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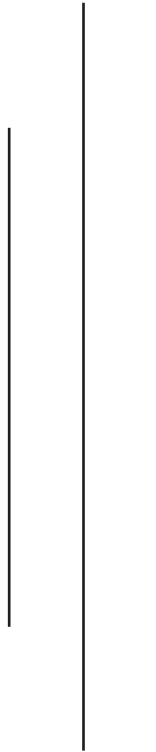
(Results from a Survey of Human Rights Alliance Member Organisations)

A RESEARCH REPORT
2011

Understanding of Human Rights among Human Rights Defenders in Nepal

(Results from a Survey of Human Rights Alliance Member Organisations)

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A Research Report for the RDIF Project
Enabling Marginalised and Excluded Groups by Strengthening the Capacities of Human Rights Organisations in Nepal

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Acknowledgements

The main purpose of this research project is to identify the level of understanding of human rights among the selected human rights defenders in Nepal. The res earch report includes findings on the understanding of human rights among selected personnel working with human rights organisations in Nepal. The main highlights are their understanding of civil, political and cultural rights.

I would like to thank all the survey participants who generously gave their valuable time and support to the survey team. This report would not have been possible without that support. I extend my gratitude to the field researchers for their hard work and untiring efforts.

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Finally, I would like to thank all the individuals and organizations that helped us in making this study a success.

Ganesh B.K.
Chairperson
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Executive Summary

Despite significant achievements made in the human rights sector, Nepalese people's life standards have not improved. Especially in rural areas, people are unaware of the commitments made by the Government of Nepal to various human rights instruments. Unless and until the people themselves understand what human rights are and how these assure people of their basic needs, the commitments shown will not yield output-oriented results.

In view of all this, a project on Enabling the Marginalised and Excluded Groups by Strengthening the Capacities of Human Rights Organisations in Nepal was approved for the Human Rights Alliance by the Rights, Democracy and Inclusion Fund (RDIF).

Research Rationale

The project aims to enable the marginalised and excluded groups with regard to the issues of human rights. The purpose is to prepare human rights defenders representing these communities. In this context, this study aims to explore the understanding of fundamental rights among the primary target groups—the human rights defenders.

Methodology

Primary quantitative data has mostly been used to identify the level of understanding among selected personnel of the organisations selected for the study. Based on the purposive sampling technique, the study has identified a total of 230 respondents from 123 human rights organisations and they have been made the primary target group of the project.

Summary of findings

Overall background

From the 123 organisations selected from 11 districts, 230 respondents could be identified on the basis of the criteria developed (one a portfolio member and the other a project chief/staffer). Personnel holding key posts such as president, vice-president, secretary or treasurer in select organisations are termed here as portfolio members. In many organisations, the project chief/staffer and the portfolio member have been found to be the same. In some of the organisations, the project chief/staffer and the portfolio member were found to be different. Fewer representation of females has been found in the portfolios and at the executive level, that is, among the executive membership. In this context the lowest representation of females was identified in Morang (16.7% out of 18 members).

Very few (10.9%) persons in the executive level of organisations were identified as youths (less than 25 years of age). Even among these, the domination is by males. Almost half of the selected respondents (48%) were identified as Brahmans followed by 16% Chhetris, and a nominal representation of other ethnic groups (Janjati: 21.3% and Dalit: 10.9%). A similar picture is found at the central level also (Brahman/Chhetri: 57.1%, Janjati: 20%, Dalit: 14% Madheshi: 6% and Muslim: 3%). In terms of gender, however, the central committees have been found to be more inclusive; almost two fifths (37 out of 100) are females.

The level of education among the human rights defenders has been found mediocre, as one-third of the respondents were identified as having qualifications of intermediate level (31.3%) and bachelor's level (30.4%). Only one quarter (24.8%) had master's degrees. This finding further suggests that many of the portfolio and executive posts at human rights organizations in Nepal are in the hands of persons having less than an intermediate level of education. Some are in the hands of activists with SLC level education, something which can hamper the professional activities of the organisations.

Very few organisations (7%) were established before 1990 whereas 31 organisations each were established before 1996 and in the period 2000 to 2005. Most of the human rights organisations do not own their office premises, as per the response of one-fifth of the respondents. Another point to be noted is that an overwhelming majority of NGOs do not own their own office premises. Very few organizations have been able to buy land for the purpose of building their offices.

Understanding of Human Rights

Everyone in fact has heard about human rights, and this view was expressed by the respondents. They also said that they have the confidence to define human rights. However, not all of them could articulate properly what human rights principles are.

Respondents have cited human rights organisations, radio/TV, newspapers, school education, and special training/seminars as the major sources of their understanding on human rights. Regarding the contribution of human rights organisations, INSEC was cited as an organisation having a major role (by 63 respondents) as were other, local human rights organisations (87 respondents), mainly those established in the districts. Regarding the role of media, Radio Nepal's role was cited by an overwhelming majority (80%) of respondents. Regarding newspapers, the role of Kantipur national daily was cited by many (43%) of the respondents whereas the role of magazines and documents was cited by 30%. Regarding the role of trainings and workshops, the majority of the respondents (54.3%) explained that workshops organised by different sector organisations have played a significant role in enabling them in the area of human rights.

Understanding of human rights instruments was found to be higher among respondents in the Eastern Development Region (97.5%) and Far-western Development Region (95%). Respondents of the Central (64.4%), Western (72.3%) and Mid-western Development Regions (63%) had comparatively lower understanding of human rights instruments.

Regarding the instrument-based understanding, almost all respondents were knowledgeable about UDHR and CRC (94.7%), though this understanding seems to be poor among respondents in the Central Development Region (CDR) and Western Development Region (WDR). Respondents' understanding of CRMW was, however, very low (36.8%). CRMW, an instrument for migrant workers, has not been signed by Nepal despite the fact that it has a greater importance in a country that has sent more than two million migrant workers to different parts of the world. Regarding ratification of international human rights instruments by Nepal, the respondents' understanding has been found to be poor although all the respondents from the Far-western Development Region (FWDR) could say that Nepal has ratified CEDAW. Many respondents have not clearly stated which instruments Nepal has ratified.

Focus of activities

Since all the respondents were from human rights organisations, the main focus of their activities was also found to be in human rights (72.6%). However, some of them were identified as having involvement in sectors other than human rights (27.4%).

The highest percentage (90.4%) of the respondents were mainly focused on social rights in their working modality followed by other respondents (74.3%) who explained that their focus was on economic rights. Very few respondents said their focus was on development rights (34.7%) and environmental rights. The focus of respondent organisations on civil, political and cultural rights was also found to be comparatively very low.

An overwhelming majority (88%) of the respondents said they had carried out mainly advocacy-related activities in human rights in far-west Nepal. Skill development or training was cited by a two-third majority (67.7%), and this was also the modality of all respondents in the EDR whereas IGA training was cited by more than half of them (53.9%). Their involvement in IGA activities was the highest in the FWDR (65%) with the overall involvement of respondents in all five development regions at 40%. The high variations in percentages can be the result of different terminologies used by the enumerators to ask the same questions.

An overwhelming majority (73.7%) of total respondents said that they target national and international conventions while conducting activities in human rights. This is what was said by all of the respondents in the FWDR but by only just under half (47.8%) of the respondents from the MWDR.

Nearly three quarters cited UDHR (72.4%) and CEDAW (73.2%) as the main conventions concerning human rights. These two conventions were targeted by all of the respondents in the EDR and FWDR. Other conventions targeted by respondents were CRC (68.3%), ICCPR and ICERD (33.3% each), ICESCR (27.6%), and CAT (19.5). This finding suggests that human rights organisations accord less priority to ICESCR, which has a direct linkage with social, economic and cultural issues.

Target groups

An overwhelming majority (88.7%) of them said they target women's rights. This was what all the respondents of the MWDR and FWDR said. Whereas children were targeted by over 80% of respondents, the highest percentage was in the EDR (92.5%). This means that human rights organisations in the EDR have given more priority to children in their working modalities.

The mixed responses also include Dalits being targeted by 70% of the respondents, the highest percentages being found in both the FWDR and EDR (95%). This means human rights organisations in the FWDR and EDR have also focused on Dalit issues in their activities.

Issues of indigenous peoples have been focused by fewer respondents (26.5%). However, respondents in the EDR (85%) have said that they are the main target groups. The respondents of the CDR (1.7%) were focused less on the issues of indigenous peoples.

Institutional governance capacity and policy

Very few of the organisations have developed institutional governance policies. They only have the institutional governance policy that was developed at the time of their registration. All the organizations have their constitutions, laws and bylaws for governing themselves. Only 20% of organizations have worked out their strategy; 30% have conducted regular meetings and general conventions in accordance with the bylaws. Around 40% of the organizations have adopted an inclusive democratic process to elect the executive committee members. Only 20% of them have handed over the leadership to a second generation after one term.

Capacity development plans

Few of the organizations have capacity development plans. A few organizations have developed plans for institutional development, capacity development of the staff, or infrastructure development. Some also have plans for linkage at the national and international levels, particularly with those that are interested in providing funding in the areas the organizations have been working in. Only 20% of organizations have capacity development plans that include knowledge and skill development in human rights, policy advocacy,

documentation, report writing and communications. Around 70% of them have plans to develop the capacity of human rights defenders/ monitors at the local level. Most of the organizations responded that they did not know about capacity development plans. They usually send their board members and staff to training programs held by other organisations that send invitations for participation. However, they have not allocated resources for carrying out such activities within their own organisations.

Major recommendations

1. First and foremost, change is necessary in the policy documents through a participatory approach, such as in the constitution of the human rights organisations, to include more people from marginalised and excluded groups. Without their direct involvement at the organisational level, it is meaningless to talk about marginalised and excluded groups.

2. Educational qualification and professional experience in human rights issues need to be the first priority in the selection of executive (portfolio) members. Such a mechanism should prioritise the inclusion of people whose issues need to be raised by human rights organisations.

3. Participation of women at the portfolio level, based on the principle of having a woman as either president or general secretary, needs to be ensured. Inclusion of women needs to be ensured to promote regional and caste/ethnicity issues, as well as encourage their participation in executive posts.

4. A fund needs to be created through the concerted efforts of government and civil society organisations to fulfil the urgent need for sustaining established human rights organisations. The concept of 'CSO village', meaning common homes/places for civil society organisations, can be developed through the common effort of all.

5. Priority should be given by human rights organisations to capacity development plans for portfolio members and project staff.

6. Formulation of institutional governance policies needs to be equally prioritized by projects as almost none of them have adopted this sincerely.

7. Activities for raising the awareness of personnel involved in human rights organisations are equally important.

8. Knowledge building on human rights instruments, highlighting their historical background, Nepal's commitment towards them and the need to review and monitor them should be the main priority of activities in the future.

9. Equally important is capacity development for human rights organisations, enabling them to domesticate the ratified instruments.

Acronyms and Abbreviations

CA	Constituent Assembly
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CC	Central Committee
CDO	Chief District Officer
CDR	Central Development Region
CEDAW	Convention on Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
CRMW	Convention on the Protection of the Rights of All Migrant Workers and Their Families
CSO	Civil Society Organisation
DC	District Chapter
DDC	District Development Committee
DNF	Dalit NGO Federation
EDR	Eastern Development Region
FECOFUN	Federation of Community Forest Users' Group Nepal
FWDR	Far-western Development Region
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
IGA	Income Generating Activities
ILO	International Labour Organisation
INGO	International Non-government Organisation
INSEC	Informal Sector Service Centre
MWDR	Mid-western Development Region
NEFIN	Nepal Federation of Indigenous Nationalities
NFN	NGO Federation of Nepal
NGO	Non-government Organisation
NHRC	National Human Rights Commission
OHCHR	Office of the High Commissioner for Human Rights
PJD	Peace, Justice and Demilitarisation
PWD	Person with disability
RC	Regional Committee
RDIF	Rights, Democracy and Inclusion Fund
RTFO	Regional Thematic Focal Organisation
SAAPE	South Asia Alliance for Poverty Eradication
ToT	Training of Trainers
UCPN	Unified Communist Party of Nepal (Maoist)
VDC	Village Development Committee
WDR	Western Development Region

Chapter one

Introduction

1.1 Background

Nepal is now in a transition from a decade-long armed conflict. On the one hand the peace process is lingering on and on the other the country is having to make do with unequal social, political and economic structures and systems. Structural discrepancies and discrimination between groups of people are continuing despite the initiation of an inclusive democracy after the 2006 popular movement. Transitioning as it is, Nepali society is at a critical point in time, one characteri zed by enormous challenges.

The nation has before it an opportunity as well. The 12-point agreement of November 2005 between the then alliance of seven political parties (SPA) and the then Communist Party of Nepal - Maoist (CPN-Maoist) was the first step towards Nepal's transformation from the 'old' to the 'new'. The People's Movement II of April 2006 forced the King to peacefully hand over executive power to the people of Nepal. The parliament, which was restored after the King's surrender, announced a number of steps. The government and the UCPN-Maoist agreed to a 22-point code of conduct (concerning monitoring and observance of a ceasefire), thereby showing their commitment to constructive conflict transformation. Similarly, an 8-point political agreement, the second commitment of the SPA and the Maoists to democratic politics with a multi-party system, the principles of rule of law, civil liberties and fundamental human rights, created the ground for abiding by a 5-point agreement on the involvement of the UN for monitoring the peace process, specifically the management and supervision of weapons of both the state and the UCPN-Maoist. These are all important achievements toward sustainable peace in Nepal.

As a result of all this, the historic election of the Constituent Assembly (CA) was conducted peacefully and it has given a mandate to the political parties to write a new constitution based on the commitment to a federal structure and state restructuring made in the interim constitution. The historic CA election held in 2008 has further proved that people want peace and that the political parties are committed to it.

Situation of human rights in Nepal

Nepal has made significant progress in improving the situation of human rights. To cite some of the achievements, in 1990 a multi-party democracy was restored after a political uprising which is also known as the Popular Movement of 1990. The main achievements of the Popular Movement of 1990 are multi-party democracy, a commitment to abide by the principles of human rights, and sovereignty vested in the people. The constitution promulgated in 1990 guaranteed 'basic human rights to every citizen of Nepal, the parliamentary system of Government and an independent and competent system of justice with a view to transforming the concept of the Rule of Law into a living reality'. Nepal ratified all the six big instruments concerning human rights (ICCPR, ICESCR, CAT, CRC, CEDAW & ICERD) following promulgation of the democratic constitution of 1990. This constitution addressed the rights enshrined in the big six treaties. However, the 1990 constitution could not address some crucial socio-cultural and political fault lines. Hinduism was retained as the state religion and the Nepali language as the nation's only official language. The King, who remained supreme commander of the national army, was kept above the scrutiny of parliament and was empowered through some articles in the constitution to control the whole political process if he so wished.

The constitution also failed to provide the socially discriminated, politically excluded and economically deprived with a platform for meaningfully engaging in the relevant processes. As such, the constitution itself became a factor in fuelling discontent amongst various groups. The Maoists tapped into this discontent to launch their 'People's War', which they did in 1996. Following the *Janaandolan* of April 2006, Nepal is now in a process of transition from a *traditional* form of polity to a new one. The current debate in Nepal is around the new form of the polity. The debate has yet to reach a logical conclusion. But a tentative understating in the political establishment suggests that the new form would be around a decentralised federalism firmly protected by constitutionalism.

The interim constitution of 2007 has been a milestone in that it has guaranteed many economic, social and cultural rights as fundamental rights of the Nepali people. These include the right to

food sovereignty, the right to health, right to education and right to employment. The new constitution, which is currently in the process of being drafted, will also include these rights.

Despite these achievements in the human rights sector, the Nepali people's life standards have not improved. People especially in the rural areas have remained unaware of the commitments made by Nepal on various human rights issues. Unless and until the people themselves understand what human rights are and how they assure people of their basic needs, the commitments shown to the human rights instruments will not beget output-oriented results.

Defining marginalised and excluded communities

Nepal's complex social structure makes it a challenging task to define marginalised and excluded communities in its population. The 2001 census has identified 100 different social groups in the country with over 92 languages, whereas the Government of Nepal recognizes 59 different nationalities as indigenous peoples (NFDIN Act).

The Nepal Federation of Indigenous Nationalities (NEFIN), 2004 has classified the *Adivasi/Janajati* groups into five different categories while characterizing their economic and social features: (i) endangered, (ii) highly marginalised, (iii) marginalised, (iv) disadvantaged, and (v) advantaged. These categories are based on population size and other socio-economic variables such as literacy, housing, land holdings, occupation, language and area of residence. There are groups inhibiting Nepal other than the above-mentioned categories that are not included under the indigenous group, e.g. Dalits, Madhesi, etc. The 2001 census has listed 15 Dalit castes. Dalits are economically and socially the most vulnerable in the country. Dalits are not included in the indigenous group as they are included within the caste hierarchy of society, but they are an unprivileged and marginalised population. This project mainly aims to make the people from marginalised and excluded groups aware of their civil, political and cultural rights. The May 18 meeting between Central Committee Members of the Human Rights Alliance and the project staff has carried out an exercise in identifying the marginalised and excluded groups in Nepal.

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1.2 Rationale

Two-fold objective of the project signed with the RDIF by Human Rights Alliance clarify the need of capacity building and advocacy. This project has aimed to enable the marginalised and excluded groups on the issues of human rights. But for this, capacity building of the primary stakeholders is more important than involving directly for the capacity building of these groups.

This project, furthermore, aims to prepare at least 500 human rights defenders from among the primary stakeholders, who have better access to and potentiality of reaching its primary target groups. These human rights defenders will be given intensive training on human rights. The project has aimed to train 25 persons on the different issues of human rights. Before conducting such training, it is necessary to identify how much knowledge the training participants already have. What issues of human rights can they articulate clearly? What issues are difficult for them?

1.3 Objectives

The overall objective of the research is to identify the level of understanding of human rights among the main target groups of the project signed up with the RDIF. The following are the specific objectives:

- To explore the level of understanding of the fundamental rights of primary target groups;
- To find out the exposure of target groups to national and international instruments on human rights and Nepal's obligation under them; and
- To find out about the understanding on domestication of human rights enshrined in international instruments, and so on.

1.4 Significance

Human rights in Nepal have been a sector subjected to much advocacy but little research. Very few studies (such as INSEC, 2003) have been carried out to find out about the understanding of human rights in Nepal. These studies are focused to the communities. Almost none

of the studies has been focused on investigating the understanding of human rights among the organisations that launch advocacy programmes. This study report can thus be of use for human rights organisations as their baseline and not merely for the purposes of the project. Furthermore, the organisations selected for the study will utilise this report for formulating policies and programmes on human rights, based on the findings made and recommendations forwarded. Specifically, the study will serve as t he baseline for the mid-term (if carried out) and final evaluations of the project.

1.5 Methodology

The study area

The project *Enabling the Marginalised and Excluded Groups by Strengthening the Capacities of Human Rights Organisations in Nepal* is being implemented in eight districts in 4 regions, 4 sub-regions and at the national level:
- National level (3): Kathmandu Valley
- Regions (4): Morang, Kaski, Banke and Kailali; and
- Sub-regions (4): Dhankuta, Makuwanpur, Rupandehi, Dang.

Nature of data

Mainly primary data collected by field researchers during the months of August and September 2010 has been used for this study. The data is more quantitative in nature due to the fact that the survey aims mainly to identify the level of understanding of selected personnel of the organisations chosen for the study.

Data Disaggregation

Data used has been disaggregated by the gender, socio-economic status and ethnic-caste background of people.

Sampling

The project aims to develop the capacity of 375 CSOs, their human rights defenders and the general public in project locations by strengthening their understanding of human rights and other inter-

connecting issues so that these organisations will engage jointly in peaceful dialogue with policy makers and stakeholders and in peaceful campaigns for the protection and promotion of human rights at the sub-regional, regional and national levels. In this context, these same organisations were taken as the major study units for this survey. The project has identified which are the organisations, where they are located and how they are working. Since all these organisations have been the primary target groups of the project, all identified organisations in the respective districts have been selected for the study. Therefore, the study is based on the purposive sampling technique.

Survey instruments

The survey team designed a comprehensive questionnaire in line with the objectives of the research. The drafted questionnaire was finalized in close consultation with the project team at the centre. During this time, the Human Rights Monitors were in Kathmandu for a ToT, and the questionnaires designed were pre-tested in order to get feedback from them. Some contents of the questionnaire were modified, taking their inputs into account.

Analysis of data

The collected data was entered into SPSS software. After doing the necessary data cleaning and validation, analysis was carried out. Necessary frequency tables were generated for analysis purpose and bivariate analysis was done when felt necessary. For this, five independent variables were taken as the independent variables for the study. They were gender (female =0; male = 1), age groups (below 25 = 0; above 25 = 1), marital status (unmarried = 0; married = 1), educational attainment (below SLC = 0; above SLC =1) and caste/ethnicity (Brahman/Chhetri = 1; other castes = 0). The respondents' knowledge of the principles of human rights are correlated with gender, age group and educational level. They were not correlated with caste/ethnicity and marital status.

Other ethical issues

Due attention has been given to the cultural and other sensitivities which can affect the quality of the work. In particular, we have made special efforts (such as holding meetings with human rights activists and heads of the organisations prior to or during the data collection process) to build trust among the selected organizations and elicit accurate responses from the respondents.

Chapter Two

Background Characteristics of the Selected Organizations and Respondents

2.1 Selected Organisations

Annex II presents the overall details of the selected organisations. From the 123 organisations selected from the 11 districts, 230 respondents were identified on the based of the criteria developed (such as one the portfolio member and the other project chief/staff). In many organisations, the project chief/staff and the portfolio member were the same. In some of the organisations, the project chief/staff and portfolio members were different. And in some organisations the executive members were project staff as well. Finally, the offices of some organisations were not running smoothly (Table 2.1). This means either that the selected organisations have not set up fixed offices or the offices have been set up but there are no staff members to carry out the office work.

Table 2.1: Distribution of organizations by district

Name of the district	Number of member organizations selected	Number of respondents
Morang	9	18
Dhankuta	11	22
Lalitpur	4	7
Bhaktapur	3	4
Kathmandu	9	17
Makwanpur	20	31
Kaski	20	39
Rupandehi	14	26
Dang	11	22
Banke	12	24
Kailali	10	20
Total	**123**	**230**

2.2 Age and gender of respondents

Of the total number of respondents (230), 30 %, that is 69, were female. This shows that there is less representation of females at the portfolio and executive levels of civil society organisations in Nepal. The lowest representation of females was in Morang (3 out of 18), which is 16.7% (Table 2.2).

Table 2.2: Distribution of respondents by gender

District	Number of respondent by gender		Cumulative
	Female	Male	% of the total
Morang	3	15	7.8
Dhankuta	4	18	17.4
Lalitpur	0	7	20.4
Bhaktapur	2	2	22.1
Kathmandu	5	12	29.5
Makwanpur	11	20	43.0
Kaski	13	26	60.0
Rupandehi	10	16	71.3
Dang	4	18	80.9
Banke	10	14	91.3
Kailali	7	13	100.0
Total	**69 (30%)**	**161 (70%)**	**230**

By age group, almost two fifths (37.8%) belonged to the age group 35-44 years followed by one third (32.6%) in the age group 25-34 years and almost one fifth (18.7%) in the age group 45 and above. Very few (10.9%) persons in the leadership of the organisations (Table 2.3) were identified as youths (less than 25 years).

Table 2.3: Distribution of respondents by age group

District	Number of respondents by age group			
	Less than 25	25-34	35-44	45 and above
Morang	2	2	5	9
Dhankuta	2	10	6	4
Lalitpur	0	3	1	3
Bhaktapur	0	1	2	1
Kathmandu	1	7	6	3
Makwanpur	3	15	10	3
Kaski	3	9	18	9
Rupandehi	4	6	10	6
Dang	4	7	9	2
Banke	5	4	12	3
Kailali	1	11	8	0
Total	**25 (10.9%)**	**75 (32.6%)**	**87 (37.8%)**	**43 (18.7%)**

Figure 2.3: Distribution of respondents by age and gender
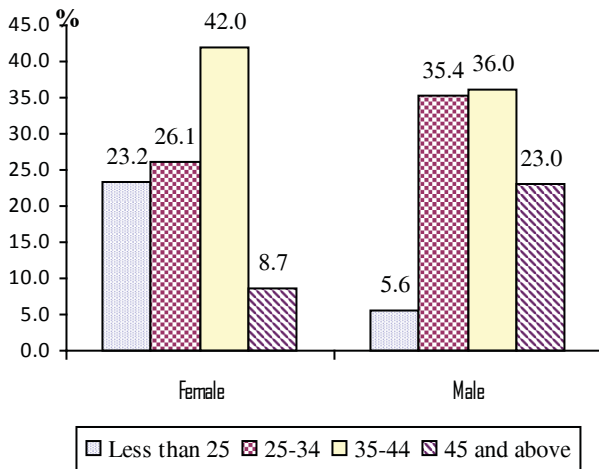
More than two fifths (42%) of the women respondents were from the age group 35-44 whereas among the males there was almost equal distribution between two age groups-- 25-34 and 35-44. Almost the same percentage of youths by gender (23%) were identified at the portfolio and executive level (Figure 2.3).

2.3 Caste/Ethnicity

Brahman/Chhetri account for more than two thirds (67.8%), followed by Janjati (21.3%) and Dalit (10.9 %). By district, Dalit representation at portfolio level was almost one third (30%) in Kalali district whereas Janjati representation at portfolio and executive levels in Dhankuta was two thirds (63.6%). Nevertheless, these finding support the generalisation that the portfolio and executive levels at human rights organisations in Nepal are caste dominated.

Table 2.5: Distribution of respondents by caste/ethnicity for districts

District	Caste/Ethnicity		
	Brahman/Chhetri	**Janajati**	**Dalit and others**
Morang	14	3	1
Dhankuta	6	14	2
Lalitpur	3	4	0
Bhaktapur	4	0	0
Kathmandu	13	4	0
Makwanpur	23	4	4
Kaski	31	4	4
Rupandehi	20	5	1
Dang	12	6	4
Banke	19	2	3
Kailali	1	11	8
Total	**146 (67.8%)**	**57 (21.3%)**	**27 (10.9%)**

The caste/ethnicity composition of the selected organisations gives a similar picture as the existing composition of the central committee of the Human Rights Alliance. As with the district level human rights organisations, the central committee of the Human Rights Alliance comprises more than half Brahman/Chhetri (57.1%) followed by one fifth (20%) Janjati, 14% Dalit, 6% Madheshi and 3% Muslim. The whole picture shows that the human rights organisations of Nepal have not been as inclusive as they should be in terms of caste/ethnicity.

Figure 2.2: Distribution of central committee members of Human Rights Alliance by caste/ethnicity
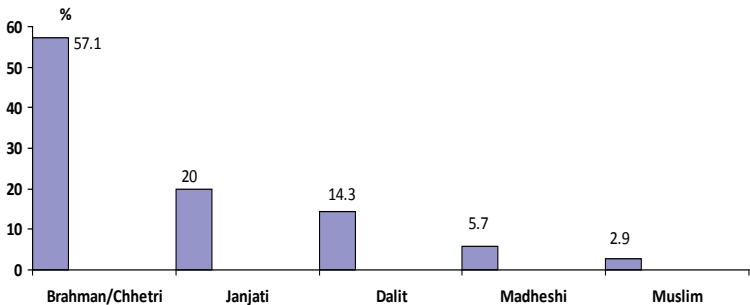
Figure 2.2: Distribution of central committee members of Human Rights Alliance by gender

Female, 37.0   Male, 63.0
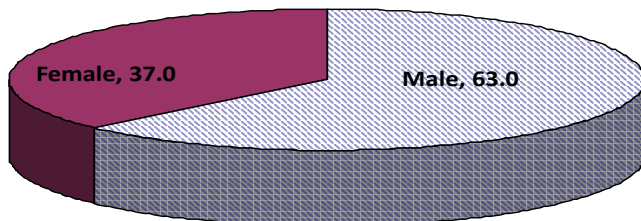
In terms of gender, however, the central committee is more inclusive. There are 37 percent females; that is, 13 central members out of the total of 35 are women.

2.4 Educational attainment

One-third of the respondents (31.3%) were identified as having an intermediate level of education followed by an almost equal number (30.4%) having bachelor's degree level education and one quarter (24.8%) with master's degree level. Some of those at the portfolio and executive level (13.5%) were found to have an SLC level of education.

Table 2.6: Distribution of respondents by educational attainment

District	Number of respondents by level of education			
	Up to SLC	Intermediate	Bachelors	Master's
Morang	2	3	7	6
Dhankuta	2	9	4	7
Lalitpur	2	1	1	3
Bhaktapur	1	0	1	2
Kathmandu	1	1	4	11
Makwanpur	5	12	8	6
Kaski	5	9	13	12
Rupandehi	3	12	8	3
Dang	3	10	4	5
Banke	4	8	11	1
Kailali	3	7	9	1
Total	31 (13.5%)	72 (31.3%)	70 (30.4%)	57 (24.5%)

These findings show that some portfolio and executive posts at human rights organizations in Nepal are held by persons having an intermediate level of education whereas some other HR organisations in Nepal are run by activists having an SLC level of education.

2.5 Marital status

One fifth (19.6%) of the respondents were found to be unmarried and all the rest, that is more than 80%, were married. District-wise, Makwanpur, Kaski and Kailali districts had more unmarried respondents than other districts (Table 2.7).

Table 2.7: Distribution of respondents by marital status

District	Marital status	
	Never married	**Married**
Morang	4	14
Dhankuta	2	20
Lalitpur	1	6
Bhaktapur	0	4
Kathmandu	4	13
Makwanpur	8	23
Kaski	8	31
Rupandehi	5	21
Dang	2	20
Banke	4	20
Kailali	7	13
Total	**45 (19.6%)**	**185 (80.4%)**

2.6 Date of establishment

Civil society organisations started to get established in Nepal after the restoration of democracy in 1990. Before 1990, establishing an organisation with NGO status was a very difficult proposition for anyone who carried out advocacy on human rights and democracy. Establishing an organisation before 1990 meant conforming to a vaguely defined 'social service' and ultimate consented by the then king and queen was required. After the restoration of democracy in 1990, social and political organisations mushroomed in Nepal under the popular mandate for freedom and democracy. In this context,

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one query put to the respondents related to how long a history their organisations had.

Table 2.8: Distribution of organizations by date of establishment

District	Date of establishment				
	Before 1990	1990-1996	1997-2000	2001-2005	2006 onward
	NO.	NO.	NO.	NO.	NO.
Morang	0	3	5	0	1
Dhankuta	0	6	1	1	3
Lalitpur	1	0	1	2	0
Bhaktapur	0	1	0	2	0
Kathmandu	1	3	0	5	0
Makwanpur	0	3	7	6	4
Kaski	4	5	6	3	2
Rupandehi	1	0	6	4	3
Dang	1	3	1	4	2
Banke	0	5	4	3	0
Kailali	0	2	0	6	2
Total	8 (6.5%)	31 (25.2%)	31 (25.2%)	36 (29.3%)	17 (13.8%)

The categorisation of establishment of the organisations is made here to mark four major political developments in Nepal. The first is the restoration of democracy (1990), the second marks the government planning for collaboration with NGOs, especially at the end of the 8th plan period (1996). The third marks an escalation of violence and massive human rights violation in Nepal at a time when the Maoist People's War was flaring up. Finally there is the scenario after the People's Movement of 2006 met with success and the peace process was initiated.

Very few organisations (7%) were established before 1990 whereas almost one quarter each were established before 1996 and in the period 2000-2005. Similarly, 14 percent of the organisations were identified as establishing themselves after 2006. Comparatively more organisations seem to have been established after 1995, which correlates with the government's concept of promoting NGOs for development activities during the 7th plan period.

2.7 Office premises ownership status

Ownership of office premises is one of the main indicators of the sustainability of the organization. Only 28 organisations out of 123, that is 22.8%, own their own office premises. An overwhelming majority of NGOs (77.2%) of the respondents do not own their office premises. District-wise, more organisations (7 out of 20) from Kaski district said they owned their office premises (Table 2.9).

Table 2.9: Distribution of organisations by office premises ownership status

District	Own office premises	Rented office
Morang	1	8
Dhankuta	2	9
Lalitpur	3	1
Bhaktapur	0	3
Kathmandu	1	8
Makwanpur	5	15
Kaski	7	13
Rupandehi	4	10
Dang	0	11
Banke	3	9
Kailali	2	8
Total	28 (22.8%)	95 (77.2%)

2.8 Office land ownership status

The organisations saying they do not own their office premises (N =95) were further asked if they had bought land for putting up their offices. Only five of them, that is 2 each from Morang and Makwanpur and 1 from Dahnkuta, said that they had land for office use purposes. More than three-quarters said they neither owned their office premises nor had office land. Majority of civil society organisations in Nepal have thus rented office space.

Chapter Three

Understanding and Advocacy of Human Rights

3.1 Understanding of Human Rights

A major question that arises here is what is understanding of human rights and how to measure it. In this context many practices can fit in. However, I have used four major indicators to test the understanding of human rights among the selected respondents:

- Has heard about human rights;
- Has the confidence to define human rights;
- Understanding of human rights principles; and
- Understanding about types of human rights.

Everyone in fact has heard about human rights, and it was the same with the respondents in this research. Out of 230, 222 (96.5%) could say something about human rights. They also spoke of having the confidence to define human rights. However, not all of them could express themselves properly about what the human rights principles are (Table 3.1). Although some of them could explain two of the major principles of human rights as being 'inheritance' and 'universality', many were not clear about the other principles such as 'interdependence of human rights', 'the rights of human beings' and rights that are 'constitutionally and legally provided'.

Table 3.1: Distribution of respondents by understanding of human rights

	Development regions					Total	
	EDR	CDR	WDR	MWDR	FWDR	No.	Per.
Can say something about human rights							
Yes	40	51	65	46	20	222	96.5
No		8				8	3.5
Total	40 (17.4%)	59 (25.7%)	65 28.3%)	46 20.0%)	20 (8.7%)	230	100.0
Understanding about human rights principles (Total Number =222)							
Human rights are inherited.	21	27	41	17	11	117*	52.7
Human rights are universal	22	8	37	5	9	81**	36.5
Human rights are inter-dependent.	18	8	24	8	7	65	29.3
Human rights are the rights of human being only.	15	24	33	8	8	88*	39.6

	Development regions					Total	
	EDR	CDR	WDR	MWDR	FWDR	No	Per
Human rights are constitutionally and legally provided rights	6	10	35	7	11	69**	31.1
Other	2	26	14	0	0	42	18.9
Types of Human Rights (Number=222)							
Economic rights	39	43	52	31	11	176	79.3
Social rights	34	34	54	44	9	175	78.8
Cultural rights	29	32	48	39	7	155	69.8
Civil rights	38	42	51	23	8	162	73.0
Political rights	33	12	47	13	11	116	52.3
Development rights	6	1	12	3	0	22	9.9
Right to peace	16	26	42	21	4	109	49.1
Environmental rights	39	43	52	31	11	176	79.3
Total N umbers	**40 (18.0)**	**51(23.0)**	**65 (29.3)**	**46 (20.7)**	**20 (9.0)**	222	100.0

** Correlation is significant at the 0.01 level (2-tailed).
* Correlation is significant at the 0.05 level (2-tailed).

Many of the respondents also do not have a proper idea about the various types of human rights. Many of them are, however, found to be clear on the five major types o f rights: civil, political, economic, social and cultural. But many of them are not clear about the fact that development rights, right to peace and environmental rights are also human rights (Table 3.1).

As discussed also in the methodology section, five variables were taken as independent variables in this study. They were gender (female =0; men = 1), age groups (below 25 = 0; above 25 = 1), marital status (unmarried = 0; married = 1), educational attainment (below SLC = 0; after SLC =1) and caste/ethnicity (Brahman/Chhetri = 1; other castes = 0). The respondents' knowledge of the principles of human rights correlates with gender, age group and educational level and was not correlated with caste/ethnicity and marital status.

The gender of the respondents is correlated only with their knowledge of universal rights and the rights of human beings. Age group is correlated with knowledge of the principle that human rights are universal, and educational attainment is correlated with the two principles – universal rights and constitutionally and legally provided rights. However, the responses on human rights principles show no relation with the respondents' marital status and caste/ethnicity. These findings suggest that the understanding of human rights principles is dependent on the age, gender and educational attainment of the respondents.

3.2 Sources of understanding

All the respondents have heard about human rights, and all except 8 can say something about the subject. Therefore, all of them were asked what are the major sources they heard about human rights from.

Figure 3.1: Sources of understanding about Human Rights (N = 230)
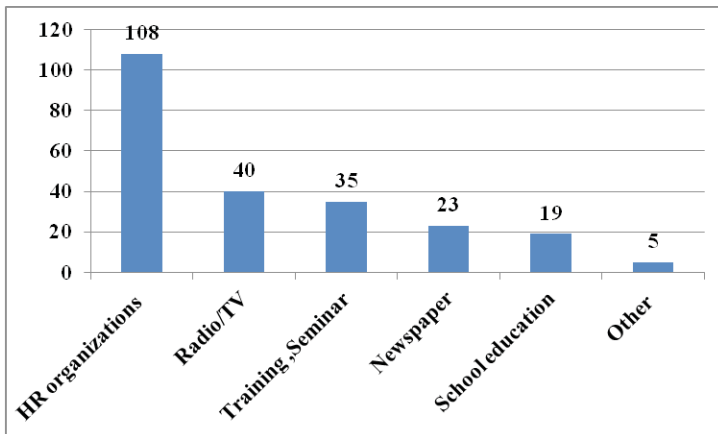
When asked about the major sources of their understanding of human rights, they gave mixed responses. Some of them have cited more than one source whereas a few cited only one source. Human rights organisations, Radio/TV, newspapers, school education, and special trainings/seminars were cited by respondents as the major sources of understanding. Human rights organisations were cited (by almost half = 47%) as the major source of understanding of human

rights among respondents whereas school education was cited by very few (8%) respondents. Regarding the contribution of human rights organisations, a major role was cited as being played by INSEC (63 respondents) and other local human rights organisations (87 respondents), mainly those established at the district level. The role of other national level organisations was cited by 32 respondents. Here the total number may exceed 230 due to the fact that they have given multiple responses. That is to say the same person may have cited several organisations. Comparatively speaking, INSEC, which has a local presence in almost all the districts of Nepal, was cited by many of the respondents as imparting understanding of human rights among the selected personnel of human rights organisations.

Regarding the role of media, Radio Nepal's role was cited by an overwhelming majority (80%) of the respondents. Human rights programmes are being broadcast from Radio Nepal under sponsorship by different national and local organisations since many years. This has played a crucial role in imparting understanding of human rights, according to many of the respondents.

Regarding newspapers, the role of Kantipur national daily was cited by many (10) respondents whereas the role of magazines and various documents was cited by seven respondents. On the role of trainings and workshops, a majority (54.3%) of respondents said that workshops organised by different sector organisations have played a great role in making them aware about human rights (Details annexed as Table A1).

3.3 Understanding about human rights instruments

Understanding of human rights instruments among respondents in the Eastern Development Region (39 out of 40) and Far-western Development Region (19 out of 20) was found to be better, going by what the selected respondents of the regions said. By contrast, the respondents of the Central (38 out of 58), Western (47 out of 65) and Mid-western Development (29 out of 46) Regions had a poor understanding of human rights instruments (Table 3.2).

Table 3.2: Distribution of respondents by understanding of International Human Rights instruments

Understanding about HR instruments	Development regions					Total	
	EDR	CDR	WDR	MWDR	FWDR	No.	%
Yes	39	38	47	29	19	172	74.8
No	1	21	18	17	1	58	25.2
N	40 (17.4)	59 (25.7)	65 (28.3)	46 (20.0)	20 (8.7)	230	100.0
Understanding of specific instruments (N= 172)							
UDHR	36	24	36	14	18	128**	74.4
ICCPR	16	7	18	8	13	62	36.0
ICESCR	9	8	17	11	9	54	31.4
ICERD	13	7	18	5	10	53	30.8
CEDAW	28	17	36	24	19	124	72.1
CRC	36	10	35	23	18	122*	70.9
CAT	12	4	15	4	9	44	25.6
CRMW	9	6	14	0	7	36	20.9
Geneva Conventions	36	4	31	10	4	85	49.4
UN Security Resolution 1325	8	11	14	0	3	36**	20.9
Others	5	8	4	0	0	17	9.9
N	39 (22.7)	38 (22.1)	47 (27.3)	29 (16.9)	19 (11.0)	172	100.0

** *Correlation is significant at the 0.01 level (2-tailed).*
* *Correlation is significant at the 0.05 level (2-tailed).*

Instrument-based understanding was also sought from the respondents and it was found that almost all respondents were knowledgeable about UDHR and CRC (94.7%) each, though this understanding seems to be poor among the respondents of CDR and WDR.

Only slightly more than one third (36.8%) of respondents said they had an understanding of CRMW. CRMW, an instrument for migrant workers, has not been signed by Nepal although it is of great

importance for a country which has sent more than two million migrant workers to different parts of the world. Awareness of personnel involved in human rights organisations has been found to be poor (Table 3.2).

While comparing these responses with the independent variables, respondents' gender was found to be correlated with the level of understanding of the instruments UDHR and UN Security Council Resolution 1325 and their age with UDHR and CRC, whereas marital status, educational level and caste/ethnic background were not found to be correlated with any of the respondents' understanding of the instruments.

3.4 Understanding about the ratification of human rights instruments by Nepal

Nepal is a signatory to almost all international human rights instruments. The country has ratified ICCPR, ICESCR, ICERD, CEDAW, CRC, CAT, and CRMW. Another query put to the respondents was about their knowledge of the ratification of these instruments.

As shown in Table 3.4, the respondents' understanding has been found to be poor although all the respondents from FWDR were able to say that Nepal has ratified CEDAW. Many respondents have not clearly stated which instruments Nepal has ratified.

Table 3.4: Distribution of respondents by understanding about ratification of specific human rights instruments by Nepal

Understanding about the commitment of Nepal to Human Rights conventions (N = 141)	Development regions					Total	
	EDR	CDR	WDR	MWDR	FWDR	No.	%
ICCPR	13	5	8	8	13	47	33.3
ICESCR	6	6	7	9	9	37	26.2
ICERD	6	6	8	5	14	39	27.7

CEDAW	21	14	21	20	19	95	67.4
Understanding about the commitment of Nepal to Human Rights conventions	Development regions					Total	
	EDR	CDR	WDR	MWDR	FWDR	No.	%
CRC	30	8	22	18	18	96	68.1
CAT	9	3	10	4	9	35	24.8
CRMW	1	0	4	0	7	12	8.5
N	**36 (25.5)**	**29 (20.6)**	**32 (22.7)**	**25 (17.7)**	**19 (13.5)**	**141**	**100.0**

Regarding ICESCR, the highest level of understanding was found in FWDR (9 out of 19), although the number of respondents was fewer. In other regions very few respondents have knowledge that ICESCR has been ratified by Nepal. Regarding ICERD also, understanding in the far-western region is higher (14 out of 19) than in the other regions. As for CEDAW, all the respondents in FWDR were found to have fully understood that it had been ratified whereas this understanding was poorer among respondents of EDR and CDR.

3.5 Major focus of the activities of selected organisations

All the respondents being from human rights organisations, the main focus of their activities was also found to be human rights (72.6%). However, some of them were also identified as having involvement in sectors other than human rights (27.4%).

Table 3.5: Distribution of respondents by major area of work of organization

Development region		Main area of work	
		Human Rights	**Other**
EDR		30	10
CDR		28	31
WDR		43	22
MWDR		46	0
FWDR		20	0
Total	No.	**167**	**63**
	%	**72.6**	**27.4**

3.6 Focus area of human rights advocacy

Those respondents who said that their organisations' main focus was human rights (N=167) were further asked about their major activities regarding human rights. The highest percentage (90.4%) of respondents had mainly focused on social rights in their working modality followed by three-quarters (74.3%) who said they focused on economic rights. Very few respondents spoke of focusing on development rights (34.7%) and environmental rights. The organisations' focus on civil, political and cultural rights was also found to be comparatively poor.

Table 3.6: Distribution of respondents by major HR activities (N=167)

Activities	Development region					Total	
	EDR	CDR	WDR	MWDR	FWDR	No	%
Economic rights	25	12	34	35	18	124	74.3
Social rights	28	21	39	43	20	151	90.4
Cultural rights	10	7	34	37	20	108	64.7
Civil rights	23	10	30	15	19	97	58.1
Political rights	18	7	29	3	9	66	39.5
Development rights	15	1	27	3	12	58	34.7
Peace rights	22	3	31	8	16	80	47.9
Environment rights	20	5	23	2	11	61	36.5
N	30 (18.0)	28 (16.8)	43 (25.7)	46 (27.5)	20 (12.0)	167	72.6

Note: Percentage may exceed hundred due to multiple responses.

3.7 Modalities of activities

An overwhelming majority (88%) of the respondents spoke of having conducted mainly advocacy related activities in human rights, including all of the respondents in FWDR. Skill

development or training was cited by a two-third majority (67.7%), includi ng all the respondents in EDR, whereas IGA training was cited by more than half (53.9%) of them. The involvement for IGA activities was the highest in FWDR (65%), with the overall involvement at 40 % (Table 3.7).

Table 3.7: Distribution of respondents by modality of activities

Modalities	Development regions					Total	
	EDR	CDR	WDR	MWDR	FWDR	No.	%
Advocacy	24	25	37	41	20	147	88.0
IGA	17	10	18	9	13	67	40.1
Skill development/ training	30	15	34	14	20	113	67.7
IGA training	20	11	28	19	12	90	53.9
Others	9	10	6	2	1	28	16.8

These findings suggest that the involvement of human rights organisations is more in advocacy, with comparatively less priority for IGA.

3.8 Activities targeting national and international conventions

Overall, nearly three-quarters (73.7%) of respondents said that they target national and international conventions while conducting activities in human rights. This was what all of the respondents in FWDR but only nearly half (47.8%) the respondents from MWDR said. (Table 3.8).

Table 3.8: Activities based on national and international instruments by development regions

Activities targeting national and intern conventions	Development region					Total	
	EDR	CDR	WDR	MWDR	FWDR	No.	%
Yes	26	24	31	22	20	123	73.7
No	4	4	12	24	0	44	26.3

Activities targeting national and intern conventions	Development region					Total	
	EDR	CDR	WDR	MWDR	FWDR	No.	%
N	30 (18.0)	28 (16.8)	43 (25.7)	46 (27.5)	20 (12.0)	167	100.0
Types of convention focused (N = 120)							
UDHR	26	10	26	10	17	89	74.2
ICCPR	11	6	10	1	13	41	34.2
ICESCR	6	7	10	3	8	34	28.3
ICERD	6	5	18	2	10	41	34.2
CEDAW	18	13	24	15	20	90	75.0
CRC	24	6	22	15	17	84	70.0
CAT	6	2	9	0	7	24	20.0
CRMW	2	1	9	0	4	16	13.3
Geneva Convention	13	0	17	2	5	37	30.8
UN Security Resolution 1325	3	8	10	0	3	24	20.0
Others	7	5	4	0	0	16	13.3
N	26 (21.7)	24 (20.0)	31 (25.8)	22 (18.3)	20 (16.7)	120	100.0

Note: *Percentage may exceed 100 due to multiple responses.*

Those targeting national and international conventions while conducting human rights activities were further asked which conventions they mainly focused on. Three-quarters reported UDHR (74.2%) and CEDAW (75%) as the mainly focused convention. These two conventions were targeted by all the respondents in EDR and FWDR.

Other conventions targeted by the respondents were CRC (70%), ICCPR and ICERD (34.3% each), ICESCR ((28.3%)), and CAT (20%). This finding suggests that human rights organisations' priority for ICESCR is declining, which has direct linkage with people's social, economic and cultural issues.

3.9 Target groups

Finally, the respondents were asked which would be the main target group for their organisations while conducting human rights-related activities. An overwhelming majority of them (88.7%) spoke

of targeting women. This was what all the respondents of MWDR and FWDR said, whereas children were targeted by over 80 % of respondents, with the highest percentage in EDR (92.5%). This means that human rights organisations in EDR give more priority to children in their working modalities.

The mixed responses also include Dalits being targeted by 70 % of respondents, with the highest percentage found in both FWDR and EDR (95%). This means human rights organisations in FWDR and EDR also focus on the issues of Dalits in their activities.

Issues of indigenous peoples have been focused by fewer respondents (26.5%). However, respondents in EDR (85%) have said that indigenous peoples were also their main target groups. The respondents in CDR (1.7%) were focused less on the issues of indigenous peoples.

Table 3.9: Distribution of respondents by target groups of the organisation

Focus area of org	Development region					Total	
	EDR	CDR	WDR	MWDR	FWDR	No.	%
Children	37	32	57	41	17	184	80.0
Women	36	42	60	46	20	204	88.7
Elderly people	9	3	8	4	3	27	11.7
Disabled	17	4	14	12	10	57	24.8
Dalit	38	14	58	32	19	161	70.0
Indigenous people	34	1	11	5	10	61	26.5
Madeshi	9	1	10	2	1	23	10.0
Third gender	1	0	4	0	2	7	3.0
N	40 (17.4)	59 (25.7)	65 (28.3)	46 (20.0)	20 (8.7)	230	100.0

Note: Percentage may exceed 100 due to multiple responses.

Targeting the elderly (11.7%), disabled people (24.8%), Madheshis (10%) and third gender (3%) less suggests that human rights organisations in Nepal have to change their working modality and focus on the social and cultural issues of Dalits, indigenous peoples, Madheshis, the disabled and the third gender. Targeting them in the working modality means adopting the principles of inclusion, which ultimately means equality for all as envisaged by the human rights instruments. Without including all in the day to day activities, the concept of equality cannot be achieved.

Chapter Four

Conclusion and Recommendations

4.1 Conclusion

The whole picture sketched from the district to the national level shows that human rights organisations in Nepal have not been as inclusive as they should have been. The evidence collected regarding the structure of the Human Rights Alliance shows that it has not been as inclusive as it should be. As with the district level human rights organisations, the central committee of Human Rights Alliance comprises more than half Brahman/Chhetri (57.1%) followed by one-fifth (20%) Janjati, 14% Dalit, 6% Madheshi and 3% Muslim. Though the gender policy of including more than 37% women in the structure of the central committee can be praiseworthy, none of the women have been found at the portfolio level in the current structure. This shows that the organization has not fully adopted the principle of inclusion in structuring or restructuring itself.

Very few persons (10.9%) in the leadership of the organisations were identified as youths (less than 25 years of age) not only in the structure of Human Rights Alliance but also in the district level organisations.

Many of the portfolio and executive posts at human rights organizations in Nepal are occupied by persons having an education below intermediate level. Some are occupied by activists having an SLC level of education, something which can hamper the professional activities of the organisations. Comparatively more organisations seem to have been established after 1995, which correlates with the government's concept of promoting NGOs for development activities during the 7th plan period.

Although ownership of own office premises is one of the main indicators for the sustainability of an organization, very few human rights organisations have been able to build their own house for office purposes.

Although everyone has heard about human rights, they cannot properly define the meaning of human rights. Understanding about human rights principles is dependent on the age, gender and educational attainment of the respondents. Many of the respondents also do not have a proper idea about the various types of human

rights. Many of them are, however, found to be clear about the five major types of rights: civil, political, economic, social and cultural. But many of them are not clear as to whether there are development rights, a right to peace and environmental rights.

The awareness of personnel involved in human rights organisations has been found to be poor with regard to international human rights instruments. Although almost all the respondents were knowledgeable about UDHR and CRC (94.7%) each, this understanding seems to be poor among the respondents in CDR, and WDR. Slightly more than one-third (36.8%) of respondents showed understanding of CRMW. Respondents' gender was found to be correlated with the level of understanding about UDHR and UN Security Council Resolution 1325, and age correlated with understanding of UDHR and CRC, whereas marital status, educational level and caste/ ethnic background were not found to be correlated with any of the respondents' understandings of these instruments.

Regarding ratification of international human rights instruments by Nepal, the respondents' understanding has been found to be poor. Many respondents have not clearly stated which instruments Nepal has ratified.

The selected organisations' focus on civil, political and cultural rights was found to be comparatively poor. Very few organisations have included the issues of cultural rights in their working modality.

A matter of satisfaction can be seen by the expression of the respondents that an overwhelming majority were conducting mainly advocacy related activities in human rights. However, it is important to note what types of advocacy they are. Are they focused on the social and cultural issues of the excluded and marginalised groups? Such are the major questions posed to human rights organisations in Nepal. Whatever the activities, such as skill development training, IGA training or IGA activities, the marginalised and excluded groups should be made the main target groups.

The existing realities as indicated by the personnel of selected organisations show that they have less focus on the issues of indigenous peoples, the elderly, the disabled, Madheshis and third

gender. In view of this, human rights organisations in Nepal have to change their working modality and focus on the social and cultural issues of Dalits, indigenous peoples, Madheshis, the disabled and third gender. Targeting them in the working modality means adopting the principles of inclusion, which ultimately puts the focus on equality for all, as envisaged by the human rights instruments. Without including all in the day to day activities, the concept of equality cannot be achieved.

4.2 Recommendations

1. First and foremost, a change in the policy documents, such as the constitutions of human rights organisations, is necessary through a participatory approach so as to include more and more people from marginalised and excluded groups. Without their direct involvement at the organisational level it is meaningless to talk about marginalised and excluded groups.

2. Educational qualifications and professional experience in human rights issues need to be the first priority in the selection of executive and portfolio members. Such a mechanism should equally prioritise the inclusion of people whose issues have to be raised by the human rights organisations.

3. Participation of women at the portfolio level, based on the principle that either the president or the general secretary should be a woman, needs to be ensured. Inclusion of women in the executive posts needs to be ensured to promote both regional and caste/ethnicity issues.

4. A fund needs to be created through the common effort of government and civil society organisations to fulfil the urgent need of sustaining the established human rights organisations. The concept of 'CSO village', which means common homes/places for civil society organisations, can be developed through the common effort of all.

5. The existing activities of Human Rights Alliance need to strengthen the capacity of human rights organisations for understanding human rights with the focus on principles, types, the UN System, the UPR, and for monitoring implementation of the government's commitment towards human rights.

6. Activities for raising the awareness of personnel involved in human rights organisations are equally important.

7. Knowledge building on human rights instruments, highlighting their historical background, Nepal's commitment towards them and the need for review and monitoring should be the main priority of activities in the future.
8. Equally important is strengthening the capacity of human rights organisations, enabling them in ways to domesticate the ratified instruments.
9. Based on the project agreement, the human rights issues focused on need to be civil, political and cultural rights.
10. A matter for further investigation needs to be to see that the advocacies carried out by human rights organisations in Nepal are focused on the social and cultural issues of excluded and marginalised groups.
11. Equally important is the fact that organisations are less focused on the issues of indigenous peoples, the elderly, disabled people, Madheshis and third gender. In this regard human rights organisations in Nepal have to change their working modality and focus on the social and cultural issues of Dalits, indigenous peoples, Madheshis, the disabled and third gender.
12. Targeting them in the working modality means adopting the principles of inclusion, which ultimately focus on equality for all as envisaged by the human rights instruments. Without including all in the day to day activities, the concept of equality cannot be achieved.
13. Equally important is priority for creating harmony among all the groups in the long run and bringing policy changes regarding the issues of human rights.

And Finally,

The type of federalism to be adopted by the country is a matter for hot discussion in the current politics of Nepal. Whatever the type (ethnic, regional, linguistic or mixed), the pre-conditions should be entitlement to fundamental rights, multiparty democracy, rule of law, periodic elections and sovereignty vested in the people. This project will continually sensitise government authorities and political parties through advocacy and lobbying over human rights issues in the federal system of governance. The proposed activities of this project will concentrate on the formulation of a human rights-friendly constitution.

Annexes

Annex I: List of Tables

Table A1: Distribution of respondents by sources of understanding about human rights by development region

	Development region					Total	
	EDR	CDR	WDR	MWDR	FWDR	No.	%
Can say something about human rights							
Yes	40	51	65	46	20	222	96.5
No		8				8	3.5
Total	**40** (17.4%)	**59** (25.7%)	**65** (28.3%)	46 (20.0%)	20 (8.7%)	**230**	100.0
Understanding about human rights principles (Total N =222)							
Human rights are inherited.	21	27	41	17	11	117	52.7
Human rights are universal	22	8	37	5	9	81	36.5
Human rights are inter-dependent.	18	8	24	8	7	65	29.3
Human rights are the rights of human beings only.	15	24	33	8	8	88	39.6
Human rights are constitutionally and legally provided rights	6	10	35	7	11	69	31.1
Other	2	26	14	0	0	42	18.9
Types of Human Rights (N=222)							
Economic rights	39	43	52	31	11	176	79.3
Social rights	34	34	54	44	9	175	78.8
Cultural rights	29	32	48	39	7	155	69.8
Civil rights	38	42	51	23	8	162	73.0
Political rights	33	12	47	13	11	116	52.3
Development rights	6	1	12	3	0	22	9.9
Right to peace	16	26	42	21	4	109	49.1
Environmental rights	39	43	52	31	11	176	79.3
Total N	**40** (18.0)	**51** (23.0)	**65** (29.3)	**46** (20.7)	**20** (9.0)	**222**	100.0
Sources of understanding about Human Rights (N = 230)							

	Development region					Total	
	EDR	CDR	WDR	MWDR	FWDR	No.	%
Human rights organizations	17	21	30	34	6	108	47.0
Radio/TV	4	9	17	3	7	40	17.4
Newspaper	4	9	8	0	2	23	10.0
School education	5	8	4	1	1	19	8.3
Other special training, seminars	9	10	5	8	3	35	15.2
Others	1	2	1	0	1	5	2.2
N	40 (17.3%)	59 (25.7%)	65 (28.3%)	46 (20.0%)	20 (9.7%)	230	100.0
If organizations, names (N =108)							
INSEC	9	11	24	12	7	63	58.3
HR Alliance	2	14	11	4	0	31	28.7
Other national level organizations	2	0	13	7	10	32	29.6
Other local organizations	24	25	13	22	3	87	80.6
Others	2	8	4	1	0	15	13.9
N	17 (15.7%)	21 (19.4%)	30 (27.8%)	34 (31.5%)	6 (5.6%)	108	100.0
If radio/TV, types (N =40)							
Radio Nepal	3	5	14	3	7	32	80.0
NTV	0	2	2	0	0	4	10.0
Others	1	2	1	0	0	4	10.0
N	4 (10.5%)	9 (22.5%)	17 (42.5%)	3 (7.5%)	7 (17.5%)	40	100.0
If newspaper, types (N = 23)							
Kantipur	1	6	2	0	1	10	43.5
HR related documents/ magazines	1	2	4	0	0	7	30.4
Others	2	1	2	0	1	6	26.1
N	4 (17.4%)	9 (39.1%)	8 (34.8%)		2 (8.7%)	23	100.0
If school education, level (N= 19)							
Secondary	1	3	1	0	1	6	31.6
Higher secondary	1	0	0	0	0	1	5.3
Higher education	3	5	3	1	0	12	63.2
Informational education	2	0	0	0	0	2	10.5
N	5 (26.3%)	8 (42.1%)	4 (21.1%)	1 (5.3%)	1 (5.3%)	19	100.0

If training, Seminar, types (N= 35)							
HR related workshops	4	5	3	7	0	19	54.3
Different workshops and seminars	3	2	0	1	3	9	25.7
Others	2	3	2	0	0	7	20.0
N	9	10	5	8	3	35	100.0

Note: Percentage may exceed 100 due to multiple responses.

Annex II : Organisations selected for the study by development region and district

Kailali
1. EDJUST, Nepal
2. FAYA NEPAL
3. FEDRA NEPAL
4. Hudaras
5. Insafh
6. MGMT
7. RDN Nepal
8. SBM NEPAL
9. Soch Nepal
10. Wax Nepal

Dhankuta

11. AAKAS
12. ACDC Nepal
13. CCD
14. CHSC
15. Dynamic Academy Nepal
16. HUSADEC Nepal
17. Madhu Ganga Samaj Sewa Shanjh
18. PERDEP
19. Rara Samaj Shanjh
20. Samudayaki Bikash Munch, Dhankuta
21. Sthania Bikash Sewa Shangh

Dang

22. Aapanga Manav Aadhikar Ebam Sarokar Manch
23. Chetana Club
24. Dalit Samaj Sahayata Kendra
25. GMBS
26. HAEDC
27. HIPDEC
28. Manav Aadhikar Jagaran Munch
29. Nabajagaran Mahila Tatha Bal Samrachan Kendra
30. Sachamataka Lagi Aabhiyan
31. Samudayik Bikash Munch
32. SEED

Banke

33. AFHA
34. Bahumukhi Sewa Kendra
35. Bhari Bathbaraniya Bisisathata Samuha (B Group)
36. CSDR
37. Diyalo Pariwar
38. DOCFA
39. ENRUDEC
40. Harita Santi Aabhiyan
41. HRCD
42. Mahila Upakar Munch
43. SAC
44. Sewa Sankalpa Pariwar

Kathmandu

45. Child Nepal
46. CIVCT
47. Environment and Economic Development Society
48. Hamro Aabhiyan
49. Jagaran Nepal
50. Mahila Aadhikar and Bikash Kendra
51. National Labour Academy
52. Partnership Nepal
53. Women Development Society

Lalitpur

54. Community Learning Centre
55. Laligurans Youth Club

56. Loo Niva
57. Samuhik Aabhiyan

Bhaktapur

58. FIDS
59. Janahit Samaj Nepal
60. Ojasbai Mahila Samuha

Makwanpur

61. Aapanga Sahayog Samaj
62. Aasmita Nepal
63. Aastito Makawanpur
64. Bahu-Udeshya Samudayik Sewa Kendra
65. CCDN
66. CDO Nepal
67. Conflict Pidit Sahayog Samuha
68. Grahmin Mahila Sewa Kendra
69. Gramin Suchana Kendra
70. IVDS
71. Maitri Club
72. Makawanpur Aapanga Uthyan
73. Manab Aadhikar Tatha Jatiya Bhedbhab Sarokar Kendra
74. Nari Sip Srijana Kendra
75. Pragatisil Mahila Aapasi Bikash Sanstha
76. Santi Samaj Kendra
77. SERDA
78. SOREC
79. Taranga Saskritic Parishad
80. Yuba Chautari

Rupandehi

81. Basgadi Samajik Bikas Kendra
82. BHISAN Nepal
83. Butwal Hilpark Parishad
84. Chatra Birti Aachaya Kosh
85. Jiv Raj Aashrit Smriti Prathistan
86. Imod Nepal
87. LIDS Nepal
88. Phosad Rupandehi
89. Samaj Bikas Pratisthan

90. Seto Gurans Rupandehi
91. Shram Jyoti Club
92. Siddartha Community Society
93. Srijansil Samaj Nepal
94. Tarai Dalit Bikas Manch

Kaski

95. Aadrsha Community Dev Project
96. BARD Nepal
97. Children Nepal
98. CWES
99. CWIN Pokhara Nepal
100. Gonasha Pokhara
101. Indradi Ekikrit Bikas Kendra Paribar
102. INSEC Pokhara
103. Jevan Ka Lagi Naya Kiran Nepal
104. Kopila Nepal
105. Lali Gurans Community Development and Training Centre
106. MAKDEF Nepal
107. Manab Adhikar Sanrachyan Manch
108. Manab Bikas Manch
109. Nari Saba Centre
110. Naulo Ghumti
111. Relak Nepal
112. Srijana Bikas Kendra
113. Surya Chandra Bikas Samaj
114. WOCAS

Morang

115. Ekikrit Bikas Kendra
116. CORECOFA
117. CS Nepal
118. Dulari Health Society
119. FOHREN
120. Prayas Nepal
121. RODC
122. Samudayik Bikas Munch
123. Sundar Samudayik Sewa Kendra

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Major questionnaire asked during interview

नागरिक, राजनीतिक र सांस्कृतिक अधिकारको ज्ञानबारे अध्ययनका लागि छानिएका संघसंस्था (Stakeholders) लाई सोधिएको प्रश्नहरुको केही अंश

१. के तपाईले मानवअधिकारको कुनैपनि राष्ट्रिय अन्तराष्ट्रिय दस्तावेजहरुलाई मध्यनजर गरी कार्यक्रम सञ्चालन गर्नु भएको छ ?

२. कुनकुन मानवअधिकार दस्ताबेजहरुलाई आफ्नो कार्यक्रममा बढी प्राथमिकता दिनु भएको छ ?

३. तपाईले मानवअधिकारको बारेमा सुन्नुभएको छ ?

४. तपाईलाई मानवअधिकार के हो भन्ने बारेमा स्पष्टता छ ?

५. तपाईको विचारमा मानवअधिकार भनेको के होला?

६. मानवअधिकार भित्र मुख्य कुनकुन अधिकारहरु पर्दछन् ?

७. तपाईले मानवअधिकारको बारेमा कसरी थाहा पाउनुभयो ?

८. मुख्य कुन संघसंस्थाबाट मानवअधिकारको बारेमा थाहा पाउनुभएको हो ? मुख्य १ मात्र उल्लेख गर्ने ।

९. मुख्य कुन रेडियो, टेलिभिजनबाट मानवअधिकारको बारेमा थाहा पाउनुभएको हो ? मुख्य १ मात्र उल्लेख गर्ने ।

१०. मुख्य कुन पत्रपत्रिकाबाट मानवअधिकारको बारेमा थाहा पाउनुभएको हो ?

११. मुख्य कुन तहको विद्यालय शिक्षाबाट मानवअधिकारको बारेमा थाहा पाउनुभएको हो ? मुख्य १ मात्र उल्लेख गर्ने ।

१२. मुख्य कुन तालिम, सेमिनार, गोष्टि आदिबाट मानवअधिकारको बारेमा थाहा पाउनुभएको हो ? मुख्य १ मात्र उल्लेख गर्ने ।

१३. तपाईलाई मानवअधिकारको क्षेत्रमा जान्ने प्रोत्साहन मुख्य कसबाट मिलेको हो ?

१४. के तपाईले मानवअधिकारको कुनैपनि राष्ट्रिय अन्तराष्ट्रिय दस्तावेजको बारेमा सुन्नु भएको छ ?

१५. कुनकुन मानवअधिकार दस्ताबेजहरुका बारेमा सुन्नु भएको छ ?

१६. संस्थाका गतिविधिहरु सञ्चालन गर्दा ककसलाई लक्षित समूह बनाउनुहुन्छ ?

१७. यी मध्ये संस्थाका मुख्य लक्षित समूह को हुन ?

यहाँको अमुल्य समयको लागि हार्दिक धन्यवाद ।

आवेदन पत्र

मितिः................................

श्रीमान अध्यक्षज्यू,
राष्ट्रिय मानवअधिकार तथा सामाजिक न्याय मञ्च, नेपाल
(मानवअधिकार एलाइन्स) केन्द्रीय कार्यालय
मार्फतः जिल्ला कार्यसमिति ∕ क्षेत्रीय कार्यसमिति
.... ∕ ....

विषय : सदस्यता पाउँ भन्ने बारे ।

महोदय,

हाम्रो संस्था... ले
राष्ट्रिय मानवअधिकार तथा सामाजिक न्याय मञ्च-नेपाल (मानवअधिकार
एलाइन्स) को ध्येय तथा उद्देश्यसँग सहमत रहेकाले त्यस संस्थाको सदस्यता
प्राप्तिका निम्ति अनुरोध गर्ने निर्णय गरेको हुँदा आवश्यक कागजातहरू
यसैसाथ संलग्न गरी यो निवेदन पेश गरिएको छ । संस्थाको नियमअनुसार
सदस्यता प्रदान गरिदिनुहुन विनम्र अनुरोध गर्दछु ।

भवदीय

दस्तखत :
नाम :
पद :
संस्थाको छाप :

नोटः जिल्ला, क्षेत्रीय कार्यसमिति मध्ये कुनै एकमा ✓ चिन्ह लगाउनुहोला ।

सदस्यता आवेदन फारम

मानवअधिकार एलाइन्सको प्रयोजनको लागि मात्र

कोड नं. (सदस्यता नं.)

मानवअधिकार एलाइन्समा आबद्ध भएको मितिः

संस्थाको नाम : ....

पत्राचार गर्ने ठेगाना : ....

सम्पर्क व्यक्ति : ....

आवेदक संस्थाले भर्ने

१. संस्थाको नाम (नेपालीमा)ः...

अंग्रेजीमाः ....

संस्थाको छोटकरीमा नाम ∕ Acronym...

२. स्थायी ठेगानाः...

३. पत्राचार गर्ने ठेगानाः .... गा.वि.स.....................वार्ड नं

.... जिल्ला.........................अञ्चल

इमेल :...............................

फोन :...............................

४. स्थापना मिति :...

५. संस्थाको लक्ष्य : ....

६. संस्थाको उद्देश्य : ....

७. हालसम्म संस्थाले सम्पन्न गरेका प्रमुख कार्यहरू :

क)................................. ख) ....

ग).................................घ).........................

८. कुल सदस्य संख्याः महिला.................पुरुष.............तेश्रो लिङ्गी...............

दलित...........आदिवासी ∕ जनजातिः.............अन्यः..........

९. कार्यरत कर्मचारी संख्या : महिला...........पुरुष.............तेश्रो लिङ्गी ....
दलित..........आदिवासी ⁄ जनजाति:...............अन्य

१०. संस्थाको कार्यक्षेत्र :
क) भौगोलिक : ....
ख) विषयगत: ....

११. संस्थाले मानवअधिकार एलाइन्ससँग आबद्ध हुने सन्दर्भमा के कसरी साझेदारी गर्ने योजना गरेको छ ?

....

१२. संस्थाले वार्षिक लेखा परीक्षण गराउने गरेको छ ⁄ छैन ? छ भने यसभन्दा अघि कहिले लेखा परीक्षण गरेको थियो ?

....

१३. संस्थाले वार्षिक प्रतिवेदन प्रकाशित गर्ने गरेको छ ⁄ छैन ? गरेको भए अन्तिम प्रतिवेदन कहिले प्रकाशित गरेको थियो ? हालसम्म कतिवटा अन्तिम प्रतिवेदन प्रकाशित भएका छन् ?

....

....

१४. संलग्न हुने पर्ने कागजातहरु:
क) जिल्ला प्रशासन कार्यालयबाट स्वीकृत विधान तथा प्रमाणपत्रको फोटोकपी ☐

ख) संस्थाको परिचयात्मक फाराम (ब्रुसियर) ☐

ग) सदस्यता प्राप्तिका निमित्त सम्बन्धित संस्थाको कार्यसमितिले गरेको निर्णयको
    फोटोकपी ☐

घ) वर्तमान कार्यसमितिका सदस्यहरुको (व्यक्तिगत विवरण खुलेको) सूचि

ङ) प्रवेश शुल्क रु. २०० र वार्षिक सदस्यता शुल्क रु. ३०० गरी जम्मा रु. ५००
    लाग्नेछ ।

च) अन्य कागजातहरु यसैसाथ संलग्न गर्नुपर्नेछ ।

व्यक्तिगत विवरणको सूची (नमुना)

(छ ५ ७)

क्र. सं.	नाम	ठेगाना	सम्पर्क नं.	पद	शैक्षिक योग्यता	उमेर (वर्ष)	लिङ्ग	विशेष दक्षता र सीप
१.								
२.								
३.								
४.								
५.								
६.								
७.								
८.								
९.								
१०.								
११.								

नोट : यस फारममा सामेल गर्न नसकिएको विवरण अर्को पेज थपी पूरा गर्न सकिहुन्छ ।

About Human Rights Alliance

National Alliance for Human Rights and Social Justice – Nepal (or Human Rights Alliance), a coalition of Nepali nongovernmental human rights organisations dedicated to the cause of freedom, human rights, social justice and peace in Nepal, was established in 1996 at the initiative of some leading human rights NGOs in order to bring together like-minded human rights organisations and build a nationwide human rights movement conducive to the realization of basic rights by all. The Alliance envisages a world where people would be able to assert and enjoy all their human rights, and thereby experience peace and prosperity. The Alliance has made it a point to see to the inclusion of a wide variety of ethnic, caste, linguistic, religious and other marginalised communities in its organisational structure from the centre to the districts, and follows democratic processes for the selection of committee members. This mechanism promotes greater collaboration between the excluded and others rather than just creating exclusionary groups.

As an umbrella organisation, the Alliance is the largest network of human rights NGOs throughout the country and now has more than 1,050 member organisations. It has its central office in Kathmandu, five regional offices and 75 district chapters. The number of organisational members at the centre and in the regions and district depends on the democratic practice of conventions to be organised at all levels as per the constitution of the organisation.

Within one decade of its journey, Human Rights Alliance has become established as one of the federations of human rights organisations in Nepal. It has good collaboration and coordination with other NGO federations including NGO Federation of Nepal (NFN), Dalit NGO Federation (DNF), Nepal Federation of Indigenous Nationalities (NEFIN), and Federation of Community Forest Users' Groups Nepal (FECOFUN). It has even better collaboration and cooperation with the overall human rights community in Nepal including National Human Rights Commission (NHRC) and Office of the High Commissioner for Human Rights (OHCHR). Human Rights Alliance is also a thematic focal organisation (RTFO) for the Peace, Justice and Demilitarisation Thematic Group of the South Asia Alliance for Poverty Eradication (SAAPE).