sensitive. Police attitudes, for example, are often a significant obstacle to GBV cases being referred to the formal justice system. As a result, an overwhelming majority of cases are reported to informal justice systems. While these systems are more accessible than formal courts and their procedures are less lengthy and costly, it has resulted in paralegal committees 'mediating' or arbitrating rape cases, rather than assisting the victim in proceeding to prosecution. Moreover, even if these cases make it to the formal justice system, they typically receive low priority.

The weak governance system is also reflected in the state's inability to provide social protection to the disadvantaged. Because the victims of SEA are typically women with vulnerable socioeconomic status and no other form of help to improve their well-being, the lack of social protection from the state forces them to engage in activities that can increase their vulnerabilities further still.

4.3.3 Ongoing efforts to build upon

Many initiatives have been undertaken to address the issues of GBV and SEA by the government, civil society and international organizations, including the UN. The 2007 Interim Constitution recognizes women's fundamental rights and prohibits physical, mental or other forms of violence against women, declaring these punishable by law. The Amendment of Some Nepalese Acts to Establish Gender Equality Act 2006 (commonly known as the Gender Equality Act) repealed and amended 56 discriminatory provisions and incorporated other provisions to ensure women's rights. The Human Trafficking (Control) Act 2007 extended the definition of trafficking to include the offence of transportation for trafficking. The Domestic Violence (Crime and Punishment) Act 2009 defines domestic violence to include physical, mental, sexual, financial and behavioural violence, and has specific provisions on the filing of cases, including by third parties, and on interim relief measures. As a follow-up, the government declared 2010 to be the Year to End Gender-Based Violence. It prepared a GBV action plan, highlighting the need for a special commission to investigate cases of violence against women. To this end, a GBV unit has been established within the Prime Minister's Office; however, the allocation of resources has been limited. In terms of service delivery, the MWCSW has created 15 Women's Service Centres and 84 Women's Community Service Centres.

Several civil society organizations are active in preventing and responding to SEA. Maiti Nepal, CWIN, WOREC Nepal, Saathi, Advocacy Forum, and the Forum for Women, Law and Development (FWLD), for example, operate in the areas of prevention, rescue and rehabilitation of victims of trafficking, sexual exploitation and abuse; advocacy for women's health and sexual rights; and legal reform, public litigation and capacity-building.

Various UN agencies have helped promote the participation of children and women in planning and implementation of the peace process, advancing their access to and management of basic services, and advocating for a legal and policy framework that will ensure human rights, gender equity and social inclusion. The UN Office of the High Commissioner for Human Rights (OHCHR) in Nepal, for example, has monitored, investigated and reported violations against women and children, and built capacity in protection and security among civil society pressure groups. The UNDP has made women's rights,

participation and access to justice central issues in its support to the election process, the Constituent Assembly, National Human Rights Commission, Supreme Court and Nepal Police. GBV, women's rights, women's health, trafficking and capacity-building are also included in programmes initiated by UNFPA, United Nations Children's Fund (UNICEF), UN Women, and the World Food Programme (WFP). The UN Gender Theme Group is providing collaborative support to implementation of the National Plan of Action against Gender-Based Violence. The Peace Support Working Group on United Nations Security Council Resolutions (UNSCRs) 1325 and 1820, chaired by the Royal Norwegian Embassy and co-chaired by UNFPA, provides technical and financial assistance to the development and implementation of the National Plan of Action on UNSCRs 1325 and 1820. It has emphasized the commitment to end impunity against sexual GBV, including that which occurred during the conflict and transitional period. Ten percent of block grants allocated to every local government body in Nepal under the UN Capital Development Fund's and UNDP's initiative are allocated to women for infrastructure and other projects designed to improve their development and citizen status and condition.

4.4 Women from the Mid- and Far West

4.4.1 Background and current status

It is widely acknowledged that women in Nepal have a lower status than their male counterparts, are less well-off, and lag behind men in the extent to which their social, cultural, economic and political rights are being fulfilled. The poor overall status of women is further compounded by factors such as age, caste, class, religion, ethnicity or geographic location. The Mid-Western Region (MWR) and the Far Western Region (FWR) make up 42 percent of the total area of Nepal. These regions comprise 23 percent of the population, and 52 percent of people there are women. The two regions are home to 703,500 adolescent girls, and 1,588,175 women of reproductive age. As illustrated in Table 4.1, both the MWR and the FWR lag behind other regions in terms of overall development and gender equality, scoring considerably lower on the HDI and gender-related development index (GDI), which measures gender disparity for the three dimensions of the HDI. At the sub-regional level, the situation for both indicators is worse in the Mountains than in the Hills and Tarai.

Table 4.1: Comparison of human and gender-related development indices by region

Region	HDI				GDI			
	Mountains	Hills	Tarai	All	Mountains	Hills	Tarai	All
Mid-West	0.435	0.448	0.481	0.452	0.414	0.439	0.477	0.441
Far West	0.435	0.443	0.503	0.461	0.414	0.421	0.492	0.447
Central	0.454	0.602	0.478	0.531	0.441	0.589	0.463	0.517
East	0.519	0.543	0.519	0.526	0.514	0.534	0.508	0.516
West	0.435	0.549	0.468	0.516	0.414	0.547	0.455	0.511
Nepal	0.436	0.543	0.494	0.509	0.423	0.534	0.482	0.499

Source: UNDP Nepal 2009a.

Note: Using 2006 data.

While the overall life expectancy of women in Nepal is about 66 years, it is 59 and 63 in the MWR and FWR, respectively (Table 4.2). The adult literacy rate for 15 years and above is 66 percent in general, with 57 percent among women and 75 percent among men. At the regional level, the literacy rate for women is 56 percent in the MWR and 52 percent in the FWR.

Table 4.2: Comparison of life expectancy and adult literacy rates by region

Region	Life expectancy (years)			Adult literacy rate ^a (%)		
	Female	Male	Total	Female	Male	Total
Mid-West	59	56	57	56	74	64
Far West	63	60	61	52	76	63
Central	68	64	66	55	73	64
East	68	64	66	59	76	67
West	66	62	64	63	80	71
Nepal	66	62	64	57	75	66

Source: UNDP Nepal 2009a (using 2006 data); ^aCBS, Census 2011.

Similarly, the gender empowerment measure (GEM), which captures gender inequality in participation and decision-making power in political and economic affairs as well as control over economic resources, is low at 0.431 and 0.456 for the MWR and FWR, respectively, in comparison to 0.496 for the country as a whole (UNDP Nepal 2009a). In 2010/11, the overall poverty headcount ratio was 25 percent for Nepal, with larger proportions of poor in the MWR (32 percent) and FWR (416 percent) (CBS 2012a). It is difficult to establish directly that women as a group are poorer than men in per capita income or consumption because poverty is measured at the household level. However, it is a general observation that women lag behind men in access to income and other economic resources. Although in the rest of the country on average households where women own neither the house nor any land account for 77 percent of all, 86 percent in the MWR and 92 percent in FWR of households fall in this category (CBS, 2012c).

In relation to basic services, the picture is no different: women in the MWR and FWR are worse off than in other regions. In 2000, enrolment at all levels of school for the female population was 37.08 percent and 38.45 percent in the MWR and FWR, respectively, compared to 43.33 percent for the country as a whole. According to the 2011/12 Flash I Report of the Ministry of Education, although enrolment of girls at primary level is above 95 percent in the MWR and FWR, it falls at the lower secondary level to 73 percent in the MWR and 69 percent in the FWR and, at secondary level, to 49 percent in the MWR and 51 percent in the FWR. According to the 20011, 78 percent of women in the MWR and 79 percent in the FWR reported problems in accessing healthcare (MOHP *et al.* 20012). The 2010/11 Annual Report of the Department of Health Services reported that the contraceptive prevalence, which is a direct indicator of a population's efforts to control fertility and an indirect indicator of access to reproductive health services, was 41 percent and 36 percent in the MWR and FWR, respectively, compared to 44 percent for the country as a whole and the Government of Nepal's goal of 67 percent by 2015. In 2002, 25 percent of women in Achham and Doti in the MWR had experienced uterine prolapse compared to seven percent nationwide (Bonetti 2002). In 2009/10, of 1,494 women identified with uterine prolapse nationwide, 286 women in these two regions received surgical correction. In 2010/11, 32 percent of expected births were conducted by a health worker in the FWR and 36 percent in the MWR compared to 33 percent nationally (DOHS 2012). Given that women in these regions are likely to have fewer years of education, early pregnancy, undernourishment and poor sanitation, unassisted delivery leads to a higher risk of maternal and newborn death.

Some of the difficulties faced by women in the MWR and FWR are made more challenging when overlaid with issues of caste, religion or ethnicity. Moreover, because of overall remoteness and the lack of employment and livelihood opportunities for both men and women, migration from these areas is very high. Most migrants are young; one study found that 59.7 percent of male migrants returning to the MRW and FWR had migrated below the age of 20 years (NCASC *et al.* 2008). As a result, women have had to adapt their roles in the family, leading to changes in who does what as well as in agricultural patterns. More worryingly, the level of HIV prevalence amongst spouses of migrant workers has increased. Even among women who do not become infected, if their husbands fall ill, they have had to take on extra responsibilities and eventually to face the social and economic consequences of being a widow.

4.4.2 Problem analysis

As with other profiles, the causes for vulnerability of women in the MWR and FWR have been organized into immediate, underlying and root causes. Immediate causes include GBV; day-to-day gender-related discriminatory practices in workplaces, households and communities; economic disempowerment due to a lack of access, control and ownership over economic resources and lack of decision-making power on economic matters; an inadequate level of services as well as a lack of awareness about the availability of services; and a lack of meaningful leadership and political representation.

GBV seems to be on the rise or, if not so, is reported more often. GBV is often the immediate result of either women resisting imposed gender roles and norms or men trying to assert their 'masculine' position in a context of high poverty, economic instability and unemployment; this is often associated with higher levels of alcohol consumption and violence. While gender discrimination and prevailing paternalistic attitudes are a root cause for the dismal situation of women in the MWR and the FWR, they also translate into immediate causes of vulnerabilities when they are normalized and accepted as being part of day-to-day life, resulting in, for example, deprivation of educational opportunities; discrimination in intra-household food distribution; or restriction of women's mobility to access healthcare facilities and thus their ability to exercise their reproductive rights.

With regards to the very low level of access to services for women in the MWR and FWR, there are two obvious immediate causes. The first one is the absence of services. In addition to the fact that there have always been less service providers in this remote part of the country, the decade-long conflict caused severe damage to physical infrastructure, community service centres, and most Village Development Committee (VDC) office buildings, affecting access to services and undermining the overall development of the regions. In addition, the awareness of the population in general and of women in particular on the availability of services is low, even more so in the Mountains and Hills. The latter results both from a lack of dissemination of information as well as from discriminatory practices such as, for example, social and physical purdah that impede women's access to education and information.

There are multiple underlying causes that contribute to the vulnerability of women in the MWR and FWR. These underlying causes are often interlinked and have a reciprocal impact on each other. They include a lack of livelihood, economic and income opportunities. The lack of participation by women in planning and development work has a direct impact on the lack of access to services and continued day-to-day discriminatory practices. Another significant underlying cause is long-standing and harmful socio-cultural practices such as child marriage, *badi*, *deuki*, social and physical purdah, and *chhaupadi*. These practices hinder women from coming forward and participating actively in economic, social and political activities. *Chhaupadi*, for example, is a widespread practice in the MWR and FWR that considers Hindu women impure during menstruation and after delivery. As a result, during these times, women are separated from others in normal daily life (to the extent of even being isolated in rudimentary sheds), lack proper care and nutrition, are not permitted to attend school or go to their job, while, at the same time, being expected to engage in hard outdoor labour. While a May 2005 decision by the Supreme Court outlawed the system and issued a directive to the government to pass a law in this regard, such legislation is yet to be enacted. This lack of legislative support to outlaw certain practices, discriminatory laws and the non-implementation of supportive legal frameworks contributes significantly to women's continued disempowerment, GBV and day-to-day discriminatory practices. For example, notwithstanding the Gender Equality Act that amended several pieces of legislation from a gender equality perspective, discriminatory provisions against women continue to exist in the areas of, for example, citizenship, property rights, health, court proceedings, sexual offences and employment. While these are applicable to all women in Nepal and not just those in the MWR and FWR, the situation for women in these regions is worse because of the lower baseline from which they start.

The root causes of vulnerability for women in the MWR and FWR include the historical patriarchal socio-cultural system; unequal resource distribution across Nepal's development regions due to the centralized

political economy; remoteness and a lack of infrastructure; and a persistent 'change is bad' attitude. The patriarchal socio-cultural system, which has male hegemony at its core, exists at both the individual level and at the level of institutions and systems. It is not limited to the MWR and FWR but is pervasive throughout Nepal. However, the remoteness of the MWR and FWR result in significantly less exposure by both men and women to changing ideas, policies, laws, systems and attitudes. As a result of this patriarchal approach that subordinates women, women lack control, for example, over decisions in matters relating to their own bodies, investment in their capacity development, and access to and control over economic resources such as property. Moreover, because of the way socialization in Nepal takes place, women themselves, often unconsciously, enforce the patriarchal system, accept male dominance and subordination, and undervalue their own worth.

Another major root cause is the remoteness of both regions, characterized by a difficult geographical terrain and environmental degradation. Infrastructure such as roads, power, irrigation, drinking water schemes and markets as well as production inputs for farming and other enterprises are scarce and widely dispersed. The difficult geographical terrain and remoteness further complicate the provision of and the access to basic services. Finally, low land productivity and a lack of access to land and markets have resulted in food insecurity being a significant concern for both regions, particularly in the Hills and Mountains. Seasonal migration to India to look for job opportunities is a common coping mechanism.

4.4.3 Ongoing efforts to build upon

There are many efforts ongoing to improve the status of women in Nepal, which also positively impact on the women of the MWR and FWR. These include, for example, the 2007 Interim Constitution, which protects the right to equality and non-discrimination on various grounds including gender and caste. It further ensures social justice, and promotes special measures for protection, empowerment and advancement of disadvantaged groups including women. Various laws have also been enacted to lower GBV and inequality, including the Domestic Violence (Crime and Punishment) Act, the Human Trafficking and Transportation (Control) Act, and the Foreign Employment Act. The National Women's Commission (NWC) has been established as a statutory body with a mandate to protect and promote the rights and interests of women. The government has adopted a national plan of action for protection and promotion of women's human rights following UNSCRs 1325 and 1820. A Nepal Police Women's and Children's Cell has been established in each of the country's 75 districts.

The government declared 2010 to be the Year Against Gender-based Violence and has established a hotline for reporting complaints related to GBV. Cases against discrimination, abuse and inhuman behaviour are treated as cases against the state and all legal expenses of the victim will be met from the state treasury.

Initiatives more specific to the MWR and FWR include the adoption of guidelines to eradicate *chhaupadi* (Chhaupadi Pratha Unmulan Nirdesika 2064 B.S.); the establishment of legal aid committees in 35 districts, including four districts in each of these two regions; the establishment of community-level service centres in 15 districts, including three districts from the MWR and two from the FWR; and the establishment of rehabilitation centres in eight districts, including one each from these two regions. In addition, in 2007, the government signed a memorandum of understanding with the Badi community (commonly found in these two regions) guaranteeing various rights, including the right to citizenship.

Various UN agencies have district-level interventions on various areas including HIV/AIDS, ending violence against women, access to justice, decentralized action for children and women, maternal and neonatal health, mother and child healthcare, reproductive health, gender and population, and food and education programmes. With support from the Asian Development Bank (ADB), infrastructural construction for the establishment of women and children service centres is ongoing in six districts, including Jumla in the MWR and Doti in the FWR. Initiatives are also underway in many districts with the support of Oxfam (disaster preparedness and livelihood programme in Dadelhdhura and Darchula), United States Agency for International Development (USAID) (Nepal Family Health Project in Bajhang,

Kanchanpur, Dang, Surkhet, Rolpa, Salyan and Pyuthan), Care Nepal (safe motherhood, community support and HIV/AIDS in Darchula, Doti, Achham, Kailali and Kanchanpur), Plan Nepal (education, health, livelihood and *kamalari* support in Kailali, Kanchanpur, Bardiya, Banke and Dang) and others to improve health, education and infrastructure in the regions. In addition, the government's Women and Child Development Offices in Doti and Achham are implementing the awareness programme against *chhaupadi*. The programme also advocates for women's rights, promotes small infrastructure such as girl-friendly toilets, and forms watch groups.

4.5 Women of reproductive age (15–49 years)

4.5.1 Background and current status

Women of reproductive age are a highly vulnerable group: they are discriminated against due to gender and rendered more vulnerable due to their biological function of reproduction. Vulnerability is manifested in a high rate of death among women of reproductive age at 174 per 100,000 women. Among individual causes of death, suicide is the leading cause (16 percent), followed by accidents (nine percent), pregnancy (eight percent), and tuberculosis (five percent) (Suvedi *et al.*, 2009).

The main reasons for high mortality and morbidity in this group include gynaecological conditions, tuberculosis and HIV/AIDS. Maternal mortality for Nepal is 281 deaths per 100,000 live births and accounts for 11 percent of deaths among women of reproductive age. For every maternal death, 25 times as many women suffer from reproductive morbidity, a large proportion of which is pregnancy related, such as uterine prolapse and fistula. There are other non-pregnancy-related gynaecological conditions, such as cervical cancer, that contribute equally to high morbidity.

MDG 5 calls for a reduction by three quarters in maternal mortality rates between 1990 and 2015. The maternal mortality rates of 539 and 281 per 100,000 live births in 1996 and 2006, respectively, suggest that Nepal is on track to meet its target for this MDG (Table 4.3). Interestingly, this reduction in maternal mortality is not matched by related proxy indicators. Delivery by SBAs, for example, is 19 percent, which is far short of the goal of 60 percent by 2015. The current reduction in maternal mortality in Nepal might be attributed to something other than the core set of health system interventions used globally, and may include reduced fertility, increased use of contraception, increasing though still low levels of delivery by health professionals, increased access to emergency obstetric care services, and reduced poverty.

Table 4.3: Selected health impact indicators for MDGs

MDG/impact indicator	Achievement				2015 Target
	1996	2001	2006	2009	
Maternal mortality ratio	539	415	281	229 ^a	134
Total fertility rate	4.6	4.1	3.1	2.9 ^b	2.5
Adolescent fertility rate, 15–19 years per 1,000 women	127	110	98	N/A	70
Contraceptive prevalence rate (modern methods)	26	35	44	45.1 ^b	67
Neonatal mortality rate	49.9	43	33	20 ^b	16

Sources: ^a Suvedi *et al.* 2009 (data for eight districts only); ^b NFHP II and New ERA 2010.

Associated with mortality, there is a high prevalence of morbidity related to pregnancy with an estimated 600,000 cases of prolapse of the uterus and other pelvic organs and an unknown but possibly high prevalence of fistula (Institute of Medicine *et al.* 2005). Population-based estimates indicate a 10-percent prevalence of prolapse; but facility-based reports suggest an even higher prevalence, at 9–35 percent. Unlike other countries in the region, in Nepal, the prevalence of uterine prolapse is particularly significant for young women and women who have had only child.

Cervical cancer is the second most common cancer in women worldwide. Approximately 80 percent of cases occur in developing countries, where more than 95 percent of women have never had a Pap smear. It is one of the leading causes of death among women of reproductive age. No estimates of cervical

cancer deaths are available for Nepal but a 2008 situational analysis showed an annual rate of about 10,020 new cases of invasive cervical cancer and 26,000–45,000 cases of precancerous lesion (Jhpiego 2008).

Sexually transmitted infections (STIs), HIV and AIDS are serious health issues in Nepal that pose significant health and non-health challenges. Nepal's HIV and AIDS epidemic is concentrated amongst most-at-risk populations such as injecting drug users and sex workers. Recent data also suggest that married rural women now represent the second largest group of people detected living with HIV, with a prevalence of 3.3 percent. A high number of migrant workers with risky behaviour from the FWR is the main reason for this new dimension to the epidemic, and poses an increased threat for women. Some 30 percent of detected HIV cases were identified in male migrants, and 28 percent in spouses of male migrants. The stigma surrounding the use of condoms and the taboos around discussions on sexuality further compound the problem. In addition, there are an estimated 30,000 female sex workers (FSWs) in Nepal, and an estimated 300,000 Nepali FSWs in India. Studies report that more than one third of Nepali FSWs returning from India are HIV positive (Silverman *et al.* 2007).

Suicide is the leading cause of death among women of reproductive age in Nepal. Factors related to marriage, family and relationships are linked to 41 percent of suicides, illness excluding mental health for nine percent, and mental health problems such as maternal depression for eight percent (FHD 2009). Suicide rates are high for young women (10–24 years) increasing to the age of 35, reducing between the age of 35 and 44, and increasing again for over-45s. In terms of caste, Dalits are more likely to commit suicide, which may be a result of their social exclusion.

4.5.2 Problem analysis

There are different layers of causes for the high mortality and morbidity rates of women of reproductive age. The most immediate cause is the limited availability of key reproductive health services. Not only are there limited services available in general, but disaggregated data show significant differences in access depending on age, residence, ecological zone, educational status, wealth, caste and ethnicity. A wide range of data are available, but the examples below, using NDHS 2011 data, focus on family planning and the use of modern contraception, SBAs and delivery services to underscore some of the discrepancies between groups. In terms of family planning, the use of modern contraception among women of reproductive age increased from 26 percent in 1996 to 43 percent in 2011 (MOHP *et al.* 2012). The rate of increase in contraceptive use was higher in rural than urban areas, and higher among uneducated women than among educated women, demonstrating a narrowing in inequity. However, Muslim women had the lowest rate of use at 17 percent, and women of reproductive age in the Far Western Hills had a rate of 25.5 percent. In terms of care provided by SBAs, at the aggregate level, this has steadily improved from 11 percent in 2001 to 36 percent in 2011 (MOHP *et al.* 2007, 2011). However, when looking at disaggregated data, there are significant differences: for example, it was only 32 percent for rural women; 19 percent for women in the Mountains; 30 percent for women from the FWR; 19 percent for women without education in 2011; and five percent for Madhesi Dalits and 11 percent for Tarai Janajati women in 2006. In terms of delivery in health facilities, the aggregated figure in 2011 was 35 percent (MOHP *et al.* 2007, 2012). Again, there are large discrepancies when disaggregated: 19 percent for women in the Mountains and 16 percent for women in the Western Mountains; 19 percent for women with no education and 11 for women in the lowest wealth quintile; 31 percent among rural women in 2011; and nine percent for Dalits overall and five percent for Madhesi Dalits in 2006.

Underlying causes can be clustered in an overall poor health system, a lack of empowerment of women of reproductive age, and others factors such as son preference and discriminatory legislation. A key underlying cause for the low utilization of health services is the health system itself. The cost of services, in particular the costs of care, are prohibitive for many poor women. The lack of skilled human resources—of the estimated 7,000 SBAs needed, there are currently only 1,744 government health staff who could be trained as SBAs—and the difficulty of posting and retaining staff in rural and remote areas

are major challenges. In addition, there is a significant lack of infrastructure, equipment and medical and other supplies. A second cluster of underlying causes relates to the lack of women's empowerment. The general lack of education and lack of awareness on available services contributes to women not accessing services even where they are available. Early marriage and childbirth, in particular in the Central and Mid-Western Tarai and Far Western Hills, increase the risks of maternal mortality and morbidity. GBV and a lack of control over resources and decision-making power make it more difficult for women to access services when needed. Malnutrition leads to poor pregnancy outcomes for both the mother and the newborn child. Finally, the preference for a son makes some women of reproductive age more vulnerable. For example, women are discouraged from using contraception until they have produced a son. Women who have given birth to two or more daughters are put under considerable pressure to become pregnant again quickly in the hope that the child will be male this time. This adds to their risk of maternal mortality and morbidity.

In terms of root causes, gender discrimination as expressed for example in GBV, less nutritious food, lower access to education and limited decision-making power contributes significantly to the vulnerability of women of reproductive age. Remoteness and exclusion are important root causes for the lack of available services. This is further exacerbated for the poor: poor women of reproductive age do not use health services simply because they cannot afford them, putting themselves at an increased risk of maternal death.

4.5.3 Ongoing efforts to build upon

The National Health Policy of 1991 sought 'to upgrade the health standards of the majority of the rural population by strengthening the primary healthcare system and making effective healthcare services readily available at the local level.' In 2004, the Health Sector Strategy was introduced and was followed by the second five-year Nepal Health Sector Programme 2010–2015 (NHSP II) that seeks to address the constraints to increasing access and utilization of essential healthcare services. Family planning and safe motherhood and newborn health services are priorities within the NHSP II. Mental health services are also included and focus on GBV and suicide among women of reproductive age. The government's Aama Programme is set to provide free maternal and delivery services. While not yet approved, a National Multi-Sectoral Strategic Plan for Prevention and Management of Uterine Prolapse was developed in 2008 and a budget has been set aside to address this issue. The government, together with I/NGOs and UN agencies, has supported mobile camps through which 13,000 women, against a target of 20,000, have received surgical treatment for uterine prolapse over the last two years.

Safe abortion was legalized in 2002, with first trimester abortion services available in all 75 districts through government and non-government facilities. Nutrition interventions have been significantly scaled up to address major micronutrient deficiencies among women and children.

With regard to STIs and HIV, Nepal's national programme targets most-at-risk populations including injecting drug users, male and female sex workers, clients of sex workers, and seasonal male labour migrants and their partners with support from USAID, Department for International Development (DFID) and the Global Fund to Fight AIDS, Tuberculosis and Malaria. In 2009, the Joint United Nations Programme on HIV/AIDS (UNAIDS) called for the 'virtual elimination' of mother-to-child transmission of HIV. This has helped to mobilize a high level of attention and commitment to prevention of mother-to-child transmission, and has gained momentum to achieve elimination of new infections among newborns by 2015.

4.6 Adolescent girls (10–19 years)

4.6.1 Background and current status

Adolescence is the period of physical, psychological and social maturing from childhood to adulthood. Generally, the term 'adolescents' refers to individuals aged 10–19 years (WHO/UNFPA/UNICEF 1989). Adolescents, as a distinct category, remain largely invisible in national policies and programmes.

Although there are a large number of initiatives promoted by several ministries and agencies that directly or indirectly address adolescent girls' concerns, there is little proper coordination among them. Furthermore, there is a lack of urgency in addressing adolescent girls' problems. Powerful and sustainable initiatives are not being taken to change regressive social attitudes towards girls. Despite important global imperatives, lack of data on adolescent girls in Nepal is one of the major reasons why they remain largely invisible and insignificant on the development agendas of government, donors and local civil society organizations.

Within the broad development context, adolescent Nepali girls are not progressing to the same extent as boys of the same age. Adolescent girls live at the interface of inequity, vulnerability, disparity and discrimination at all levels, from family to community to the state, curtailing their development opportunities. Owing to a combination of biological, psychological and social factors, adolescent girls are considered vulnerable to various problems such as trafficking, sexual exploitation, child labour, HIV and AIDS, early pregnancy, substance abuse, suicide, accidents and violence. Adolescent girls' participation in decision-making processes is also constrained by gender socialization practices and prevalent patriarchal norms and values. Investing in adolescent girls can help to break the vicious cycle of inter-generational poverty and vulnerability.

The adolescent population in Nepal is approximately 6.0 million or 24 percent of the total population; 75 percent of all married women married before they turned 19, and 16 percent before they were 15 years old (CBS, 2012c). The contraceptive prevalence rate for modern methods is 43 percent overall, but only 8.9 percent among women aged 15-19 leading to a high rate of early pregnancy: some 42 percent of married 15-19-year-olds are already mothers (MOHP *et al.* 2012).

Although females in urban areas generally marry later, Census 2011 data show that 13 percent of child marriages (i.e., before the age of 15 years) are recorded in cities and towns. The average age of marriage for girls is 17.9 years, and about a year less for Dalits, Muslims and 'Madhesi Other Castes'. Among young mothers, Madhesi women are more likely to experience their first pregnancy earlier, at 17.6 years compared to 18.3 years for other women. Sexually active adolescent girls are vulnerable to problems such as maternal mortality associated with early childbirth, STIs, HIV, unwanted pregnancies and unsafe abortion. Unwanted pregnancy among girls aged 15-19 is reported to be 19 percent. The nutritional status of adolescents is also a concern: the NDHS 2011 indicates that 26 percent of girls aged 15-19 years have a body mass index (BMI) below 18.5 and are thus considered underweight. Adolescent girls are at increased risk of anaemia. When combined with early marriage and pregnancy, this can lead to newborn babies with low birth weight.

Suicide rates are higher for women aged 10-24 years than for others, with a far greater proportion of deaths among the unmarried (UNFPA/DFID 2011). Discrimination during menstruation is widespread in the Mid- and Far West, especially in Hill and Mountain districts, with half of girls reporting such discrimination (CBS 2012b). Hygiene and sanitation issues are also a concern. Although improving, over 66 percent of schools in 2008/09 still did not have separate latrines for girls and boys, exposing girls to inadequate sanitation facilities as well as protection fears.

Gender disparity in educational attainment is shrinking but there is still a significant gap. According to the NLFS 2008, the literacy rate for the 15-19-year age group was 81 percent for girls and 93 percent for boys. Some 27 percent of the 2.9 million adolescent girls aged 10-19 years were out-of-school.

Young people are vulnerable to HIV infection. In Nepal, official data indicate that young people aged 15-24 years accounted for 17 percent of total reported HIV cases between 1998 and August 2010. Younger age groups within key HIV-affected populations (female sex workers, male sex workers, transgender people and people who use drugs) are also of most concern (NCASC 2010). In general, HIV and AIDS knowledge is quite high among adolescents (15-19 years); while comprehensive knowledge on HIV and AIDS has increased greatly in this age group - 29 percent of girls and 45 percent of boys showed it in

2006, against 76 and 85 percent, respectively, in 2011, – gender disparity remains a concern (MOHP *et al.* 2007, MOHP *et al.* 2012).

Most household chores and child-rearing activities are the responsibility of girls. Girls aged 10–14 years do double the amount of work that boys of the same age group do (WHO 2007). Although child labour is prohibited up to 14 years of age, the NLFS 2008 shows that 42 percent of children aged 5–14 years were economically active (CBS 2009a). Some 27 percent of adolescents aged 10–14 years and 63 percent aged 15–19 years were reported to work; of these, 60 percent are believed to be girls (Sharma *et al.* 2001). There are 56,000 domestic child labourers in Nepal, 33 percent of whom are adolescent girls (Sharma *et al.* 2001).

Certain adolescents are highly vulnerable including those engaging in high-risk behaviour such as sex work and drug use, those living on the street, those working in the worst forms of child labour and those affected by the armed conflict. Even adolescent girls not in these high-risk groups are vulnerable. For example, a study found that nearly 18 percent of 4,000 girl students interviewed had experienced severe sexual abuse including molestation and rape (UNICEF/CWIN 2006).

Girls are prone to trafficking for different purposes including domestic work, forced beggary, marriage, carpet weaving and the sex trade. One third of trafficking happens between the ages of 12 and 18 years, and 15 percent of victims are trafficked under the age of 12 years (Shakti Samuha 2008). Of the estimated 5,000 street children, around five percent are girls (CWIN 2009). Girls living on the streets are extremely vulnerable to sexual exploitation, drug use, and HIV and STIs.

4.6.2 Problem analysis

Gender norms are at the root of prevailing inequities between adolescent girls and boys. Poverty exacerbates inequity, with girls from the lowest wealth quintile suffering the most. Girls are undervalued and live in a social environment where resources are distributed unequally between boys and girls. Studies indicate that girls are more likely to be enrolled in public schools than their brothers, who are more likely to be enrolled in private schools. Such bias towards boys exemplifies the low investment made by many parents in their daughters. Girls are often taken out of school when they reach secondary level to engage in economic activities. Girls are expected to contribute substantially to household work and farming. At the same time, their economic contribution is undervalued and discounted, while there is an overemphasis on their reproductive role.

Stereotypical gender roles determine and restrict developmental opportunities for adolescent girls. Practices that discriminate, undervalue and harm adolescent girls are prevalent. Menstruating girls are excluded from fully participating in day-to-day activities. Girls often feel discriminated against during menstruation, having to suffer embarrassment and even shame, and they lack the support required to understand their physiological and hormonal changes. A survey from the Mid- and Far West reveals that eight percent of girls were absent from school due to menstruation (CBS 2012b).

National policies do not adequately ensure the rights of adolescent girls nor hold duty-bearers accountable for fulfilling these rights. Economic policies are neither gender- nor adolescent-friendly. Inadequate social protection mechanisms and lack of gender-sensitive legislation result in adolescent girls being particularly vulnerable to SEA.

These underlying causes are further compounded by the substantially unequal development between boys and girls. Gender norms and values that favour sons lead to inequities between girls and boys at the household level. Adolescent girls are not given equal opportunities in access to nutrition, healthcare, development, recreation and education. As girls become older, school attendance drops due to early marriage, pregnancy or simply the lack of (gender-sensitive) sanitation facilities at school.

Gender norms and inequity prevent adolescent girls from having a voice in matters that affect them. The mobility of girls is restricted more than of boys due to the emphasis on girls' sexuality in relation to

family honour and shame (*laj* and *izzat*). In some areas of the Tarai in particular, *purdah* is widely practiced and further confines adolescent girls to familial spaces only. This leads to a marked disparity between adolescent girls and boys in development opportunities. Restrictions on mobility, notions of female propriety and expectations of girls' contribution to household chores lead to lack of opportunity and social acceptance for play, recreation and voice in matters that affect their own well-being.

Girls are often considered a burden to parents and families and are neglected, humiliated, oppressed and exploited. Prevailing unequal social and labour relations compounded by patriarchal norms and power relations contribute to the disparity in progressive development between adolescent boys and girls. Evidence shows that adolescent girls are at great risk of falling into the most vulnerable situations in society. They are subject to multiple forms of violence, abuse and exploitation such as child labour and child marriage in general and specific harmful practices such as *chhaupadi*, *kamalari* and sex-selling practices among Badi communities predominant in the Mid- and Far West.

Equally important is the unequal distribution of resources that makes adolescent girls invisible in decision-making practices in households. Adolescent girls are discriminated against by parents in the allocation of food, school attendance, clothes buying, and participation in public spheres.

The structural and root causes of this situation are grounded in deep-seated patriarchal norms and values that perpetuate discrimination and exploitation of adolescent girls. As a result of these patriarchal norms and values, most girls are not allowed to give their opinion about their schooling, marriage and involvement in the labour force. In the Tarai, adolescent girls in particular have their mobility heavily restricted and some are compelled to wear the *burkha*.

Poverty is another root cause that exacerbates discriminatory practices and inequity. In addition, it is at the root of survival strategies (e.g., unsafe migration for labour and sex work) that further contribute to the exploitation of adolescent girls. It is also the root cause of economic enslavement, migration to high-risk areas, sexual exploitation and child labour among adolescent girls.

4.6.3 Ongoing efforts to build upon

The government included adolescent sexual and reproductive health (ASRH) as a major component of the national Reproductive Health Strategy in 1998. The National Medical Standard on Reproductive Health 2003 includes adolescent health as a specific target. The Family Health Division developed an Implementation Guide on Adolescent Sexual and Reproductive Health in 2007 to help district health managers, health facilities, NGOs, community-based organizations and educational institutions to implement ASRH programmes. The Ministry of Local Development has developed a policy of inclusive budget allocation that specifies 10 percent allocation of resources for children and 10 percent for women and girls under the Local Governance and Community Development Programme.

Since 1999, UN agencies have been supporting the MWCSW to prevent and protect girls from all forms of GBV, abuse and exploitation. The government has taken legislative action through the Trafficking in Persons and Transportation (Control) Act and the Foreign Employment Act.

As a step towards preventive measures, UN agencies have been supporting the government in the development of a network of approximately 700 paralegal committees and community-based organizations. Various UN agencies, and especially UNICEF and the United Nations Educational, Scientific and Cultural Organization (UNESCO), are actively engaged in addressing gender disparity in educational attainment of adolescent girls. The United Nations Adolescent Girls' Task Force Committee is committed to increasing support for key policies and programmes that empower the hardest-to-reach adolescent girls with a particular focus on those aged 10–14 years. There is increasing recognition of the needs of adolescent girls among government and donor agencies, and strategies for their advancement have been developed. The joint commitment of various UN agencies to work collectively for the advancement of adolescent girls' rights is a great opportunity.

To fulfil adolescent girls' rights to the highest attainable standards of health, education and protection, the CRC declares that young people have the right to life, development, participation and protection. Various indicators including growing literacy, increasing mobility and participation in public spheres, changing social norms and values, and increasing confidence and self-esteem reveal that adolescent girls are ready to lead the change.

4.7 Endangered and highly marginalized indigenous populations

4.7.1 Background and current status

Nepal's complex social structure makes identifying indigenous populations (IPs) particularly challenging. The 2001 census identified 100 different ethnic groups, over 92 languages and great religious diversity, with Hindu, Buddhist, Kirat, Animist and Muslim as major religious identities. According to the 2001 census, IPs made up 37.2 percent of the total population. It has been argued, however, that the 2001 census underestimated the number of IPs for a variety of reasons, including faulty questionnaires and processes as well as the non-inclusion of certain groups (DFID/World Bank 2006). The National Foundation for the Development of Indigenous Nationalities Act 2002 defines Adivasi/Janajati (or indigenous peoples or nationalities) as those ethnic groups and communities that 'have their own mother tongue and traditional customs, distinct cultural identity, distinct social structure and written or oral history of their own' (NFDIN 2002). Following promulgation of the act, the government recognized 59 indigenous nationalities. However, many groups continued to call for recognition as an IP and a new taskforce was set up in 2009 to re-evaluate the list. The taskforce recommended 81 ethnic groups as IPs, but the new list is yet to be approved.

IPs in Nepal are not a homogenous group. There are significant differences between IPs in relation to, for example, poverty and other socioeconomic indicators. For example, two IPs (Newar and Thakali) easily surpass the other 57 groups on HDI scores. Census figures also show that Thakali have the highest literacy rate (63 percent), surpassing even so-called dominant castes. This is in sharp contrast to the Chepang, another Janajati group, who have a literacy rate of only 15 percent (CBS 2004).

The Nepal Federation of Indigenous Nationalities classified the 59 IPs into five categories based on a set of socioeconomic indicators, including literacy rate, house type, landownership, occupation, language, population and access to higher education. These categories include 'endangered' (10), 'highly marginalized' (12), 'marginalized' (20), 'disadvantaged' (15) and 'advantaged' (2) (NFDIN 2002). At the bottom of the scale are the so-called endangered and highly marginalized groups (EHMGs), which are the focus of this profile (Table 4.4). The groups are labelled as such, not only because of their small population sizes, but also because of their very low ranking on human development indicators.

Perhaps the most telling detail about the extent of their marginalization is the lack of any comprehensive data on EHMGs, be it on their numbers or their political and socio-cultural status. The data below must therefore be seen as indicative only: comprehensive research on these groups is urgently needed if future interventions are to be useful.

Table 4.4: Classification of endangered and highly marginalized IPs and approximate population sizes

Status	Ecological region					
	Mountains		Hills		Tarai	
Endangered (10)			Bankariya	n/a	Raji	4,235
			Hayu	2,925	Raute	618
			Kusbadiya (Pattharkatta)	3,182	Kisan	1,739
			Kusunda	273	Meche (Bodo)	4,867
			Lepcha	3,445		
			Surel	n/a		
Highly marginalized (12)	Shiyar	n/a	Baramu	8,140	Dhanuk (Rajbanshi)	335,050
	Shingsawa (Lhomi)	15,011	Thami (Thangmi)	28,671	Jhangad	37,424
	Thudam	n/a	Chepang	68,399	Santhal (Satar)	51,735
					Bote	10,397
					Danuwar	84,115
					Majhi	83,727

Source: NFDIN 2002, CBS 2012c

Many EHMGS face problems in maintaining their language and cultural identity, either due to their small size or because they have been forced to give up essential elements of their culture and ways of life to be able to access government-provided services or avoid discrimination. EHMGS have their own distinct cultures, belief systems and ways of life, including in some cases rich tangible and intangible cultural heritage. While some groups such as the Lepcha, Khadiya and Meche still maintain their own belief systems, others such as the Munda, Dahnuk and Baramu are increasingly worshipping Hindu deities or, in the case of the Kyidug, have converted to Christianity as a coping mechanism in the face of discrimination against their own beliefs. In terms of language, while about 65 percent of EHMGS are estimated to still speak their language fluently, the numbers are slowly being eroded. However, only one third of EHMGS are estimated to be able to speak Nepali (Pradhan *et al.* 2006). This makes their access to education and other government-provided services particularly challenging. Access to health and sanitation facilities is very low, and malnutrition and curable diseases are widely prevalent (DFID/World Bank 2006).

It is estimated that more than 90 percent of EHMGS live in remote rural areas and rely on subsistence agriculture or hunting and gathering. Landlessness is a particular concern for these groups. Non-recognition and the lack of legal protection of customary land rights have slowly eroded their access to areas they traditionally used for their livelihoods, including forests and rivers. The average per capita income of EHMGS is much lower than that of other groups. According to the NLSS 2003/04, the per capita income among Chepang, Hayu, Raute and Kusunda, for example, was NRs 6,185 per annum. The poverty headcount ratio for inner Tarai Janajati, including Majhi, Danuwar, Kumal, Bote, Raji and Darai, was 52 percent in 2004, considerably greater than the national average. A study conducted by ILO in 2007 indicated that only about 10 percent of Jhangad households have sufficient land to produce enough food for one year. Most community members supplement their income by working as agricultural labourers in either Nepal or India.

EHMGS have little or no voice in ‘modern’ decision-making and governance structures. Consequently, they remain marginalized, vulnerable and largely excluded from mainstream development efforts. This is the case at both national and local levels (UNDP Nepal 2009b).

4.7.2 *Problem analysis*

One of the main immediate causes of vulnerability for EHMGS is their lack of education. In many cases, this is due to their geographical isolation, but it also follows from the content and medium of education, often delivered in a language that children do not understand. For some, e.g., nomadic groups, sedentary schooling makes no sense, while for others, discriminatory school practices may make children reluctant to attend.

EHMGS have only marginal landownership, inferior quality land and limited access to natural resources that they previously managed and used. They lack title to the land they occupy despite having lived there for centuries. Loss of traditional livelihoods, deforestation, impacts of climate change—such as increased landslides and reduction in food diversity as traditional crops, food varieties and medicinal herbs disappear—and lack of access to basic services have resulted in increased displacement and forced migration for EHMGS. Moreover, their lack of landownership makes it hard to obtain citizenship, which deprives them in turn of other civil and political rights.

A significant cluster of underlying causes for the vulnerability of EHMGS relates to the legal framework, the non-implementation of relevant legislation and the lack of political representation by EHMGS. Several pieces of legislation have impacted heavily on the use of natural resources, including those used by EHMGS. These laws were drafted without proper consultation with or participation by IPs and, therefore, mostly do not take into consideration traditional uses of natural resources. They often limit access by EHMGS to such resources. The Private Forest Nationalization Act 1957, for example, included under the category of ‘government ownership’, all forest land that had previously been used under customary systems of rights and usage. There was no compensation for EHMGS who had traditionally managed and used these forests. Similarly, the Nationalization of Pasture Act 1974 led to the state appropriating pasture lands, thereby negatively impacting EHMGS that traditionally depended on grazing. On the other hand, legislation that has explicit provisions to protect the rights of IPs in general and EHMGS in particular is often not implemented. This includes, for example, provisions in the Local Self-Governance Act and the National Foundation for the Development of Indigenous Nationalities Act. Similarly, while the government has ratified ILO Convention 169 on the Rights of Indigenous and Tribal Peoples as well as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the effective implementation and translation of these international instruments into national policies, legislation and action plans is still lacking. Furthermore, EHMGS are deprived of political participation and are marginalized from decision-making processes, including those that relate to local development. In addition, they have almost no representation in public service.

EHMGS are also experiencing an identity crisis due to the lack of protective laws and/or their effective implementation. Some EHMGS are losing their physical, social and cultural identity, and are gradually assimilating into the Hindu caste system. Moreover, due to the mono-linguistic domination and language constraint, EHMGS often have very limited access to information that could help them assert their rights.

The root cause of overall marginalization of these groups is social, cultural, political and economic discrimination. Discriminatory attitudes are the key reason for the low access of EHMGS to education, services and employment. EHMGS feel impoverished and exploited, and have often been compelled to discontinue their traditional ritual practices. The extent of social exclusion of these groups is manifested by religious, cultural and political processes that in many cases have moved closer to mainstream Hindu practices, a process known as ‘Sanskritization’.

Finally, state resources remain unequally distributed. Plans and policies are generally made without consultation with beneficiaries. The contribution of traditional knowledge, skills and techniques of these groups has been ignored. The limited resources that are targeted for development of disadvantaged Janajati groups rarely reach the EHMGS (Bhattachan and Webster 2006).

4.7.3 Ongoing efforts to build upon

The Interim Constitution guarantees the civil, political, social, economic and cultural rights of all Adivasi/Janajati, recognizes them as beneficiaries of affirmative and protective measures in employment, education and political participation, and incorporates rights to proportional representation. It instructs the state to pursue policies to uplift economically and socially disadvantaged Adivasi/Janajati and other marginalized communities. The formation of a caucus of Constituent Assembly members who represent IPs provides an opportunity to intensify demands and negotiations for policies and legal instruments that promote and support more inclusive participation and development of these groups.

The government has established the National Foundation for Development of Indigenous Nationalities to coordinate the overall development of Adivasi/Janajati by formulating and implementing programmes related to their social, educational, economic and cultural development. One of the key policies adopted in the government's national three-year plan is to expand the participation of Adivasi/Janajati and other excluded groups in all walks of national life and the various organs of state. In addition, the plan aims to improve proportional representation of Adivasi/Janajati, Madhesi people, Dalits, deprived groups, people with disability, and people from backward areas. A social security scheme for endangered indigenous groups, such as the Raute and Bankariya, is also proposed.

The Environment Act 1997 and the Forest Act 1993 have emphasized protection and promotion of IPs' knowledge and cultural heritage. In 1999, the Local Self-Governance Act was enacted to devolve more power to local political bodies, including the authority to promote, preserve and protect IPs' language, religion, culture and welfare. The Ministry of Local Development has issued directives to all districts to form Adivasi/Janajati District Coordination Committees to create a forum that would enable Adivasi/Janajati to influence district-level decisions over the distribution of local resources. As a result, 15 percent of the government block grant provided to districts is to be used for disadvantaged groups.

The civil service laws, the Military Act and Rules, the Nepal Police Act and Regulations, the Education Act, the Scholarship Act and the Armed Police Act include affirmative provisions for Adivasi/Janajati. The Amended Civil Service Act 2007, the Nepal Police Regulation and the Armed Police Regulation have reserved 45 percent of vacant posts for Adivasi/Janajati.

4.8 Religious minorities (with a specific reference to Muslim women and girls)

4.8.1 Background and current status

According to the census, there are eight named religious groups in Nepal—Hindu, Buddhist, Muslim, Christian, Kirat, Jain, Sikh and Bahai—and one group which is categorized as 'Others'. In 2001, some 81 percent of the population were Hindu, 11 percent Buddhist, four percent Muslim, and less than one percent Christians. However, Muslim, Buddhist and Christian communities claim these numbers are inaccurate, and expect the 2011 census to provide updated numbers. In the 2011 Census, again 81 percents of the population were Hindu and four percent Muslim, but one percent were Christians and three percent Kirat. Bon, Jainism, Bahai, and Sikhism were also specifically identified in the 2011 Census, these groups making up shares smaller than one percent at national level.

Nepal is a state party to the ICCPR. Its obligations under this covenant are reflected in Article 23 of the Interim Constitution, which guarantees the freedom of religion and belief stating that 'every person shall have the right to profess, practice and preserve his/her own religion' and 'every religious denomination shall have the right to maintain its independent existence and, for this purpose, manage and protect its religious places and religious trusts.' These provisions have important implications for discriminated minority groups in Nepal. Throughout its recent history, the country has been declared a Hindu kingdom and state, thus privileging social and cultural practices embedded in Hindu beliefs. For a long time, Hindu holidays were the only ones officially recognized, while festivities of other religious groups were not acknowledged nationally. This has changed since the promulgation of the Interim Constitution and some non-Hindu religious festivities are now observed as national holidays.

Buddhism is the second largest religion in Nepal, with many Buddhist shrines and holy sites including Lumbini—the birthplace of Buddha—respected as important pilgrimage sites. Throughout the history of Nepal, Buddhism and Hinduism have blended and integrated in unique ways so that many social and religious practices are commonly observed by both Buddhists and Hindus. Nevertheless, Buddhists harbour a sense of exclusion by the state in many aspects, including in government budget allocations for Buddhist institutions and festivals. Christians, likewise, feel discriminated against, particularly with respect to burial grounds.

While both Buddhist and Christian communities report discrimination on the basis of religion, this CA is unable to focus much on these two groups due to a paucity of reliable data. Such data are also lacking for the Kirat, Jain, Sikh and Bahai communities and, as a result, they too cannot be analysed in any depth. In comparison, there is much greater availability and reliability of data for the Muslim community. Furthermore, given the observed levels of discrimination, low socioeconomic indicators and relative denial of economic, social and cultural rights for Muslims in Nepal, this CA accords a particular focus to this community in its discussion on religious minorities. Within this religious minority, attention is narrowed even further, although not exclusively, on Muslim women, who constitute a minority within a minority on account of the specific denial of their rights and the discrimination suffered by them.

The vast majority –95 percent– of Nepal’s Muslims live in the Tarai (CBS, 2012c). While Nepali Muslims are not a homogenous group but one that is fragmented along ethnic, regional, occupational and doctrinal lines, the Muslim community is recognized as being one of the most marginalized and disadvantaged communities in the country. Muslims have a HDI of 0.401, as compared to 0.509 for Nepal as a whole (UNDP Nepal 2009a). Muslim women have a literacy rate of 26.0 percent compared to the national rate of 54.5 percent for women, and Muslim men have a rate of 61.8 percent compared to the national rate of 81.0 percent for men (Bennett 2005). In 2004, poverty among Muslims was 41 percent, approximately 10 percentage points higher than the national figure (CBS 2004). The under-five mortality rate is 80 deaths per 1,000 live births compared to 68 for the country as a whole (MOHP *et al.* 2007). Similarly, with regard to maternal mortality, there are 318 deaths per 100,000 live births in the Muslim community compared to 229 nationally (FHD 2009). Access to healthcare is another major concern for Muslims. Data indicate that Dalits, Muslims and disadvantaged Janajati show the poorest health outcomes, and that Dalit and Muslim children have the lowest immunization records (Bennett 2005). As an example, the contraceptive prevalence rate among Muslim women at 17 percent remains strikingly low in comparison to the national average of 44 percent (UNDP Nepal 2009a).

Muslims are underrepresented in the political system and civil administration. Currently, there are 18 Muslim representatives in the Constituent Assembly, including five women; this is three percent, while the Muslim community claims to make up 10 percent of the total population. Only about 0.43 percent of posts in the civil service are held by Muslims (Sijapati 2010).

4.8.2 Problem analysis

Identifying the causes of vulnerability associated with religious minorities is difficult. One of the most common problems for the Muslim community is social isolation, which is particularly acute in relation to women and girls.

Historical records suggest that Muslims first migrated to Nepal between the 13th and 16th centuries as traders and to train soldiers. However, there was a more recent major migration of Muslims after the 1857 Uprising in India¹¹. At that time, the Hindu caste system, as codified in the 1853 Civil Code, relegated Muslims to the category of the impure and untouchable, with the result that Muslims had low social status. Although the 1963 Civil Code removed reference to the caste system, and there have been further developments since such as those in the 1991 Constitution, Muslims have generally continued to retain a

¹¹ <http://madhesi.wordpress.com/2007/10/13/muslims-of-nepal-becoming-an-assertive-minority/>, last accessed on Sept. 15, 2011

lower social status. They remain poorly educated, with near negligible representation in national and local government bodies.

Social exclusion is exacerbated in relation to Muslim women and girls. For example, it has been found that Muslim girls are not sent to school if the institution does not respect religious principles, and that some Muslim girls are not attending school due to their parents' cultural and religious seclusion. Many Muslim girls drop out of formal school when they reach puberty due to the strict implementation of rules concerning school uniforms in Nepal, considered by many in the Muslim community to be un-Islamic. Some girls may continue their education through Madrasahs, where the quality of education is reportedly low, while others cease schooling. Although the government now recognizes religious teaching institutions including Madrasahs within the country's education structure, educational opportunities in such institutions are not yet on a par with the formal school system, with courses only implemented up to Grade 5 when girls are 10–11 years old. This lack of educational opportunities, especially for Muslim girls, results in a subsequent lack of employment opportunities, directly affecting an individual's future economic independence.

Traditional practices in relation to marriage also have a significant impact on Muslim women and girls. The Muslim community worldwide practices the tradition of *mahr*, where the groom's family gives the bride an amount of money at the time of the marriage. However, in recent years, the more harmful practice of dowry, where the bride's family gives an amount of money or goods to the groom's family, has begun to penetrate the Muslim community, with ongoing reports of dowry-related harassment and deaths of women. A Muslim marriage in Nepal may be considered by the community to be dissolved by the triple pronouncement of the word *talaq* by the husband; however, a Muslim woman does not have this same right to end her marriage. While the Civil Code of Nepal does not recognize this form of divorce and confers women and men with equal rights in marriage and divorce, the practice remains widespread in the Muslim community. Achievements in repealing gender discriminatory marriage and divorce laws in Nepal have thus not been applied equally to Muslim women.

4.8.4 Ongoing efforts to build upon

The Interim Constitution specifically mentions Muslims among the minorities needing special provisions in their favour. The Ministry of Finance recognizes Muslims as a marginalized group and has allocated a budget for the development of the community. Additionally, the government has agreed, through a March 2009 agreement with representatives of the Muslim community, to amend constitutional and legal provisions and provide a constitutional guarantee for Muslim identity; to make efforts to guarantee political, economic, social, cultural and educational rights for Muslims; and to form a National Muslim Commission. That said, the Muslim Commission has yet to be established and the six-point agreement remains largely unimplemented.

As a result of reservations for religious minorities, there are now 18 Muslim representatives in the Constituent Assembly.

In mid-2008, the Ministry of Local Development launched the national Local Governance and Community Development Programme, with support from development partners, to reduce poverty among marginalized groups including Muslims. Furthermore, the Micro-Enterprise Development Programme is a multilateral donor-funded poverty reduction initiative of the Ministry of Industry and UNDP, in existence since 1998, targeting the poorest groups, especially focusing on women, indigenous nationalities, Dalits, Muslims, and Madhesi groups.

Since 2009, OHCHR Nepal has been working with the Muslim community in the Eastern Region, and has conducted human rights workshops for both men and women. A local imam held a session in the first workshop organized for Muslim women on the relationship between the UDHR and the Koran, citing and analysing points in common that respect, promote and protect the rights of Muslim women. Continued advocacy has led to the formation of a Muslim women's group, which has been registered as a NGO, and

which aims to work for the rights of Muslim women. OHCHR Nepal, together with the National Women’s Commission, aims to replicate this in the Mid-West. UN Women has been involved in strengthening the capacity and knowledge of religious leaders on violence against women in partnership with STEP Nepal and in establishing a National Inter-Religious Network, which works in Birgunj, Banke and Nepalgunj.

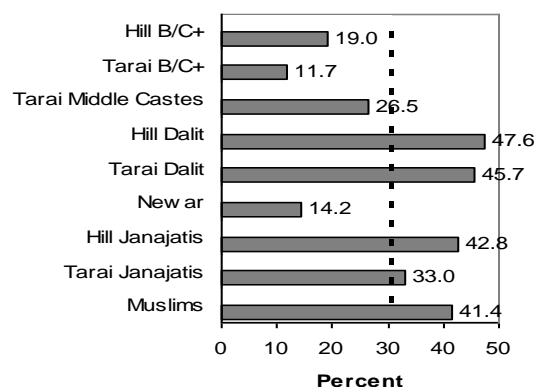
4.9 Dalits

4.9.1 Background and current status

To understand the situation of Dalits in Nepal, one needs to first understand the genesis of the caste system within the country. In the late 14th century, King Jayasthiti Malla carried out the Manushrimiti that classified the population of the Kathmandu valley into 64 castes, each assigned with a functional/occupational role. This caste system was formalized and made applicable to the whole country with the introduction of the Civil Code in 1853. Based on concepts of ritual purity and pollution derived from the traditional Hindu system, the code gave precise definitions and dictated norms and behaviours for various caste groups. Nepali society was divided into four hierarchical layers, with the priestly Brahmin class at the top, the royal/military Chhetri beneath them, followed by the Vaisya merchants and the Shudra peasants and labourers. At the bottom was a group assigned with such functions as leatherwork and sweeping that rendered them ‘impure’ and some even ‘untouchable’ or *achut*. The *achut* are now known as Dalits.

Dalits are oppressed and discriminated against in religious, cultural, social and economic spheres. They are a non-homogenous group and speak different languages and have different cultures. What they have in common is their experience of caste discrimination and exclusion on the grounds of untouchability, leading to threats, intimidation, physical assault, forced eviction and displacement. The draft bill of the National Dalit Commission (NDC) defines the Dalit community as ‘a community that has traditionally been subjected to untouchability and caste-based discrimination, and also has been extremely marginalized, excluded or deprived in social, cultural, political, education, administrative or economic sectors and deprived of social justice.’ The commission identified 26 distinct Dalit sub-castes and divided them into two broad categories: Hill Dalits and Madhesi Dalits (Table 4.5).

Figure 4.1: Incidence of poverty by caste/ethnicity and Nepal poverty line (31%), 2004



Source: CBS 2004.

Table 4.5: Dalit groups from the Hills and Tarai

Hill Dalits (7 sub-castes)	(1) Gandharba (Gaine), (2) Pariyar (Damai, Dargee, Suchikar, Nagarchee, Dholee, Hudke), (3) Badi, (4) Bishwokarma (Kami, Lohar, Sunar, Od, Chunara, Parki, Tamata), (5) Sarki (Mijar, Charmakar, Bhool), (6) Pode (Deola, Pujari, Jalari), (7) Chyame (Kuchikar, Chyamkhal)
Madhesi Dalits (19 sub-castes)	(1) Kalar, (2) Kakaihiya, (3) Kori, (4) Khatik, (5) Kathwe (Mandal, Khang), (6) Chamar (Ram, Mochi, Harijan, Ravidas), (7) Chidimar, (8) Dom (Marik), (9) Tatma (Tanti, Das), (10) Dushadh (Paswan, Hajara), (11) Dhobi (Rajak) Hindu, (12) Pasi, (13) Batar, (14) Musahar, (15) Mestar (Halkhor), (16) Sarbhang (Sarbariya), (17) Natuwa, (18) Dhandi, (19) Dharikar/Dhankal

According to the 2001 census, Dalits represented about 13 percent of the total population, and the estimate holds by the results of the 2011 census as well. However, this may be an underestimate given

that, among other things, the similarity of their family names with those of Brahmin/Chhetri makes their identification difficult. There are slightly more Dalit women (52%) than men in Nepal. Dalits are spread across the country, ranging from 9 percent of the total population in the Central Region to 18 percent in the Mid West. In 2001, Dalits made up more than 20 percent of the population of each of 11 districts of the Tarai and Mid- and Far West Hills.

According to the NLSS 2003/04, about half of the Dalit population lives below the poverty line, as compared to 31 percent of the total population and 19 percent of Hill Brahmin/Chhetri (See Figure 4.1). Dalits have the highest poverty incidence among all caste/ethnic groups, followed by Hill Janajati. The HDI of Madhesi Dalits (0.383) is the lowest in Nepal, followed by Muslim (0.401) and Hill Dalits (0.449); this compares with 0.509 for Nepal as a whole (UNDP Nepal 2009a).

In Nepal, land is the primary economic resource, and hence a key asset in terms of recognition and influence in society. Landlessness is widespread among Dalits, especially in the Tarai, and traditional cultural practices have resulted in many Dalits becoming bonded labourers in the form of *haliya* and *haruwa/charuwa*. Since food security is associated with landholding, Dalits suffer severe food deficiency. In 2005, food deficiency was highest for Dalits (50 percent), followed Brahmin/Chhetri (32 percent), Vaisya (14 percent) and others (five percent) (NDC 2005).

Dalits also experience significant lack of access to education and poor health conditions. The literacy rate for Dalit men is 60 percent compared 81 percent nationally and 93 percent for Brahmin/Chhetri men. For Dalit women, 85 percent in the Tarai and 59 percent in the Hills are not educated; this compares to 53 percent nationally for all women. Only 1.6 percent of those holding technical and professional jobs nationally are Dalits. Dalits also lag behind in almost all health indicators. Under-five mortality is 90 deaths per 1,000 live births among Dalits compared to 50 for the entire country. The percentage of births attended by an SBA is just 11 percent for Dalits, which is less than half that of Brahmin/Chhetri women. Delivery by an SBA amongst Madhesi Dalits is just five percent (MOHP *et al.* 2007).

Dalit representation is low in all state institutions including the civil service. According to the 2008 database of Civil Service Records at the Ministry of General Administration, Dalits comprise about one third of one percent of civil servants at the gazetted level (Tamang and Subba 2008). There is no Dalit at the Secretary level, and none in the Special Class of civil servants. Representation is somewhat better at the political level, especially since the 2008 elections. Compared to almost no Dalits in Parliament prior to 2008 about 50 of the 601 Constituent Assembly members are Dalits; however, their representation at 8.3 percent is still short of their proportion in the population. Dalits face serious challenges in accessing justice for incidents of caste-based discrimination. Until the appellate court appointed one Dalit in 2009, there were no Dalit judges in the entire judiciary. There are still over 200 discriminatory legal provisions affecting Dalits in place.

4.9.2 Problem analysis

Dalits share many similar problems to other Nepali citizens. Conflict, political instability, weak governance, limited service delivery and a sluggish economy are the same for all citizens and can be found in the problem analysis for other profiles in this CA. This section, therefore, focuses primarily on root causes that are unique to Dalit disempowerment and disadvantage. A few problems that are serious and cause harm to a particular subgroup within the wider Dalit community will also be discussed. With weak human development, Dalits face caste-based discrimination and untouchability leading to highly disempowered, vulnerable and excluded situations.

As a result of the Manushrimiti and the Civil Code 1854, Dalits were restricted from accessing education and income generation—other than through a set of limited menial jobs—which in turn contributed to illiteracy, poor health, extreme poverty, inadequate options for livelihoods and a lack of awareness regarding their rights. Although the caste system was formally abolished in 1963, Dalits continued to suffer from caste-based discrimination due to the fact that, as a result of state-imposed values and

practices for centuries, it was deeply rooted in Nepali society. This historical context of exclusion and discrimination continues to impact Dalits today, despite provisions in the 1990 Constitution of punishment for caste-based discrimination. Implementation has not been effective, and very few cases are registered with the police or taken to court. Local authorities often consider caste-based discrimination to be a social problem rather than a crime. They usually promote community-level mediation, regardless of the imbalance in power between the victim and the perpetrators. Lack of awareness among Dalits also contributes to the weak implementation of their rights and privileges guaranteed by law (Sharma *et al.* 1994), and results in them being unable to claim their rights or hold duty-bearers to account.

Many Dalits suffer multiple discriminations—cultural, geopolitical and/or gender discrimination in addition to caste-based discrimination. For example, Madhesi Dalit women are the most excluded, suffering from the triple discrimination of caste, region and gender.

Some Dalits are victims of modern-age slavery in the form of *haliya*, *haruwa* and *charuwa*. The practice of forced labour is closely linked with landlessness. There are many examples of Dalits being compelled to continue in traditional caste-based occupations because they are socially boycotted if they refuse to do so. They also face other consequences such as threats, intimidation, physical attacks, destruction of property and forced displacement when they object to caste-based traditional practices. It is also difficult for Dalits to run various enterprises, particularly those related to food such as dairies or teashops/restaurants, because of caste-based prejudices; this limits their livelihood opportunities.

The low representation of Dalits in political and decision-making bodies obstructs their development and empowerment since they are unable to influence policy-making or ensure effective implementation of existing policies. In addition, as a relatively thinly spread community, Dalits are in a minority everywhere, making it difficult for them to influence society and gain control over local resources. It has also been observed that, in the current debate around state-restructuring and federalism where population concentration has become an important factor related to group identity and position, they have very weak negotiation power and their demands are not being heard.

Education and health are fundamental for human development and empowerment. Dalits continue to suffer discrimination in accessing education and health services. Discrimination against Dalits in education is at two levels: a discriminatory curriculum and a discriminatory school environment. Dalits are also discriminated against in accessing health facilities. Local health workers in some places, for example, are hesitant to treat Dalits or visit a Dalit's house.

4.9.3 Ongoing efforts to build upon

Several efforts have been made by the state to eliminate caste-based discrimination and improve the fate of Dalits. Many of these have been legal reforms (e.g., 1963 Civil Code, 1990 Constitution, etc); however, their implementation has not always been effective. The enactment of the Caste-Based Discrimination and Untouchability Crime and Punishment Act 2011 is a significant achievement. It prohibits caste-based discrimination and untouchability practices in both public and private spheres and increases punishments for public officials found responsible for discrimination. The act provides a solid platform for all stakeholders to work towards elimination of caste-based discrimination and untouchability. The Interim Constitution seeks to build a nation with multi-ethnic, multilingual, multi-religious and multicultural characteristics, ensuring equality and ending untouchability and racial discrimination. There is also a provision for affirmative action towards groups that have been subject to discrimination.

Nepal is also party to several international human rights treaties including the ICERD, which was ratified in 1971. However, the UN's ICERD committee has expressed deep concern at the persistence of caste-based discrimination in Nepal and the weak implementation of national laws against caste discrimination.

In 2009, the government issued an ordinance to make public services inclusive by amending earlier laws or regulations. The NDC, formed in 2002, has remained active in formulating, analysing and monitoring

policies and programmes and coordinating advocacy on Dalit rights. The Committee for the Upliftment and Development of the Neglected, Oppressed and Dalit Class was formed in 1997 and functions as the government's arm to implement programmes for Dalits. The government's Ninth Plan 1997/98–2001/02 stated that the country would eliminate all forms of social discrimination and disparity within two decades, by eradicating unemployment and poverty among downtrodden communities.

There has also been a significant shift in the policies of international aid agencies, with Dalits becoming a priority group for most donors. Awareness of the problems that Dalits face have increased over time and the creation of various government and non-government institutions such as the NDC and Dalit NGOs has also contributed to the gradual empowerment of Dalits.

4.10 Persons with disabilities

4.10.1 Background and current status

The Protection and Welfare of Disabled Persons Act 1982 defines the disabled as 'a Nepali citizen who is physically or mentally unable or handicapped to perform normal work in daily life. For the purpose of the act, the term 'disabled person' also includes a blind, one-eyed, deaf, dumb, dull, crippled, lame, handicapped with one leg broken, handicapped with one hand broken or a feeble minded person.' This definition, which follows a rigid and exhaustive approach, is in stark contrast to the Convention on the Rights of Persons with Disabilities (CRPD) to which Nepal is a signatory. The CRPD defines persons with disabilities as those who have long-term physical, mental, intellectual or sensory impairments. These significant differences in definitions have important consequences for the way in which disability is regarded and dealt with: the CRPD views disability as a social issue and persons with disabilities as subjects who have legitimate rights and entitlements, whereas the act views disability as a disease with medical implications and persons with disabilities as 'objects of charity'.

Since the definition of disability changed from a biological model to a social model, obtaining accurate data for Nepal has been challenging, as there is a lack of common understanding on what constitutes disability. Nepal's 2001 census enumerated less than 0.5 percent of the population as disabled. Not surprisingly, this statistic has been challenged by many, particularly by persons from within the disabled community. The 2011 Census counted about 2 percent of Nepal's population (adults and children) as having one or more physical or mental disabilities (CBS, 2012c). According to the National Federation for the Disabled, almost 10 percent of the population is living with some kind of disability, and about 250,000 children (0–17 years) are disabled (CWIN 2003). Furthermore, there are no data available yet on the number of people who have been disabled as a result of the decade-long conflict. Issues of stigma also tend to hide the extent of disability and may result in underreporting. Based on the World Health Survey and the Global Burden of Disease, WHO estimates that 21.1 percent of people aged 15 years and older in South-East Asia live with a disability, including 4.0 percent with very significant difficulties in functioning (WHO 2011).

Persons with disabilities in Nepal have been and still are systematically excluded and marginalized from mainstream social, economic and political life. Disability limits one's movement and participation in a wide range of activities and affects life in a profound way. Without appropriate support, this can easily translate into weak human development, exclusion and violation of key human rights. The lack of accurate data makes it difficult to assess the precise status of marginalization and vulnerability; the examples below must therefore be seen as indicative of current status rather than giving the full picture.

The Department of Education's Flash Report 2011/12 indicates that, of total enrolment, children with a disability account for 1.1 percent in primary, 0.8 percent in lower secondary and 0.6 percent in secondary schools. Children are recorded as having a physical, mental, deaf, blind, deaf and blind, and vocal and speech-related disability. Children with disabilities face many challenges in entering formal school. They include overcrowded schools that have a reluctance to take on children with special needs, a lack of

trained teachers, inaccessible facilities, inaccessible curricula, poor or inaccessible transport and social stigma.

Access to healthcare is a fundamental right, including for persons with disabilities. Worldwide, persons with disabilities are heavily impacted by poor access to healthcare facilities, safe drinking water, sanitation and nutrition. As a consequence, many children and adults with disabilities suffer from bad health that can lead to their death as a result of their condition. In Nepal, an acute lack of trained and skilled professionals in the field of habilitation and rehabilitation is severely impacting medical, psychological, social and vocational support for the disabled community. There are currently only about 400 physiotherapists and eight speech pathologists to serve the entire country. Instead, personal care workers with limited or no formal training are left to care for persons with disabilities. Most of the disabled (69 percent) are supported by their family members (Panthi 2004). Of households with disabled persons, 31 percent felt that the family had endured a significant economic burden; these were mostly households with people with mental, mobility, vision and similar disabilities (Panthi 2004). Females were considered less of an economic burden, probably because they made fewer demands than males. Persons with disabilities are not well integrated into the labour market. Most are either unemployed or discouraged from actively seeking work. Of those working, many are either underemployed or paid below minimum wage, or do work that is below their potential. This lack of economic participation has a significant impact on the lives of persons with disabilities, as they are unable to earn an adequate livelihood and to live independently in the community. Notwithstanding legal provisions that require businesses with more than 25 staff to employ persons with disabilities, employers often resist hiring persons with disabilities, fearing that they will be unable to accomplish their tasks or that hiring them would entail additional costs, e.g., for having to make a workplace disability-friendly. Women with disabilities are less likely than men with disabilities to be employed, and earn less when employed.

Accessibility involves providing equal access to facilities and services in the community for all members of society, including persons with disabilities. It applies to all spheres of life, including health, education, food, shelter, employment, entertainment and sports. Despite the lack of data, it is fair to say that in Nepal most of these opportunities are inaccessible to persons with disabilities. Large print, multimedia, Braille scripts books and tactile communication that would help improve access are not provided. Many persons with disabilities, particularly those who are visually impaired or who cannot move around easily, are denied access to essential services and are thus prevented from attending school, having a job or receiving medical treatment.

4.10.2 Problem analysis

Many of the needs of persons with disabilities are similar to the needs of people in general—they need access to education, health services, skills development programmes, decent employment and the requirements to live in society like everyone else. In addition, disabled persons have specific needs such as for reasonable accommodation and full accessibility, as well as for affirmative action to enable them to participate in all sectors of society. There have been many acts, policies, strategies and plans in Nepal in favour of people living with disabilities. However, their implementation has not been very thorough due to factors such as political instability, unclear laws, rapid turnover of human resources and the low priority given to disability within government bodies.

A study of users of community-based rehabilitation in Nepal showed limited impact on physical well-being because of the difficulties in providing physical rehabilitation, assistive devices and referral services.

Most factors related to disability are interlinked and rooted in the socio-cultural and economic conditions prevailing in Nepal. Furthermore, the armed conflict has been another key factor that has left many families with disability; children have suffered devastating physical injuries from explosives, often losing limbs or being left blind or deaf. Many such victims have lost the opportunity to go to school and often cannot afford rehabilitative care because of the prohibitive costs involved. With current high inflation,

expenses for healthcare and other services have increased rapidly, often affecting people with disabilities more than others as they may have additional costs arising from their disability or impairments. Analysis by the World Health Survey of 15 developing countries suggests that households with disabled members spend relatively more on healthcare than households without disabled members. This creates a vicious cycle with disability leading to poverty due to accelerating expenses for treatment, care and support, and poverty depriving persons with disabilities from accessing and utilizing services. People with disabilities may require a range of services from relatively minor to complex and costly ones. Lack of support from the state often results in difficulty accessing required services. Even if services are available, facilities and providers are not always sensitive to the needs of disabled persons resulting in difficulties with appropriate access. In some instances, disability is the result of ignorance or lack of skills in the provider.

4.10.3 Ongoing efforts to build upon

The Labour Act 1992 provides measures for safety and precautions in the workplace for persons with disabilities. The Social Welfare Act 1992 provides programmes for the welfare of persons with disabilities. The Children's Act 1992 expanded care to children with disabilities in child welfare homes. This act requires the government to establish homes for orphaned children with disabilities and to educate them. The Special Education Policy 1996 incorporated a number of provisions to mainstream persons with disabilities within the education system through arrangements for special education. The Disabled Service National Policy 1996 ensures equal opportunities in all spheres of society by empowering persons with disabilities. The Special Education Policy 2006 promotes inclusive education through the provision of educational materials, teacher training and integrated education for children with disabilities. The Nepal National Building Code 2003 has recognized the special needs of persons with disabilities and sets standards to ensure physical access to public buildings, including provisions to have elevators and access ramps for wheelchairs, wherever possible.

Nepal ratified the CRPD and its Optional Protocol in 2010, showing its commitment to adhering to the rights of persons with disabilities. The most recent three-year plan identifies persons with disabilities as one of the country's excluded groups in need of special support.

Community-based rehabilitation programmes are implemented in 35 districts by local NGOs, with the government providing funding, direction, advice and monitoring at national and district levels.

OHCHR Nepal has been supporting the disability community and stakeholders to advocate for advancing the rights of persons with disabilities in Nepal.

5. PROFILES OF GROUPS WHERE SOCIOECONOMIC FACTORS HEAVILY DETERMINE VULNERABILITY

5.1 Vulnerability types

This category of vulnerable groups includes children without basic education (5–14 years); malnourished children under five years of age; under- and unemployed youth (15–29 years); migrant workers and their families; the rural landless and land-poor; bonded and forced labourers; and slum dwellers and squatters.

As with other groups, the socioeconomic category of client groups shows a consistently high vulnerability to all of the vulnerability types. At the core of the vulnerability mapping, however, is poverty, inadequate participation in economic activities, inadequate command over economic resources, and weak human development. While children without basic education and undernourished children are not expected to participate in the labour market or other economic activities, their participation in patterns of economic consumption considered normal in society is very limited. Furthermore, their families or caretakers often do not have access to sufficient economic resources to allow these children to go to school or provide them with sufficient and adequate food.

There are important commonalities between bonded and forced labourers, rural landless and land-poor, and urban slum dwellers and squatters; they all experience all forms of vulnerability due to their highly marginalized positions in society, exacerbated by a lack of access to economic resources and poverty. Under- and unemployed youth are vulnerable on most dimensions other than health, political exclusion and physical protection. For migrant workers and their families, while they may not be deprived from economic resources in the strict sense, as they do have a job, it is the lack of employment and other economic opportunities in their place of origin that drives them to migrate in the first place. They are particularly vulnerable to weak human development, exclusion and weak individual protection. This is the case either because of the vulnerable situation of the migrant workers themselves, both before they go abroad and in the country of destination, or because of the fragmented situation of their families.

5.2 Causes of vulnerability

This category of groups differs from other categories on the predominant causes of their vulnerability. Poverty and inequitable resource distribution are economic causes consistently applicable across all groups. Other consistent causes of vulnerability include lack of employment and alternative income-generating opportunities, and lack of functional and technical skills. While these do not directly apply to the groups involving children (but rather to their families), for groups in this category as a whole, the most important reasons for their vulnerability include inequitable resource distribution, inadequate policies on employment generation, and a lack of technical skills. It is also not the case that these groups do not face socio-cultural, institutional and political, or geographic or environmental issues. For example, caste and ethnic discrimination are at the centre of the disadvantages faced by bonded and forced labourers, rural landless and land-poor, and urban slum dwellers and squatters, and are manifested in the overrepresentation in these groups of people with low caste and ethnic status. A lack of education, life skills and awareness of their rights and entitlements also consistently applies to all groups. Institutional and political causes are important, with the armed conflict, weak institutional capacity and especially a lack of social protection consistently increasing vulnerability. The number of migrants, for example, went up drastically between 1996 and 2006, the period of the conflict. To a lesser extent, geographic causes including remoteness and lack of infrastructure also apply to many groups, including children without basic education, undernourished children, rural landless and land-poor, and under- and unemployed youth.

It must be emphasized that for these groups, however, socioeconomic causes are central to their vulnerability, limiting their ability to engage meaningfully in the economy and raise the resources needed to maintain a dignified life. Different kinds of socioeconomic causes are present in individual cases with

some groups lagging behind because of the lack of technical skills, others because of inequitable resource distribution, and yet others because of the underperforming economy. However, in most cases it is a combination of these three that determines their multiple vulnerabilities.

5.3 Children without basic education (5–14 years)

5.3.1 Background and current status

Education is a fundamental human right. It is a primary tool for empowerment and transformation, essential for breaking inter-generational cycles of poverty and deprivation. Education, especially of girls, is a prerequisite for improving the lives of all children in multiple aspects, such as through reduced child mortality and undernutrition and through improved maternal health.

Basic education, covering primary and secondary education (for at least nine years and progressively extending to 12 years), is provided for within international law without exception or exclusion (UNESCO 2007). In Nepal, education up to secondary grades is enshrined as a fundamental right in the Interim Constitution. However, although the School Sector Reform Plan 2009/10–2015/16 (SSRP) guarantees eight years of free basic education (MOES 2009), Parliament has yet to enact it. The government defines children aged 5–14 years as ‘school-aged’.

There are 6.7 million children aged between five and 14 years in Nepal (CBS 2012c), not all of whom receive a basic education. Retaining children in school and providing quality education remain huge challenges, despite the fact that 91 percent of children are enrolled in Grade 1 (DOE 2012). A high proportion of children do not complete a full cycle of education to primary (five years), basic (eight years) and secondary (10 years) levels.

Estimates from the NLFS 2008 indicated that about 332,000 primary-school-aged children (5–9 years) were out-of-school, including some who were never-schooled and some who had dropped out. About 319,000 secondary-school-aged children (10–14 years) were also out-of-school. This suggests that there were around 651,000 out-of-school school-aged children in 2008.

Children without basic education manifest a high degree of vulnerability due to their low socioeconomic status, not only in the present but also in the future as they grow into adults. Those who drop out or are not enrolled are mostly from socioeconomically weak families and are suffering multiple deprivations (Full Bright Consultancy 2009). Lack of basic education contributes to weak human development, making access to economic activities and resources more difficult and poverty more likely. This is a violation of human rights in itself, but also contributes to vulnerability related to lack of legal protection and to violation of the ‘equality of persons’ principle.

Disparities also exist among development regions, ecological belts, ethnic and caste groups, and gender. For example, the Mid- and Far Western Regions have the lowest net enrolment and highest dropout rates in primary grades (MOES 2010). The Tarai shows the lowest net intake rate (82 percent) in primary grades. Girls are more deprived than boys, especially at higher grades. Religion can also have an influence; for instance, Muslim boys in many areas have the choice to study at either formal schools or Madrasahs, whereas girls are only able to go to Madrasahs. Access to education for children with disabilities is particularly unequal. Of total enrolment in 2011/12/10, only one percent were disabled children (DOE 2012). Ensuring the participation of children facing multiple exclusions has been difficult. Social taboos, discriminatory attitudes and behaviours toward people with disabilities or HIV/AIDS, and other forms of physical and social stigma remain major challenges. School buildings often serve as shelter for victims of disaster and other emergency situations, causing frequent school closure, especially in disaster-prone areas.

The strategy of decentralization has provided school management committees with much greater responsibility, emphasizing improvement in service efficiency and accountability. However, the limited capacity and poor governance of these committees combined with the absence of punitive action against

irregularities identified in the Auditor General’s report has limited effective service delivery and caused deterioration in parents’ trust in the system. Maintaining people’s confidence in the public education system, with its weak management and poor results, is becoming a challenge.

In the current political context of the transition to peace, Parliament has not yet been able to make the enactment of school reform a priority. This may jeopardize the reform process envisaged in the SSRP, supported through a sector-wide approach by development partners.

Despite the challenges, the education sector has a number of positive opportunities. The pool of teachers with certification and training is expanding due to the growing attraction of students to education courses at universities and colleges. In May 2011, the government declared all schools to be ‘zones of peace’ in response to the forced closure of schools during strikes and other political activities. The level of awareness among the poorest segments of society with regard to education has increased, helping to bring more children into school. Commitment from development partners to the sector-wide approach has provided an opportunity for the Ministry of Education to strengthen reform. Nine pooling partners and four non-pooling partners, including I/NGOs and civil society organizations, have jointly appraised the SSRP and are supporting reform under the Paris Principles of aid effectiveness.

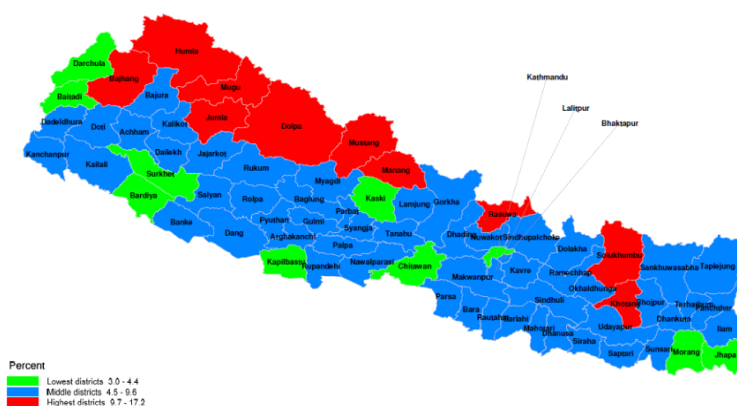
5.3.2 Problem analysis

There are a myriad of complex and interconnecting factors within schools and communities that put children at risk of lacking a basic education. The immediate causes include, among others, the lack of child-friendly learning environments, under-qualified teachers and teacher absenteeism, low performance and dropout, and child labour.

The lack of child-friendly learning environments makes learning difficult, adding to student and parental apathy. When children come to school, in many situations, they find classrooms unfriendly and the physical, social and emotional environment as well as learning materials and teacher behaviour extremely challenging. In the unequal power relations between teachers and students, teachers are often seen as ‘guru’ or ‘torchbearer’; this overwhelming sense of authority means that parents often allow teachers to harshly discipline or punish children. In terms of learning activities, teaching practices—centred as they are on reciting, rote-learning, chanting and copying notes—do not focus on individual learning. The physical environment is such that many schools lack water, sanitation and health-related facilities; available facilities are not well maintained or weather-proof, and the community/parents do not seriously consider children’s real needs.

Given that the prerequisite for quality education is a good teacher, under-qualification of teachers and their absenteeism is a major problem. A large number of primary school teachers are not acquainted with the pedagogy of teaching young children. Although 95 percent of primary teachers have received 10 months of training (MOE 2010), little impact is seen in the classroom. Teacher training run by the Ministry of Education and the National Centre for Educational Development does not include the community-recruited teachers (*niji srot*) who comprise around 30 percent of primary school teachers (DOE 2010).

Figure 5.1: Primary school dropout rates by district, 2010



Source: DOE 2010.

High dropout rates are another major challenge. There is a sharp rise in dropout when children advance from Grade 1 to upper primary grades and then again to secondary grades. The dropout rate is highest in the first two grades. About 8 percent of enrolled children drop out at Grade 1 and about 20 percent of all children drop out before completing five years primary education (DOE 2012). Dropout increases at more advanced levels, with recent data suggesting that only 39 percent of children advance to Grade 8 (MOE 2010). There are significant disparities in dropout rates at the primary level by district, as shown in Figure 5.1, with some districts throughout the country achieving remarkably low rates and others, particularly in the Mountains, showing very high rates.

While employment of children below the age of 14 years is prohibited by law, economic activities carried out by children at home as well as by child labourers contribute to low participation in school. Of children aged 5–14 years, 34 percent are estimated to be economically active (CBS 2009a). For many children in Nepal, their earnings are a vital component of family income. For poor families, education is not affordable due to the opportunity costs of schooling.

Underlying and root causes for the lack of basic education include weak institutional capacity and poor governance. These are particularly important in the post-conflict transitional phase, where institutional and political features determine the policy context as well as programme implementation, especially in the Tarai which has the larger proportion of population. Since 2007, the Madhesi political movement in the Tarai has organized mass demonstrations and frequent stoppages (*bandha*) of all vehicular movement and day-to-day activity. Armed groups in some places have terrorized their opponents and social targets in the name of the movement, and the situation has descended into extortion, looting and increased corruption as officials come under pressure to accede to demands for contracts, etc. Disputes in the election of school management committees—influenced by caste, clan, geographical allegiances, connection to political parties and teachers unions’ political affiliations—have caused the closure of schools for many days. Furthermore, ongoing unrest has caused displacement and migration of Hill-origin people from Madhesh to other parts of Nepal.

The decentralized structure (centred around the school management committee) is not able to handle the ongoing crisis, further complicating the matter. The combination of patronage, funds available and lack of local representative government has turned school management into an arena for political combat, as the parties seek to ‘capture’ control of a school, its assets and the opportunities that go with it. Neither the policymakers at the central level nor the implementers at the local level, including the district educational offices and school management committees, are prepared to carry the decentralized modality of educational reform further.

The discriminatory school environment and curriculum are other factors affecting how schools are managed, how instruction is carried out, and how children participate at school. The medium of instruction has drawn major political attention in the context of mother-tongue teaching and learning. The notion of multilingual, multicultural learning has been discussed widely; however, giving shape to this, through specific policy and with the currently limited capacity for mother-tongue teaching, has been a problem in this country of over 100 socio-cultural groups and 92 languages. Parents’ appetite for English language teaching is also increasing, maybe due to global factors. Furthermore, the performance of public schools is a serious concern. In 2011, only 46 percent of students from public schools passed the SLC (tenth grade national exam) compared to 90 percent from private schools. Such poor achievements as well as the desire for teaching in English have caused parents to express pessimism about their children’s educational outcomes and future when educated in public schools.

Low socioeconomic status and lack of social protection are a problem for some families. While the five years of primary education are free, there still are costs associated with sending a child to school (e.g., for food, uniform, transportation and educational materials). The opportunity costs must also be considered by some families. Inadequate economic resources make families vulnerable to food insecurity, malnutrition, and other health problems, making schooling a low priority.

Socio-cultural issues, with widespread caste and ethnic discrimination and gender inequality, add to the vulnerability of some groups that have traditionally had low levels of educational attainment. Inherently discriminatory practices make school as well as the overall socioeconomic environment challenging for disadvantaged groups, girls, Dalits, children with disabilities, and those from IPs and religious minorities. Within religious minorities, Muslim girls in particular tend to lag behind others in educational participation. Untouchability makes Dalit children particularly vulnerable (Bennett 2005).

Remoteness and lack of infrastructure also contribute to the greater prevalence of dropout and lack of basic education in many districts, especially the Mountains.

5.3.3 Ongoing efforts to build upon

The government has shown a strong commitment to ensuring the educational rights of children through ratification and implementation of the CRC, ICESCR, ICCPR, CEDAW, UNDRIP, MDGs and the Dakar Framework of Action for Education for All. The Interim Constitution also guarantees that every citizen has the right to free education up to secondary level, and that each community has the right to basic education in their mother tongue. The Three-Year Interim Plan 2007/08–2009/10 emphasized increased equity and inclusion in education through the provision of literacy programmes for excluded groups and provisions for scholarships. The Girls' Education Strategy for Gender Equity Development 2006 includes a comprehensive implementation plan ranging from the provision of incentives for girl students to parental awareness activities.

The Ministry of Education has introduced the SSRP, stipulating an integrated school system from Grade 1 to Grade 12 and upgrading basic education from five to eight years (although this is yet to be enacted). The SSRP also recognizes traditional modes of education (such as through Gumba, Vihar, Madrasah, Ashram and Gurukul), which will contribute to the education of children not currently enrolled in the formal education system. The SSRP relies to a large extent on partnership with civil society and international organizations to reach vulnerable children for alternative schooling, literacy and lifelong learning opportunities.

UN agencies, in particular, WFP, UNICEF and UNESCO, have a long-standing record of working on increasing access to and reducing dropout from basic education, and building capacities across the education sector through various programmes.

5.4 Undernourished children (under-fives)

5.4.1 Background and current status

Children have a right to good nutrition through various national and international human rights provisions safeguarding their health. Nepal is a signatory to international frameworks such as UDHR, CRC and CEDAW. Article 25 of UDHR recognizes that motherhood and childhood are periods 'entitled to special care and assistance'.

Nutritional status is a key indicator for hunger, poverty, poor health, and inadequate education and social conditions. Poorly nourished children cannot grow and develop properly, resist infections, or learn to their full potential. It has been estimated that undernutrition lowers a country's GDP by 2–3 percent and sometimes by as much as six percent (WFP 2007; World Bank 2009). There is a vicious cycle between poverty and undernutrition, resulting in largely irreversible losses in physical and cognitive potentials as well as increased healthcare costs (World Bank 2006). Children aged less than five years are at particular risk because they have special nutritional requirements. They are also at a higher risk of falling sick which in turn reinforces and perpetuates undernutrition.

Nepal has made encouraging progress on child nutrition and mortality in recent years. Between 1990 and 2005, for example, the prevalence of underweight under-fives declined from 57 percent to 39 percent (UNDP Nepal 2005). By 2010, the under-five mortality rate had decreased to 50 deaths per 1,000 live births, surpassing the MDG target of 54 for 2015 (NPC/UNCT Nepal 2010). NDHS data indicate that the

share of under-fives stunted or short for their age decreased from nearly half (49 percent) in 2006 to 41 percent in 2011 (MOHP *et al.* 2012). The proportion of children underweight or below expected weight for their age also decreased from 39 to 29 percent. Despite modest reductions, the latest figures reflect chronic deprivation of nutrients and put Nepal among the 10 worst countries in the world. Progress on reducing micronutrient deficiencies such as those for vitamin A, iron and iodine has also been encouraging. However, the rate of undernutrition among children has remained largely unchanged between 1975 (52 percent) and 2006 (49 percent). Food insecurity is pervasive throughout much of the country with more than 41 percent of the population undernourished (WFP Nepal 2009).

There are wide disparities within the country depending on geographic location, ethnic or caste origin, and socioeconomic status. According to the 2011 NDHS, the prevalence of stunting in under-fives from households in the poorest quintile was found to be 56 percent compared to 26 percent in the wealthiest quintile, and this gap between the rich and the poor is still increasing (MOHP *et al.* 2012). Food secure households had a significantly lower rate of underweight children (33 percent) compared to that of moderately or severely food insecure households (47 percent). Even more striking disparities exist by education, with mothers with no education almost nearly twice as likely to have stunted children compared to mothers with SLC and above.

There are also significant caste/ethnic differences. Dalits, Madhesi communities and Muslims, for example, have the highest rates of undernutrition in comparison to other caste/ethnic groups regardless of urban or rural residence. The stunting rates among Dalit children from the Hills and Tarai were 53 percent and 47 percent, respectively, compared to 40 percent and 22 percent among Brahman/Chhetri children from the same regions (Bishwakarma 2009). Some 70 percent of Muslim girls aged less than two years were stunted compared to 30 percent of Muslim boys (Bishwakarma 2009).

Stunting or chronic undernutrition is higher in the Mountains, while wasting or acute undernutrition is higher in the Tarai. The prevalence is highest among children from the Mid- and Far West; however, due to high population density, the absolute number of children affected, particularly for acute malnutrition, is highest in the Tarai. Similarly, children from rural areas are more likely to be undernourished than those from urban areas. The prevalence for stunting, wasting and underweight are 27 percent, 8 percent and 17 percent, respectively, in urban areas compared to 42 percent, 11 percent and 30 percent, respectively, in rural areas (MOHP *et al.* 2012).

The fact that chronic undernutrition has not changed for four decades despite huge investment warrants a re-look at plans and programmes, and suggests that a comprehensive, multisectoral approach that addresses the underlying causes rather than the symptoms is needed.

Some of the current risks in delivering solutions for undernourished under-fives include the potential sidelining of socially excluded groups and vulnerable communities who are typically in the lowest wealth quintiles and do not always access the required or provided services. This may take place due to certain communities or parts of communities being marginalized as well as due to challenging accessibility in remote geographic areas. Furthermore, insufficient access and the poor quality of health services at a broad level in Nepal remain a major risk in increasing the vulnerability of under-fives to undernourishment. Food insecurity, with a potential to further deteriorate due to low agricultural productivity, high food prices and the impact of weather-related disasters, is also a major risk for children.

5.4.2 Problem analysis

The causes of child undernutrition are complex, interrelated and multisectoral. The immediate causes are inadequate intake of nutritious food and a heavy disease load due to recurrent infections that start with inadequate breastfeeding practices. Only 35 percent of children start breastfeeding within one hour of birth and the rate for exclusive breastfeeding starts to decline rapidly after two months from 88 percent before two months to 56 percent for 2–3 months and only 31 percent at five months.

Children aged less than five years are particularly prone to various diseases and infections such as diarrhoea, fever and acute respiratory infection (ARI). According to the NDHS 2011, 14 percent of children had diarrhoea, 19 percent had fever and five percent had ARI in the two weeks preceding the survey (MOHP *et al.* 2012). Birth weight is a primary indicator of children's nutritional status, and is closely related to maternal nutritional status. Undernutrition is higher among children with thin mothers (i.e., with a BMI of less than 18).

There are a number of underlying and root causes for undernutrition in children. Dietary intake may not be adequate because of insufficient quality and quantity of food, particularly in households in food-insecure areas. Another key contributing factor is inappropriate feeding practices such as insufficient feeding frequency, low-energy-density foods and poor dietary diversity. Complementary foods given to young children are often watery cereal-based porridge without much in the way of animal-source foods, fruits or vegetables.

Inadequate food in the household is a result of insufficient food production as well as insufficient means to access food. Lack of access to land, limited income-generating and livelihood opportunities, an inequitable food distribution system and the absence of markets also contribute to child undernutrition.

Other major contributory factors are poor hygiene and sanitation practices, lack of clean water and an unhealthy environment around the household and community. Inadequate access and use of health and nutrition services for mothers and children is another underlying determinant of child undernutrition. The NDHS 2011 showed, for example, that the practice of seeking treatment for sick children is low, with only 38 percent of diarrhoea cases and half of ARI cases taken to a health facility for treatment (MOHP *et al.* 2012). The issues include both the quality of services delivered as well as physical access to services. Both these issues are important, especially in remote areas where people have to travel an average of 2.5 hours to a health facility.

The underlying causes of child undernutrition also include a lack of proper care for women and children, and their increased vulnerability and marginalization due to factors such as the conflict, internal displacement and migration. This results in additional vulnerabilities such as HIV and AIDS, households headed by women or children, etc.

A general lack of awareness about the importance of proper childcare needs and the care of women during pregnancy and lactation, and also of the importance of hygiene is another major underlying cause.

Socio-cultural practices also contribute to poor status for women in society and their low participation in decision-making. For example, *chhaupadi* as practiced in the Mid- and Far West imposes dietary restrictions on women for a certain period of time after delivery. The potentially harmful practice of giving home-made alcohol to small children has also been noted in certain ethnic communities such as Gurung, Rai, and Limbu (Gallagher 1987). Other socio-cultural practices and taboos about the purity of foods have affected the nutrition of pregnant and lactating women and young children (Adhikari 2010). Many Brahmins, for example, do not eat eggs, chicken, pig or buffalo, and young children and lactating women are discouraged from eating pumpkin, green leafy vegetables and yoghurt for a fear of catching cold.

Weak government capacity in nutrition is identified as a key cause of child undernutrition. As a result, this important issue does not receive the prioritization it needs in terms of advocacy, funding, human resources and strategies.

5.4.3 Ongoing efforts to build upon

The NHSP II aims to improve the nutritional status of the population. A sector-wide approach adopted in 2005 for financial assistance to the health sector also includes funding for nutrition. The National Nutrition Policy and Strategy 2008 is a key policy document guiding interventions under the Ministry of Health and Population.

A Nutrition Assessment and Gap Analysis (NAGA) conducted in 2009 recommended multisectoral approaches to improve the nutrition situation of women and children. The Department of Food Technology and Quality Control under the Ministry of Agriculture and Cooperatives has a National Nutrition Programme providing food-based training, information, education, communication and research.

Many pilot and other initiatives have been supported by development partners including UN agencies and INGOs in varying scales and areas of Nepal. They include UN-supported programmes on community management of acute malnutrition for children, multiple micronutrient powder supplementation for infants and young children, and integrated community-based nutrition activities for children and women. The Ministry of Local Development has also initiated a social protection measure, with cash grants to improve the nutritional status of children from five districts of the Karnali Zone and Dalit communities nationwide.

In 2011, based on the NAGA, the government initiated a process to adopt a multisectoral approach to address nutrition issues. The National Planning Commission has made efforts to put nutrition high on the agenda and reconvened a National Nutrition Steering Committee and Technical Committee to coordinate and guide various multisectoral initiatives. The optimism emanating from this initiative could translate into real progress when the multisectoral approach addresses the root causes of undernutrition, including the gross social and economic inequalities.

Substantial funds have been allocated for nutrition in Nepal by development partners. Nepal has also been selected as a focus country for global nutrition initiatives such as Scaling Up Nutrition, drawing attention from the global community. The formation of the Nepal Nutrition Group is a promising start for collaboration among key development partners on nutrition activities.

5.5 Under- and unemployed youth (15–29 years)

5.5.1 Background and current status

Unemployment is a problem generally in Nepal, but underemployment may be an even bigger issue, especially in the informal sector. Throughout the world, youth are often forced to take on temporary, part-time, casual and insecure jobs with poor and hazardous working conditions and few legal provisions for their protection. Young women often experience gender discrimination in the workplace, are often not allowed to work, or are forced into subsistence activities. Young people who enter the labour market with underdeveloped skills, limited or no education, and limited job prospects are most at risk of underemployment throughout their working lives.

The definition of ‘youth’ varies across the globe; in Nepal, the population in the age group 15–29 years are considered youth (CBS 2009a). Following this definition, 25.7 percent of the population were youth in 2008, making up nearly 50 percent of the economically active. Some 58 percent were female and 42 percent male, and 81.5 percent were rural and 18.5 percent urban. Only 17 percent had completed Grade 10 or above, while 52 percent had completed lower secondary school. Education levels are significantly lower in the Mid- and Far West. In 2011, 28 percent of the total population of Nepal are in the age group defined as youth (CBS 2012c).

Among youth, those aged 25–29 years were most economically active, with the labour force participation rate as high as 89 percent in 2008. Gender differences are significant. Women have higher participation rates than men until the age of 19 years, after which this reverses. Participation rates also differ by location. Youth from rural areas had much higher economic activity than those from urban areas, probably because those in urban areas had higher incomes and savings and could therefore afford to remain unemployed for longer.

The unemployment rate has increased for every age cohort of the youth population over the last decade. In 1998, youth unemployment was three percent, increasing to six percent by 2008. It must be cautioned

that these ostensibly low unemployment rates can be misleading if used in isolation, as they may hint at decent employment for the country. However, they should be interpreted together with other measures such as underemployment and underutilization rates. Since young people, and especially those with poor backgrounds, cannot wait for decent jobs, they may take up whatever is available, even if wage rates and working conditions are poor.

Underemployment implies a lack of productive employment. Table 5.1 presents various sources for youth underemployment. The main contributors were skills mismatches (20 percent of all currently economically active youth) and inadequate earnings (nine percent). About five percent of the youth workforce did not work as many hours as they would have liked. Although this affected all age groups, it was more serious for those aged 20–22 years. The underutilization rate is almost 40 percent among youth, with far greater rates in urban areas and among females.

Table 5.1: Economically active youth population, 15–29 years (percentage)

Coverage	Type of underutilization					
	Un-employment	Time-related under-employment	Inadequate earnings	Skills mismatch	Total under-utilized	Not under-utilized
Nepal	3.6	7.2	8.8	20.4	40.0	60.0
Male	4.2	8.3	12.8	24.1	49.4	50.6
Female	3.1	6.4	5.8	17.6	33.0	67.0
Urban	12.6	6.8	13.6	30.2	63.3	36.7
Rural	2.1	7.3	8.0	18.8	36.3	63.7

Source: CBS 2009a.

Other features of youth employment include low earnings and high migration. The average monthly earning is NRs 4,638; an amount much lower than the minimum wage fixed by the government for a fulltime job. Internal and external labour migration is a major characteristic among youth. The age distribution for work migrants starts at about 10 years, increases steadily to peak at about 26 years, and declines gradually thereafter with increasing age, suggesting that youth and especially those aged 20–29 years are the ones that migrate most often.

5.5.2 Problem analysis

The causes of youth unemployment and underemployment are complex. One of the predominant immediate problems driving youth underemployment in Nepal is the persistence of poverty, hunger and deprivation. As a result, people have to start working at an early age rather than using their time to develop human capital. This problem is more prevalent among disadvantaged and discriminated communities.

It is estimated that against the requirement of 450,000–500,000 new jobs each year, Nepal is currently creating some 380,000. The economy is not capable at present of creating productive employment for all those entering the labour market. Agriculture still remains overwhelmingly the largest economic sector, employing some three quarters of the labour force. The manufacturing sector—the sector with highest employment elasticity—has been contracting now for more than a decade with uncertainty in the future. The problem is further aggravated by skills mismatches. The education system remains static with a huge discrepancy between market trends and prospects and actual supply. Despite improvement in some instances and the growth in private education, quality is deteriorating with a notable gap between the demand for and supply of skills.

The underlying causes, especially of underemployment, begin with insufficient earnings. Fifteen percent of the total labour force is either not working enough or not earning enough. Many households do not have an adequate income to meet even their basic requirements, causing many to eke out a poor and deprived livelihood. Existing social security programmes include old-age allowance, single

woman/widow allowance and minimum work guarantee in certain regions but are simply insufficient. Many social practices are still discriminatory, despite the promulgation of laws and policies addressing this problem. For example, early marriage remains prevalent in many communities, forcing girls to take on responsibilities and burdens prematurely and to work to supplement income for household necessities.

People with earnings command much higher social prestige, pressuring youth to seek jobs rather than work on improving their education and skills. Despite a number of success stories in entrepreneurship development, small and medium-sized enterprises are facing numerous problems, and the quality of jobs they create in many situations is far from satisfactory. The government, which pioneered vocational training, has not yet followed this through with programmes on entrepreneurship development.

Nepali youth face two interrelated problems: lack of access to relevant education and training, and lack of information. Educational and training institutions lack a career guidance and counselling system that could help youth to select prospective careers. The private sector remains the single largest employer. However, it has not exhibited the capacity, dynamism and skills that are needed to accelerate growth. It also faces a large number of problems including an unfavourable investment climate, poor regulation, lack of incentives, growing labour militancy, weak rule of law and, most prominently, a poor political environment leading to uncertainty and a long transition period to peace.

The major root causes are prolonged low growth, conflict, inequity and social norms. Although Nepal has followed a path of liberalization since the 1990s with important reforms, economic growth has remained slow. Since 2002, GDP has grown at an average of four percent per annum, which is considerably lower than other South Asian economies (MOF 2010). In 2009, more than half of GDP came from services, while agriculture contributed 36 percent. Overall, structural transition away from agriculture towards the industrial sector has been slow; the contribution of manufacturing to GDP has declined continuously for more than a decade, limiting employment opportunities. The macro and micro economic outlook is becoming increasingly challenging, with problematic trends in regard to inflation, balance of payment, and energy and fuel crises. The investment climate is negative and has remained unattractive for quite some time. There is the apprehension of capital flight, limiting employment-creation activities. A liquidity crisis in the banking sector has escalated the cost of capital significantly, deterring further investment.

Enormous inequalities exist among workers across sectors, geographic locations and gender. Employment opportunities are mainly centred in urban areas. The conflict devastated traditional systems that ensured young people had livelihoods options and employment as they reached adulthood. Youth from conflict areas were largely excluded from seeking relevant education and training. Their mobility to obtain employment was also limited.

5.5.3 Ongoing efforts to build upon

The 2007 policy on technical education and vocational training focuses on expansion, inclusion, integration, relevance and sustained funding to respond to market demand. No concrete follow-up action seems to be in the offing, except for project-level efforts. The Three-Year Interim Plan articulated objectives to encourage employment promotion and outlined a strategy for training programmes on vocational skills development. Some 130,000 participants were targeted for short-term training for foreign employment, special skills development and youth self-employment.

A National Plan of Action for Youth Employment 2010–18 has been prepared with support from ILO to address various youth issues and identify activities and possible outputs.

In terms of industrial development, growing construction, financial, information, tourism and service industries especially in the post-conflict context provide employment opportunities for youth. Remittances, accounting for more nearly 23 percent of GDP, also provide potential to create new employment opportunities. Migration of youth for foreign employment remains an opportunity, as demand for labour in destination countries is rising. India's sustained growth serves as a promising migration destination attracting many Nepali youth.

5.6 Migrant workers and their families

5.6.1 Background and current status

Migration is not a new phenomenon. People have always migrated in search of better opportunities. The International Organization for Migration (IOM) defines migrants as ‘person and family members moving to another country or region to better their material or social conditions and improve the prospects for themselves or their family’ (IOM 2004). Migration to India for work has a long history in Nepal, while migration to other countries is more recent, beginning in the 1990s with the adoption of liberal economic policies (Seddon *et al.* 2002). It is difficult to put an exact figure on the number of Nepali migrants travelling to India for work, as there is no document trail due to the open border. The World Bank estimates that 867,000 Nepalis are working in India (World Bank Nepal 2009), while others have estimated that by 2010 the number of labour migrants in India will be as high as 1.7 million (Adhikari and Gurung, 2004).

Overseas migration (i.e., to countries beyond India) from all parts of Nepal has been rising steadily in recent years. An estimated 400,000 young people enter the labour market each year and, in the absence of decent employment opportunities in Nepal, particularly in rural areas, migration to India and overseas for employment has become an increasingly attractive option for many youth. In addition to the lack of employment opportunities, the conflict also had a significant impact on migration. Not only did the pattern of both documented and undocumented migration increase drastically between 1996 and 2006, but migrants were often willing to accept work in poor and exploitative conditions. Climate change also contributes to increased migration due to environmental effects that exacerbate current vulnerabilities and make it difficult for people to survive where they are. The Department of Foreign Employment (DOFE) estimates that around 900 Nepali youth leave for employment to countries other than India each day; the total number that have received formal approval to leave is 2.08 million¹². The Ministry of Labour and Transport Management estimates that a similar number have gone overseas for employment through informal channels; the majority of these undocumented migrants are women.

Migrants usually travel alone, while their spouses, children and parents stay in Nepal. The NLSS-III revealed that 32.8 percent of all Nepali households, and over a third (34.7 percent) of rural households, have at least one member working and living abroad (CBS 2011). The contribution of migration to the economy of Nepal has increased significantly in the past decade, with close to US\$ 3.5 billion received last year. Remittances constitute nearly 23 percent of GDP (World Bank 2011a). However, most remittances are used by households to cover consumption needs and repayment of debts rather than for investment in productive sectors that can create avenues for breaking the migration cycle as well as impact on the development of Nepal’s economy. In addition to remittances, it is estimated that about 0.34 million jobs are created across the country through service providers for overseas migration such as recruitment and orientation agencies, hotels, transport, money transfer agencies, etc. This almost equals the number of migrant workers leaving the country each year (Adhikari and Gurung, 2010).

Historically, migration to countries other than India has remained male-dominated. However, the number of female migrants has increased in recent years. Gender disaggregated data on migration vary widely. According to DOFE records, only 34,141 of the total 2.08 million documented migrants are women. Other studies suggest the figure is 8–10 percent of the total migrant population, both documented and undocumented (NIDS/UNIFEM 2006; World Bank Nepal 2009). The shares of Nepal’s male and female populations who migrated either internally or abroad have converged markedly in 2011 to 36 and 38 percent, respectively, whereas five years prior, 50 percent of males and 22 percent of females were migrants (CBS 2011).

¹² Department of Foreign Employment, pers. comm., June 2011.

Choice of destination is linked to the socioeconomic condition of individual migrants because of the cost involved in migration. Poorer groups tend to go to India and those from the lower middle class to Persian Gulf or Middle Eastern countries. Of migrants going to India, six percent were estimated to be female and the number of Dalits was high compared to other castes (WFP/NDRI 2008). Table 5.2 highlights the cost of migration to different destinations. The actual costs are almost proportional to the average annual remittance received (or expected), especially considering an average migration duration of 3–5 years. This in part encourages workers to go overseas.

Table 5.2: Cost to migrants and average annual remittance received by households, 2009

Country	Average cost paid	Average annual remittance
India	NRs 5,248 (US\$ 70)	NRs 61,500 (US\$ 810)
Gulf countries	NRs 109,707 (US\$ 1,440)	NRs 163,100 (US\$ 2,150)
Malaysia	–	NRs 113,200 (US\$ 1,490)
Other countries	NRs 378,202 (US\$ 4,980)	NRs 311,000 (US\$ 4,100)
On average	NRs 92,180 (US\$ 1,210)	NRs 128,200 (US\$ 1,690)

Source: World Bank Nepal 2009.

Note: US\$ 1 = NRs 76.

Migrants going overseas are vulnerable to various forms of exploitation during the recruitment process, in the transit country and at the destination country. A survey by the World Bank highlighted three major types of corruption/exploitation of migrants: overcharging of fees by agents; using fake documents (e.g., false employment contracts and travel documents); and trafficking (World Bank Nepal 2009). Other frequently faced problems are confiscation of passport/travel documents by local companies and long working hours in bad conditions. About half of returned migrants reported that, once in the host country, they did not have contract letters of employment; around 37 percent reported they did not receive the salary promised; and 22 percent reported they did not have official work permits (World Bank Nepal 2009).

Most Nepali workers who go overseas are illiterate and unskilled, which makes them more vulnerable, as they mainly engage in entry-level or menial types of work. Around 75 percent of migrants, for example, have not completed secondary education and 75 percent are unskilled, with the remaining 25 percent semi-skilled. According to the Ministry of Labour and Transport Management, an estimated 60 percent of female migrants—most of them undocumented—are involved in domestic work, making them especially vulnerable to sexual exploitation and abusive work conditions. Undocumented workers are particularly vulnerable because of their doubtful legal status—they migrate with short-term tourist visas and work illegally often overstaying.

While migration has offered new avenues and income opportunities for migrants, a considerable number of trafficking cases, especially of women, exists in relation to migration to India and Gulf countries. Reports indicate that 10,000–15,000 persons (mostly women and children) are trafficked every year for commercial sex and forced labour (US State Department 2009a) and 5,000–7,000 girls are trafficked for commercial gain each year to India (Seddon *et al.* 1998; Poudel and Carryer 2000). Many of these girls return to Nepal once found to be infected with HIV. In relation to HIV/AIDS, seasonal labour migration to India has emerged as a major factor driving the HIV epidemic in Nepal. Recent research shows that 30 percent of HIV-infected persons in Nepal are male migrants, while 28 percent are the spouses of migrant workers (NCASC 2010). Around 25,000 children are estimated to be affected by and infected with HIV in Nepal (NCASC/UNICEF 2011).

Migration also affects those who remain at home. The migration of a large percentage of youth has led to the elderly, women and children being left behind, having to live in an insecure environment both socially and economically. The disruption of family relationships affects women disproportionately. About 14 percent of returning female migrants, for example, found their husbands living with another woman, and

six percent reported psychological stress in the family (NIDS/UNIFEM 2006). The impact of migration on female spouses staying in Nepal can be compounded by Nepal's patriarchal society which often prevents the women left behind from accessing and controlling productive resources. Moreover, the increased workload along with the usual care and support of children and the elderly become the sole responsibility of women (wife, mother-in-law, female sibling), thus creating further strain on social relations. The additional responsibility on the family to fill the care-gap in the absence of parents is also having a negative impact on children, with prolonged absence adding to inadequate upbringing, behavioural problems and social strain.

5.6.2. Problem analysis

The causes of vulnerability facing migrant workers and their families are complex. Migrants are often at high risk of being duped by fraudulent agents who provide fake contracts. This is an immediate result of the lack of access to information about migration both in Nepal and in the country of destination. There are 756 recruiting agencies licensed by the DOFE, of which the majority are based in Kathmandu. Of the 179 medical testing centres accredited by the government, only 18 are located outside Kathmandu. All of the 47 pre-departure training institutes are based in Kathmandu. The DOFE, which gives approval for migration, is also located in Kathmandu. These centralized structures, which are an underlying cause, force migrants to rely heavily on layers of intermediaries accessible in their home town. In addition, while the government has opened the opportunity for overseas employment in 108 countries, it has only entered into bilateral agreements and memoranda of understanding with five destination countries. Without such agreements, migrants are more vulnerable to exploitation in the country of destination.

Undocumented departures contribute to human trafficking and irregular migration. The government has repeatedly imposed restrictions on domestic work in Gulf countries (and Malaysia, although this is now permitted with conditions), resulting in women taking the risk of going to these countries through illegal channels. Despite the prohibition, an estimated 200,000 Nepali women work in these regions. A growing demand for women in the care-giving sector is an important push factor for increased female migration. Irregular female migrants are more vulnerable to sexual exploitation, rape, physical beating and harassment due to their illegal status, making them 'invisible' in host countries as far as the authorities are concerned (People Forum/UNIFEM 2007). The absence or lack of clear information regarding visas for destination countries and the benefits that migrants are entitled to such as medical insurance and social security are underlying causes, while the absence of protective provisions in labour legislation in destination countries is the root cause.

A major reason for accepting menial and unskilled jobs under hazardous conditions in foreign countries is a lack of decent and alternative job opportunities in Nepal. Despite government policy on minimum wages, its implementation in the informal economy is still poor. Moreover, the lack of legal frameworks in Nepal and destination countries, gender discrimination, limited or no access to labour unions in destination countries and illiteracy are responsible for the ongoing exploitation and lack of decent employment opportunities for migrant workers.

Owing to a lack of institutional support and poor implementation of government regulations, migrants are paying higher fees to recruitment agencies than the ceiling approved by the government. In the absence of institutional credit facilities, prospective migrants turn to traditional moneylenders to mobilize the resources required. Migrants going to India take loans at 25 percent interest, those going to Gulf countries at 33 percent, and to Malaysia at 32 percent (World Bank Nepal 2009). The underlying causes for this are layers of fraudulent agents, lack of skills and education, and lack of monitoring mechanisms of the recruitment process. Recruitment agencies charge exorbitant prices to potential migrants due to poor implementation of government regulations and, as a result of social pressure and lack of decent employment opportunities in Nepal, potential migrants are willing to pay high prices. In some cases, moneylenders provide loans to people who are already in intergenerational debt bondage. Migrants from

these households are doubly indebted and often cannot earn enough during the typical two-year contract period to repay the loan, however hard they work (NIDS/SDC 2010).

The immediate cause for the high HIV prevalence among migrants and their spouses is the risky sexual behaviour practiced by male migrants in destination countries, particularly India. The underlying cause of their risky behaviour is loneliness in the destination country and peer pressure to visit sex workers. Failure to follow peers can lead to exclusion from the group, which in turn increases alienation. Once back home in Nepal, spouses, ignorant of their husband's behaviour, cannot negotiate safe sex due to ingrained gender imbalances. In the case of female migrants, their spouses in Nepal often 'cope' by becoming involved in high-risk behaviour such as engaging with multiple partners or drinking heavily.

National support systems to assist the families of migrants are inadequate. Increased burdens, social and cultural exploitation, and deeply entrenched gender inequalities make female spouses of migrants more vulnerable. The absence of the husband from the family due to migration not only puts additional economic pressure on the wife but also fragments traditional family structures. With the breakdown of traditional family structures, children of migrants are often being raised by others. Sometimes children are left unattended or in the care of surrogate parents further increasing their vulnerability (UNIFEM/People Forum 2007).

Due to government restrictions on female labour migration to certain destinations, women have chosen to go through irregular channels and hence their families lack legal entitlement to compensation in the case of their death or disability. The absence of mothers or elder sisters has burdened daughters and younger sisters with household work and/or childcare leading to violation of their rights to education. Girls are often persuaded into early marriage due to insecurity (Bhadra 2007). The migration of women as workers creates other social problems including desertion, violence against women and marital stress (SAARC 2006). Gender inequality and lack of political commitment to protect the rights of families, especially female spouses and the children of migrants, are the root causes of ongoing vulnerabilities.

5.6.3 Ongoing efforts to build upon

The government's current three-year plan is employment centric and highlights the role of foreign employment in supporting the national economy and reducing poverty.

According to the Foreign Employment Regulations 2008, pre-departure orientation to facilitate better informed decision-making is mandatory and free for overseas migrants. Safe houses and labour attachés have been made available for Nepali migrant workers in four destination countries. The National Plan of Action to Combat Trafficking of Women and Children is currently under review; it is expected to incorporate key aspects of the Trafficking Act and broaden its scope to address emerging trends on both cross-border and domestic trafficking and violence against women. The Foreign Employment Tribunal and Foreign Employment Promotion Board were established to oversee the welfare and protection of migrants and to provide access to justice. The board has initiated programmes to support migrants returning with disabilities or injuries. The government has also initiated a unique compensation package for migrant workers returning to Nepal as a result of the global economic crisis, with a refund of 40 percent of their costs of migration if they return within six months and 25 percent if they return later. Other initiatives include establishment of Migrant Resource Centres in Kathmandu and other districts to provide accurate information to migrants. The Council for Technical Education and Vocational Training is providing skills testing and accreditation.

The current National HIV/AIDS Action Plan 2008–11 highlights the commitment to support children with antiretroviral therapy and implement impact mitigation activities. The South Asian Association for Regional Cooperation (SAARC) has developed a regional strategic framework for protection, care and support of children affected by HIV and AIDS; the Nepal government is a signatory to this.

5.7 Rural landless and land-poor

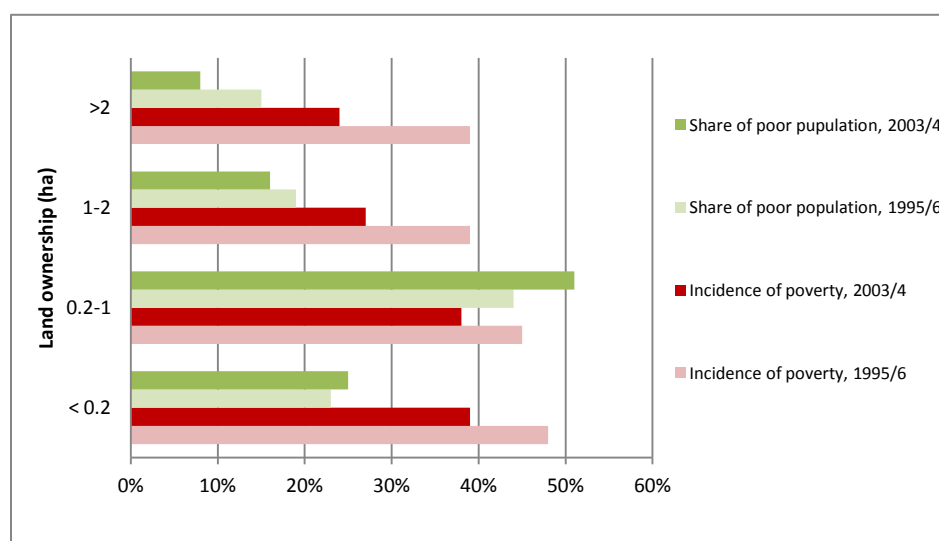
5.7.1 Background and current status

About 17 percent of the total land area of Nepal is agricultural land; however, regional variation in its distribution is substantial. The Tarai covers only 17 percent of total land area but comprises 49 percent of total agricultural land. The Hills and Mountains account for 40 percent and 11 percent of agricultural land. Landownership of agricultural holdings¹³ is highly skewed. The top seven percent own about 31 percent of agricultural land whereas the bottom 20 percent own about three percent (CBS 2003).

According to the 2001 census, some 66 percent of Nepalese depend on agriculture for their livelihood; for these people, land is crucial for access to food, shelter and income. Some 1.3 million households are landless or land-poor¹⁴. Geographically, the landless and land-poor are found all across Nepal. Although some districts contain a higher concentration than others, the phenomenon cannot be neatly localized.

Landownership is generally inversely related to poverty and hunger in rural areas. Access to land is essential for the food and nutritional security of a household and for generating self-employment. From 1996 to 2004, poverty declined at a greater rate with increasing landholding (Figure 5.1). The poorest households in Nepal are those headed by agricultural labourers. The incidence of poverty in this group declined modestly between 1995 (47 percent) and 2004 (43 percent), whereas the national level reduced from 42 percent to 31 percent over the same period. However, this decline is chiefly accounted for by those self-employed in agriculture (from 43 to 33 percent) as opposed to wage labourers in agriculture (56 to 54 percent), underscoring the importance of land ownership. (CBS 2006b)

Figure 5.1: Poverty incidence and share of poor population by size of landholding, rural Nepal¹⁵



¹³ As defined by the National Sample Census of Agriculture (see CBS 2003).

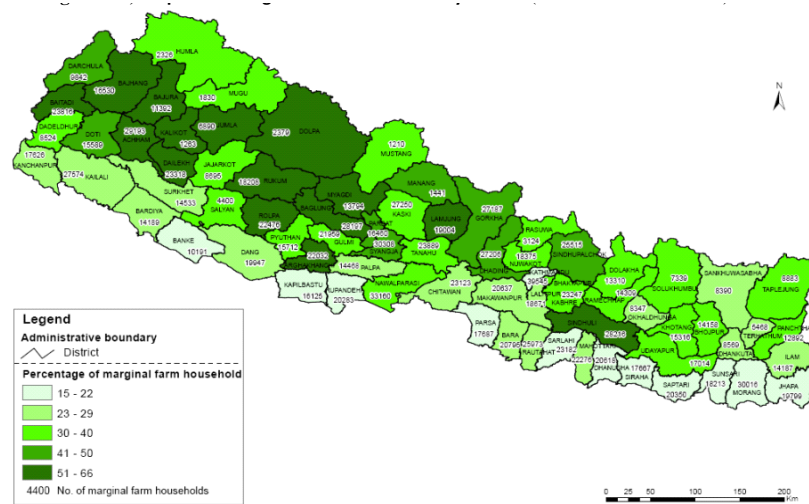
¹⁴ For the purpose of this analysis, households owning no land are referred to as being 'landless' and those owning less than 0.5 ha are defined as 'land-poor'. It is also noted that not all communities need or are seeking land, as they have income and other livelihood opportunities that are not linked to landownership or access to land.

¹⁵ Based on *Resilience Amidst Conflict: An Assessment of Poverty in Nepal, 1995-6 and 2003-4*. Kathmandu: Central Bureau of Statistics.

As Figure 5.2 indicates, more than 30 percent of households in Mountain and Hill districts are marginal farmers. Despite the agricultural base of the country, about two thirds of farming households are food deficit, with production inadequate to meet their household requirements. Nearly three and a half million rural people are considered to be food insecure (WFP 2011).

Farm households utilize grazing land and forest (mostly degraded) for fodder and fuel extraction. Communally owned land comprises 60–80 percent of very small holdings. However, because of the lack of private ownership, such land tends to be overexploited, with gradually decreasing carrying-capacity.

Figure 5.2: Proportion of marginal farm households by district (farmland < 1.5 ha)



Source: Intensive Study and Research Centre 2008.

Land distribution is unequal from the social and gender perspective as well. As stated in the Vision Paper 2011 of the Ministry of Land Reform and Management (MOLRM) ‘people from socially and economically disadvantaged groups, women, Dalits, indigenous communities including *kamaiya*, landless peasants, squatter settlers, *haliya*, *haruwa/charuwa*, Badi, Chepang, Musahar, Santhal, Jhangada, Munda, *deuki*¹⁶ and vulnerable groups are the most affected by this inequality’ (MOLRM 2011).

Landownership is also a measure of social acceptance, prestige and political inclusion. For a long time, it was difficult to obtain citizenship without a land certificate, legal proof of ownership of a plot of land. The Citizenship Act 2006 now provides for the grant of citizenship without proof of landownership, but in order to obtain a land certificate, one must still have a citizenship certificate or a recommendation from the local VDC. In practice, this means that landownership is still often required.

The landless are deprived of some fundamental rights including those to employment, social security, social justice and health.

Landlessness itself has been identified as a factor contributing to the conflict and political instability. Land-related cases are typically the largest category of litigations filed in the courts of Nepal. For example, of 94,031 cases filed in 2008/09, 30.9 percent were land related (CBS 2009b).

Movements for land reform have existed since the 1950s. Several reforms and policy provisions, including security for tenant farmers and ceilings on landholdings, have been enacted. The Lands Act 1964 recognized the right of tenants and made a provision for the first time to enter their details together with that of the owner on land title deeds. However, loopholes in the act continue to allow large landholders to control most of the country’s agricultural land, thus perpetuating skewed landownership. As of 1990, average landholdings remained small. A comprehensive agrarian reform process, which

¹⁶ *Deuki* is the practice of offering a female child to a local temple to serve the god or goddess in order to gain a benefit (such as the birth of a son, the cure for a sickness, etc.); these children depend on the offerings made to the temple for their livelihood and are often forced into prostitution to survive.

includes modernizing agriculture, is required to reduce poverty and hunger for a large segment of the rural population.

Although data are available through a variety of surveys, adequate analysis is yet to capture the extent and magnitude of the issues and causes related to the landless and land-poor.

5.7.2 Problem analysis

The main manifestations of inequitable access to land are poverty and food insecurity for the landless and land-poor. The causes for being landless and land-poor are multiple, widespread and deeply entrenched, rooted in a long history of feudal land governance, political complacency and heavily taxed farm class. The resulting skewed landownership patterns were (and still are) compounded by discriminatory and exclusionary practices.

The ineffective implementation of land reforms and poor implementation of land tenure rights are caused by assigning the legal implementation responsibilities to those owning the land. The land reform provisions of the CPA and Interim Constitution have not yet been implemented in earnest because of a lack of political consensus and commitment.

A weak land administration system further contributes to ineffective implementation of redistribution provisions. Although the existing law is clear in stating that the results of land surveys shall prevail where they differ from what is noted in the land title, this stipulation has not been used to assess the area in excess of existing ceilings and redistribute such land. In addition, records have not been updated and associated administrative agencies are weak on human resources and related infrastructure. The system is corruptible, allowing landholders to register parcels of land against dubious identities to conceal their excess holdings. In many instances, courts are also inaccessible to the poor because they lack awareness of their rights, the legal process is too cumbersome and lengthy, or the courts simply do not register cases. The associated fees are also high enough to deter many landless and land-poor.

The confluence of population growth, legal provisions on inheritance, existing traditions of equitable sharing of parental property and the lack of opportunities outside agriculture have contributed to lowering the size of operational holdings over subsequent generations, and to accentuating the process of encroachment of land that is not suitable for cultivation. The latter has resulted in environmental degradation, conflict and natural disasters such as landslides.

The lack of infrastructure and agricultural support systems such as transport, irrigation, technology and markets has rendered even relatively large landholders food insecure and poor.

5.7.3 Ongoing efforts to build upon

The government is engaged in the issue of land reform in various ways, including through the constitution-drafting process and discussion of the place of socioeconomic rights in the constitution; through engagement with land rights groups; and through the formation of two key commissions dealing with the issues of land and landlessness.

The Lands Act 1964, which enacted vast, if not always beneficial, changes to the land tenure framework, has been amended 11 times (most recently in 2010) and remains the primary law governing land rights in Nepal today.

The CPA and Interim Constitution refer to engaging in land reform and equitable redistribution. However, the issue of returning seized land and property remains sensitive.

In 1994, the High-Level Land Commission (Badal Commission) concluded that the practice of shared tenancy and dual ownership (when land is owned by one and cultivated by another) prevalent in Nepal had led to an inefficient use of land. One of the recommendations yet to be adopted is to establish a land bank to purchase surplus land from landowners and distribute it to the poor at a low interest rate with 15 years to repay. The report is referenced by land rights activists and government actors as having produced

the best recommendations for realistic and meaningful land reform. Some pieces were codified in Land Act amendments, but the lack of meaningful implementation has resulted in little change.

Another high-level land reform commission (formed in 2008) has continued beyond 2009 as the High-Level Commission for Scientific Land Reform and is soon to produce findings and recommendations. Although efforts have been made for over half a century to address land disparities, land reform legislation and programmes have largely failed in both scope and implementation, resulting in only superficial changes that have exacerbated rather than alleviated discrepancies.

During the conflict, land records including maps were destroyed in some districts. They need to be restored. A pilot conducted in Achham district by the MOLRM, with financial and technical support from the UN Peace Fund for Nepal and the Food and Agriculture Organization, provides a model for scale-up in other districts. Similarly, the process of resurveying initiated by the MOLRM should be accelerated.

There are some initiatives to raise the voice of the landless through civil society organizations, many of them led by the landless themselves. Initiatives taken by NGOs to identify and include genuine tenants in land title are another example of actions that can be capitalized on by the state, civil society and development partners to enact a policy on equitable land reform. Local peace committees can play an instrumental role in any land reform initiative, although not all of them are equally effective. Transitional justice programmes can also support this agenda.

The recent census has collected data on land and animals holdings broken down by gender, caste and ethnic group which should be analysed in more detail to determine current issues and develop baselines. A National Agriculture Sample census is scheduled to take place at the end of 2011 and will also provide a great deal of data on the structure of holdings, land-use patterns, etc.

5.8 Bonded and forced labourers

5.8.1 Background and current status

Bonded and forced labour is widely regarded in Nepal as a product of a feudal system that deprived people of their freedom, safety, security and human dignity. This system was reinforced and institutionalized during the 18th and 19th centuries by a regime based upon agricultural production that left workers tied to landlords and subjected to mortgage in the same manner as land and other property. Those affected by the survival of these systems include marginalized and excluded groups such as IPs, Dalits, migrants, women and children.

Bonded and forced labour is a gross violation of human rights, as provided for in numerous international norms and standards. Trafficking in persons has been defined in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the UN Convention against Transnational Organized Crime (as known as the Palermo Protocol). Nepal has ratified all of the conventions on the rights of workers, including the ILO conventions on forced labour (Nos. 29 and 105), minimum working age (No. 138), worst forms of child labour (No. 182), indigenous and tribal peoples (No. 169), the UN Convention against Slavery, and the UDHR. It has also ratified the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution.

A typical descent into forced labour begins when a worker—usually an adult male—takes a loan or salary advance from an employer, labour contractor or landlord. In return, the debtor is obliged to work long hours for wages below market rates until the debt is repaid. This typical model of forced or bonded labour masks a wide spectrum of systems that range from short-term to severe, long-term abuse of human rights. Women may be forced, for instance, to work for little or no pay to service debts incurred by their spouses and the labour of children may be pledged to repay loans taken out by their parents. There are incidents of forced or bonded labour in domestic work. Many domestic workers are migrants or members of historically disadvantaged communities.

Bonded and forced labourers are a diverse group of people, necessitating separate discussions of their current status. First, *kamaiya* ('hard worker' in Tharu) is a customary practice among the Tharu people, especially in the Tarai of the West, Mid-West and Far West. The exploitation of *kamaiya* began after 1960, following mass migration into *kamaiya*-prone districts from the Hills and Mountains. After the abolition of this system in 2000, the government has freed *kamaiya* and launched various programmes to help them socioeconomically. A total of 27,000 households of freed *kamaiya* have been rehabilitated through these initiatives (Table 5.4). However, 5,000 of these households, particularly in the districts of Bardiya and Kailali, are yet to be effectively rehabilitated.

Second, *haruwa/charuwa* ('tiller and cattle herder') evolved in a state regime under Indian control and was practiced among Madhesi people in Nepal's Eastern and Central Tarai districts. This became exploitative over time, affecting such Madhesi Dalits as Musahar, Dushad, Khatbey and Chamar. The *haruwa/charuwa* labourer is compelled to work for little or no remuneration as a tiller and in other farm activities, working an average of nine hours per day and seven days a week. *Haruwa/charuwa* is employed on a daily, weekly or monthly basis through various types of employment contract, oral or written. Some of these contracts compel the wife and children of *haruwa/charuwa* to work for the landowner, an obligation that often derives from employer pressure to pay off loans as quickly as possible.

Table 5.5: Estimates of the size of various bonded and forced labourer groups

Sectors	Estimate (households)	Remarks
Agriculture		
Former <i>kamaiya</i>	32,000 ^a	27,000 ^a rehabilitated
<i>Haliya</i>	4,082 ^b	Found in five Far Western districts: Doti, Dadeldhura, Baitadi, Achham and Bajura
<i>Haruwa/charuwa</i>	69,378 ^b	Found in seven Tarai districts: Sunsari, Saptari, Siraha, Dhanusa, Sarlahi, Rautahat and Bara
Brick kilns	n/a	Plan Nepal and World Education are conducting rapid assessment
Embroidery	n/a	Mostly children
Domestic child labour	29,969 ^c	Number of children (not households)

Source: ^a MOLRM 2010; ^b ILO 2010; ^c ILO 2003.

Third, *haliya* ('agriculture labourer') are bonded to their landlords both by custom and by debts that have not been repaid over years, sometimes over generations. The system is common in the Far Western Hill districts and 95 percent of *haliya* are Hill Dalits. The major difference between *haliya* and *haruwa* is that the head of a *haliya* household works but his family members, unlike those of *haruwa/charuwa*, are not usually associated with bondage. The *haliya* system has no fixed daily working hours and the workload depends on the nature of the contract. If he is in debt bondage and working for years, his duties are akin to those of a household servant, in that he must do whatever his employer requires in addition to ploughing the fields. Relations between *haliya* and employer are generally tense and exploitative, with workers circumscribed by set practices, terms and working conditions.

Fourth, victims of forced or bonded labour working in brick kilns and the embroidery industry face circumstances comparable to *haliya* and *haruwa/charuwa* workers. Their socioeconomic situation is similar to that in *haruwa/charuwa* households and they are mostly drawn from Dalit and Muslim communities.

Last, there are other forms of forced or bonded labour in practice including trafficking and child and domestic workers. Trafficking, for example, encompasses recruitment, movement, receipt or harbouring of a person by means of coercion and deception for the purpose of exploitation, including forced labour. Women from specific groups within Nepal's caste system (such as Badi) have traditionally been expected to work as prostitutes, while many parents in rural and suburban areas send children to live with extended

family or friends as domestic labourers in the expectation that this will offer them improved opportunities. Past efforts to prevent and raise awareness of trafficking in Nepal have been focused primarily on commercial sexual exploitation. However, even more Nepalis including children may have been trafficked internally into bonded labour and slave-like conditions. Migrants leaving Nepal for employment in India, Malaysia and the Gulf countries are also at risk of trafficking through deceptive practices. Some 5,000–7,000 girls are trafficked from rural parts of the country to Kathmandu and there are over 20,000 indentured child domestic workers in Nepal (US State Department 2009a).

Child labour and child domestic workers are closely related to forced or bonded labourers, coming usually from indigenous groups such as Tharu, Tamang and Bote. Many of these children work for very low or no wages and are denied educational opportunities.

5.8.2 Problem analysis

It is important to understand the interrelationship of causes reinforcing the problem. Induced indebtedness, for example, is a major immediate cause that forces agriculture workers into bonded labour situations. Such people take loans for various purposes because they experience livelihood insecurity, lack agricultural land and livestock, or have low skills and awareness. Given this vulnerability and forced labour arrangement, they receive wages even lower than the minimum wage stipulated by the government. However, their vulnerability also has to do with a lack of social protection from the state, which if available would have helped them avoid such working arrangements.

Forced or bonded labourers do not have any property to use at times of financial, health or other crises. As a result, it is difficult for them to escape the forced or bonded labour situation. Households that possess land or other assets might have pledged it for loans and then have no choice but to accept work to secure their immediate livelihood.

Lack of local economic and employment opportunities is one of the key reasons forced or bonded labourers are unable to escape this predicament. They cannot afford to migrate to urban areas where there might be some economic and employment opportunities. It is mainly the absence of local economic and employment opportunities that binds a forced or bonded worker to repayment of a loan, perhaps incurred by his father or forefathers, compounded with an exceptionally high interest rate.

Other immediate causes include forced recruitment and trafficking. In most cases, bonded labourers are recruited forcibly, meaning that they are not recruited voluntarily but have no other choice for repaying loans, interest and/or advances. Some families have been carrying out the same work for generations.

The complex web of underlying causes of forced or bonded labour include the lack of access to basic services including formal banking services, lack of targeted programmes for vulnerable groups, highly unequal income distribution, exploitation of women and children, and absence of equitable policy and programmes. Furthermore, low literacy rates and low levels of awareness about their fundamental rights as workers make it difficult for such workers to free themselves from a forced labour situation. These are all obstacles to accessing basic services and developing their individual human potential.

At a more fundamental level, these immediate and underlying causes are associated with resource inequalities and the low status of marginalized groups such as ethnic and religious minorities, Dalits, Madhesi people, women and children. In addition, ineffective implementation of policy and programmes on the elimination of forced or bonded labour, impunity and weak enforcement of laws, highly unequal power structures, and deeply rooted discrimination and social customs are at the core of the problem.

5.8.3 Ongoing efforts to build upon

The government has ratified the key international conventions prohibiting the exploitation of labour and protecting the rights of workers. The Interim Constitution has institutionalized these rights and protections. Many acts have also been introduced to regulate bonded and forced labour, child labour and trafficking: the Foreign Employment Act 1985, the Labour Act 1991, the Children's Act 1991, the Child

Labour (Prohibition and Regulation) Act 1999, the Kamaiya Labour (Prohibition) Act 2001, and the Human Trafficking and Transportation (Control) Act 2007. Unfortunately, frustration with the lack of implementation of policies and legislation may drive bonded and forced labourers to migrate within the country, which can potentially lead to even more severe hardship.

After promulgation of the Kamaiya Labour Prohibition (Regulation) Act in 2001, the government identified and verified the freed *kamaiya* and formulated rehabilitation policies for them. The government abolished the *haliya* system in 2009 and made at least two separate agreements for initiating their rehabilitation. However, it has yet to progress with *haliya* rehabilitation beyond surveying them. A high-level task force, the Haliya Rehabilitation and Monitoring Task Force, has been established to facilitate the implementation of various policies and programmes. Rehabilitation of freed bonded and forced labourers is challenging since those rehabilitated have to compete with local people for scarce employment opportunities and infrastructure such as schools, health clinics and drinking water. In this context, it needs to be noted that rampant rural poverty fuelled by discrimination, exclusion and marginalization means many landless and squatter populations are living under similar socioeconomic conditions as forced or bonded labourers. Targeted programmes for forced or bonded labourers may increase tensions among communities, causing conflict and further social marginalization of forced or bonded labourers.

The CPA and the Three-Year Interim Plan include programmes on the social and economic empowerment of *kamaiya*, *haliya* and *haruwa/charuwa*.

The government and ILO have entered into an understanding on introducing policies aimed at the worst forms of child labour, with the Master Plan on Child Labour created in 2010. The government has developed a National Plan of Action against Trafficking in Children and Women, which is currently under review in collaboration with UN and other international development partners.

5.9 Urban slum dwellers and squatters

5.9.1 Background and current status

Slums are highly populated urban areas characterized by substandard housing and squalor. The United Nations Human Settlements Programme (UN-HABITAT) defines a slum household as a group of individuals who have one or more of the following characteristics: poor (structural) housing quality; overcrowding; inadequate access to safe water; inadequate access to sanitation and other infrastructure; and insecure residential status.

Squatters (referred to as *sukumbasi* in Nepal), on the other hand, are slum dwellers settling on land without legal right, neither as tenants nor as owners. These people may live on the land for decades, but have no legal title to it. Technically, *sukumbasi* are people who do not own land anywhere in the country. In the urban context, *sukumbasi* are squatters residing on unauthorized space, while they may still own land elsewhere in the country (UN-HABITAT 2011).

Unlike squatters, residents of slum areas have formal title papers (*lalpurja*) or may be renting their spaces. These communities are characterized by poverty, low income, inadequate living conditions and substandard facilities. Most of these settlements are inhabited by disadvantaged groups such as Khadgi (butchers) and Poda (sweepers). Because of their basic difference with regard to land tenure-ship, squatters form a specific subgroup of slum dwellers.

Comprehensive data and analysis on slums, slum dwellers and squatters are unavailable. It is estimated that 2.65 million people, 10 percent of Nepal's population, live in slums; this is 92 percent of the urban population (UNSD 2007). Although this figure is implausibly high, slum settlements are expanding in size and number along with the expansion of urban areas, particularly in larger cities.

A study in 2005 identified 137 slum neighbourhoods in Kathmandu, with 6,985 households and 31,463 people (CIUD 2005). In the Kathmandu valley, between 1985 and 2008, 17 smaller squatter settlements

had expanded in size and number to 40 settlements and 2,735 households (Lumanti 2008). A study of 392 settlements in 19 municipalities showed that the slum population had increased by 16 percent during the preceding five years (Lumanti 2010).

The physical state of slum settlements, with dilapidated and temporary housing, is a manifestation of the vulnerability of households living in slum areas. Of the total of 2,735 squatter houses in the Kathmandu valley, for example, some 48 percent are temporary houses. Only two percent of houses are so-called *pukka* (durable) houses with cement, brick or concrete block walls and/or concrete roof (Lumanti 2008). The largest squatter settlement at Hanumante in Kathmandu has 72 percent temporary houses and 28 percent semi-permanent. Over 92 percent of slum houses in towns in the Tarai are temporary (Lumanti 2010).

Another characteristic of slums, particularly of squatter settlements, is their location on marginalized land. Of 40 squatter settlements in the Kathmandu valley, 24 are on the floodplain of rivers. Most of the remaining settlements are in areas prone to landslides. Another equally vulnerable place for occupancy is ghats (stretches of riverbank protected for cultural and religious purposes), where traditional public buildings are often leaking badly and on the verge of collapse.

Overcrowding is an apparent characteristic of slums with small space, high occupancy, cohabitation, and a high number of single-room units. Many slum dwelling units are overcrowded, with five or more persons sharing a one-room unit used for cooking, sleeping and living. Basic infrastructure such as water and sanitation is poor. Toilet coverage in the squatter settlements of the Kathmandu valley is 85 percent, with 57 percent of toilets being temporary and 22 percent being pit latrines. In 19 other municipalities outside the valley, some 52 percent of slum dwellers use open defecation (Lumanti 2010). Domestic violence, polygamy, child marriage, dowry and other gender discriminatory practices are common. In the absence of tenure, coupled with the absence of safety and privacy, single women are especially vulnerable to discrimination and exploitation. Alcoholism pulls many back to poverty. Although not reported, many orphans in settlements are physically exploited even by their guardians, ultimately pushing them on to the street. School dropout and child labour are common.

The health condition of slum dwellers is a strong indication of their poverty and vulnerability. A recent survey in the Kathmandu valley of 194 slum households with children aged less than five years found that more than one third (38 percent) of children were stunted, one third were underweight (29 percent), and almost one tenth were wasted (nine percent) (HKI 2010). Women from these communities are also vulnerable to sex-related diseases such as HIV, particularly when families have their male members working abroad. While mobility and migration are not direct risk factors for HIV, they create conditions that increase people's vulnerabilities. The migration pattern shows that apart from external migration from other districts, 21 percent of squatters in Kathmandu originate from the Kathmandu valley (Lumanti 2008). In Pokhara, this share is 13 percent (Gurung 2008). The origin of squatters is not limited to one specific district, although often they are from neighbouring districts.

Most slum dwellers and squatters are poor. Of the 40 slum settlements in the Kathmandu valley, for example, the average monthly income for a household is NRs 4,173, which is less than half a dollar a day. Only four percent of the slum population earns more than NRs 10,000 per month. More than 50 percent of squatters in the Kathmandu valley belong to indigenous groups, with Tamang being the largest number. Percentages vary depending on the geographic location, but IPs generally make up more than 50 percent of squatter populations.

Overall, there is a poor understanding of the context and situation of slum households and squatters. This makes it difficult to fully analyse their problems and issues, and corroborate analysis with sound data.

5.9.2 Problem analysis

There are two distinct aspects of the problem of slums and squatters: the increasing number of slums and squatters, and their poor living conditions and socioeconomic status. Causes for increases in the number of vulnerable slum households and the number of squatters coincide to an extent but differ particularly in relation to landownership issues.

Immediate causes for the increase of slum settlements in cities are linked to limited economic growth in rural areas and the impact of natural disasters and conflict. ‘Better job opportunities’ was the reason given by 70 percent of squatters migrating to urban areas (Lumanti 2008). Lack of economic opportunities in rural areas, inadequate access to financial tools, lack of enhanced knowledge and skills, and the absence of safety nets for rural households are considered underlying causes for migration to urban areas.

Natural disasters and political conflict also result in increased movement to urban areas. Statistics indicate that about 1,000 people die in Nepal every year due to natural emergencies. The country is estimated to suffer a direct loss averaging NRs 1,208 million per year (NSET 2008). Although some emergency relief is provided, it is not enough to restore the livelihoods that people have lost as a result of disasters.

There is no investment or support in slums and squatter areas. The urban sector in general and slums and squatters in particular are not a focus of attention. One of the causes is poor understanding of the overall context of slums and squatters. Since this is a relatively new phenomenon, many development planners are unaware of the socio-political dimensions and implications. Inadequate policies, poor implementation and limited resource allocations contribute to this. It is further exacerbated by limited political representation of slum households and squatters in political and policy-making processes.

Many social problems existing in slum areas can be attributed to discriminatory social practices, absence of the rule of law, lack of social protection mechanisms, isolation from other settlements and the rampant poverty that prevails in such settlements. Increase in urban crime is directly linked to increased urban poverty. UN-HABITAT research shows that overcrowding and poor ventilation are directly related to, among others, crime and other antisocial behaviour (UN-HABITAT 2006).

Linked to poverty status, low income levels and high job insecurity do not allow households to access services such as education. This in turn results in low literacy particularly among women, and inadequate education prevents access to better paid jobs, etc.

5.9.3 Ongoing efforts to build upon

The Interim Constitution stipulates that various arrangements shall be made with regard to education, health, housing, land and social security for landless and squatters and marginalized communities. The Town Development Act 1988, Local Self-Governance Act 1999, National Housing Policy 1996, National Urban Policy 2007 and Town Directives include provisions on housing and urbanization to address the problem of slum dwellers. In the National Shelter Policy 1996, the issue of slums and squatters was recognized in terms of the welfare of low-income groups, with a plan to undertake activities to support, mobilize, develop and expand the land and housing market. The revised National Shelter Policy 2009, currently awaiting government approval, specifically spells out the case for squatters. However, none of the above policies and acts has addressed the issue of land tenure, which is at the crux of the problem, particularly in the case of squatters.

The government proposed to improve five squatter settlements in the Tenth Five-Year Plan 2002–07. Although the amount allocated was meagre (NRs 1.5 million), this was the first time that the government had recognized an alternative approach to squatters other than eviction.

Local-level initiatives have been undertaken, with ActionAid Nepal, Water Aid Nepal and other INGOs advocating for the rights of slums households and squatters. UN-HABITAT has supported the government with research and advocacy. Squatters are relatively organized in demanding their rights.

Extension of microfinance institutions in large numbers of such settlements has pulled people together around their common cause.

As ownership of land is one of the main issues and demands of squatters, the limited availability of land and complexity of issues related to landownership make it difficult to resolve the issue through land redistribution.

As the number of people living in slums is still relatively small, there is a huge opportunity to address the problem before it increases further.

6. PROFILES OF GROUPS WHERE INSTITUTIONAL AND POLITICAL FACTORS HEAVILY DETERMINE VULNERABILITY

6.1 Vulnerability types

Client groups in this category of vulnerable groups include conflict-affected people; people at risk of statelessness; and the illiterate.

As with other groups, this category is also affected by all types of vulnerability. A common characteristic that is perhaps more pronounced for this group than for others is that all three experience a lack of individual protection from the state in terms of both physical and legal security; this may be the result of their politically charged position or of vulnerability that makes seeking and securing protection difficult. People at risk of statelessness do not have citizenship certificates, making it virtually impossible for them to engage in many activities, and leaving them especially vulnerable when their rights are violated, as they are not recognized by the state as legitimate citizens. Conflict-affected people lack legal protection, particularly but not solely, as it relates to transitional justice. The illiterate find it difficult to understand and engage in the procedures and processes that would provide them with protection.

This category is not necessarily homogenous when it comes to poverty and access to economic resources. For displaced people and those at risk of statelessness, while their status of not having a citizenship certificate may make it difficult for them to meaningfully engage in the labour market or other income-generating activities, they are not necessarily poor. In the case of the illiterate, however, typically their lack of education and technical skills does not allow them to engage in the kind of economic activities that would help them escape from poverty.

6.2 Causes of vulnerability

Institutional and political factors are the most dominant causes leading to vulnerability of the groups in this category. However, it is not that other causes are unimportant. In fact, economic causes including poverty, landlessness, marginal landholdings and/or insecure property rights do apply to these groups as a consequence of their politically precarious situation. Many socio-cultural causes—including caste and ethnic discrimination, gender inequality, lack of awareness on rights and entitlements, and exploitation and exclusion—also contribute to the vulnerability of these groups. Even the interrelated issues of remoteness, lack of rural infrastructure and dispersion of the affected population exacerbate their vulnerability. Some of the people at risk of statelessness, for example, live in such remote areas that they simply cannot access the services they need to obtain a citizenship certificate.

What is most significant, however, is that, at the heart of the problem, they face institutional and political issues that are typically beyond their own control. Weak institutional capacity to address their problems and lack of social protection are consistently applicable to these groups. This is followed by historical exclusion by the state, discriminatory laws and legal provisions, and lack or improper application of laws. Conflict, lack of political commitment and lack of representation in political and policy processes are also each experienced by one or two groups. This translates to issues of institutional capacity, institutional frameworks and processes, and the political environment in which the groups included here are left disengaged or unprotected. The cases of conflict-affected people and people at risk of statelessness are straightforward since most problems facing them are political and institutional in nature. The problem of citizenship certificates, for example, arises when the state is unable or unwilling to accommodate the needs of those people who qualify for citizenship and yet are not issued certificates given their specific situations such as the lack of a permanent address or property or misinterpretation of various laws. An interesting case is that of illiterates whose illiteracy and related problems are not solely the result of discrimination or unemployment; more pertinently, they remain vulnerable because of the state's lack of institutional capacity to provide adequate social protection and educational programmes that are

appropriate for the illiterate population in general and for those with specific situations such as disability, language problems, and marginalization owing especially to their gender, caste, ethnicity or religion.

6.3 Conflict-affected people

6.3.1 Background and current status

Nepal suffered a decade-long armed conflict which formally ended with the CPA in 2006. During the conflict, thousands of people lost their lives, hundreds were forcibly disappeared, and many more were disabled, injured, tortured or displaced. Women suffered sexual and gender-based violence such as rape and sexual exploitation.

This profile focuses on the challenges currently facing people directly affected by the conflict¹⁷. In this context it is useful to draw on the definition from the UN General Assembly Resolution 60/147 that defines victims as ‘persons who individually or collectively suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that constitute gross violations of international human rights law, or serious violations of international humanitarian law.’⁷

The people affected by the conflict as identified in the government’s Interim Relief and Rehabilitation Programme include dependents of individuals who disappeared or were killed, individuals and families who were internally displaced, and individuals who were disabled, abducted or whose property was destroyed or damaged¹⁸.

The government declared 73 districts (all except Manang and Mustang) as conflict-affected. According to data received from the Ministry of Peace and Reconstruction in 2010, some 16,009 people were killed, 1,207 forcibly disappeared, and 52,163 displaced during the conflict. Table 6.1 indicates that the highest number of killings, disappearances and displacements were in the Mid-West followed by the Central Region.

Table 6.1: Summary of conflict-related statistics

Region	Number of districts	Killed	Disappeared	Displaced
Eastern	16	2,529	130	10,284
Central	19	3,499	242	10,697
Western	14	2,362	137	5,298
Mid-Western	15	5,664	643	17,287
Far Western	9	1,955	55	8,583
Total	64	16,009	1,207	52,163

Source: MOPR (2010)

Forced disappearances were perpetrated by both sides of the conflict, although most may be attributable to the state. Affected people are a heterogeneous group, but women and children were identified as primary victims. For example, the National Human Rights Commission reported that more than 500 children lost their lives between 1996 and 2005, approximately 40,000 were displaced, hundreds were wounded, and more than 8,000 were orphaned or separated from their families.

While the impact of the armed conflict may seem evident on the lives of people, verified figures and patterns about the ways in which acts were committed remain unclear. ‘Verification of the facts’ and

¹⁷ The conflict’s indirect effects on individuals must not be ignored or understated. These effects include, for example, multiple discriminations that compound losses sustained during the conflict and hinder people’s efforts to repair their lives, malnutrition or other conditions caused by inadequate living standards during or following internal displacement, and other psychosocial problems facing many affected people.

¹⁸ Absent from this definition are the victims of torture and sexual violence during or due to the conflict.

‘public disclosure of the truth’ (Bassiouni 2000) are yet to occur, with a Truth and Reconciliation Commission and a Commission of Inquiry on Disappearances under discussion in Parliament.

Nevertheless, the issues facing conflict-affected people on a daily basis have been identified through consultations with victims by, among others, the International Committee of the Red Cross (ICRC 2009), the International Centre for Transitional Justice in Nepal, and OHCHR Nepal. The core concerns among families of the disappeared have centred on truth about the fate of their loved ones as well as acknowledgement from the state that their disappearances were wrongful acts. Without having seen the remains, families of missing persons find it hard to believe that their loved ones are actually dead. Torture victims also frequently have questions about why they were tortured, who ordered it, and who knew and failed to act against it.

Conflict-affected people express frustration at the impossibility of obtaining justice, particularly for gross violations and abuses. The lack of progress on filed cases has prompted many victims to accuse authorities of outright obstructionism or at least of lacking interest in their cases. Access to justice is difficult especially for victims of sexual and gender-based violence. In some cases, victims’ families have been offered money in exchange for not filing a case¹⁹.

Families of missing persons face a unique kind of loss, sometimes referred to as ‘ambiguous loss’ (loss without verification). People are caught between hope and despair over whether their missing loved ones will return. Psychological challenges due to ambiguous loss are not necessarily a psychiatric problem; such loss may cause complex socio-cultural and relational challenges for the families, affecting their daily lives.

Chronic physical and health problems that family members of disappeared sometimes face are linked with long-term effects of the disappearance (ICRC 2009). This also applies to people disabled due to the conflict, torture victims, and victims of sexual violence. The surviving family members of the disappeared, killed or tortured often suffer grave economic consequences. These are most obviously evident in cases where torture had impacted a victim’s physical ability to support a livelihood or in cases involving the involuntary disappearance or killing of a household’s breadwinner. A missing son generally implies the loss of financial and social support for parents. Without their husbands, wives lose their role in the family, are often seen by communities as extra mouth to feed, and cannot claim their husband’s property.

Thousands of children were made vulnerable as a result of the conflict including in terms of being maimed, orphaned, displaced, recruited, used by armed groups and/or sexually abused/exploited. Sexual and gender-based violence is one of the primary causes for women to feel insecure in post-conflict situations (Security and Justice Coordination Group 2010).

6.3.2 Problem analysis

The immediate causes for the vulnerable condition of these people include the lack of truth, lack of justice, economic consequences of the conflict, psychosocial challenges, health problems, social stigma and insecurity, particularly for women. The underlying causes of the lack of justice for victims and ongoing impunity for abuses are a combination of failures of existing justice mechanisms and delays in the establishment of transitional justice mechanisms as well as uncertainty over whether, when established, they will accord with international norms and standards.

At a general level, root causes of the vulnerability of conflict-affected people include local and national economic conditions, insufficient livelihood opportunities, and sexual and gender-based violence, with conflict-affected women particularly vulnerable to feelings of insecurity. Social discrimination remains a

¹⁹ Civil society consultation on Nepal’s input to the report of the Secretary General on UNSCRs 1325 and 1820 organized by UNFPA and UNIFEM in August 2010.

problem that can be particularly harsh for women, since with the absence of their husbands they lose the main link to the family they are living with and therefore the status they previously had.

A more specific root cause of the problem is the lack of political will. This is evident in many manifestations, most notably, in impunity, the ongoing failure to establish transitional justice mechanisms and the continuing absence of a witness protection programme.

The evident lack of political will to account for gross abuses and violations is felt by victims on numerous levels. The national legal framework for prosecution of serious human rights violations and abuses is wholly inadequate, with a number of grave acts including torture and disappearances not criminalized. This lack of political will is also evident in the government's reluctance to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984, as recommended during the Universal Periodic Review; despite that, the convention was ratified.

Furthermore, according to the CPA, the government should establish a Truth and Reconciliation Commission and a Commission of Inquiry on Disappearances—a commitment that is long overdue. A large number of criminal cases related to the conflict have been withdrawn by the government in recent years under pressure from various political parties and on the grounds that withdrawing 'politically motivated' cases was required by the CPA. The government has stated that a number of army and police personnel have faced departmental and other actions for violations of the Military and Police Acts. These in-house actions cannot, however, replace independent investigations under the regular criminal justice system.

An entrenched culture of impunity prevails in Nepal for both conflict- and non-conflict-related crimes. Despite their commitments, political parties have remained reluctant to address the most painful aspects of the past. Under the human rights law, states have a particular obligation to adopt specific measures to protect the rights of victims and witnesses when they consent to participate in judicial, quasi-judicial or other remedial proceedings. However, there are currently no formal state mechanisms for protection of witnesses and victims in Nepal.

It is also important to address ineffective social reintegration and rehabilitation of conflict-affected people. The problems of economic consequences, psychological challenges, poor health and insecurity are attributable to the lack of a national strategy to deal with conflict-affected people, lack of psychosocial support, inadequate community reintegration and social discrimination against them.

Relief measures under the Ministry of Peace and Reconstruction's interim relief programme, such as the development of employment skills, orphan cash transfers, physical rehabilitation centres and property compensation, have yet to be initiated. Victims report that the erratic distribution of relief across districts in the past has led to frustration. Victims often feel re-victimized by the burdensome administrative processes required to access their interim relief entitlements.

Conflict-affected people also lack psychosocial support and community integration. An ICRC (2009) study concluded that 80 percent of families do not know what happened to their loved ones and are still searching for the truth. Some 27 percent of family members complained about chronic physical symptoms attributed to constant tension and anxiety. Only very few have access to formal counselling or a non-drug therapy. Children find it particularly difficult to cope with the loss of a parent.

6.3.3 Ongoing efforts to build upon

The government has adopted various national action plans, targeting women and children affected by the conflict. A National Human Rights Action Plan defines the government's human rights priorities for the next three years, including specific actions in the fields of education, health and employment.

UN programmes and initiatives, including the UN Peace-Building Fund and UN Peace Fund for Nepal, have been supporting a wide range of grassroots projects addressing conflict-affected people as well as the root causes of the conflict. Other UN initiatives target specific areas such as reparations, transitional

justice, improvised explosive devices and mines, and reintegration of children associated with armed forces and armed groups.

6.4 People at risk of statelessness

6.4.1 Background and current status

Nationality is a legal bond between a person and a state. It provides a sense of identity and enables individuals to exercise a wide range of rights. The lack of nationality is harmful and, in some cases, devastating to the lives of concerned individuals.

Article 15 of the UDHR affirms that ‘everyone has the right to a nationality’. However, current laws and administrative requirements in Nepal create significant barriers to accessing nationality, a citizenship certificate and the associated rights for women, children and disadvantaged groups. Although people without citizenship certificates may technically hold a nationality, this status becomes ineffective in practice.

Nepal is not a signatory to the 1954 Convention on the Status of Stateless Persons or the 1961 Convention on the Reduction of Statelessness. However, it has certain obligations under the human rights treaties it has ratified, including the CRC, ICERD, CEDAW and ICCPR. Collectively, these instruments establish the right to acquire a nationality and the need to have procedures in place to acquire citizenship in order to be free from discrimination.

The exact number of individuals at risk of statelessness in Nepal is not known. A commonly cited estimate is that some 800,000 Nepalis lack citizenship documents and associated rights. This figure is based on the estimates of the High-Level Citizenship Commission (Dhanapati Commission). However, this figure does not take account of recent population growth, which suggests the figure could be closer to 3–5 million Nepalis without citizenship certificates. The groups most deprived of such documentation include women and children, disadvantaged groups, geographically isolated individuals, and sexual and gender minorities.

Nepali nationals may apply for citizenship certificate or *nagarikta*, a formal proof of their status as citizens, once they become a ‘major’ at the age of 16 years. Citizenship certificates are a prerequisite to enjoying basic economic, social and political rights including owning land, opening a bank account, pursuing higher education, registering a business, obtaining travel documents, acquiring a driver’s license, working in the formal economy, and registering to vote. Inability to obtain a citizenship certificate makes one vulnerable to statelessness, creating in turn economic, social and political marginalization.

Current citizenship provisions present obstacles for certain women to acquire citizenship or to transfer citizenship to their children. Married women, widows, foreign women married to Nepali men and victims of trafficking and/or violence face particularly stark problems. The nationality provisions for foreign women married to Nepali men, for example, only allow for consideration of naturalization if the woman has already started the process of renouncing nationality at the time of application. These provisions further discriminate against women by stipulating that a Nepali woman cannot confer her nationality on her foreign husband, while a Nepali man may do so on his foreign wife.

Since citizenship serves as a prerequisite for owning and transferring property, land and businesses, Nepali women can experience difficulty in securing the cooperation of their husbands or husbands’ families in applying for citizenship documents. Just as married women must have the approval of their husbands, husbands’ families or their own fathers, unmarried women are reliant on the consent and cooperation of their fathers to obtain citizenship. There are no equivalent requirements for Nepali men.

The Citizenship Act 2006 establishes the principle that children can acquire citizenship by descent from either their mother or father. However, this right is qualified in the case of children born to a Nepali woman married to a foreign citizen. Such children are restricted to acquiring citizenship through

naturalization. Discrimination against women in nationality-related legislation and administrative procedures also leads to the denial of birth registration and citizenship rights for children.

Even Nepali women who have a child with a Nepali man may face practical obstacles to independently passing on nationality to their children, despite the clear wording of the law. There is a *de facto* policy in place requiring women to prove that their husband is a Nepali citizen. Another major concern is that women face similar obstacles in registering the births of their children. In a country where citizenship is not conferred by birth, birth registration of children is required to establish the child's legal identity. These practices have left many without access to birth registration and citizenship. About 35 percent of children are registered at birth in Nepal, and this percentage is lower among children of marginalized groups (ADB 2010).

The government officially recognizes at least 26 districts as trafficking-prone areas. Estimates suggest that 100,000–300,000 girls and women have been trafficked from Nepal to other destinations. It is also estimated that around 7,500 girls and women are trafficked annually to India and the Middle East for commercial sexual exploitation (US State Department 2011). Victims of trafficking may find that their documents are lost or destroyed, leaving them without proper proof of identity and citizenship. This may expose them to further abuse and exploitation, and preclude them from pursuing justice when their rights have been violated.

Access to citizenship certificates remains particularly elusive for marginalized communities who face historical discrimination. Many Madhesi people, Dalits, bonded labourers and members of other marginalized groups remain undocumented. Although members of disadvantaged groups may satisfy all formal requirements, the discretion to issue a citizenship certificate ultimately rests with a government official. Applying for a certificate may not even be an option for many impoverished, landless people. Some are not aware of the value of having citizenship certificate, while others have difficulty in furnishing the documents required to apply for it.

Recent surveys support the contention that social exclusion, poverty and discrimination conspire to deprive many marginalized individuals from accessing citizenship rights. Dalits are often unable to prove their residence and thus unable to exercise citizenship rights. According to the 2001 census, some 15 percent of Hill Dalits and 44 percent of Madhesi Dalits are landless. It is estimated that 35 percent of Madhesi Dalits do not have a citizenship certificate and the situation of Madhesi Dalit women is more severe, with 46 percent lacking citizenship certificates (Social Inclusion Research Fund 2008).

6.4.2 Problem analysis

There are many structural causes that contribute to the lack of formal recognition of citizenship among certain marginalized and disadvantaged groups. First is the concept of a national identity and the notion of which individuals qualify to be 'real' Nepalis. The concerns of national identity and security can be traced back into Nepal's history, as nationalism was initially defined around Hinduism, the monarchy, the Nepali language, and the Hill-origin population and its culture.

A second significant cause concerns the current geopolitical situation, which perpetuates discriminatory laws and practices. Nationalistic attitudes have been exacerbated by concerns over border control, especially along the southern border with India. Anxiety over Nepal's border security manifests itself in general discrimination against Madhesi people, as they are perceived as being of 'Indian' origin and are looked upon with distrust as to whether they are bona fide Nepali citizens.

Finally, patriarchal attitudes are pervasive in public life in Nepal. The patriarchal system determines a woman's legal status according to her relationship to a man—first a father and then a husband—creating a notion of conditional and dependent citizenship, and thus providing grounds for discriminatory citizenship provisions and procedures. The resulting discriminatory citizenship provisions and practices not only limit women's right to equality but also restrict their enjoyment of other rights.

These root causes are related to a number of underlying and immediate causes of the problem. The existing discriminatory laws and procedures adversely affect certain groups. To obtain a certificate of citizenship by descent, for example, the Citizenship Act requires that all individuals provide the citizenship certificate of their mother or father, their relationship to their mother or father, and proof of birth in Nepal. These requirements alone may create significant barriers to certain individuals.

While there are multiple aspects of discriminating laws, the reality is that local authorities often exceed even these provisions when stipulating the requirements for applying for citizenship certificates. Instances of the improper and discriminatory application of Nepal's citizenship laws can be found in many marginalized communities. For example, female refugees from Bhutan married to Nepali men are in principle entitled to Nepali citizenship and yet many are not able to obtain it.

The issue of limited access to citizenship certificates remains very serious in Nepal. Research indicates that 35 percent of Dalits are believed to lack citizenship certificates (NDC 2005), while 63 percent of widows and abandoned women have found it impossible to convey citizenship to their children (Women for Human Rights and ActionAid Nepal 2005). Social exclusion is at the core of this problem, disproportionately affecting Dalits, Madhesi people, women and the poor.

Many disadvantaged communities lack the resources or information necessary to navigate the application procedures for a citizenship certificate. Common obstacles include a lack of money for the necessary application fees and photos, inability to reach the necessary government offices for persons from isolated regions, a lack of supporting documentation and a lack of awareness regarding one's rights under the law. It is also true that many communities are so marginalized that individuals never even consider applying for a citizenship certificate and claiming the set of rights and entitlements that go with it. While the lack of awareness about the importance of citizenship certificates remains a crucial barrier, the onus of educating the population lies with the government.

The government currently lacks the capacity to address structural barriers to citizenship registration and documentation such as the severe geographic isolation of certain populations, their inability to reach the relevant government offices, and the entrenched poverty of certain communities which precludes filing for citizenship due to application fees. The limited presence of government officials remains a key challenge in remote Hill and Tarai districts.

6.4.3 Ongoing efforts to build upon

The Dhanapati Commission concluded in 1995 that there were approximately 3.4 million Nepalis without citizenship certificates. A task force that followed distributed some 2.6 million certificates to qualifying persons by 2007. In addition, prior to the 2008 elections for the Constituent Assembly, the government provided citizenship certificates to those individuals who had resided in Nepal since 1989. While this initiative was not promoted with wide publicity, no similar initiatives have been launched before or since.

The draft constitution currently contains some provisions on citizenship that create a risk of statelessness and are not in line with Nepal's obligations under international law. The UNCT and Nepali civil society organizations have been providing technical advice to promote the adoption of citizenship laws that are in line with international standards. Ongoing collaboration with progressively inclined Constituent Assembly members to develop a substantive platform on citizenship is expected to help advocacy on a woman's rights to acquire and convey nationality to her children.

Various UN agencies and other partners have implemented projects to increase access to citizenship certificates. This approach entails local empowerment and awareness-raising that promotes, among other things, an appreciation of the importance of securing legal identity and citizenship documents. UNICEF, in collaboration with the government and other organizations, has launched several birth registration campaigns in various districts of Nepal. The ADB's ongoing project on vital event registration can ensure birth registration for Nepali children.

6.5 Illiterates

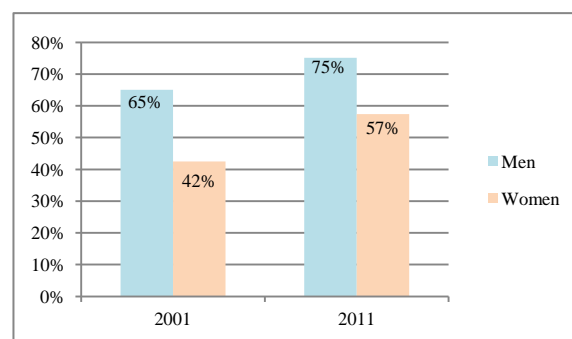
6.5.1 Background and current status

Literacy constitutes an ability to identify, interpret, create, communicate and compute using printed and written materials. It is considered a lever of change and a mechanism for achieving social and economic progress. It helps in acquiring knowledge and life skills and empowering people. Literacy is a process of learning, helping individuals achieve personal goals, develop their knowledge and potentials, and participate fully in the community and wider society (UNESCO 2008).

Nepal is in transition towards a more open and democratic society. A democratic society depends upon conscious and knowledgeable citizens who are aware of their rights and responsibilities. Literacy opens up the door for democratic norms and values, opportunities and services in society, and collective efforts for development. Illiteracy traps people in a cycle of poverty and diminished opportunities, and undermines national prosperity (UNESCO 2011). It is worth emphasizing that the children of illiterate parents are at much greater risk of being deprived of education and a host of other factors compared to the children of literate parents.

Nepal has an illiterate population of 7.5 million (or 31 percent of the total population), of whom 66 percent are women (CBS 2012c). Literacy rates vary by ecological regions with the Hills having the highest literacy rate (72 percent) and the Mountains the lowest (60 percent). However, the Tarai and Mountains have equally high shares of illiterates, followed by the Hills. Large disparities exist between male and female literacy rates in all age groups. According to the 2001 census, the literacy rate for males five years and above (75 percent) is 18 percentage points higher than that for females of the same age (57 percent) (Figure 6.1). The youth (15–24 years) literacy rate of 70 percent was significantly higher in 2001 than the adult (15 years and above) literacy rate of 48 percent.

Figure 6.1: Literacy rate by sex, 2001 and 2011 (population 5 years and older)



Source: CBS 2003, 2012c

The Western Region has the highest literacy rate, followed by the East, Central, Mid-West and Far-West in decreasing order. Compared to males, females have lower literacy rates across all ecological regions by 17 to 22 percentage points on average. Literacy rates vary from 32 percent for women in Rautahat district to 92 percent for men in Kathmandu district. Most districts in the Mountains and Eastern Tarai have literacy rates below two thirds. High levels of illiteracy can be found among ethnic and linguistic minorities residing in the Mountains and remote areas in the Far West. People living in urban areas have much higher literacy rates than people living in rural areas. The literacy gap between urban and rural areas about 20 percentage points.

Wide discrepancies exist in literacy rates among various castes and ethnic groups. Dalits have the lowest literacy rate at 27 percent compared to 47 percent for Janajati and 55 percent for others. Females are more disadvantaged, with a female Dalit literacy rate of 16 percent compared to 38 percent for male Dalits. The literacy rate of 33 percent among female Janajati is far lower than that of 61 percent among male Janajati. Among other castes and ethnic groups, the female literacy rate is 41 percent compared to 70 percent for males.

Poverty and illiteracy form a mutually reinforcing vicious cycle (MOES 2003). The literacy rate for people in the lowest wealth quintile is 37 percent compared to that of 77 percent for people in the highest wealth quintile, with a person from the richest quintile more than twice as likely to be literate (Table 6.2). There is also a large gap between male and female literacy rates across all wealth quintiles, making

females more likely than males to remain illiterate regardless of economic class. However, compared to females from the poorest quintile, males from the richest quintile are well over three times more likely to be literate.

Table 6.2: Literacy rates by consumption quintile, 2010/2011

Consumption quintile	Literacy rate, 15 years and above		
	Male	Female	Total
Poorest	52.4	25.3	36.8
Second	59.9	32.9	44.8
Third	67.3	40.5	52.2
Fourth	77.5	49.3	61.6
Richest	90.9	66.3	77.4
Nepal	64.5	33.8	56.5

Source: CBS 2011

6.5.2 Problem analysis

The major immediate cause behind a large number of people being illiterate is that there are not sufficient literacy opportunities, both in formal and non-formal settings. The problem is aggravated by the low retention rates for youths and adults in available programmes. Difficult geographic terrain also affects access to schools or literacy classes. The immediate causes of widespread illiteracy include the poor quality of literacy programmes, insufficient funding for literacy programmes, poor accessibility and low retention.

There are a number of underlying causes contributing to this mass illiteracy. When people and communities value education, it creates a demand for it. On the other hand, low priority for education not only creates low demand but also lowers the desire to harness available opportunities. A certain level of awareness is central to valuing education—a lack of it among the poor and disadvantaged contributes to the low demand for literacy among these vulnerable groups. Since most disadvantaged children and girls are engaged in household chores (or paid jobs), they are not able to freely access basic education and are more likely to be illiterate. Moreover, daily life for the poor is becoming increasingly difficult and, as they have to devote their efforts to basic survival, they have little aspiration or time for literacy opportunities.

Many of those enrolled in schools or literacy classes do not participate regularly and are not successful. This is caused by lack of motivation among participants owing to weak linkages between formal and non-formal education, inadequate and irrelevant learning materials, poor linkages to income generation and employability, lack of continuous learning provisions and low quality of teaching.

Many linguistic minorities fail to recognize the value and importance of education in their daily life. The quality of education suffers because it is not provided in the students' mother tongue but rather in a language (Nepali or English) that is not well understood or enjoyed by them. Low qualifications and inadequate training of school teachers and literacy facilitators also affect quality. There is also suboptimal motivation among teachers and facilitators due to poor remuneration, especially in schools operated with community resources.

The root causes of illiteracy imply a lack of political will and legal provisions for ensuring the right to literacy as well as to basic education. Low economic status compels poor and marginalized people to engage in paid jobs at a young age, causing them to remain illiterate. There are also socio-cultural barriers that create stigma and constraints for historically deprived castes and ethnic groups in using literacy opportunities. The low financial and human resources capacity of literacy providers, including government agencies and NGOs, results in inadequate and ineffective literacy programmes.

Weak institutional capacity and inefficient delivery mechanisms contribute to widespread illiteracy in many ways. The lack of comprehensive and explicit policies and plans as well as the lack of an appropriate management policy with clear implementation strategies make it difficult to promote a quality and sustainable literacy programme. Other factors have to do with inadequate financial resources, inefficient management structure and processes, and ineffective literacy materials. Finally, the lack of an effective operational mechanism to link non-formal education with equivalent levels of formal education has been a hindrance to sustained interest in literacy programmes across the country.

6.5.3. Ongoing efforts to build upon

The Non-Formal Educational Centre has been delivering non-formal education services to various target groups including people living in remote areas, those living in poverty, women, and those belonging to disadvantaged and marginalized castes and ethnic groups. It conducts literacy, post-literacy and awareness-raising programmes by mobilizing Community Learning Centres, NGOs and community-based organizations at the local level. It also implements programmes related to lifelong and continuous learning, skills development and income generation.

Literacy has been a priority of various ministries, agencies and organizations, with a focus on information-sharing, literacy for empowerment, literacy as an entry point for income-generating activities and literacy in self-governance. While I/NGOs have focused on the rights-based approach to literacy, ministries other than the Ministry of Education have focused on agriculture, health, forestry, income generation and women's empowerment. The Poverty Alleviation Fund, which includes a literacy component, aims to reach the poorest families in selected districts with low HDI, and strives for community empowerment through the formation and mobilization of local groups.

The National Literacy Campaign aimed at eradicating illiteracy demonstrates a strong political commitment to literacy and non-formal education. Nepal is also party to the universal primary education components of the Dakar Framework of Action for Education for All and the MDGs, demonstrating its commitment to eradicating illiteracy.

7. PROFILES OF GROUPS WHERE GEOGRAPHIC AND ENVIRONMENTAL FACTORS HEAVILY DETERMINE VULNERABILITY

7.1 Vulnerability types

This category includes people living in the lowest-performing districts and people living in areas vulnerable to climate change and natural hazards. Like other groups, these groups' vulnerability also depends on their position in society or their susceptibility to other specific vulnerabilities such as being disabled or being at risk of statelessness. However, where these people differ from others is in their additional vulnerability because of their geographical location or likely exposure to changing environmental conditions and natural hazards. In the case of people living in areas prone to natural hazards, their vulnerability is increased due to a lack of preparedness. All the development gains they may have achieved in previous years can be undone in a matter of seconds if a disaster occurs. In the case of remoteness, their vulnerability is increased because of the cumulative effects of many of the root causes of vulnerability in these areas.

7.2 Causes of vulnerability

These groups experience increased vulnerability due to a number of economic causes including poverty, lack of alternative income or livelihood opportunities, landlessness or marginal landholdings and insecure property ownership. Vulnerability is also conferred by socio-cultural factors such as caste and ethnic discrimination, low self-esteem and socioeconomic status, and lack of education and awareness; this is because people belonging to groups in this category are likely to be of a disadvantaged caste or ethnicity with low socioeconomic status and education. Institutional and political factors are also important with weak institutional capacity and a lack of social protection increasing reliance on locally available natural resources, and historical exclusion from the state causing indifference to their socioeconomic plight and predicament.

More important, however, are the geographic and environmental causes that result in these groups being especially vulnerable. Remoteness and lack of rural infrastructure make the lives of people in these groups difficult, by leaving them in isolation without the opportunity to participate in the broader labour market and political, social and cultural systems. Depleting natural resources, changing weather patterns and the likelihood of frequent or large-scale natural disasters further deepen their vulnerability by imposing unexpected shocks on their livelihoods. While depletion of natural resources and changing weather patterns take place at a gradual, rather than dramatic, pace, the impact can be serious, especially among groups that are not prepared to cope with them.

7.3 People from lowest-performing districts

7.3.1 *Background and current status*

Vulnerability is not evenly distributed across space. Many people are disadvantaged compared to the rest of the population simply because they live in remote and/or underserved areas: they have lower access to resources, markets, employment opportunities, services, information and spaces where decisions are made. Thus, one of the potential client groups for the UN system consists of people living in the least developed districts of Nepal. Although some people in these districts may already fall into other clients groups because of their socio-cultural, socioeconomic, institutional/political or environmental vulnerabilities, the mere fact of living in a poorly developed district might push yet others who would not be considered vulnerable in better-developed districts over the threshold into vulnerability, restricting their ability to maintain a dignified human life and creating disadvantage through poverty, low human development, exclusion or lack of individual protection. By living in the lowest-performing districts, any vulnerabilities or susceptibility to vulnerabilities that a person may already have are likely to be exacerbated by their location. Put another way, they are likely to be worse off than someone with 'similar'

vulnerabilities in a better-developed district. This situation is aggravated for those with multiple vulnerabilities.

The causes of vulnerability for this client group are basically the same as for other groups. Therefore, rather than conducting an analysis of the causes of vulnerability, it was considered more effective to identify the districts where manifestations of these vulnerabilities were at their most intense. Vulnerable geographical areas were identified through selected indicators of human development and human deprivation. However, the task of identifying districts with the lowest levels of human development was not easy, not least because of the lack of adequate data on the indicators required to calculate the HDI.

7.3.2 Methodology and selected indicators

To examine vulnerability at the district level, eight indicators were selected in light of recent data available from the current UNDAF period (2008–2012), the quality of data and the reliability of the source. In addition, to ensure the analysis represents the holistic human and social development situation, a set of indicators was selected to cover, to the extent possible, the wide range of thematic areas required for human development. This set of indicators addresses eight areas: food security, basic education, access to health services, sanitation, gender disparity, outbreak of disease, child protection and the capacity of local government to deliver development programmes. MDG indicators and the potential of indicators to assess progress at the district level were also considered in the selection process. A composite index score was calculated for each district from the data for the eight indicators, using an equal weighted scale. Districts were then ranked by composite index score to identify which were the lowest-performing. Composite index scores for all districts were also mapped to pinpoint the location of lowest-performing districts. The current status of the client group is thus described through the identified geographical areas of multiple deprivation and vulnerability. The eight indicators used are as follows.

Severity of food security: Data on severity of food security was sourced from the WFP’s Nepal Security Monitoring System, formerly known as VAM (Vulnerability Analysis and Mapping), to identify the most food-insecure districts. WFP collects periodic data from 69 districts, except for the six districts of Kathmandu, Lalitpur, Bhaktapur, Kaski, Dhading and Nawalparasi. This indicator not only conveys understanding on the food-security situation but is also a proxy indicator for progress towards the MDG 1 target of reducing by half the proportion of people who suffer from hunger.

Net enrolment rate in basic education (Grades 1–8): This indicator was selected as important for monitoring progress on the SSRP and on the implementation of free primary and basic education that was extended to eight years from the 2009/10 school year. The Ministry of Education’s Flash Reports provide biannual data on the net enrolment rate for basic education for all 75 districts. These data have been examined by an independent institution with support from development partners to ensure its quality and reliability.

Proportion of children aged 10–14 years who are working: Nepal has a severe data gap in the area of social welfare, and there are very limited data available at both national and district levels. For example, the NLFS only provides data at national and development/ecological zone levels. The District and VDC Profile of Nepal 2010 collected data on the prevalence of child labour in all districts in 2010 (Intensive Study and Research Centre 2010). No other such child-risk indicator in the area of child protection is available to district level.

Sanitation coverage: In order to address the lack of valid quantitative statistics on the nationwide coverage and functionality of water supply and sanitation facilities, the Department of Water Supply and Sewerage launched the National Management of Information Project to collect such information and published it in a database. Sanitation coverage was selected for this analysis, as Nepal has already achieved its MDG target for water supply; however, it is yet to achieve the target for sanitation, and is still showing substantial regional disparity.

Per capita development budget expenditure: This indicator was selected to assess the institutional capacity of local government to implement various development programmes and interventions. Data were compiled in 2010 by the Intensive Study and Research Centre using data from the Ministry of Local Development.

DPT3 immunization coverage of children aged less than one year: Among other service coverage data available from health statistics, DPT3 immunization coverage of children aged less than one year is used globally as the most effective health indicator to assess the quality of health services as three separate doses of DPT vaccine are required to be given. Although the Department of Health Services' Annual Report 2009/10 provided administrative data from health facilities, data from the WHO/UNICEF's EPI²⁰ Coverage Survey Report 2010 was selected for this analysis for its greater reliability.

Expected frequency of diarrheal outbreaks: This indicator, from the Epidemiology and Disease Control Division at the Department of Health Services, was the only source of data on the risk of epidemics linked to seasonal outbreaks, disasters and hygiene conditions in districts; it was for 2008. While determining classification for the past three years, experiences and exposure to outbreaks were compiled by the Department of Health Services from information generated through the Health Management Information System and the Department of Health Services' annual reports.

Ratio of girls to boys in secondary education: This was selected to assess gender disparity and the status of the MDG 3 target on eliminating gender disparity in primary and secondary education preferably by 2005, and at all levels by 2015. Although the overall national figures have shown progress on moving towards gender parity in recent years, many disadvantaged regions are in fact lagging behind on meeting this MDG target.

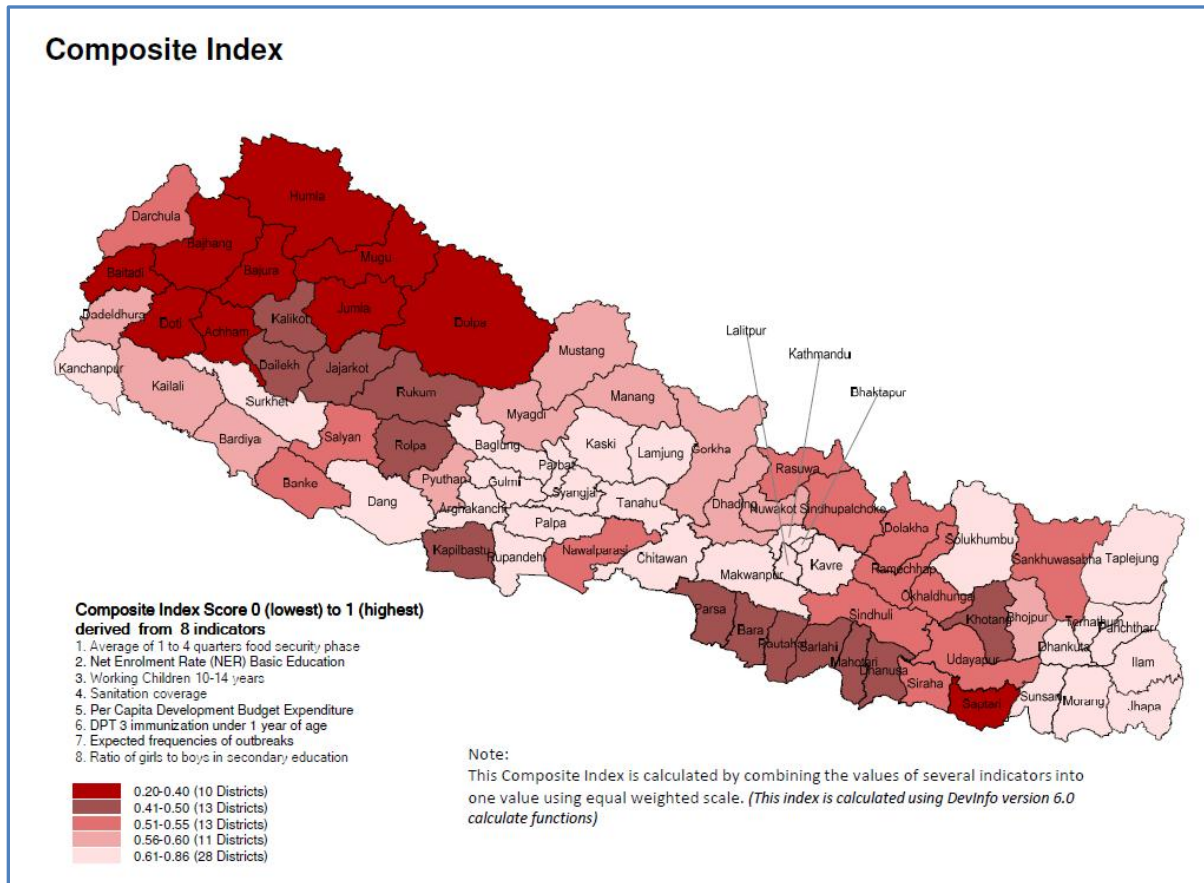
Using these indicators, the composite index scores for all 75 districts were calculated and ranked, as shown in Table 7.1. The ranking was split at three cut-off points: index values of 0.4, 0.5 and 0.6. The lowest-performing districts are those below the cut-off point of 0.4. These are the most deprived on the eight multiple dimensions of human development, thus exhibiting the greatest intensity of vulnerability. There are 10 districts below the first cut-off point of 0.4: Mugu, Humla, Dolpa, Bajura, Bajhang, Jumla, Achham, Saptari, Baitadi and Doti. The 13 vulnerable districts between the cut-off points of 0.5 and 0.4 are: Kalikot, Khotang, Mahottari, Parsa, Dhanusa, Kapilvastu, Sarlahi, Rautahat, Jajarkot, Rolpa, Bara, Dailekh and Rukum.

²⁰ EPI = Expanded Programme on Immunization

Table 7.1: Composite index score and ranking of districts

S.N.	District	Composite index score	S.N.	District	Composite index score
1	Mugu	0.20	39	Bhojpur	0.57
2	Humla	0.22	40	Bardiya	0.58
3	Dolpa	0.28	41	Kailali	0.58
4	Bajura	0.30	42	Dadeldhura	0.59
5	Bajhang	0.31	43	Nuwakot	0.59
6	Jumla	0.32	44	Mustang	0.59
7	Achham	0.34	45	Manang	0.60
8	Saptari	0.40	46	Dhading	0.60
9	Baitadi	0.40	47	Gorkha	0.60
10	Doti	0.40	48	Solukhumbu	0.61
11	Kalikot	0.41	49	Surkhet	0.61
12	Khotang	0.42	50	Taplejung	0.62
13	Mahottari	0.44	51	Dang	0.62
14	Parsa	0.44	52	Tanahun	0.63
15	Dhanusa	0.45	53	Makwanpur	0.63
16	Kapilvastu	0.45	54	Palpa	0.63
17	Sarlahi	0.45	55	Terhathum	0.64
18	Rautahat	0.45	56	Lamjung	0.64
19	Jajarkot	0.46	57	Panchthar	0.64
20	Rolpa	0.46	58	Parbat	0.64
21	Bara	0.47	59	Argkhanchi	0.64
22	Dailekh	0.48	60	Kavre	0.64
23	Rukum	0.50	61	Kanchanpur	0.65
24	Siraha	0.51	62	Syangja	0.66
25	Nawalparasi	0.51	63	Sunsari	0.67
26	Salyan	0.51	64	Rupandehi	0.67
27	Sindhuli	0.51	65	Jhapa	0.67
28	Banke	0.51	66	Dhankuta	0.67
29	Udayapur	0.51	67	Chitwan	0.68
30	Sindhupalchok	0.52	68	Morang	0.68
31	Dolakha	0.53	69	Baglung	0.71
32	Sankhuwasabha	0.54	70	Gulmi	0.73
33	Rasuwa	0.54	71	Kaski	0.74
34	Ramechhap	0.55	72	Lalitpur	0.74
35	Darchula	0.55	73	Ilam	0.74
36	Okhaldhunga	0.55	74	Bhaktapur	0.75
37	Pyuthan	0.56	75	Kathmandu	0.86
38	Myagdi	0.56			

Figure 7.1: Map of districts classified with the composite index score



In the composite map, two major clusters stand out as the most deprived in terms of several indicators. These are the Mid- and Far Western Mountains, and the Eastern and Central Tarai. The cluster containing districts in the Mid- and Far Western Mountains is characterized by high food insecurity, prevalence of child labour, potential for disease outbreaks and severe gender disparity. The indicators for food insecurity, child labour and net enrolment rate are highly correlated, as food insecurity forces the migration of adult males in search of income and compels children to actively participate in the labour force. Similarly, the frequency of disease outbreaks correlates with poor sanitation conditions and food insecurity, as the latter two indicators make people more vulnerable to disease outbreaks. Although the cluster of districts in the Eastern and Central Tarai does not exhibit serious food insecurity, it is low for indicators on education, sanitation and the frequency of disease outbreaks.

In conclusion, severe current data limitations at the district level required proxy variables to be used that may not capture the poverty and deprivation of regions and districts as accurately as would be ideal. However, on the basis of these eight indicators, these two clusters identified above stand out as the most deprived regions of Nepal and could be considered in future UN planning as potential programme areas.

7.4 People from areas vulnerable to climate change and natural disasters

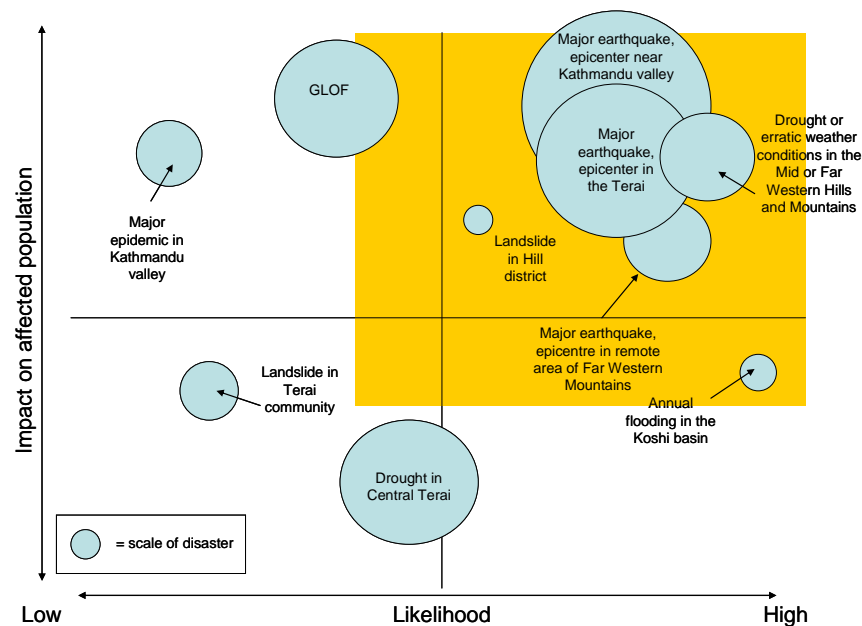
7.4.1 Background and current status

Nepal experiences natural disasters each year. The Bureau of Crisis Prevention and Recovery at the UNDP ranks Nepal as the eleventh most at-risk country in terms of earthquakes and the thirtieth most at-risk for floods. Of 16 countries listed globally as being at 'extreme risk from climate change over the next

30 years', Nepal ranks fourth (Maplecroft 2010). Between 1971 and 2007, more than 50,000 people were reported injured, 3,000 people missing and more than five million people affected by natural disasters in Nepal (UNISDR 2009).

Natural hazards common to Nepal include earthquakes, floods, landslides and dam breaks, debris flow, glacial lake outburst floods (GLOFs), avalanches, fires (forest), drought and storms/hailstorms. The frequency of natural disasters is increasing, and it is anticipated that global climate change will further exacerbate the vulnerability of Nepalese people.

Virtually the entire population of Nepal is at risk of natural hazards and/or the affects of global warming and climate change. However, specific subpopulations can be identified as particularly vulnerable. They suffer significant consequences because they are either vulnerable to reoccurring 'extensive' disasters (regularly occurring localized disasters) that keep people trapped in poverty and food insecurity or to an 'intensive' disaster (irregular large-scale event) with the probable consequence of eroding development gains and creating or significantly deepening poverty. The Climate Change Vulnerability Mapping for Nepal was used to determine the subpopulations (Ministry of Environment 2010).



Three subpopulations were identified as most vulnerable to natural disasters by overlaying regularity (or likelihood) of one or more hazards and heightened vulnerability to hazards. The three subpopulations are:

- populations at risk due to earthquakes
- populations at risk due to flooding, landslides and GLOFs and
- populations at risk due to drought or erratic weather conditions.

Earthquakes are potentially the greatest threat, as most of Nepal lies in a high-risk seismic zone. In case of a high magnitude earthquake, 60 percent of all buildings are likely to be heavily damaged, and school and health infrastructure severely impacted. Up to 900,000 people may become homeless in the Kathmandu valley and 40,000 may lose their life, with another 95,000 injured. In addition to the humanitarian impact, the adverse impact on longer term developmental gains would be momentous and significantly set back progress made over the past few decades.

Floods and landslides occur every year. According to DesInventar, the overall population in Nepal that has been affected by floods between 1971 and 2007 is over 3.5 million (DesInventar 2011). Most people affected (2.4 million) were located in the Central Region and generally in the Tarai, in close proximity to riverbanks and floodplains. Landslides affect sloping areas of the whole country, especially districts in the Hills and Mountains.

Drought and erratic weather conditions are perhaps the most underreported disaster, despite affecting most of the population. Poor marginal subsistence farming households are most at risk, particularly those living in the Mid- and Far Western Hills and Mountains and some districts in the Eastern Tarai. For more than three million poor and food-insecure households, even a mild drought or erratic rainfall can have severe consequences and will impact directly on food availability, accessibility, utilization and stability of food systems (WFP 2010).

As the population grows, an increasing number of people will reside in locations highly vulnerable to natural disasters. In addition, population growth results in a reduction in the average size of landholdings, making marginal subsistence farmers increasingly vulnerable to drought and erratic weather conditions. For instance, over the past five years, overall cereal production has increased by only five percent, whereas the consumption requirement has increased by more than 20 percent (MOAC 2009). If production remains constant and requirements continue increasing, Nepal will become food deficit at the national level even in years of normal harvest.

For households that are regularly impacted by recurrent natural disasters, the cycle can result in a debilitating poverty trap when assets and livelihoods are destroyed or lost. It has been estimated that direct economic damage as a result of natural disasters amounts to US\$ 43.5 million annually (Prevention Web 2011a). For example, the economic loss due to the 1993 floods in the Tarai was estimated to be close to US\$ 55 million, three percent of the average annual budget (MOHA estimates²¹). Further estimates indicate that 1–1.5 percent of GDP is threatened by earthquakes, floods and landslides (Prevention Web 2011b).

The economic impact of natural disasters at the household level is even higher. It is particularly debilitating for poor and unprepared households, who live mostly in rural areas where the average annual income is 30 percent lower than for urban households. However, it can be problematic for all households since the average cost of disaster tends to be almost one half of annual household income (NCVST 2009).

7.4.2 Problem analysis

There are separate sets of immediate and underlying causes of vulnerability related to the three natural disaster subpopulations, with common causes reflected at the end of this section.

Earthquakes: People living in large urban centres are generally most at risk of earthquakes. A major underlying cause of this increased vulnerability is the urbanization process, which leads to concentration of populations in risk-prone cities. Migration and population growth have resulted in haphazard urban development. Further causes to increased risk include poor building construction, lack of adherence to building codes, inadequate technical skills to meet required standards, poor urban planning, weak government capacity to monitor codes and building plans, weak government capacity to respond to disasters and overall a lack of public knowledge about earthquake risk reduction, preparedness and response (MOHA 2009).

Floods, landslides and GLOFs: The immediate causes of vulnerability to floods and landslides include the location of homes and assets in flood- or landslide-prone areas, poor construction of housing and other infrastructure, lack of alternative income sources when crops/assets are destroyed, and lack of early warning. As in the case of vulnerability to earthquakes, poor building construction and haphazard

²¹ Ministry of Home Affairs, pers. comm., 2011.

planning, and weak technical capacity to implement, safeguard and monitor construction methods and use of materials also underpin this risk (MOHA 2009; Pandit *et al.*, 2007). Improper land use is a major underlying cause for increased vulnerabilities to floods and landslides. Deforestation, changes in land-use patterns, quarrying and construction of poorly built irrigation canals are all considered factors that contribute to increased flooding and landslides (MOHA 2009). This in turn links to poor forestry management, weak law enforcement, poor understanding of appropriate environmental practices, and ultimately poverty and hunger as the causes.

Drought and erratic weather conditions: The immediate cause of vulnerability to drought and erratic weather amongst marginal subsistence farmers results from a combination of not being able to produce enough food to meet household needs when crops are impaired and a limited capacity to procure food. The extreme poor in rural areas have access to very limited agricultural land (on average 0.18 ha); the amount of food they can produce generally does not last more than one month a year; their diet is one-sided and mainly consists of rice with dhal; and they spend most of their income on food (78 percent of their total expenditure) (WFP Nepal 2005). Poverty is concentrated in workers/households rooted in the agricultural sector. The share of agricultural poor in total poor is 77.8 percent (WFP Nepal 2005). The underlying causes for weak production are multiple and include small landholdings, lack of inputs and extension services, and lack of access to credit/finance and advanced farming technologies. Furthermore, heavy reliance on water-intensive crop agriculture, but with limited supporting inputs or infrastructure (nearly two fifths of agricultural land is irrigated but only 20 percent of irrigable land has access to year-round water supply), is another cause of heightened drought vulnerability. Poorly integrated food markets and high food prices further exacerbate issues of food access, particularly in Hill and Mountain districts.

Common underlying causes for all those at risk of disasters include a lack of adequate natural disaster management policy and/or implementation of policy, including insufficient community sensitization to the risk of disasters and appropriate measures to avoid, mitigate or respond most appropriately when disasters occur. While a lack of appropriate information dissemination is a common issue, a lack of prioritization of natural disasters and climate change at the national level has resulted in weak policies and/or implementation of relevant policies. This is slowly changing; however, significant gaps remain, particularly in relation to the impact of drought and weather patterns on food security.

Furthermore, there are other non-geographic factors that heighten vulnerability to natural disasters and climate change. Nepal's most discriminated religious, caste and ethnic groups, for example, are generally the most vulnerable members of society when a natural hazard occurs. They have the least land and often live in marginal or flood-prone areas. Socially discriminated groups such as Dalits are also in a weakened position to access public services following natural disasters (IIDS 2008). The impact of natural disasters on genders is found to be unequal in terms of workload, decision-making power, financial status, and roles and responsibilities (Leduc 2008).

7.4.3 Ongoing efforts to build upon

In an effort to shift focus from the traditional relief and response approach to a more proactive and comprehensive approach, and using the Natural Calamity Relief Act 1982 as the main tool, the government designed the National Strategy for Disaster Risk Management in 2009, aligning with the Hyogo Framework of Action. The government's Three-Year Interim Plan 2008/09–2010/11 also considers certain aspects of natural disaster management. In 2009, the government launched the Nepal Risk Reduction Consortium as part of a long-term Disaster Risk Reduction Action Plan with support from various development partners including the UN.

The Ministry of Home Affairs is the apex government organization responsible for disaster management and coordination, with assistance from the police and army. Several other ministries including Local Development, Physical Planning and Works, Environment, and Finance as well as the National Planning Commission have been working on disaster preparedness, management and relief. For example, the

Ministry of Local Development coordinates with DDCs and VDCs on the local development aspects of disaster preparedness and response.

UNDP supported the government to prepare the first National Plan of Action on Disaster Management in 1996 and the National Strategy for Disaster Risk Management in 2008. Many other organizations including the Nepal Red Cross Society have been involved in supporting food-insecure communities and disaster risk management. WFP in partnership with the Ministry of Local Development currently provides the largest social safety net in the country for households affected by drought, erratic weather or other factors that result in food insecurity.

Attention on natural disasters and climate change has increased noticeably in recent years. The National Adaptation Programme of Action has helped raise awareness on climate change, and initiatives conducted by a number of government and development partners have increased response to natural disasters and particularly earthquakes. Many 'quick win' measures including strong advertising campaigns could be undertaken to increase preparation for earthquakes and other natural disasters. Furthermore, by strengthening knowledge management and implementing capacity-building activities, it is possible to collect scientific information and lessons learned on best practices to mitigate the impact of climate change and associated risks.

PART III

8. CONCLUSION

8.1 Wrapping up the analysis

This CA has focused on 20 groups of Nepalis who, over the past decades, and in some cases, over the past centuries, have been left behind by the ongoing development process and progress in Nepal—people for whom there is no level playing field. In so doing, it has attempted to articulate what makes these groups more vulnerable than others, how this manifests itself, and what are some of the causes, both immediate and deeper, for their vulnerability. The individual client profiles included in Part II also capture some of the major initiatives taken to date to address the groups' vulnerabilities that can be built on for the future.

Vulnerability, in the context of this CA, is to be understood as the incapacity, or difficulties, that members of potential client groups face in trying to cope with a wide range of economic, legal, political, social, cultural and environmental challenges in their day-to-day life. Most of these groups experience multiple vulnerabilities to poverty, weak human development, exclusion and weak individual protection.

An attempt has been made to organize the immediate and deeper causes of vulnerability into those related to socio-cultural, economic, institutional and political, and geographic and environmental factors. Each set of causes identified in the causality matrix, and as applied to a specific client group, is important since they all contribute to creating and perpetuating people's vulnerability. However, some broad root causes emerge from the overlaps between different client groups, suggesting that they may have special significance.

Firstly, socio-cultural causes emerged as being consistently applicable to the vulnerability of most client groups. This set of causes can be divided into those that are centred on caste and ethnic discrimination, those related to gender inequality and discrimination, and those concerning individual capacity and confidence. Caste and ethnic discrimination and the associated norms and practices that institutionalize traditional hierarchical systems play crucial roles in affecting the vulnerability of almost all client groups. Gender inequality and gender-based discriminatory practices are another part of the socio-cultural picture, and flow from deeply rooted patriarchal belief systems. In addition to these broader systemic root causes, the vulnerability of most groups is also strongly affected by the individual capacity and confidence of the people within the groups themselves. It is noteworthy that this lack of confidence and weak individual capacity is the result of the very same caste, ethnic and gender discriminatory practices that have institutionalized hierarchies in society, forcing some people to become unsuccessful in obtaining education, awareness on their rights, and the means to express their voice.

Secondly, economic causes appear to be at the centre of determining vulnerability for many client groups. This set of causes focuses on overall economic performance and the lack of growth, structural and distributional issues, and questions of individual human capital. The unavailability of employment and alternative income-generating opportunities is part of the reason why some of the groups remain in a continuous cycle of vulnerability from which they cannot escape. This, combined with an unequal distribution of resources to start with, causes very low resource endowments for most of the client groups, putting them from the start in a highly disadvantaged position. This is further exacerbated by a lack of individual preparation and skills as well as by grinding poverty that prevent individuals from entering a more productive environment and harnessing available opportunities in the market.

Thirdly, institutional and political causes are another set of highly consistent factors in the vulnerability and exclusion of most groups. While the two are related, they are clearly distinct. The overall political framework and environment suggests a lack of interest and commitment at the political and policy level in attempting to address some of the root causes for the vulnerable status of vast portions of the country's population. It also refers to the very low degree of political representation by these groups, which makes

it probable that their voice is not heard. More responsive and inclusive political, and consequently, legislative frameworks would likely decrease the vulnerability of client groups. Institutional frameworks and practices on the other hand focus on how the state conducts its business, including the extent to which systems and institutions are spread out evenly across the country. A lack of institutional capacity refers to the absence of an effective apparatus to address people's vulnerabilities. Particularly noteworthy in the context of Nepal is the overall absence of any social protection system.

Finally, geographic and environmental causes are also applicable to many of the client groups. Geographic causes refer to factors for vulnerability that are centred on people's location, and especially remoteness, together with a lack of rural infrastructure, while environmental causes are linked with access to natural resources, the effects of climate change, and an exposure to the risk of natural disasters.

8.2 Areas of challenge

The causal analysis highlights some of the important challenges facing Nepal with regard to improving the well-being of people from many disadvantaged and marginalized groups. Given the focus on systemic underlying and root causes, many of which are ingrained in the socio-cultural system, most of these challenges are complex, warranting comprehensive policies and robust implementation over a sustained period of time. These areas of challenge are highlighted below to facilitate further steps in the UNDAF process.

8.2.1 *Caste, ethnic and gender discrimination*

Caste, ethnic or gender discrimination are consistently at the core of challenges faced by all client groups. This has resulted in traditional norms and practices that have institutionalized the hierarchical and discriminatory features of Nepal's society through the centuries. While this is increasingly recognized in the rhetoric, acknowledging the need to address it, these forms of discrimination remain at the fore. It is not that the structure, systems or legal provisions are not changing; they are—some even quite significantly. What is at issue, however, is the very 'embeddedness' of this feature in everyday life, thereby constricting social, economic, cultural and political opportunities for the identified client groups. Continuation of patriarchal norms and values and the exploitative character of the socio-cultural system continue to define and redefine social relationships in many ways. These are practiced not only across groups but also within them, making some subgroups such as women, girls, minorities and the disabled particularly vulnerable. Going beyond constitutional and legal frameworks, future interventions could especially target the removal of this discriminatory element from everyday life in order to even out the socio-cultural playing field.

8.2.2 *Human capital and confidence*

This is a significant crosscutting theme, influencing economic, social and political aspects of vulnerability. Human capital is important, with education, skills and awareness of one's rights all required in order to perform well in the labour market as well as in overall society. Skills are needed to actively and meaningfully participate in the labour market. Education and overall awareness are needed to participate in the polity and society, and to understand one's own locus in the overall system of governance and social customs and traditions. They determine how people relate to one another in society and how effectively individuals seek protection from the state if and when their rights are violated. Individual human capital and confidence depend on one's locus in society. Most of the client groups are in a significantly disadvantaged and marginalized position in this regard. However, it is important to intervene in a more systematic way and improve the human capital and confidence of these groups through education, awareness, communication for social change, and other forms of individual empowerment.

8.2.3 *Economic policy and growth*

The problems facing many of the client groups pertain to a lack of employment and other alternative livelihood opportunities. This is a major issue for groups that do not have adequate economic resources of their own, such as land, and are not employed or otherwise engaged in economic activities in a meaningful way. The declining return on agriculture and the stagnating manufacturing sector have caused major discouragement among groups that traditionally depend on agriculture or are looking for grounds to move to urban areas for better opportunities. A diversified and vibrant economy would absorb today's labour force, including youth, people with low human capital and those from rural areas.

8.2.4 *Economic structure and distribution*

The economic structure and distribution of economic resources have long been relatively inequitable in Nepal. While most of this inequity was in land distribution, which is a major source of power and status in the country's agrarian setting, it has further worsened with the advent of the manufacturing and service industries. The client groups identified here have been consistently marginalized in their access to the economic resources that are needed to develop human capital and overall well-being. The growing divide between rich and poor is particularly challenging. The issue of resource distribution and redistribution warrants major initiatives so that the economic marginalization of these groups can be addressed.

8.2.5 *Political framework and environment*

The challenges facing many of the groups centre on the overall political environment. Many of the client groups are unable to garner sufficient attention from political parties and policymakers, thus increasing their vulnerability. The current political system also prevents them from participating in the major political and policy-making processes. The conflict and post-conflict situation have further added to this highly unresponsive political environment. Systematic efforts are needed to help make the political environment more conducive to the needs of client groups, increasing their participation in governance and policy-making.

8.2.6 *Institutional frameworks and practices*

Many of the groups included in this CA face enormous challenges due to discriminatory legal provisions and/or their improper implementation. Some groups are discriminated against outright or are excluded due to existing laws and legal provisions, whereas others are denied proper protection given their group identity. This systematic discrimination or exclusion by the state and state agents increases their vulnerability since they have nowhere to go for justice or to seek the protection they are due as citizens. Initiatives to improve institutional frameworks and practices would help level the individual playing field for many of the disadvantaged groups identified here.

8.2.7 *Institutional capacity*

Even when the state demonstrates a willingness to address the problems facing the many marginalized groups, it lacks the appropriate institutional capacity to effect substantive change. Be it in health, education, landlessness or natural resources, state agencies designated to enforce laws or execute policies and programmes are inefficient or ineffective due to a lack of human and financial resources. The agencies responsible for the administration of landownership, for example, lack the full capacity to maintain proper records of land registration, whereas agencies entrusted to provide literacy lack proper planning and incentive structures to effectively deliver literacy programmes to the needy. Similarly, there is a need to strengthen the capacity of local bodies as the focal point for socially inclusive service provision and for generating public goods for economic development. The biggest and most consistent lack in institutional capacity is the absence of adequate social protection, which all of the client groups need in order for their conditions not to deteriorate on an everyday basis or to help them cope with the unanticipated incidents of life.

8.2.8 *Geographic remoteness*

Remoteness is a problem commonly experienced by client groups. This can be particularly crucial when, as is often the case in most areas of Nepal, these groups lack access to appropriate infrastructure. Without infrastructure, people remain isolated and disconnected from the mainstream economy or society, making it difficult for them to gain access to important services and resources. Nepal's difficult terrain poses a major challenge to people residing in rural areas, especially where infrastructure such as transportation, bridges, healthcare, electricity and communications are either nonexistent or very poor and unreliable. While significant progress has been made on many of these fronts, geographic remoteness constitutes a major challenge necessitating appropriate infrastructural investment.

8.2.9 *Disaster risk management*

Natural disasters make people vulnerable. Many of the groups experience greater vulnerability to natural disasters due to their greater reliance on natural resources as well as their location. Although these natural disasters may not be avoidable, especially in the short run, it is the impact of such disasters that is devastating to these groups that are among the least well prepared. There is a need for planning and preparation for potential natural disasters so that their impacts can be minimized if and when they strike. In addition, appropriate response mechanisms can make the delivery of relief and management efforts more effective and efficient.

BIBLIOGRAPHY

- ADB/ DFID/ILO, 2009. *Country Diagnostic Studies. Nepal: Critical Development Constraints*. Manila: Asian Development Bank.
- ADB, 2010. *Japan Fund for Poverty Reduction in Nepal*. Manila: Asian Development Bank.
<http://www.adb.org/documents/brochures/jfpr-nepal/jfpr-nepal.pdf>
- Adhikari, J. and Gurung, G., 2010. *Foreign Employment, Remittance and its Contribution to the Economy of Nepal*. Kathmandu: International Organization for Migration and Ministry of Labour and Transportation Management.
- Adhikari, R.K., 2010. *Food Utilization Practices, Beliefs, and Taboos in Nepal: An Overview*. Kathmandu: USAID.
- Bassiouni, C., 2000. *The Right to Restitution, Compensation, and Rehabilitation for Victims of Gross Violations of Human Rights and Fundamental Freedoms*. Final Report of the Special Rapporteur. Submitted in accordance with Commission Resolution 1999/33 (E/CN.4/2000/62). New York: United Nations Social and Economic Council.
- Beall, J. and Piron, L.-H., 2005. *DFID Social Exclusion Review*. London: London School of Economics and Political Science, and Overseas Development Institute.
- Bennett, L., 2005. Gender, caste and ethnicity exclusion in Nepal: following the policy process from analysis to action. In: *Report on Conference on New Frontiers of Social Policy: Development in a Globalizing World, Arusha, Tanzania, 12–15 December 2005*. Washington, DC: World Bank.
- Bhadra, C., 2007. *International Labour Migration of Nepalese Women: The Impact of Their Remittances on Poverty Reduction*. Trade Working Paper Series No. 44. (Revised January 2008.) Bangkok: Asia-Pacific Research and Training Network.
- Bhattachan, K.B. and Webster, S., 2006. *Indigenous Peoples, Poverty Reduction and Conflict in Nepal*. Kathmandu: ILO.
- Bishwakarma, R., 2009. *Social Inequities in Child Nutrition in Nepal*. Kathmandu: World Bank Nepal.
- Bonetti, T R., 2002. *Reproductive Morbidity: A Neglected Issue? A Report of a Clinic-based Study held in Far-western Nepal*. Kathmandu: Ministry of Health, GTZ and UNFPA.
- CBS, 1996. *Nepal Living Standards Survey 1995/96 (NLSS I): Statistical Report. Volumes I and II*. Kathmandu: Central Bureau of Statistics.
- CBS, 2003. *Population Monograph of Nepal*. Kathmandu: Central Bureau of Statistics.
- CBS, 2004. *Nepal Living Standards Survey 2003/04 (NLSS II): Statistical Report. Volumes I and II*. Kathmandu: Central Bureau of Statistics.
- CBS, 2005. *Poverty Trends in Nepal (1994/95 and 2003/04)*. Kathmandu: Central Bureau of Statistics.
- CBS, 2006a. *Forms and Patterns of Discrimination in Nepal 2006*. Kathmandu: Central Bureau of Statistics.
- CBS, 2006b. *Resilience Amidst Conflict: An Assessment of Poverty in Nepal, 1995-6 and 2003-4*. Kathmandu: Central Bureau of Statistics.
- CBS, 2009a. *Report on the Nepal Labour Force Survey 2008*. Kathmandu: Central Bureau of Statistics.
- CBS, 2009b. *Statistical Yearbook of Nepal 2009*. Kathmandu: Central Bureau of Statistics.

- CBS, 2011. *Nepal Living Standards Survey 2010/11 (NLSS III): Statistical Report. Volumes I and II*. Kathmandu: Central Bureau of Statistics.
- CBS, 2012a. *Poverty in Nepal, 2010/11: Findings from Nepal Living Standards Survey 2010/11 (NLSS III)*. Kathmandu: Central Bureau of Statistics.
- CBS, 2012b. *Nepal Multiple Indicator Cluster Survey 2010, Mid- and Far-West Regions, Final Report*. Kathmandu: Central Bureau of Statistics and UNICEF Nepal.
- CBS, 2012c. *National Population and Housing Census 2011, Volume I*. Kathmandu: Central Bureau of Statistics.
- CIUD, 2005. *Study on Stand Post and Water Accessibility of Slums and Squatters of Kathmandu Valley*. Kathmandu: Centre for Integrated Urban Development. (Unpublished.)
- Council of the European Union, 2004. *Joint Report by the Commission and the Council on Social Inclusion*. SOC115/ECOFIN 80/EDUC 46/SAN 49. Brussels: Council of the European Union.
- CREHPA, 2010. *The Silent Scourge: Sexual Violence within Marriage in Nepal*. Kathmandu: Centre for Research on Environment, Health and Population Activities.
- CWIN, 2003. *State of the Rights of the Child in Nepal 2004*. Kathmandu: CWIN.
- CWIN, 2008. *State of the Rights of the Child in Nepal 2008*. Kathmandu: CWIN.
- CWIN, 2009. *The Girl Child of Nepal*. Kathmandu: CWIN.
- de Haan, A. and Maxwell, S., 1998. Poverty and social exclusion in North and South. *IDS Bulletin*, 29(1), 1–9.
- DesInventar, 2011. *Disaster Inventory System Databases*. Cali, Colombia: Disaster Inventory Management System. <http://online.desinventar.org>
- DFID/World Bank, 2006. *Unequal Citizens: Gender, Caste and Ethnic Exclusion in Nepal: A Summary*. Kathmandu: UK Department for International Development and the World Bank.
- DOE, 2010. *Flash I Report 2068 (2011/12)*. Kathmandu: Department of Education, Ministry of Education.
- DOHS, 2012. *Annual Report 2010/11*. Kathmandu: Department of Health Services.
- FAO/WFP, 2007. *Special Report: FAO/WFP Food Security Assessment Mission to Nepal*. Kathmandu: Food and Agriculture Organization.
- FHD, 2009. *Nepal Maternal Mortality and Morbidity Study 2008/09. Summary of Preliminary Findings*. Kathmandu: Family Health Division, USAID, DFID and Support to Safe Motherhood Programme.
- FHI, 2005. *AIDS Epidemic Update*. Kathmandu: Family Health International.
- Full Bright Consultancy, 2009. *Final Report: A Study on the Identification of Out-of-School Children and Possible Measures for Bringing Them into Formal and Non-formal Education System*. Kathmandu: Department of Education, Ministry of Education.
- Gallagher, C.M., 1987. *An Overview of Life in a Gurung Village in Gorkha District*. (Unpublished.)
- Gurung, G. and Adhikari, J., 2004. The prospects and problems of foreign labour migration. In: Ahn, P.-S. (ed.), *Migrant Workers and Human Rights: Out-Migration from South Asia*. pp. 100–130. New Delhi: IOM, Subregional Office for South Asia.
- Gurung, L., 2008. *Status of Slum-Dwelling Women: A Case Study of Pokhara Valley*. Kathmandu: Social Inclusion Research Fund. (Unpublished.)

- HKI, 2010. *Urban Nutrition Bulletin Nepal*. Kathmandu: Helen Keller International Nepal.
- ICIMOD, 2011. *Glacial Lakes and Glacial Lake Outburst Floods in Nepal*. Kathmandu: International Centre for Integrated Mountain Development.
- ICRC, 2008. *Missing Persons in Nepal*. Kathmandu: International Committee of the Red Cross.
- ICRC, 2009. *Families of Missing Persons in Nepal. A Study of Their Needs*. Kathmandu: International Committee of the Red Cross.
- IIDS, 2008. *Caste-based Discrimination in South Asia: A Case Study of Nepal*. New Delhi: Indian Institute of Dalit Studies.
- ILO, 2003. *Baseline Survey on Child Domestic Workers, Nepal, 2003 (dataset)*. Kathmandu: International Programme on the Elimination of Child Labour (IPEC), ILO.
- ILO, 2010. *Study on Forced Labour in Nepal*. Kathmandu: ILO.
- INSEC, 2010. *Where are they?* Kathmandu: Informal Sector Service Centre.
<http://www.inseconline.org/pics/1292493203.pdf>
- Institute of Medicine/UNFPA, 2006. *Status of Reproductive Morbidities in Nepal*. Kathmandu: Institute of Medicine and UNFPA.
- Intensive Study and Research Centre, 2008. *District Profile of Nepal 2007/08*. Kathmandu: Intensive Study and Research Centre.
- Intensive Study and Research Centre, 2010. *District and VDC Profile of Nepal 2010: A Socio-Economic Database of Nepal*. Kathmandu: Intensive Study and Research Centre.
- IOM, 2004. *International Migration Law: Glossary on Migration*. Geneva: International Organization for Migration.
- Jhpiego, 2008. *Nepal Cervical Cancer Prevention Situation Analysis*. Kathmandu: Jhpiego.
- JICA, 2002. *Study on Earthquake Disaster Mitigation in the Kathmandu Valley, Kingdom of Nepal*. Kathmandu: Japanese International Cooperation Agency.
- Kabeer, N., 2010. *Can the MDGs Provide a Pathway to Social Justice? The Challenge of Intersecting Inequalities*. New York: Institute of Development Studies and MDG Achievement Fund.
<http://www.ids.ac.uk/files/dmfile/MDGreportwebsiteu2WC.pdf>
- Karki, A.K., 2002. Movement from below: land rights movements in Nepal. *Inter-Asia Cultural Studies*, 3(2), 201–217.
- KC, B.K., Subedi, G., Gurung, Y.B. and Adhikari, K.P., 2001. *Nepal, Trafficking in Girls with Special Reference to Prostitution: A Rapid Assessment*. Geneva: International Programme on the Elimination of Child Labour (IPEC), ILO.
- Kollmair, M., Manandhar, S., Subedi, B. and Thieme, S., 2006. New figures for old stories: migration and remittances in Nepal. *Migration Letters*, 3(2), 151–160.
- Leduc, B., 2008. *Case Study: Gender and Climate Change in the Hindu Kush Himalayas of Nepal*. Kathmandu: International Centre for Integrated Mountain Development.
- Lumanti, 2008. *Status of Squatter Communities along Bagmati River and its Tributaries in Kathmandu Valley*. Kathmandu: Lumanti Support Group for Shelter.
- Lumanti, 2010. *Squatter Communities in Municipalities of Nepal*. Report prepared by Innovative Solutions Pvt. Ltd, Kathmandu. (Unpublished.)

- Maplecroft, 2010. *The Climate Change Vulnerability Index*. Bath, UK: Maplecroft.
<http://www.maplecroft.com/>
- Ministry of Environment, 2010. *Climate Change Vulnerability Mapping for Nepal*. Kathmandu: Ministry of Environment.
- MOAC, 2009. *Agriculture Year Book 2009*. Kathmandu: Ministry of Agriculture and Cooperatives.
- MOE, 2010. *Education Information: A Glimpse*. Kathmandu: Ministry of Education.
- MOES, 2003. *Education for All National Plan of Action (EFA NPA) 2001–2015*. Kathmandu: Ministry of Education and Sports.
- MOES, 2009. *School Sector Reform Plan 2009–2015*. Kathmandu: Ministry of Education and Sports.
- MOF, 2010. *Economic Survey 2009/10*. Kathmandu: Ministry of Finance.
- MOHA, 2009. *Nepal Disaster Report 2009 and Hazardscape and Vulnerability 2009*. Kathmandu: Ministry of Home Affairs.
- MOHP, New ERA and Macro International, 2007. *Nepal Demographic and Health Survey 2006*. Kathmandu: Ministry of Health and Population, New Era and Macro International,.
- MOHP, New ERA, ICF Macro and USAID, 2012. *Nepal Demographic and Health Survey 2011*. Kathmandu, Nepal: Ministry of Health and Population, New ERA, and ICF International, Calverton, Maryland.
- MOLRM, 2010. Unpublished document.
- MOLRM, 2011. *Vision Paper of Ministry of Land Reform and Management*. Kathmandu: Ministry of Land Reform and Management.
- MWCSW, 2006. *Annual Report of Women's Development Department*. Kathmandu: MWCSW.
- NCASC, 2007. *National HIV & AIDS Strategy 2006–2011*. Kathmandu: National Centre for AIDS and STD Control.
- NCASC, 2009. *National Estimates of HIV Infections 2009*. Kathmandu: National Centre for AIDS and STD Control.
- NCASC 2010. *Factsheet No. 1: HIV Epidemic Update of Nepal as of August 2010*. Kathmandu: National Centre for AIDS and STD Control.
- NCASC/FHI/New ERA/SACTS, 2008. *Integrated Biological and Behavioural Surveillance Survey among Male Labour Migrants in 11 Districts in Western and Mid-Far Western Regions of Nepal – Round II – 2008*. Kathmandu: National Centre for AIDS and STD Control.
- NCASC/UNICEF, 2011. *Size Estimation of Children Affected by AIDS*. Kathmandu: National Centre for AIDS and STD Control. (Unpublished.)
- NCVST, 2009. *Vulnerability through the Eyes of the Vulnerable*. Kathmandu: Nepal Climate Vulnerability Study Team.
- NDC, 2005. *Report on Citizenship and Land Ownership Status of Dalit Community in Nepal*. Kathmandu: National Dalit Commission.
- NFHP II and New ERA, 2010. *Family Planning, Maternal, Newborn and Child Health Situation in Rural Nepal: A Mid-term Survey for NFHP II*. Kathmandu: Nepal Family Health Programme II and New ERA.
- NFDIN, 2002. *Profiles of Endangered Indigenous Populations*. Kathmandu: National Foundation for Development of Indigenous Nationalities.

- Nickel, J., 2010. Human rights. In: Zalta, E.N. (ed.), *The Stanford Encyclopedia of Philosophy*. Fall 2010 edition. Palo Alto, US: Stanford University. <http://plato.stanford.edu/archives/fall2010/entries/rights-human/>
- NIDS/SDC, 2010. *Migration for Foreign Employment. A Baseline Survey: Khotang, Okhaldhunga, and Ramechhap*. Kathmandu: National Institute of Development Studies and Swiss Development Cooperation.
- NIDS/UNIFEM, 2006. *Nepali Women and Foreign Labour Migration*. Kathmandu: National Institute of Development Studies and United Nations International Development Fund for Women.
- NPC, 2010. *Poverty Measurement Practices and Number of Poor*. Kathmandu: National Planning Commission.
- NPC/UNCT Nepal, 2010. *Nepal Millennium Development Goals: Progress Report 2010*. Kathmandu: UNDP.
- NPC/UNICEF/New ERA, 2010. *Child Poverty and Disparities in Nepal: Towards Escaping the Cycle of Poverty*. Kathmandu: National Planning Commission, UNICEF and New ERA.
- NSET, 2008. *National Strategy for Disaster Risk Reduction Strategy for Nepal*. Kathmandu: National Society for Earthquake Technology.
- Nussbaum, M., 2006. Poverty and human functioning: capability as fundamental entitlements. In: Grusky, D. and Kanbur, R. (eds), *Poverty and Inequality*. Stanford, USA: Stanford University Press. pp. 103–116.
- Nussbaum, M. and Sen, A.K. (eds), 1993. *The Quality of Life*. Helsinki: United Nations University.
- OPHI, 2011. *Country Briefing: Nepal. Multidimensional Poverty Index (MPI) At a Glance*. Oxford: Oxford Poverty and Human Development Initiative (OPHI). <http://www.ophi.org.uk/wp-content/uploads/Nepal-OPHI-CountryBrief-2011.pdf?cda6c1>
- Pandit, B.H., Wagley, M.P., Neupane, R.P. and Adhikary, B.R., 2007. Watershed management and livelihoods: lessons from Nepal. *Journal of Forest and Livelihood*, 6(2), 67–75.
- Panthi, M.R., 2004. The disability situation in Nepal. *Disability World*, Issue no. 24, June–August 2004. http://www.disabilityworld.org/06-08_04/gov/nepal.shtml
- Poudel, P. and Carryer, J., 2000. Girl trafficking, HIV/AIDS and the position of women in Nepal. *Gender and Development*, 8(2), 74–79.
- Pradhan, P.K., Bhattachan, K., Gurung, O., Mabuhang, B.K., Gurung, Y.B. and Joshi, P.L., 2006. *Final Report on Baseline Survey of HMGs submitted to Janjati Empowerment Project*. Kathmandu: Nepal Federation of Indigenous Nationalities.
- Prevention Web, 2011a. *Nepal: Disaster Statistics*. Geneva: UN International Strategy for Disaster Reduction. <http://preventionweb.net/english/countries/statistics/?cid=121>
- Prevention Web, 2011b. *Nepal: Risk Profile*. Geneva: UN International Strategy for Disaster Reduction. <http://www.preventionweb.net/english/countries/statistics/risk.php?cid=121>
- Ravallion, M. and Chen, S., 1997. What can new survey data tell us about recent changes in distribution and poverty? *World Bank Economic Review*, 11(2), 357–82.
- SAARC, 2006. *SAARC Regional Poverty Profile 2005: Poverty Reduction in South Asia through Productive Employment*. Kathmandu: SAARC Secretariat.
- Security and Justice Coordination Group, 2010. *Initiative for Peace Building*. Gender and Security Discussion Paper. Kathmandu: International Alert. (Unpublished.)

- Seddon, D., Adhikari, J., and Gurung, G., 2002. Foreign labour migration and the remittance economy of Nepal. *Critical Asian Studies*, 34(1), 19–40.
- Seddon, D., Gurung, G. and Adhikari, J., 1998. Foreign labour migration and the remittance economy of Nepal. *Himalayan Research Bulletin*, XVIII(2), 3–10.
- Sen, A.K., 1987. *Commodities and Capabilities*. Hennisman Lecture, University of Amsterdam, 1982. New Delhi: Oxford University Press.
- Sen, A.K., 1992. *Inequality Reexamined*. Cambridge, USA: Harvard University Press.
- Sen, A.K., 1999. *Development as Freedom*. New York: Alfred A. Knoff.
- Shakti Samuha, 2008. *National Conference of Trafficking Survivors of Nepal. Conference Report*. Kathmandu: Shakti Samuha.
- Sharma, K., Chhetri, G. and Rana, S., 1994. *A Modest Study of the Current Socio-economic Situation of the Lowest Status Caste and Tribal Communities in Nepal*. Kathmandu: Save the Children US.
- Sharma, S., Thakurathi, M., Devkota, B., and Rimal, B., 2001. *Nepal, Situation of Domestic Child Labourers in Kathmandu: A Rapid Assessment*. Geneva: International Programme on Elimination of Child Labour, International Labour Organization.
- Shtri Shakti, 2011. *Revisiting the Status of Women in Nepal 1981–2010*. Kathmandu: Shtri Shakti.
- Siddique, M., 2001. Muslim population in the Kingdom of Nepal: some outstanding features. *Journal of Muslim Minority Affairs*, 21(2), 333.
- Sigdel, U., 2008. *Research Brief: Citizenship Problems of Madhesi Dalits*. Kathmandu: Social Inclusion Research Fund.
- Sijapati, B., 2010. *Public Discourse and Action to Address Muslim Exclusion. Background Paper for the Gender and Social Exclusion Assessment*. Kathmandu: World Bank and DFID.
- Silverman, J., Decker, M., Gupta, J., Maheshwari, A., Willis, B., and Raj, A., 2007. HIV prevalence and predictors of infection in sex-trafficked Nepalese girls and women. *Journal of American Medical Association*, 298(5), 536–542.
- Social Inclusion Research Fund, 2008. *Research Brief: Citizenship Problems of Madhesi Dalits*. Kathmandu: Social Inclusion Research Fund.
- Suvedi, B.K., Pradhan, A., Barnett, S., Puri, M., Chitrakar, S.R., Poudel, P., Sharma, S. and Hulton, L., 2009. *Nepal Maternal Mortality and Morbidity Study 2008/09: Summary of Preliminary Findings*. Kathmandu: Family Health Division.
- Tamang, L.R. and Subba, C., 2008. *Affirmative Action for Nepal: Changes and Challenges*. (Unpublished.)
- TEAM Consult, 1999. *Conditions of Dalits (Untouchables) in Nepal: Assessment of the Impact of Various Development Interventions*. Report submitted to UNDP. (Unpublished.)
- UN, 1948. *Universal Declaration of Human Rights*. New York: UN General Assembly. <http://www.un.org/en/documents/udhr/>
- UN, 2005. *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*. A/RES/60/147 (16 December 2005). New York: UN General Assembly.
- UN, 2007. *From Exclusion to Equality: Realizing the Rights of Persons with Disabilities*. Geneva: UN Department of Economic and Social Affairs, OHCHR and Inter-Parliamentary Union.

- UNDP, 1990. *Human Development Report 1990*. New York: Oxford University Press.
- UNDP, 1997. *Human Development Report 1997*. New York: Oxford University Press.
- UNDP, 2004. *Human Development Report 2004*. New York: Oxford University Press.
- UNDP, 2010. *Human Development Report 2010*. New York: UNDP.
- UNDP, 2011. *Beyond Transition: Towards Inclusive Societies. Regional Human Development Report*. Bratislava: UNDP.
- UNDP Nepal, 2005. *Nepal Millennium Development Goals: Progress Report 2005*. Kathmandu: UNDP.
- UNDP Nepal, 2009a. *Nepal Human Development Report 2009*. Kathmandu: UNDP.
- UNDP Nepal, 2009b. *Communication for Empowerment in Nepal: An Assessment of Communication and Media Needs Among Indigenous Peoples*. Kathmandu: UNDP.
- UNDP/BCPR, 2004. *Reducing Disaster Risk: A Challenge for Development A Global Report*. New York: UNDP and Bureau for Crisis Prevention and Recovery.
- UNESCO, 2007. *Experts' Consultation on the Operational Definition of Basic Education*. Paris: UNESCO.
- UNESCO, 2008. *Education for All Global Monitoring Report 2008: Education for All 2015: Will We Make It?* Paris: UNESCO.
- UNESCO, 2011. *Education for All Global Monitoring Report 2011: The Hidden Crisis: Armed Conflict and Education*. Paris: UNESCO.
- UNFPA, 2007. *Household Survey of Focused VDCs*. Population and Reproductive Health Project. Kathmandu: UNFPA. (Unpublished.)
- UNFPA, 2008. *Situational Analysis of Gender-Based Violence in Surkhet and Dang Districts, Nepal*. Kathmandu: UNFPA.
- UNFPA/DFID, 2011. *A Review of the Evidence: Suicide among Women in Nepal*. Kathmandu: UNFPA and DFID.
- UNFPA/HURDEC, 2007. *Priority Areas for Addressing Sexual and Gender-Based Violence in Nepal*. Kathmandu: UNFPA and Human Resource Development Centre.
- UN-HABITAT, 2006. *Background Paper for First Asia-Pacific Ministerial Conference on Housing and Shelter Problems, New Delhi*. Nairobi: UN-HABITAT.
<http://www.unhabitat.org/content.asp?cid=3969&catid=517&typeid=24&subMenuId=0>
- UN-HABITAT. 2011. *Nepal Urban Housing Sector Profile Study*. Nairobi: UN-HABITAT.
- UN Human Rights Council, 2011. *Draft Report of the Working Group on the Universal Periodic Review, Nepal*. New York: UN Human Rights Council. A/HRC/WG.6/10/L.3, 106.1, 106.21, 107.12.
- UNICEF/CWIN, 2006. *No More Suffering: Child Sexual Abuse in Nepal: Children's Perspectives*. Kathmandu: UNICEF and CWIN.
- UNIFEM/People Forum, 2007. *Effectiveness of Laws and Law Enforcements Mechanisms for Safe Foreign Labour Migration of Women*. Kathmandu: United Nations International Development Fund for Women and People Forum.
- UNISDR, 2009. *Nepal Country Report: Global Assessment of Risk: ISDR Global Assessment Report on Poverty and Disaster Risk*. Geneva: UN International Strategy for Disaster Reduction.

- UNSD, 2007. *Slum Population in Urban Areas*. New York: UN Statistics Division.
<http://www.indexmundi.com/nepal/slum-population-in-urban-areas.html>
- US Army and NSET, 1998. *Report from the Nepal Earthquake Assessment Team*. Kathmandu: US Army and National Society for Earthquake Technology.
- US State Department, 2009a. *Trafficking in Persons Report 2009*. Washington, DC: US State Department.
- US State Department, 2009b. *International Religious Freedom Report 2009*. Washington, DC: Bureau of Democracy, Human Rights and Labor, US Department of State.
- US State Department, 2010. *International Religious Freedom Report 2010*. Washington, DC: Bureau of Democracy, Human Rights and Labor, US Department of State.
- US State Department, 2011. *Country Reports on Human Rights Practices – Nepal*.
<http://www.unhcr.org/refworld/docid/4da56da19b.html>. 8 April 2011.
- Wagle, U., 2002. Rethinking poverty: definition and measurement. *International Social Science Journal*, 54(171), 155–65.
- Wagle, U., 2005. Multidimensional poverty measurement with economic well-being, capability, and social inclusion: a case from Kathmandu, Nepal. *Journal of Human Development and Capabilities*, 6(3), 301–28.
- Wagle, U., 2008. *Multidimensional Poverty Measurement: Concepts and Applications*. New York: Springer.
- Wagle, U., 2010a. Economic inequality in the democratic Nepal: dimensions and political implications. *Journal of International Development*, 22(5), 573–590.
- Wagle, U., 2010b. Income and wealth inequality in Nepal, 1996 and 2004: changes and socio-demographic, spatial, and economic determinants. *Journal of Contemporary Asia*, 40(1), 82–104.
- WFP, 2007. Study finds child hunger costs Central America billions of dollars every year. WFP.
<http://www.wfp.org/node/357>
- WFP Nepal, 2005. *Comprehensive Food Security and Vulnerability Analysis*. Kathmandu: WFP Nepal.
- WFP Nepal, 2009. *Sub-Regional Hunger Index for Nepal*. Nepal Food Security Monitoring and Analysis System (NeKSAP). Kathmandu: WFP Nepal.
- WFP Nepal, 2011. *Food Security Bulletin, Issue 32*. Nepal Food Security Monitoring and Analysis System (NeKSAP). Kathmandu: WFP.
- WFP/NDRI, 2008. *Passage to India, Migration as a Coping Strategy in Times of Crisis in Nepal*. Kathmandu: WFP and National Development Research Institute.
- WHO, 2007. *Adolescent Health: Fact Sheet*. Kathmandu: WHO.
- WHO, 2009. *Perspectives on Sexual Violence during Early Years of Marriage in Nepal: Findings from a Qualitative Study*. Kathmandu: WHO.
- WHO, 2011. *World Report on Disability, 2011*. Geneva: WHO.
- WHO/UNFPA/UNICEF. 1989. *The Reproductive Health of Adolescent Strategy for Action*. Geneva: WHO.
- Women for Human Rights and ActionAid Nepal, 2005. *Problems and Challenges of Single Women (Widows) in Nepal*. Kathmandu: Women for Human Rights and ActionAid Nepal.

- WOREC Nepal, 2010. *Anweshi: Status and Dimensions of Violence against Women, Reality Revealed*. Kathmandu: Women's Rehabilitation Centre Nepal.
- World Bank, 2006. *Repositioning Nutrition as Central to Development: A Strategy for Large-Scale Action*. Washington, DC: World Bank.
- World Bank, 2009. Supplementing nutrition in the early years: the role of early childhood stimulation to maximize nutritional inputs. *Children and Youth Development Notes*, 3(1), 1–4.
- World Bank, 2011a. *World Development Indicators Online*. Washington, DC: World Bank
- World Bank, 2011b. *World Development Report 2011*. Washington, DC: World Bank.
- World Bank Nepal, 2002. *Country Profile of Disabilities on Kingdom of Nepal*. Kathmandu: World Bank Nepal.
- World Bank Nepal, 2009. *Nepal Migration Survey 2009*. Kathmandu: World Bank Nepal.
- World Bank Nepal, 2010. *Social Protection Mapping of Nepal*. Kathmandu: World Bank Nepal. (Unpublished.)

Annex 1
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Dharma Swarnakar	UNDP	Dalits
Dr. Suraj Man Singh	WHO	Persons with disabilities
Shiva Bhushal	UNICEF	Children without basic education (5–14 years)
Sophiya Upreti	WFP	Undernourished children (under-fives)
Nita Neupane	ILO	Under- and unemployed youth (15–29 years)
Jitendra Bohora	IOM	Migrant workers and their families
Mandip Rai	FAO	Rural landless and land-poor
Saloman Rajbanshi	ILO	Bonded and forced labourers
Padma Sunder Joshi	UNHABITAT	Urban slum dwellers and squatters
Laura Schweizer	OHCHR	Conflict-affected people
Pankaja Bhattarai	UNHCR	People at risk of statelessness
Taparaj Pant	UNESCO	Illiterates
Christina Hobbs	WFP	People from areas vulnerable to climate change and natural disasters
UNDAF Technical Working Group	People from lowest-performing districts	
UNDAF Technical Working Group		
Shengjie Li	Country Director	ILO
Caroline Vandenaabeele	Head of RCHCO and Strategic Planning Adviser	RCHCO
Rekha Shrestha	Coordination Officer	
Sini Tuuila-Numminen	Coordination Officer	
Diana Hinova	Intern	
Jolanda Hogenkamp	Senior Programme Officer	WFP
Heather Bryant	Chief, Strategic Planning and Effective Development Unit	UNDP
Ninnama Rai	M&E Analyst	
Misaki Ueda	Chief, Strategic Planning and Monitoring Unit	UNICEF
Jitendra Bohara	Programme Officer	IOM
Yamun Yadav	Programme Officer	UNWOMEN