

Report Launch: The Missing Piece of the Puzzle: Caste Discrimination and the Conflict in Nepal

August 11, 2005

1.45 p.m. – 3 p.m., Palais des Nations, Geneva, Switzerland

On August 11, 2005 the Center for Human Rights and Global Justice (CHRGJ), in co-operation with the International Dalit Solidarity Network (IDSN) and Anti-Slavery International, hosted the launch of the CHRGJ's 65-page report, entitled *The Missing Piece of the Puzzle: Caste Discrimination and the Conflict in Nepal*. The report was launched with the assistance of U.N. Committee on the Elimination of Racial Discrimination (CERD) Member, Morten Kjaerum; U.N. Sub-Commission for the Promotion and Protection of Human Rights (Sub-Commission) Special Rapporteurs on Work and Descent Based Discrimination, Chin Sung Chung and Yozo Yokota; and a Dalit human rights defender.

The event commenced with a presentation of the report by Smita Narula, Executive Director, CHRGJ. This was followed by comments from the other panelists and a question and answer session with the audience. Rikke Nohrlind, IDSN Coordinator, chaired the event.

The presentations of Narula and the Dalit human rights defender focused on the **role of caste discrimination in the conflict in Nepal**. Caste discrimination is both a root cause and a consequence of the conflict. Maoist insurgents have recruited Dalits through a platform of promoting caste equality. More recently, Dalits have been targeted by both sides to the conflict, for example through pressure on Dalits to provide houses and children to Maoist forces; occupation of Dalit schools by Government forces; use of Dalit labor in both forces; and increased sexual harassment of Dalit women. Narula also drew attention to the Government's resort to the "war on terrorism" to introduce draconian counter-terrorism legislation that has enabled the security forces to preventively detain suspected "terrorists" for months at a time. These policies have also led to a rise in extrajudicial executions, forced "disappearances" and incidents of torture. The Dalit human rights defender characterized the situation of Dalits as being one of double pressure in which the Maoists demand support and money, and the Government treats them with suspicion.

Discussion in response to these presentations focused on: difficulties in implementation of laws to address caste; lack of progress of a new bill on Dalits due to the lack of a functioning parliament; the conflict and trafficking; targeting of all schools by Maoists; the extent to which health centers have been targeted; the socio-economic roots of the conflict; and the multiple forms of discrimination faced by Dalit women, which can be considered in context of CERD *General Recommendation No. 25: Gender related dimensions of racial discrimination* (2000).

Yokota moved beyond the specifics of caste and Nepal's conflict to raise a question about the **general relationship between conflict and caste based discrimination**. Kjaerum reiterated the importance of this question and the wider implications of the report in this regard. Narula addressed this question by drawing on comparative examples in India and Sri Lanka.

Another predominant issue was the **response of the international community, including the U.N.** to the conflict. The Sub-Commission members indicated that Nepal falls under the current study which they are preparing and outlined steps in conducting this study. Kjaerum discussed concrete ways in which the report can be used in U.N. mechanisms. He identified CERD's urgent action and follow-up procedures as potential avenues and indicated that he has already commenced work on the latter in light of CERD's Concluding Observations on Nepal in 2004. A representative from Pax Romana identified the need for non-governmental organizations (NGOs) to track the practical implementation of norms such as CERD *General Recommendation No. 25* and the role of special rapporteurs in identifying obstacles to implementation of particular norms. In response to a question from the Office of the High Commissioner for Human Rights (OHCHR), the Dalit human rights defender reported that Dalit women NGOs had been active in interacting with the OHCHR in Nepal.

The event concluded with Nohrlind stressing the importance of the report being used by all agencies to address the underlying causes and manifestations of the conflict.