

Annual Report-2008

National Indigenous Women's Federation

1.Introduction

National Indigenous Women's Federation (NIWF) with the support of DanidaHUGOU, has been implementing the Empowerment and Inclusion of Janajati Women (EIJW) Project to enhance the social inclusion of Janajati women in the national mainstream through capacity building and organizational development. The project also supports launching of the advocacy activities of NIWF at the central and local level to mainstream indigenous women in the process of inclusive democracy and restructuring of the nation. The project has been implementing its activities in the national-level and in the district-level (Bardiya, Bhojpur, Dhankuta, Dolpa, Palpa, Rammechaap, Rasuwa, Rupandehi, Morang and Nawalparasi.) as per the MOU entered between DanidaHUGOU and NIWF on 2006.

This Annual report was prepared with the support and involvement of NIWF-Executive Committee and Project Staff. The purpose of annual progress report is to report and inform the funding agency, DanidaHUGOU on the status of the project activities, the performance of the project in terms of its outputs, the status of the activities. The user of this annual progress report will be DanidaHUGOU, Government line agencies, development agencies, NIWF, NFDIN, NEFIN, Indigenous Peoples Organization (IPO's) and project stake holders primary and secondary.

The project successfully managed and implemented the national and district level organizational development and advocacy activities as targeted in the approved work plan for the period (1st Jan. 31st-31st December, 2008). The total budget for the period was NPR, NRs. 5,653,691.00 in which NRs. 5,160,964.00 is expenditure, that is 96.40 % utilization of the approved budget. In the national-level NIWF conducted lobby and advocacy with the various political parties for the guaranteed representation of Adivasi Janajati Women in the CA. and also launched various OD activities of its member organizations. In the CA election 207 (34.44 %) Indigenous Peoples were elected to the Constituent Assembly out of which (11.64 %) are indigenous women. In the district-level the advocacy and empowerment activities organized by the alliances/networks with the support of NIWF coordination councils benefited nearly 3000 indigenous women and reached 21 VDC's of the 10 program districts.

The Annual Report gives the scenario of indigenous women's status in Nepal ; the role played by the project to support the issues and problems of indigenous of Nepal to be heard. Huge opportunities and challenges lies ahead of NIWF. This report will guide NIWF to strengthen the indigenous women's organization and pressurize government to recognize indigenous women's rights in Nepal through positive discrimination. The project report will

support development agencies and government line agencies to make policy, plan and programs for indigenous women in Nepal.

In the present context, NIWF has ample role to play to strengthen indigenous women's organizations and to pressurize the state to recognize indigenous women's identity and to ensure their rights in the new constitution. It needs to do extensive advocacy, lobbying and networking with the Adivasi Janajati women constituent assembly (AJWCA) members, Indigenous peoples organizations, Madhesi, Dalit and mainstream women organizations for the social inclusion of indigenous women. Though, the representation of indigenous woman (11.64%) in the CA gives an optimistic picture. All things rests ultimately on the capacity of the Adivasi Janajati women (AJW) constituent assembly members to influence the decision-making process within the political parties and the political will of the decision-making process.

Major Achievements during the year

- NIWF continuously pressurized the political parties and did extensive lobby, advocacy and orientation workshops at the central and local level for the guaranteed representation of Indigenous women CA in the constituent assembly. It is an encouraging that 207 Indigenous CA have been elected to the Constituent Assembly and within the 207 Janajati CA's 70 are indigenous women. Indigenous women CA members represent various categories of Janajati groups such as Endangered (Lepcha), Highly Marginalized (Baramu, Chepang and Danuwar), Marginalized (Sunuwar, Tharu, Tamang, Bhujel, Kumal, Rajbanshi, Mugal and Dura), Disadvantaged (Gurung, Magar, Rai, Limbu, Sherpa, Yakkha and Jirel), Advanced (Newar and Thakali).
- NIWF has gained a positive response from civil society, donor agencies and government line agencies. NIWF also developed its Five year's Strategic Plan. The Strategic Plan articulates NIWF's long-term vision, long-term, mid-term goals and objectives and the medium to get there. The strategic plan which is still under draft form and undergoing continuous revisions and modifications is being developed in two parts. The first part is the Strategic Plan and the second part is the Operational Plan.
- For the wider dissemination of NIWF's goals, objectives, approaches, activities and programs NIWF's web-site was updated. Now information about NIWF and indigenous women's movement is easily accessible. Likewise, the brochures of NIWF and the member organizations were published for dissemination of the objectives, mission and activities of the organizations for raising awareness and provide information among indigenous and non-indigenous women.
- NIWF was the one of the local host for the "Asia Preparatory Meeting of the Indigenous Peoples –Permanent Forum on Indigenous Issues and UN Mechanisms", held at Hotel Goodwill Kathmandu, Nepal.

- NIWF got the membership of Asian Indigenous Peoples Pact (AIPP), Chiangmai, Thailand. This gave NIWF voting rights during the General Assembly of AIPP.

Output

- The advocacy and the empowerment activities benefited nearly 3000 women of the 10 program districts. These activities also reached 21 VDC's in the 10 districts. VDC's like Peuli, Bokhim, Keouraeepani, Mulpani and Tungeecha of Bhojpur, Pathari and Belbari of Morang, Rajapur of Bardiya, Shatara VDC of Dolpa, Kolhuwa, Rajahar and Pithauli of Nawalparasi, Rudrapur, Makrahar, Saaljhandi, Devdahaa, Karahiyaa, Gangooliya, Siddharthanagar, Shankernagar, Parauha and Shadsari of Rupandehi.
- The NIWF-Coordination Council of Bhojpur and Morang were able to obtain NPR.50,000 and NPR.10,000 respectively from the District Development Committee (DDC) of their districts .
- The alliances and network have provided a platform for the Adivasi Janajati women to raise issues at the district and village level. The alliances with the support of the NIWF-DCC organized lobby and advocacy activities to press the local authorities for the access of indigenous women to the budgets available in the DDC, VDC, and Women Development Program. The CDO and LDO have responded positively to the initiatives of NIWF-DCC. Lastly, the NIWF-DCC members are regularly called in the district-level meeting of Adivasi Janajati Coordination Committee.
- The Local Development Officer of **Nawalparasi** committed to include NIWF- DCC in the forthcoming District Council meeting and secondly, to include NIWF as a member organization in the District Coordination Council of the DDC. The VDC secretaries of five VDC's of **Dhankuta** namely Tankhuwa, Bhirgaun, Markae Katharae, Leguwa and Danda Gaun , VDC secretary of Dhunche Rasuwa, and Local Development Officer of **Palpa** and **Rammechaap** also committed to provide all necessary support within their jurisdiction for the utilization of the funds allocated for Adivasi Janajati women by the Adivasi Janajati women. **Rasuwa** district's Women's Development Officer committed that from now onwards every program under Women's Development will be provided keeping in mind the indigenous women's population of Rasuwa.

Key Learning (both positive and negative)

- Though the CA results have been encouraging with 70 Adivasi Janajati Women (AJW) Constituent Assembly members representing various Janajati groups in the CA. It is a known fact that not all Indigenous Women CA members have knowledge about the issues of Adivasi Janajati women, their constitutional and legal rights and how policies impact their rights, the indigenous women movement and the issues raised by NIWF. So, NIWF must devise various programs, workshops, orientation for capacity building and empowerment of indigenous women CA members.

- The project has played a pivotal role in both at central and local-level for raising awareness of Janajati women to raise voices for their rights. Such advocacy and empowerment programs are not only novel in the context of indigenous women but also it needs to be carried out in a larger scale and steady manner. NIWF requires to do extensive advocacy, lobbying and networking with donor agencies for funding for the sustainability of its advocacy and empowerment programs.
- For the sustainability of the advocacy activities the alliances and co-ordinations councils must utilize the funds allocated at the District Development Councils and Village Development Councils under Women's Development and Adivasi Janajati Development. They must lobby and advocacy with the Chief District Officer (CDO) and Local Development Officer (LDO) for access to such allocated budgets and to prevent deviation of the funds to non-indigenous peoples.
- The indigenous women representing various Janajati women organizations in the NIWF-district coordination councils and alliances don't have effective linkages with the central committee of their respective organizations in Kathmandu. The linkage of the district chapter is often limited to the NIWF's Executive body and project staff. The need to bridge this gap has been strongly felt by the project staff and the NIWF Executive members as well during field visits. NIWF and the project need to devise new mechanisms to create linkages, strengthen communication channels between the district chapter and the central committee of member organizations in Kathmandu.
- If the indigenous women want to benefit directly from the programs implemented by the DDC, VDC, District Health Office, District Education Office, Women's Development Office at the local level. Awareness raising programs should be conducted for the Adivasi Janajati women by the NIWF-DCC and alliances at the VDC and DDC level about government policy, plan, budget, legal provision and programs of development agencies .Secondly, the Adivasi Janajati women should be given capacity building trainings on proposal writing, basic budget preparation, lobbying and advocacy for collective action to prevent the misuse of the funds or the funds allocated for indigenous people to non-indigenous peoples.
- It is essential for the capacity development and organizational development of NIWF-DCC. The frame work of the project document has created a major obstacle to conduct organizational development and capacity building of NIWF-DCC in the 10 districts. Since NIWF-DCC has been playing a crucial role for the empowerment and awareness raising of adivasi Janajati women in the local level it is necessary to design district-level program and budget and program accordingly.
- For the smooth operation and management of projects and to build healthy relationship within the project staff and NIWF's executive body team building and motivational exercises should be conducted on a regular basis.
- According to the Constitution Assembly Regulation 2008, number 64, committees such as the Constitutional Committee, Subject-wise Committee and Procedural

Committee have been devised to facilitate the constitutional building process. As per Constitution Assembly Regulation 2008, number 66 and number 67 altogether, 13 committees have been formed under various headings. These committees having determined their areas of work have begun the drafting process of the new constitution. However, within the 13 committees there is not a single committee formed to look after the issues of 38 percent indigenous nationalities of Nepal.

This directly violates the legal rights of the indigenous peoples to participate in the constitution-building process and the right to participate in decision-making matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions: guaranteed by ILO. Convention 169, United Nations Declaration on the Rights of Indigenous Peoples, International Convention on the Elimination of All forms of Racial Discrimination, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights to which Nepal is a signatory. the key challenge is to motivate and strengthen the capacity/empower the Janajati CA's to demand and pressurize the president of the Constituent Assembly for the formulation of a Janajati committee to look after Janajati specific issues in order to ensure their constitutional and legal rights within the new constitution.

- An analysis of the current political situation of the country, the mudslinging among the parties-absence of trust among them it is inevitable that the CA members will be guided by the party whip issued by their respective parties. So, the greatest challenge for NIWF is how to motivate, influence the indigenous CA and to maintain unity among the indigenous women CA of various political parties to exert collective pressure for ensuring the rights of indigenous women in the new constitution -A constitution that ensures and secures the human rights and social justice for indigenous women.
- District Development Officials, Village Development Officials, Representatives of political parties in the district prefer attending programs organized by INGO's and NGO's that provide per diem/ honorium instead of attending programs organized by the NIWF-alliances. This clearly shows the lack of responsiveness towards Adivasi Janajati women issues and development
- A big gap in the participation of most indigenous men and women living in the urban areas in empowerment and awareness raising program for Janajati people. There is difficulty in communication, organization of movement and collective activities .It cannot be said that these Janajati men and women lack awareness but rather they lack the conviction, motivation and a fear of stigma attached to the cause.
- Several indigenous peoples of the Terai belt like Tharus, Rajbanshi, Dhimals, Jhangad, Tajpuriyas, Danuwar etc. have been categorized as Madhesi by various political actors. The issue of identity looms large for these indigenous peoples which has raised tension in the civil society resulting in violence and bandhs. This issue of

identity of these indigenous peoples shall further intensify the growing ethnic division between the Madhesi and Pahadi and is detrimental towards the unity and movement of indigenous peoples. It also breaks the co-ordination between the Madhesi and Janajati civil-society organizations.

Assess Developments in the National Sector Framework (policies, resources, other donor support procedures), and the Continued Relevance of the Project.

In the present context, the Constituent Assembly presents a huge opportunity to Janajati and marginalised groups to voice their demands for rights and to participate in the constitution building process. The Constituent Assembly is faced with four momentous tasks: take the peace process to a logical end, write a new constitution, which will reflect the popular aspirations, restructure the state and holds the next general elections.

In recent times, the state has been more accommodative than in the past decades when it comes to acknowledging social exclusion and deprivation of identity, rights and participation. The state has developed a three-year Interim Plan to address state restructuring from social inclusion perspective; the plan also mentions legal reform for abolishing all discriminatory provisions. Most notable changes for Janajati communities at the national level are the declaration of Nepal as a secular state, the ratification of ILO.169, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the introduction of proportional representation system in the CA elections. The current strength of Janajati CA members is 193 out of which Janajati women comprise of 36 percent of the total female CA members. The significant representation of indigenous women CA members is encouraging and can be taken as a significant in political representation rights for historically marginalized groups.

However, the indigenous peoples are excluded from the constitution building process. According to the Constitution Assembly Regulation 2008, number 64, committees such as the Constitutional Committee, Subject-wise Committee and Procedural Committee have been devised to facilitate the constitutional building process. As per Constitution Assembly Regulation 2008, number 66 and number 67 altogether, 14 committees have been formed under various headings. These committees having determined their areas of work have begun the drafting process of the new constitution. However, within the 14 committees there is not a single committee formed to look after the issues of 38 percent indigenous nationalities of Nepal. This directly violates the legal rights of the indigenous peoples to participate in the constitution-building process and the right to participate in decision-making matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions: guaranteed by ILO. Convention 169, United Nations Declaration on the Rights of Indigenous Peoples, International Convention on the Elimination of All forms of Racial Discrimination, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights to which Nepal is a signatory.

There is greater challenge in taking the Janajati movement forward and in overcoming barriers and resistances within the political parties and the CA members, as elite male caste groups control those institutions. These groups of decision-makers within political parties may control CA members. Even though marginalised groups' CA members are represented substantially, their capacity to influence and the extent of their influence depends upon their political will within decision-making process. Reading the current trend the Janajati CA members will possibly be divided along party lines unless they have sufficient conviction and capacity for demanding or pressing collectively for a constitution that ensures equality, social justice and non-discrimination. Considering the above challenges, it is important that Janajati women continue to pressurize the state for meaningful participation in inclusive nation building through the formation of a separate committee to look after issues of indigenous peoples. In the present context, Janajati women organizations must continue to advocate for Janajati women's rights to equality and participation.

The Ninth Plan (1997-2002) was the first periodic plan to include sections on indigenous groups and the Downtrodden and Oppressed Community (section 13.7.2). The Tenth Plan (2002-2007) had separate chapters on indigenous Nationalities and Downtrodden/Oppressed Community. However, it must be noted that in general Janajati empowerment programs have only recently started and to advocate effectively for their rights in any situation, a greater and consistent effort is required at a wider scale.

The project has played a vital role to bring into national focus the exclusion, multiple forms of violence, discrimination, inequalities and injustices faced by Adivasi Janajati women within and outside their community. It supported the strengthening of NIWF and its member organisations to be organised, gain strength organizationally in terms of policies, procedures, systems etc. Furthermore, it has been supporting the indigenous women's lobbying and campaigning for securing human rights of Adivasi Janajati women and enter into constructive dialogue with the authorities at the local and national level and increased access of indigenous women (through trainings/workshops/awareness raising programs) to funding from public budgets like the DDC and VDC and increased linkages with the development agencies working at the local level.

The project is a first of its kind implemented by an umbrella organization of Adivasi Janajati women in Nepal. The direct beneficiaries of the project are indigenous peoples and particularly indigenous women. The project's advocacy activities have supported to highlight the mission, objectives and activities of NIWF to the government, political parties, multi-lateral and bi-lateral donor agencies, human rights organizations and civil society organizations. The project supported to build the foundation for NIWF to be established as the only authorized umbrella organization of 29 Janajati-specific women organisation that advocates for the promotion and protection of human rights of Janajati women of Nepal. It has also increased NIWF's cooperation with indigenous organizations, IPO's and NGO's that work on indigenous issues.

Multi/Bi-lateral cooperation has the potential to significantly influence the situation of indigenous women in Nepal. It has become increasingly important instrument for addressing indigenous women's issues, rights and needs and to integrate indigenous women in mainstream development work. Since the project activities gives the situation of indigenous women's status in Nepal, their issues and problems international donor agencies

like DanidaHUGOU can influence the decisions of the state and government agencies to design policies and actions that benefit indigenous women directly. The Project also encourages other donor agencies to work with indigenous women and is an example and reference point for the international community ¹.

In addition, NIWF being a voluntary organization it needs the support of the project to support its advocacy activities at the national and local level to pressurize the government to recognize the identity of indigenous women , for the inclusion of the term indigenous women in all the documents of the state and for the proportionate representation of IW in the upcoming CA elections.

¹ Support to Indigenous Peoples. Strategy for Danish Support to Indigenous Peoples, Danish Ministry of Foreign Affairs, Danida, 2004.