

Nepal

Asia | 2023 | Published

Lawyersâ€™ Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP)

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Published:

31/05-2025

General section

Q006 (LNS) Levels of government

Central government, State-level or regional government, Local government (municipalities),

Comment

The structure of the Federal Democratic Republic of Nepal consists of three levels: the Federation, the State, and the Local level, as stated in Article 56(1) of the [Constitution of Nepal, 2015](#). Nepal is divided into [seven provinces and 753 local bodies](#), including six Metropolitan Cities, 11 Sub-Metropolitan Cities, 276 Municipalities, and 460 Rural Municipalities. These local bodies are further subdivided into 6,743 wards.

Q007 (LNS) Coverage

Country

Q009 (LNS) Number of Indigenous Peoples

Number: 60

Comment

There are [60 officially recognized Indigenous groups](#), while the 2021 census report lists 22 additional Indigenous groups that have yet to be recognized.

Q010 (LNS) Percent Indigenous People of total population

Total population: 29164578

Pct. indigenous people: 35

Comment

The 2021 population census report states that Indigenous Peoples, also known as Adivasi Janajati, make up 35 % of Nepal's total population of 29,164,578, equating to 10,207,073 individuals. However, Indigenous experts, scholars, and organizations argue that the actual population exceeds 50%, citing concerns that many were missed during the census process.

1. Magar 2013498, 6.90%
2. Tharu 1807124, 6.20%
3. Tamang, 1639866, 5.62%
4. Newa: (Newar) 1341363, 4.60%
5. Rai 640674, 2.20%
6. Gurung, 543790, 1.86%
7. Yakthung/Limbu 414704, 1.42%
8. Dhanuk 252105, 0.86%
9. Rajbansi 132564, 0.45%
10. Sherpa 130637, 0.45%
11. Kumal 129702, 0.44%
12. Gharti/Bhujel 120245, 0.41%
13. Majhi 111352, 0.38%
14. Chepang/Praja 84364 0.29%
15. Ranatharu 83308, 0.29%
16. Danuwar 82784, 0.28%

17. Sunuwar 78910, 0.27%

18. Santhal 57310, 0.20%

19. Oraon/Kudukh 46840, 0.16%

20. Gangai 41446, 0.14%

21. *Ghale, 35434, 0.12%*

22. *Kulung 33388, 0.11%*

23. Thami 32743, 0.11%

24. Dhimal 25643, 0.09%

25. *Khawas 22551, 0.08%*

26. Tajpuriya 20989, 0.07%

27. Darai 18695, 0.06%

28. Yakkha 17460, 0.06%

29. Bhote 15818, 0.05%

30. *Bantawa 15719, 0.05%*

31. Pahari 15015, 0.05%

32. Chamling 12178, 0.04%

33. Chhantyal/Chhantel 11963, 0.04%

34. Thakali 11741, 0.04%

35. Bote 11258, 0.04%

36. *Pun 9827, 0.03%*

37. Hyolmo/Yholmopa 9819, 0.03%

38. *Yamphu 9111, 0.03%*

39. *Kewarat 8809, 0.03%*

40. Baram / Baramu 7859, 0.03%

41. *Nachhiring 7300, 0.03%*

42. *Bahing 6547, 0.02%*

43. *Thulung 6239, 0.02%*

44. *Jirel 6031, 0.02%*

45. *Khaling 5889, 0.02%*

46. *Aathpahariya 5878, 0.02%*

47. Dolpo 5818, 0.02%

48. *Mewahang 5727, 0.02%*

49. Byasi/Sauka 5718, 0.02%

50. Dura 5581, 0.02%

51. Meche 5193, 0.02%

52. Raji 5125, 0.02%

53. *Sampang 4841, 0.02%*

54. *Chumba/Nubri 4414, 0.02%*

55. *Munda 3589, 0.01%*

56. Lepcha 3578, 0.01%

57. Pattharkatta/ Kushwadiya 3343, 0.01%

58. Hayu 3069, 0.01%

59. *Loharung 2598, 0.01%*

60. *Done 2125, 0.01%*

61. Mugal/Mugum 2124, 0.01%

62. *Karmarong 1663, 0.01%*

63. Kisan 1479, 0.01%

64. Lhopa 1390, 0.00477%

65. Fri 921, 0.00316%

66. *Koche 847, 0.00290%*

67. Topkegola 642, 0.00220%

68. Raute 566, 0.00194%

69. Walung 481, 0.00165%

70. Lhomi 355, 0.00122%

71. Surel 318, 0.00109%

72. Kusunda 253, 0.00087%

73. Bankariya 180, 0.00062%

74. *Nurang 36, 0.00012%*

(note: Italics are not in the Schedule of the act)

Total 10208464 (35.0030%)

(We do not find the population Census of Chhairotan, Tangbe, Tin Gaule Thakali, Thudam, Bahragaule Thakali, Maphali Thakali, Larke and Siyar Indigenous Peoples group in the population census report 2021)

Q011 (LNS) Indigenous People in urban areas

Q012 (LNS) Percentage of Indigenous pop. in rural areas

Indigenous Navigator - National survey

16%

This score measure how well supported rights are

- 0-33%: No or very little support for Human Rights
- 33-65%: Important elements supported. But major issues.
- 66-100%: Missing support in some key areas

Total questions:

110

Questions answered:

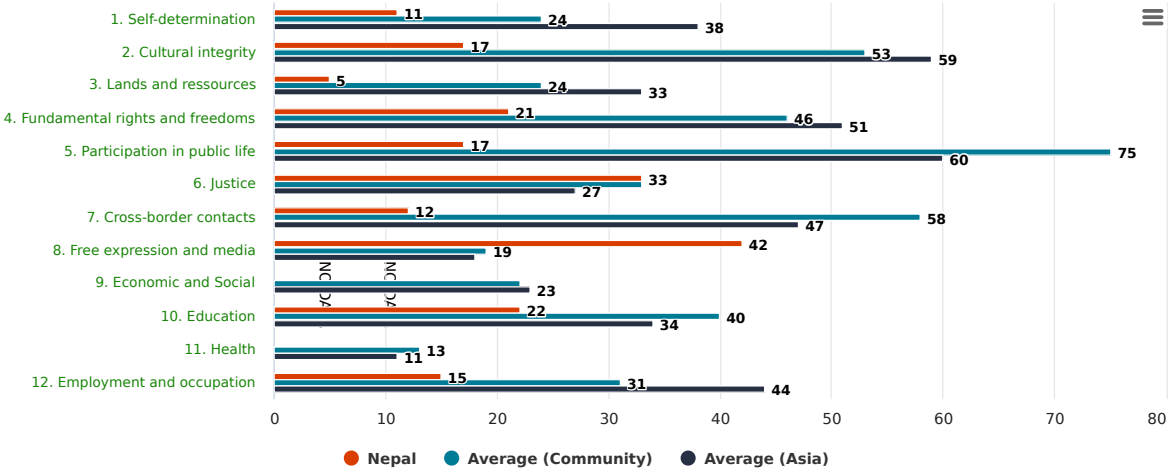
86

Questions skipped:

24

National profile (compared to latest Asia 04/12-2025)

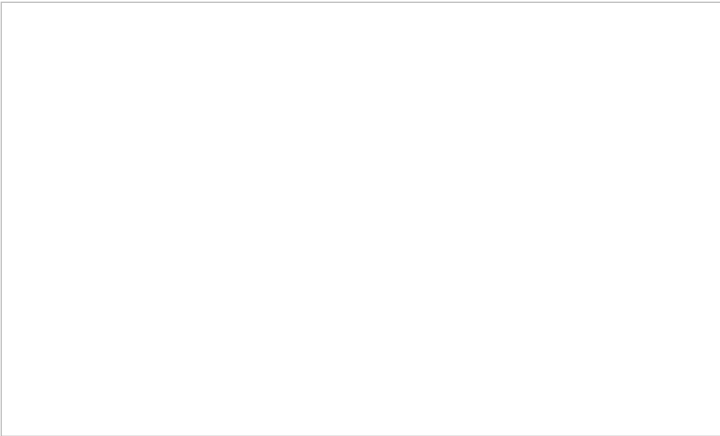
The Indigenous Peoples rights score is calculated based on data results across ten dimensions. Summary of each dimension in appendix B



Highcharts.com

Areas with lowest rights support

Score	Areas
0%	1.1 Self-determination
0%	1.4 Customary law
0%	2.3 Cultural heritage, traditional knowledge and intellectual property
0%	3.2 Dispossession, removal and relocation
0%	3.4 Environment
0%	3.5 Military Activities
0%	5.2 Citizenship
6%	1.5 Consultation and free, prior and informed consent
7%	1.3 Non-discrimination
17%	2.2 Languages
20%	3.1 Rights to lands, territories and natural resources
21%	4.1 Fundamental rights and freedoms
33%	1.2 Self-government and autonomous institutions
33%	5.1 Participation in public affairs
100%	2.1 Cultural integrity



1. Self-determination

Right index 11%(Few)
Average for communities 24%
National level of rights %

Explanations:

Nepal rights are middle in terms of cultural integrity. There are a small gap Compared to Nepal level of rights in the area. It is on the same level as other communities in Nepal

General information about Self determination

General information:

The [right to self-determination](#) is a key principle enshrined in international laws such as the ICCPR, ICESCR, ILO Convention 169, and especially the UNDRIP. Indigenous Peoples have the right to determine their political status and freely pursue their economic, social, and cultural development (UNDRIP Articles 3, 4, and 5). This right ensures freedom from discrimination and allows Indigenous Peoples to establish their own laws, governing systems, and live according to their values and beliefs on their traditional lands. Self-determination involves their participation in decision-making processes that affect them and protects their political authority, cultural integrity, and economic security. Mechanisms for exercising self-determination include autonomy, self-government, traditional decision-making, full participation in public life, and financial autonomy for these functions.

1.1 Self-determination

Index for this area

This survey: 0
Community average: 8
Latest national:

25. Does the Constitution or national legislation recognise Indigenous Peoples' right to self-determination, i.e. to freely determine their political status and freely pursue their economic, social and cultural development?

No

Comment

The Constitution of 2015 does not explicitly enshrine indigenous self-determination. [There is no provision guaranteeing autonomy and self-governance with the right to self-determination in the Constitution](#). Only a Special, Protected, or Autonomous Region can be established by federal law for social, cultural protection, or economic development, as outlined in Article 56(5) and Sections 99 and 100 of the Local Government Operation Act 2017.

[In December 2018](#), the Supreme Court issued a Directive Order to the Government of Nepal, instructing them to establish autonomy for the Baram Indigenous Peoples, referencing both the Constitution and the Local Government Operation Act. However, existing laws do not provide a clear picture of the extent to which autonomy can be ensured. While the Constitution ensures the protection of rights related to culture and religion, Articles 51(b)(3) and 51(j)(8) commit to implementing international treaties and agreements to which Nepal is a state party, ensuring Indigenous peoples' rights to a dignified life, identity, and participation in decision-making processes that concern them. Additionally, Article 51(g) on policies related to the Protection, Promotion, and Use of Natural Resources affirms the government's obligation to follow the principle of prior informed consent, though it does not explicitly mention Indigenous Peoples.

Local governments have been more responsive in granting autonomy to Indigenous Peoples to some extent, as they are mandated to focus on the socio-economic and cultural development of the people. For example, in July 2021, Kirtipur Municipality brought a law to establish a [cultural protected area](#), defining certain territories of the Newa Indigenous Peoples under the auspices of ILO-169, the UNDRIP, Article 226 of the Constitution, and Sections 102 and 9(3) of the Local Government Operation Act. The customary self-government institutions of the Newa (Guthi) can exercise full autonomy to govern the protected area. The law establishes a protection committee tasked with promoting and safeguarding the area's traditional and cultural heritage. The committee members include leaders of various customary institutions of the Newa Indigenous Peoples, Indigenous leaders, activists, and cultural experts. Similarly, [13 local governments have passed laws recognizing Barghar/Bharamasha](#) the customary self-government systems of the Tharu communities in Sudurpaschim and Lumbini provinces in western Nepal.

26. Does national legislation recognise Indigenous Peoples as groups with collective rights?

No

Comment

The [National Foundation for Development of Indigenous Nationalities Act, 2058 \(2002\)](#) lists 60 groups (including Ranatharu Indigenous Peoples) as Indigenous Peoples of Nepal. However, the collective rights of Indigenous peoples have not been recognized, except for the rights to cultural preservation and education, to some extent. Additionally, several groups claim to be Indigenous but have not been officially recognized.

The 2021 population census recorded only 52 out of the 60 formally recognized Indigenous groups. Eight groups (Chhairotan, Tangbe, Tingaule Thakali, Thudam, Bahra Gaule Thakali, Marfali Thakali, Larke, and Siyar) were not included in the census report. However, 22 groups (Ghale, Kulung, Khawas, Chamling, Pun, Yamphu, Kewarat, Nachhiring, Bahing, Thulung, Aathpahariya, Mewahang, Sampang, Chumba/Nubri, Munda, Loharung, Done, Karmarong, Koche, and Nurang), most of whom claim to be Indigenous, were recorded as ethnic groups in the census report, 2021.

1.2 Self-government and autonomous institutions

Index for this area

This survey: 33
Community average: 23
Latest national:

27. Does national legislation recognise Indigenous Peoples' right to self-government in internal and local affairs?**No****Comment**

There is no national legislation that explicitly recognizes the right of Indigenous peoples to self-government in internal and local affairs. However, there are ambiguous provisions, such as Article 56(5) of the Constitution of Nepal 2015 and Sections 99 and 100 of the Local Government Operation Act 2017, which envision Special, Protected, and Autonomous Regions for the socio-economic and cultural development of the communities, though they have not yet been implemented. These provisions do not clarify the extent of autonomy and self-governance. However, some local governments in the Sudurpashchim and Lumbini provinces have recognized Bharghar/Bhalamsha "the customary self-government and judicial institutions of the Tharu Indigenous Peoples

28. Are Indigenous Peoples' self-governing institutions and territories recognised in the political administrative structure of the State?**No****29. Has the State adopted special measures to strengthen the capacity of Indigenous Peoples' representative institutions?****Yes****Comment**

The Nepal government has adopted special measures for the development of Indigenous Peoples and the promotion of their rights, including strengthening the capacity of Indigenous peoples' representative institutions. The government has established the National Foundation for the Development of Indigenous Nationalities (NFDIN), an institution aimed at promoting the welfare and development of Indigenous communities, along with the Indigenous Nationalities Commission (INC) and the Tharu Commission. These institutions are responsible for the development of Indigenous peoples and for protecting and promoting their rights. However, these institutions have not been able to enhance the capacity of Indigenous peoples' representative organizations as expected.

84. Do Indigenous Peoples manage their own educational institutions at the following levels:Primary education: **No**Secondary education: **No**Tertiary (higher) education: **No****Comment**

However, the government initiated mother tongue education in some of the indigenous mother tongues.

Tamang- Class one to five

Limbu- Class one to eight

Bantawa- Class one to five

Chamling- Class one to five

Sherpa- Class one to five

Gurung- Class one to five

Magar- Class one to five

Tharu- Class one to five

Sunuwar- Class one to five

Rajbanshi- Class one to five

Yakhska- Class one to five

Mugali- Class one to five

Tamang (sambota)- Class one to five

Dhimai- Class one to five

Magar(athara Magarat) - Class one to Eight

Kulung- Class One to Eight

Chepang- Class one to five

Khaling- Class one to five

https://api.giwms.gov.np/storage/62/posts/1701069723_23.pdf

1.3 Non-discrimination**Index for this area**

This survey: 7

Community average: 59

Latest national:

13. Has the country ratified the following instruments?

ILO 169, ICCPR, ICESCR, ICERD, CRC, CEDAW,

Comment

-International Convention on the Elimination of All Forms of Racial Discrimination, 1965 - Jan 30, 1971 (Nepal)

-International Covenant on Civil and Political Rights, 1966 - May 14, 1991 (Nepal)

-International Covenant on Economic, Social and Cultural Rights, 1966 - May 14, 1991 (Nepal)

-Convention on the Elimination of All Forms of Discrimination against Women, 1979 - April 22, 1991 (Nepal)

-Convention on the Rights of the Child, 1989 - September 14, 1991 (Nepal)

14. Has the State, since 2008, received specific comments/recommendations concerning Indigenous Peoples' rights from any of the following mechanisms/monitoring bodies?

The Universal Periodic Review: **Yes**

The Human Rights Committee: **No**

The Committee on Economic, Social and Cultural Rights: **Yes**

The Committee on the Elimination of Racial Discrimination: **Yes**

The Committee on the Elimination of Discrimination Against Women: **Yes**

The UN Special Rapporteur on the Rights of Indigenous Peoples: **Yes**

The Inter-American Commission and/or Court of Human Rights: **No**

The African Commission on Human and Peoples Rights: **No**

The ILO Supervisory Bodies: **No**

The Committee on the Rights of the Child: **Yes**

Comment

[We can find 63 recommendation to Nepal](#)

15. If yes, please consider if the progress of implementation of recommendations from these bodies is:

The Universal Periodic Review: **Poor**

The Human Rights Committee: **Poor**

The Committee on Economic, Social and Cultural Rights: **Poor**

The Committee on the Elimination of Racial Discrimination: **Poor**

The Committee on the Elimination of Discrimination Against Women: **On-going**

The UN Special Rapporteur on the Rights of Indigenous Peoples: **Poor**

The Inter-American Commission and/or Court of Human Rights: **Not relevant**

The African Commission on Human and Peoples Rights: **Not relevant**

The ILO Supervisory Bodies: **Not relevant**

The Committee on the Rights of the Child: **None**

16. Are there laws and policies, within the following thematic areas, that are in direct violation of Indigenous Peoples' rights:

Self-government, autonomous institutions and customary law, consultation and free prior and informed consent: **Yes**

Cultural integrity, languages, cultural heritage, traditional knowledge and intellectual property: **Yes**

Lands, territories and resources: **Yes**

Participation in public life, citizenship: **Yes**

Legal protection, access to justice and remedy: **No**

Crossborder contacts: **Yes**

Crossborder contacts: **No**

Freedom of Expression: **Yes**

Food, development, social protections, housing and sanitation: **Yes**

Education: **No**

Health: **No**

Employment, occupation and vocational training: **No**

Fundamental Freedom: **Yes**

Comment

National Parks and Wildlife Conservation Act (1973), This law has led to the displacement of Indigenous Peoples (IPs) from their ancestral lands without free, prior, and informed consent (FPIC).

Forest Act (1993): Community forestry programs often exclude IPs from decision-making, ignoring customary rights to forest management and use.

17. Has the State developed a national action plan, strategies or other measures in consultation and cooperation with Indigenous Peoples, to achieve the ends of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP)?

No

Comment

On [13 September 2007](#), Nepal voted in favor of adopting the UN Declaration on the Rights of Indigenous Peoples during the 61st General Assembly of the United Nations. On [22 August 2007](#), the government of Nepal ratified ILO Convention No. 169, making Nepal the first country in South Asia and the second country in all of Asia to do so. [The National Action Plan \(NAP\) for implementing ILO Convention No. 169 was drafted in 2009](#) but has failed to translate into action.

The National Coordination Committee, consisting of seven members—National Human Rights Commission (NHRC), National Foundation for the Development of Indigenous Nationalities (NFDIN), Indigenous Nationalities Commission (INC), Tharu Commission, Ministry of Federal Affairs and General Administration, Nepal Federation of Indigenous Nationalities (NEFIN), and LAHURNIP—developed the National Action Plan for the Development of Indigenous Peoples, considering ILO 169, UNDRIP, and the Sustainable Development Goals (SDGs). The plan was submitted to the Office of the Prime Minister and Council of Ministers on 18 June 2023.

18. If the state has developed an action plan, strategies or other measures to achieve the ends of the UNDRIP, do these comprise special measures to promote and protect the rights of Indigenous Persons with disabilities, and to improve their social and economic conditions?

No

Comment

The government allocates budgets to provide allowances for individuals with functional limitations, as indicated by a red or blue ID card, which signifies a profound or severe disability. Additionally, certain government agencies distribute assistive devices, such as wheelchairs and walking sticks, to individuals in need.

19. Has the State developed initiatives to promote awareness of UNDRIP among members of legislatures, the judiciary and the civil service?
No

20. Does the State, in censuses and household surveys, collect disaggregated data to monitor the achievement of the SDGs by Indigenous Peoples and individuals?
No

Comment

However, Population Census 2021, has a [community questionnaire](#), that can monitor the achievement of SDGs. But, these questionnaires do not cover the issues of Indigenous peoples.

21. If disaggregated data exists, does the data show that Indigenous Peoples are lagging behind with regards to achieving the SDGs as compared to the total population?
No

Comment

Due to the lack of disaggregated data by caste/ethnicity and gender, it is difficult to fully understand how Indigenous Peoples are lagging behind in achieving the SDGs compared to the general population. However, [the NSIS 2018 data reveal uneven progress in SDG achievement](#), reflecting the impacts of the traditional hierarchical social structure. Hill Brahmins are nearly on track to attaining the SDGs, while Hill Chhetris are also progressing rapidly. In contrast, Dalits are the lowest achievers, with Madhesi Dalits at the bottom across all indicators. These trends highlight their marginalized status in the traditional caste hierarchy, suggesting that caste-based entitlements and privileges persist in society, and traditional social norms and values have not changed. Indigenous Peoples are positioned in the middle: above Dalit groups and some Madhesi caste groups, but below Brahmin and Chhetri groups, in terms of progress toward meeting the SDG targets set by major indicators

22. If disaggregated data exists, does the data show that Indigenous women are lagging behind with regards to achieving the SDGs as compared to:

Comment

We did not find relevant data on this matter

23. Has the State developed policies and programs to promote capacity-building and strengthen leadership of Indigenous women?
No

24. According to national surveys, what is the proportion of Indigenous People reporting having personally felt discriminated against or harassed within the last 12 months on the basis of a ground of discrimination prohibited under international human rights law?

Comment

We did not find relevant data on this matter.

1.4 Customary law**Index for this area**

This survey: 0

Community average: 38

Latest national:

30. Is the jurisdiction of customary law institutions recognised in the Constitution or national legislation?
No

Comment

The jurisdiction of customary law institutions is not explicitly recognized in constitution and national legislations. However, the constitution enshrines the fundamental rights to protect and promote culture, cultural civilization, and heritages towards each community of Nepal. As a community, [Indigenous Peoples can enjoy these rights to protect their cultural rights, customs, customary rights](#), institution, and heritages.

31. Has the State developed awareness-raising, capacity-building or training programs on international human rights standards for Indigenous Peoples' authorities or institutions?
No

Comment

The state has established special measures and mechanisms, such as the Nepal Foundation for the Development of Indigenous Nationalities (NFDIN), the Indigenous Nationalities Commission, and the Tharu Commission, to deal with the indigenous development issues and human rights. General laws, including the constitution, provide opportunities for the state and indigenous peoples to use the government budget for capacity-building activities related to indigenous peoples and their authorities on indigenous rights.

1.5 Consultation and free, prior and informed consent

Index for this area

This survey: 6

Community average: 0

Latest national:

32. Does national legislation recognise the state's duty to consult with Indigenous Peoples in order to obtain their free, prior and informed consent (FPIC) before adopting or implementing national legislative or administrative measures that may affect them?

No

Comment

However, we can find some provisions in the constitution of Nepal and the government plans.

[Right to Free Prior and Informed Consent \(FPIC\) is accepted on a principle basis in the Nepalese legal arena.](#) There is a gap between the commitment and the implementation of the FPIC.

Article 51 (j)(8) is a specific provision to ensure the right to live with dignity along with the identity of Indigenous Peoples that listed three commitments as follows:

making special provisions for opportunities and benefits;

participation in decisions concerning the community;

protection and promotion of traditional knowledge, skill, culture, social traditional knowledge, social tradition and experience of the communities.

The aforementioned provision is the government's obligation to ensure social justice and inclusion. This provision is the directive principle that cannot be challenged in case of non-compliance, but the Supreme Court laid a precedent that the directive principle is also an operative provision that needs to be given effect with its implementation

WWF interprets and takes the Article 51(j) (8) as a constitutional provision relating to obtaining the Free Prior and Informed Consent (FPIC). Article 51 (g), which focuses on policies relating to the protection, promotion, and use of natural resources and mentions the Principle of [Prior, Informed Consent](#). In addition, the [Second Nationally Determined Contribution \(NDC\)](#), 2020, and the National Action Plan on Business and Human Rights, 2023, recognized FPIC.

33. Does national legislation recognise the state's duty to consult with Indigenous Peoples in order to obtain their free, prior and informed consent (FPIC) prior to approval of any project that may affect their lands, territories or resources?

No

Comment

[Right to Free Prior and Informed Consent \(FPIC\) is accepted on a principle basis in the Nepalese legal arena.](#) There is a gap between the commitment and the implementation of the FPIC.

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34. Has the State developed operational procedures or mechanisms for consultation with Indigenous Peoples at the following levels?

At national level: **No**

At subnational (state/provincial) level: **No**

At local level: **No**

48. Does the State ensure that social, spiritual, cultural and environmental impact assessments are undertaken prior to approval of projects that may affect Indigenous Peoples' lands, territories or resources, with the participation of Indigenous Peoples' representative institutions?

Limited

2. Cultural Integrity

Right index 17%(Few)
Average for communities 53%
National level of rights %

Explanations:

Nepal rights are middle in terms of cultural integrity. There are a small gap Compared to Nepal level of rights in the area. It is on the same level as other communities in Nepal

General information on the culture

Please provide a brief summary regarding the state of Indigenous Peoples cultural integrity, languages, cultural heritage, traditional knowledge and intellectual property in your country.

Information:

Nepal is a culturally rich and diverse country, home to many Indigenous Peoples with distinct languages, customs, art, and traditions. The Constitution is committed to promoting social and cultural diversity, acknowledging its multi-ethnic, multi-lingual, multi-religious, multi-cultural, and regionally diverse characteristics. It is committed to eliminating discrimination based on class, caste, region, language, religion, gender, and untouchability.

Article 32 guarantees the right to cultural integrity, ensuring that every individual and community in Nepal has the right to use their languages, participate in their cultural life, and preserve and promote their language, script, culture, civilization, and heritage. Article 51(j)(8) under the Policies of the State commits to protecting and promoting the traditional knowledge, skills, culture, social traditions, and experiences of Indigenous Peoples. However, [Nepal lacks protective measures for traditional knowledge](#), leaving it vulnerable to exploitation.

[The 2021 population census](#) recorded 142 castes/ethnicities and 124 mother tongues. Legally, there is no interpretation of indigenous languages; however, the languages listed by the government, which are spoken by Indigenous Peoples, are generally understood as their languages. [UNESCO has classified 71 endangered languages of Nepal into different categories](#): 18 languages are Vulnerable, 33 are Definitely Endangered, 12 are Severely Endangered, 7 are Critically Endangered, and 1 is Extinct

The Constitution has recognized the language spoken in Nepal as the national language. Article 31 (5) ensures that every Nepalese community residing in Nepal shall have the right to get education in its mother tongue and, for that purpose, to open and operate schools and educational institutes, in accordance with law. [The National Education Policy 2076](#) (2019) has made provisions for education at the basic (class 1 to 8) level to be provided in the mother tongue as per the needs. Along with this, it also adopts a policy of trilingual teaching at the school level.

Section (6) of [Compulsory and Free Education, 2075 \(2018\)](#) ensures to provide compulsory education up to the basic level to every child who has completed four years but not completed thirteen years of age, through every Local Level and section (4) provided liability to the Government of Nepal, Provincial Government and Local governments to provide every citizen with education up to the basic level. The Local Government Operations Act, 2074 (2017) mandates local governments to grant permission, monitor, and regulate schools that provide education in the mother tongue. It also mandates the preservation and development of language and culture, including the formulation and implementation of laws and policies.

Nepal is a country with multiethnic, multi-lingual, multi-religious, multi-cultural, and diverse regional characteristics, (Preamble of Constitution of Nepal, para 4,

<https://giwmcdnone.gov.np/media/pdf_upload/%E0%A4%A8%E0%A5%87%E0%A4%AA%E0%A4%BE%E0%A4%B2%E0%A4%95%E0%A5%8B%20%E0%A4%B8_

[Nepal's culture is rich and unique, having evolved over the centuries. This multi-dimensional heritage encompasses the diversities of Nepal's ethnic, tribal, and social groups, manifesting in music and dance, art and craft, folklore and folktales, languages and literature, philosophy and religion, festivals and celebrations, and foods and drinks.](#)

<<https://mofa.gov.np/about-nepal/culture-society/>>

2.1 Cultural integrity

Index for this area

This survey: 100

Community average: 96

Latest national:

35. Have there, since 2008, been incidents where State authorities have removed Indigenous children, without the free, prior and informed consent (FPIC) of the parents or legal custodians?
No

2.2 Languages

Index for this area

This survey: 17

Community average: 38

Latest national:

36. Are Indigenous language(s) recognised among the official languages of the country?
Some

Comment

Bagmati Province enacted the "[Province Official Language Act, 2023](#)" on November 9, 2023. According to this act, both the Tamang and Nepal (Newar) languages have been declared official languages of the province. Furthermore, some local governments have declared the languages spoken by Indigenous Peoples as official languages. For example, the Mandan Deupur Municipality has declared Tamang as its official language

37. Are Indigenous languages used in systems of signposting, documentation and official communications?

No

Comment

The Newa language and script, along with Khas Nepali, are used on signboards, particularly in the Kathmandu and Lalitpur districts.

38. Has the State developed special measures for Indigenous youth in the area of transmission of traditional knowledge, languages and practices?

No

2.3 Cultural heritage, traditional knowledge and intellectual property

Index for this area

This survey: 0

Community average: 59

Latest national:

39. Have their, since 2008, been incidents where cultural heritage, traditional knowledge or traditional cultural expressions have been misappropriated or used without permission from the Indigenous owners?

Yes

40. Has the State, in collaboration with the Indigenous Peoples concerned, developed fair, transparent and effective mechanisms for access to and repatriation of ceremonial objects and human remains?

No

3. Lands and resources

Right index 5%(Few)
Average for communities 24%
National level of rights %

Explanations:

Nepal rights are middle in terms of cultural integrity. There are a small gap Compared to Nepal level of rights in the area. It is on the same level as other communities in Nepal

3.1 Rights to lands, territories and natural resources

Index for this area

This survey: 20

Community average: 5

Latest national:

41. Does national legislation recognise Indigenous Peoples'™ collective rights to lands, territories and resources?

No

Comment

[National legislation does not recognize](#) the collective rights of Indigenous Peoples to the lands, territories, and resources that they have traditionally occupied, customarily owned, and used. However, some legal, and policy frameworks are linked to or interconnected with lands, territories, and resources. Article 32(3) guarantees the fundamental right to protect and promote culture, cultural civilization, and heritage. Article 26 ensures religious freedom and the right to manage and protect religious sites and religious trusts (Guthis) land. Article 56(5) of the constitution and section 99 of the Local Government Operation Act 2017 have provisioned special, protected and autonomous regions for the socio-cultural and economic development of Indigenous Peoples. The Supreme Court issued a [directive order](#) to the government of Nepal in [December 2018](#) to devise necessary laws to ensure the autonomy of the Baram Indigenous Peoples. These rights are intrinsically linked to land, territories, and resources. [It is nearly impossible to fully exercise these rights without access to and control over lands and resources.](#)

The Land Survey and Measurement Act, 2019 (1963) provisions for community land, which refers to land reserved for community purposes, any structures built on such land, or land owned by a community. The National Forest Policy 2019 states that the forest areas which have been traditionally protected by a local community will be recognized as community-protected areas. The Land Policy 2019 of the government of Nepal is committed to protecting the land that has collectively been used from ancient times by the communities and given the responsibility to the local government to keep the records of the lands that have been traditionally used by the community. Section 301 of the Civil Code, 2017 has provides community property. It states that any land held by a community for its use, any structure built on such land or other property owned by it shall be deemed to be the community property. The Local Government Operation Act 2017 mandated the local government to keep records and manage public and communities' property, pasture-land and protect the biodiversity and environment. The 15th five-year plan of the government is intended to conduct a survey of the rest of the un-surveyed/ un-mapped land and bring them under a land administration system to protect them by preparing detailed documents of governmental, public, community and Guthi (Trust) lands.

42. Has the State adopted clear procedures for identification, demarcation, mapping and registration of Indigenous Peoples'™ lands or territories in consultation with and in accordance with Indigenous norms, values and customs?

No

Comment

The Constitution of Nepal, Article 56 (5), provides for autonomous, protected, and special areas for marginalized groups as per federal law. This law has not been made yet.

However, the state has not adopted clear procedures for the identification, demarcation, mapping, and registration of indigenous peoples regarding lands, territories, and natural resources.

43. What approximate proportion of the total Indigenous population in the country has title deeds or other binding agreements in recognition of their collective right to lands or territories?

Comment

[Before 1968, indigenous peoples' lands were legally recognized](#), under the existing legal system and laws relating to lands and resources. The Treaty between the state and the Limbus, signed in 1774, recognized the lands, territories, and natural resources of the Limbus and other Indigenous Peoples. The customary lands of the Limbus, called Kipat, have been taken away by the state, introducing the [Land Reform Act of 1964 \(amendment 1968\)](#). The state systematically seized the collective ancestral lands and natural resources of Indigenous Peoples through Royal Decrees during the King's™ authoritarian ruling period. [Subsequently, phased Land Cadastral Surveys and the introduction of several policies](#) such as Land (Survey and Measurement) Act, 2019, the private Forest Nationalization Act (1957), Pasture Land Nationalization Act (1974), Forest Act (1992), National Parks and Wildlife Conservation Act, 1973 and to name a few ended the pre-existing rights of Indigenous Peoples over lands. The titles of the lands were shifted to the individuals and the state. The Private Forest Nationalization Act 1957 dispossessed them from their land territories and resources, in which they had enjoyed for generations.

Legally, there are no title deeds or other binding agreements that recognize the collective rights of Indigenous Peoples to their lands or territories

44. What is the approximate area of Indigenous Peoples' land (in hectares) that is legally recognized, secured, documented and protected?

45. Have there, since 2008, been incidents of settlements, land grabbing, land use or resource extraction without Indigenous Peoples'™ free, prior and informed consent (FPIC)?

Yes

Comment

The lands, territories, and natural resources of Indigenous Peoples in Nepal are under threat due to the fragmentation caused by the state's restructuring. After the promulgation of the constitution 2015, Nepal is divided into seven provinces and 753 local bodies, which include six Metropolitan Cities, 11 Sub-Metropolitan Cities, 276 Municipalities, and 460 Rural Municipalities. These local bodies are further subdivided into 6,743 wards. [This restructuring has led to the Indigenous Peoples](#) becoming a minority, marginalizing them and limiting their access to decision-making processes, as well as the protection and promotion of their lands and territories

The "development" [projects, such as hydropower generation, transmission lines](#), and infrastructure development projects, i.e., road expansion, business complexes etc., There are other threats to the land and territories of Indigenous Peoples. [Almost one-fourth \(23.39%\) of Nepal's land is shielded as protected areas](#), including 12 National Parks, 1 Wildlife Reserve, 1 Hunting Reserve, 6 Conservation Areas and 13 Buffer Zones. The protected areas are extended to the ancestral lands of diversified Indigenous Peoples from the lowland Terai to the high mountains. Out of them, 6 protected areas have been extended in the territories of Indigenous Peoples since 2008. [They are](#), 1) Banke National Park (established in 2010) in the territory of the Tharu Indigenous Peoples, 2) Shivapuri National Park (expanded in 2016) in the territory of the Tamang and Newar Indigenous Peoples, 3) Api Nampa Protected Area (established in 2010) in the territory of the Byasi Sauka Indigenous Peoples, 4) Gaurishankar Protected Area (established in 2010) in the territory of the Thami Indigenous Peoples, 5) Krishnashar Protected Area (established in 2009) in the territory of the Tharu Indigenous Peoples, and 6) [Mai Pokhari Ramsar Site](#) (established in 2008) in the territory of the Limbu Indigenous Peoples.

3.2 Dispossession, removal and relocation

Index for this area

This survey: 0

Community average: 67

Latest national:

46. Have there, since 2008, been incidents of displacement or relocation of Indigenous Peoples without free, prior and informed consent (FPIC)?

Yes

Comment

Indigenous Peoples of Nepal face land dispossession, forced eviction, and displacement, particularly in the context of conservation, development, and business activities taking place in their territories. [The land grabbing is carried out using the Constitution, laws, policies, rules and regulations, directives, plans, and programmes](#). These practices are formulated and implemented without ever obtaining the free, prior, and informed consent (FPIC) of Indigenous Peoples and are manifested in many ways, visible and invisible. These activities impact their lands, livelihoods, culture, belief systems, identity, customary laws, tenure systems, and threaten their self-governance and rights to self-determination.

Error finding area

3.4 Environment

Index for this area

This survey: 0

Community average: 21

Latest national:

47. Has the State, since 2008, established or extended protected areas on Indigenous Peoples' territories without their free, prior and informed consent (FPIC)?

Yes

Comment

The protected areas that have been established and expanded since 2008 without obtaining Free, Prior, and Informed Consent (FPIC). [They are](#), 1) Banke National Park (established in 2010) in the territory of the Tharu Indigenous Peoples, 2) Shivapuri National Park (expanded in 2016) in the territory of the Tamang and Newar Indigenous Peoples, 3) Api Nampa Protected Area (established in 2010) in the territory of the Byasi Sauka Indigenous Peoples, 4) Gaurishankar Protected Area (established in 2010) in the territory of the Thami Indigenous Peoples, 5) Krishnashar Protected Area (established in 2009) in the territory of the Tharu Indigenous Peoples, and 6) [Mai Pokhari Ramsar Site](#) (established in 2008) in the territory of the Limbu Indigenous Peoples.

49. Have there, since 2008, been incidents of storage or disposal of hazardous materials on Indigenous Peoples' lands and territories without their free, prior and informed consent (FPIC)?

Yes

Comment

Since 2008, hazardous materials have been stored and disposed of on Indigenous peoples' lands and territories without their Free, Prior, and Informed Consent (FPIC). Below are some of the locations where hazardous materials have been stored or disposed of:

The Okharpauwa waste dumping site, located in the territory of the Tamang Indigenous Peoples, is operated by the Kathmandu Metropolitan City and other municipalities of the Kathmandu Valley.

The Sisdol waste dumping site, located in the territory of the Tamang Indigenous Peoples, is operated by the Kathmandu Metropolitan City and other municipalities of the Kathmandu Valley.

The Lameahal waste dumping site in Pokhara Municipality 32 is situated in the territory of the Gurung and Magar Indigenous Peoples.

3.5 Military Activities

Index for this area

This survey: 0

Community average: 28

Latest national:

50. Have there, since 2008, been military activities on Indigenous Peoples' lands and territories without their agreement?

Yes

Comment

Military activities are taking place on Indigenous peoples' land territories under the pretext of development and environmental protection, in particular.

Currently, [approximately 8,000 personnel, nearly 10% of its force, are deployed within protected areas](#). They patrol 14 protected areas, including Chitwan, Parsa, Banke, Bardiya, Shukla, Khaptad, Rara, Shey-Phoksundo (Dolpa), Langtang, Sagarmatha, Makalu Barun and Shivapuri.

[Currently, the Nepali Army is involved in three national pride projects and two national priority projects](#). In addition, the army is constructing four strategically important roads connecting the south and north corridors of the country: the 79 km Darchula-Tinker road, the 92 km Benighat-Arughat-Larkebhanyang road, the 22 km Lalibagar-Dulkikunna section and the Ghatiparichaur-Badrigaun-Bhukkakhola section of the Karnali corridor, and the 10.51 km Khandbari-Kimathanka road. The Nepali Army is also developing the 71 km [Kathmandu-Terai-Madhes Expressway](#). However, these projects are being carried out in the territories of various Indigenous Peoples, with military mobilization, without Free, Prior, and Informed Consent (FPIC) or any agreements.

In addition, security forces have been deployed to several development and business projects led by private companies and the government. For instance, the Asian Development Bank-financed [Tamakoshi-Kathmandu 200/400 kV Transmission Line](#) and substation projects [mobilized the Armed Police Force](#) to suppress the Indigenous struggle against the development aggression. The projects are located in Shankharapur Municipality, Ward No. 3, Lapsipedi/Bojheni, in the northeast of Kathmandu—a part of the ancestral lands of the Tamang Indigenous Peoples.

[Mukkumlung \(Pathibhara\)](#), a sacred site for the Yakthung (Limbu) Indigenous Peoples, is located in Taplejung District of Province No. 1. A company established by the [Yeti Business Group](#) has begun constructing a 2.74-kilometer (1.7-mile) cable car under the pretext of improving access to this sacred site, without obtaining Free, Prior, and Informed Consent (FPIC). The company has mobilized security forces to suppress community protests against the project. [Tensions escalated on January 25, 2025](#), when a confrontation between protesters and security forces resulted in multiple injuries, including gunshot wounds to two demonstrators.

51. Have there, since 2008, been incidents of paramilitary activities on Indigenous Peoples' lands and territories?

Yes

Comment

Various Indigenous Peoples have claimed their traditional customary ancestral lands since 2008; however state has not recognized and accepted their claim. Paramilitary, including military camps, police stations and offices, were emptied from many places at the time of the Maoist war from 2000 to 2008. After 2008/9, the state government established many new military camps, police stations and camps of armed police in many places of the indigenous peoples' lands and territories despite the disagreement of indigenous peoples. The armed police force camp of Atharai under Tehrathum district, the army camp of Jorpokhari under Panthar district etc, are some examples. The state government established countless police stations in the lands and territories of indigenous peoples without the free prior informed consent of concerned indigenous peoples. All of these militarization activities have been done to suppress the voice of indigenous peoples on the matter of lands, territories and resources.

52. Are there Indigenous refugees or internally displaced persons due to conflict and violence?

Yes

Comment

The *Tikapur Incident Human Rights Monitoring Report* documents the internal displacement of Indigenous Tharu people following a violent conflict on 24 August 2015 in Kailali, Nepal. The violence erupted during protests led by the Tharu community demanding identity-based federalism and recognition of their rights. In response, the state imposed curfews and used excessive force, resulting in deaths, mass arrests, and destruction of Tharu properties. These actions created a climate of fear and insecurity, forcing thousands of Tharu individuals, especially youth and community leaders, to flee their villages to other districts, Kathmandu, and even India.

The displaced Tharu families faced severe challenges, including loss of ancestral land, economic hardship, and mental trauma. Many were unable to access basic services such as education and healthcare due to fear of arrest and continued targeting by authorities. The report highlights that although these individuals are not officially recognized as refugees, they meet the criteria of **internally displaced persons (IDPs)** under international human rights standards, as their displacement was directly caused by violence and conflict rooted in ethnic and political discrimination.

4. Fundamental rights and freedoms

Right index 21%(Few)
Average for communities 46%
National level of rights %

Explanations:

Nepal rights are middle in terms of cultural integrity. There are a small gap Compared to Nepal level of rights in the area. It is on the same level as other communities in Nepal

4.1 Fundamental rights and freedoms

Index for this area

This survey: 21
Community average: 46
Latest national:

53. Since 2008, have any Indigenous individuals - while defending the rights of the community - been victims of any of the following atrocities:

Killing: **Yes**
Death threat: **Yes**
Kidnapping: **No**
Enforced disappearance: **No**
Arbitrary detention: **Yes**
Torture: **Yes**

Comment

Indigenous individuals are being victimized while defending their community rights to land, territories, resources, and self-determination in particular. Civic democratic spaces are shrinking. For example,

The indigenous Tharus and Madhesi intensified their protests, demanding a rewrite of the 2015 constitution, as it did not address their demands for autonomy and self-determination. The movement gained momentum in the Western Terai, particularly in Tikapur of Kailali district“ the ancestral land of the Tharu Indigenous Peoples. On 24 August 2015, the protest turned violent. [Around 20,000 Tharuhat activists gathered in Tikapur from various parts of the district](#) to place signboards of Autonomous Tharuhat in government offices and organize a protest rally. At least eight people, including a Senior Superintendent of Police (SSP), two Nepal Police inspectors, and a two-year-old toddler, were killed, while 42 other policemen were injured in the clash with the protesting Tharuhat activists in Shankarpur area of Tikapur Municipality. In Tikapur and other areas, the government imposed a curfew and mobilized the army. Many Tharu leaders were arrested, killed, or disappeared, and 325 women were abused. People from the Unified Far West Movement, who opposed the creation of an identity-based Tharuhat province, burned houses, including a local FM radio station. Excessive force by security forces led to the deaths of about 50 innocent people, including children and the elderly, with the Tharu community disproportionately targeted.

The Indigenous Peoples of Province No. 1 are in a struggle against the naming of the province as 'Koshi,' which was decided by the provincial assembly in March 2022. This decision goes against an agreement made between Indigenous Peoples and the state during the peace process. Province No. 1 consists of 14 districts, which are the traditional homelands of the Limbu and other Indigenous Peoples. [Mr. Padam Limbu](#), an Indigenous rights activist, tragically lost his life after being injured by a police baton during a demonstration in Biratnagar on March 19. A total of 45 people were arrested, and 29 others were seriously injured.

Indigenous Tamang communities have been protesting against the Asian Development Bank-financed [Tamakoshi-Kathmandu 200/400 kV Transmission Line](#) and substation projects for the past 5 years in Shankharapur municipality-3, Kathmandu. The substation is being built in a populated area, while the transmission line crosses homes, land, and sacred sites. [In January 2023](#), the Nepal Electricity Authority deployed security forces to forcefully begin survey work, leading to protests and the detention of 10 community leaders, including women and a minor.

The government set up an Armed Police Force camp at the site, further escalating tensions. Police were deployed to intimidate and arrest community members. [On 16 January 2025](#), 18 protesters were brutally beaten and arrested, with six detained for nine days and coerced into signing agreements to stop their protests, criminalizing their resistance.

A huge protest has been ongoing for the past five years by the Limbu Indigenous People against the cable car project planned for construction on the sacred mountain, Mukkumlung, located in Taplejung District, Province No. 1. Pathibhara Mata Devi Darshan Cable Car Pvt Ltd, a company established by the [Yeti Business Group](#), is constructing a cable project in Mukkumlung (Pathibhara) “ the sacred mountain of the Limbu Indigenous Peoples, located in Taplejung district of Province No. 1. The Limbu Indigenous Peoples have been protesting the project for the past five years, demanding Free, Prior, and Informed Consent (FPIC). The company, with backing from government agencies, mobilized the Armed Police Force for the construction of the project. This project not only threatens the cultural and environmental integrity of the region but also undermines Indigenous rights and the [fundamental principles of self-determination](#). On January 25, 2025, a clash between security forces and protesters resulted in multiple injuries, including gunshot wounds sustained by two demonstrators.

[On July 16, 2020](#), several Indigenous individuals went to forage for Niguro (fiddlehead fern) and Ghongi (a species of snail considered a delicacy) in the Jyudi River, located in the buffer zone of [Chitwan National Park](#). They were detained and allegedly tortured by army officials deployed for the park's security before being released.

54. Since 2008, how many Indigenous men, women and children have been victims of killings (intentional homicide)?

Comment

Accurate data is not available

55. Since 2008, how many Indigenous men, women and children have died as a consequence of armed conflict?

56. Have there, since 2008, been incidents of death and physical injury of Indigenous individuals resulting from arrests or other acts of apprehending persons by law enforcement officials?

57. Have there, since 2008, been incidents of suppression of Indigenous Peoples' peaceful assembly contrary to international human rights law?
No

5. Participation in public life

Right index 17%(Few)
Average for communities 75%
National level of rights %

Explanations:

Nepal rights are middle in terms of cultural integrity. There are a small gap Compared to Nepal level of rights in the area. It is on the same level as other communities in Nepal

5.1 Participation in public affairs

Index for this area

This survey: 33
Community average: 70
Latest national:

58. Are there Indigenous women and men that hold seats/s in national parliament?

Indigenous men: **Yes**
Indigenous women: **Yes**

Comment

The Constitution 2015 does not guarantee direct representation of Indigenous Peoples in the national parliament.

Article 18 enshrines the principle of equality for all citizens, with provisions to support vulnerable groups, including indigenous nationalities, ensuring their protection, empowerment, and development. In terms of social justice, the article 42 (1) states that the economically, socially or educationally backward women, Dalit, indigenous nationalities (Aadibasi Janajati), Madhesi, Tharu, Muslims, backward classes, minorities, marginalized communities, persons with disabilities, gender and sexual minorities, farmers, labourers, oppressed or citizens of backward regions and indigent Khas Arya shall have the right to participate in the bodies of the State based on principle of proportional inclusion.

[The Constitution envisions a bicameral legislature.](#) According to the Article 83, the House of Representatives (Also known as the Lower House) and the National Assembly (Also known as the Upper House) are named as the Federal Parliament. The Lower House of the Federal Parliament has altogether 275 members among which 165 members (i.e. 60% of the total members) are elected through the first past the post (FPTP) electoral system and remaining 110 members (i.e. 40% of the total members) through the proportional representation (PR) electoral system. The term of this House is for five years. The National Assembly consists of 59 members, and one-third of the members' term of office expires every two years.

[In the General Election held on 20 November 2022](#) for the House of Representatives, out of the total 165 elected parliamentarians, 94 (54%) are from the dominant Khas Arya caste group, 41 (25%) are from Indigenous Peoples, 28 (17%) are from the Madhesi community, one (0.6%) is from the Dalit community, and none (0.0%) were from the Muslim community. Among the 41 elected Indigenous members, nine are Newar, six are Tharu, five are Magar, five are Rai, five are Gurung, and four are Tamang. Although these elected members are Indigenous by birth, they do not represent Indigenous Peoples directly, but rather the political parties they are affiliated with.

59. Does national legislation recognise the right of Indigenous Peoples to participate in decisions that may affect them, through their representative institutions?

At national level: **No**
At subnational (state/provincial) level: **No**
At local level: **No**

Comment

The Indigenous Peoples are recognized in the constitution and other national legislation, but the mechanisms for their participation in decision-making on matters that concern them are not clearly defined. However, Article 51(j)(8) includes a specific provision to ensure the right of Indigenous Peoples to live with dignity while maintaining their identity. [This article outlines three commitments.](#)

- (1) making special provisions for opportunities and benefits;
- (2) participation in decisions concerning the community;
- (3) protection and promotion of traditional knowledge, skill, culture, social traditions, knowledge, social tradition and experience of the communities.

This provision is the directive principle that cannot be challenged in case of non-compliance, but the Supreme Court laid a precedent that the directive principle is also an operative provision that needs to be given effect with its implementation.

60. Are there special provisions for direct participation of Indigenous Peoples' elected representatives in State legislative and appointed bodies?

No

Comment

There are no special provisions for the direct participation of indigenous peoples' elected representatives in State legislative and appointed bodies. [The Constitution 2015 enshrines](#) provisions of inclusive representation of various social groups in the Federal Legislature (Article 84.2), ensuring women's representation one one-third of the total members in the Federal Parliament (Article 84.8). Electoral laws and rules were formulated accordingly. Two types of electoral system have been adopted: First-Past-The Post (FPTP) system—the electoral system of declaring as winner those who get the largest number of votes cast in a geographical constituency (165 members from as many constituencies), popularly known as direct election and proportional representation system, also called closed list, considering the whole country

as an electoral constituency, where voters vote for parties and parties select the number of candidates from among the candidates of the closed list in proportion of votes they received (110 members)

5.2 Citizenship

Index for this area

This survey: 0

Community average: 80

Latest national:

61. Have all Indigenous children under age 5 had their birth registered with a civil authority?

No

Comment

[Proportion of children under 5 having birth registration](#) with a civil authority.

Newar (81%), Mt/Hill Janajai (Hill Indigenous Peoples) (72.8%), Walung/Bhote (50%), Darai (58.7%), .Chepang (59.2%), Majhi (64.8%), Taraijanajti (Terai Indigenous Peoples) (80.1%), Santhal (45.9%), Koche (63.0%), Jhangad (58.8%), Dhanuk (59.7%).

62. Have all Indigenous women and men recognised citizenship?

Indigenous men: **Yes**

Indigenous women: **Yes**

Comment

[Based on the 2018 NSIS](#), the proportion of the population aged 16 years and above who have citizenship is as follows: Newar (96.9%), Mountain/Hill Janajati (Indigenous Peoples) (90.7%), Walung/Bhote (89.4%), Darai (92.7%), Chepang (84.1%), Majhi (83.5%), Tarai Janajati (Indigenous Peoples) (88.5%), Santhal (70.4%), Koche (78.6%), Jhangad (79.5%), and Dhanuk (83.1%).

6. Justice

Right index 33%(Some)
Average for communities 33%
National level of rights %

Explanations:

Nepal rights are middle in terms of cultural integrity. There are a small gap Compared to Nepal level of rights in the area. It is on the same level as other communities in Nepal

6.1 Access to justice and remedy

Index for this area

This survey: 33
Community average: 33
Latest national:

63. Are Indigenous Peoples recognised as legal entities (juridical personalities) in national legislation, with capacity to defend/litigate rights and seek remedies for violations?

Yes

Comment

Yes, Indigenous Peoples, as individuals or from the respective Indigenous peoples' organizations registered as NGOs status of the District Administrative Office under the Association Registration Act, 2034, can file cases in the courts.

However, a customary organization like Barghar, Bhalamansa, Majhihadam can not file cases in the court.

64. Is the right to access to translation into Indigenous languages in legal proceedings recognized in national legislation?

No

Comment

Article 32 of the Constitution of Nepal 2015 has provided the right to language. [The Guideline on the Use of Interpreting Services in Court Proceedings, 2072 \(2016\)](#) was issued by the Supreme Court of Nepal on January 5, 2016. Its purpose is to ensure access to justice for individuals who do not speak Nepali by providing interpretation and translation services during court proceedings. This initiative has led to some district courts, such as those in Sindhuli, Panchthar, and Bhojpur, hiring interpreters to offer services for Indigenous languages in Nepali during legal proceedings.

Similarly, on November 9, 2023, Bagmati [Province declared Newar and Tamang as official languages through a provincial Act](#). The language can be used by the courts in the province for legal proceedings.

65. Have there, since 2008, been incidents of court rulings that take into consideration customary law?

No

66. Have there, since 2008, been incidents of court rulings that provide remedy for infringements of Indigenous Peoples' collective rights?

Yes

Comment

Since 2008, Indigenous Peoples have been remediated through the court ruling to some extent. For instance, [the government of Nepal initiated a massive road expansion project](#) covering 996 km in the Kathmandu Valley. The projects have resulted in the demolition of homes belonging to Newa Indigenous Peoples and local communities, the destruction of cultural heritage sites, and are expected to affect around 150,000 people, 90% of whom are Newa. In 2011-12, the Kathmandu Valley Development Authority, the Ministry of Physical Infrastructure and Transport, the Roads Department, and the Ministry of Urban Development launched the road-widening projects in the valley.

These projects were started without compensation, consultation, or the Free, Prior, and Informed Consent (FPIC) of the affected communities. Several Public Interest Litigations have been filed in the Supreme Court, demanding fundamental rights related to property, culture, heritage, consultation, housing, participation, and compensation. [On 18 September 2017](#), the Supreme Court issued a [landmark](#) decision in favor of the affected communities.

The Indigenous Peoples of Nepal are advancing their advocacy for self-determination, land, territories, resource rights, and autonomy. Article 56(5) of the Constitution and section 99 of the Local Government Operation Act 2017 provided Special, Protected, and Autonomous Regions for socio-economic and cultural development of communities. [In December 2018, the Supreme Court issued a directive order](#) to the Government of Nepal to create necessary laws to ensure the autonomy of the Baram Indigenous Peoples.

67. Does the State provide training courses on Indigenous Peoples' rights for the following groups?

Judges: No

Law enforcement agencies: No

Other legal workers: No

68. Of the total number of prison inmates, what percentage constitutes Indigenous inmates?

Comment

Data is not publicly available, but Indigenous peoples are reportedly overrepresented compared to other social groups, though clear data is not available

7. Cross-border contacts

Right index 13%(Few)
Average for communities 58%
National level of rights %

Explanations:
Nepal rights are middle in terms of cultural integrity. There are a small gap Compared to Nepal level of rights in the area. It is on the same level as other communities in Nepal

7.1 Cross-border contact

Index for this area
This survey: 13
Community average: 58
Latest national:

69. Does national legislation recognise Indigenous Peoples’ right to maintain cross-border contacts and collaboration?
No

70. Do Indigenous Peoples face restrictions in their cross-border contacts and collaboration?
Limited

8. Free expression and media

Right index 42%(Some)
Average for communities 20%
National level of rights %

Explanations:

Nepal rights are middle in terms of cultural integrity. There are a small gap Compared to Nepal level of rights in the area. It is on the same level as other communities in Nepal

8.1 Freedom of expression and media

Index for this area

This survey: 0
Community average: 15
Latest national:

71. Are Indigenous languages used in the following State-owned media?

Radio: **Yes**

TV: **Yes**

Internet sites: **No**

Comment

[Nepal Television broadcasts](#) news in four (Limbu, Tharu, Gurung and Tamang) indigenous languages. And broadcasts programs in Tamang, Gurung, Magar, Limbu, Tharu and Newari.

[Radio Nepal](#) broadcasts news in 22 languages. Among them, 11 languages belong to Indigenous Peoples. [These are Newari, Rai Bantawa, Limbu, Tamang, Gurung, Magar, Purbeli Tharu, Paschima Tharu, Sherpa, Kham Magar and Rana Tharu](#). Also, Radio Nepal broadcast programs in these languages.

73. Does national legislation recognise Indigenous Peoples' right to establish their own media?

Yes

Comment

There is no provision in the National Law to prohibit Indigenous Peoples from establishing their own media.

1. Art 17. Right to Freedom: (1) No person shall be deprived of his or her personal liberty except in accordance with law. (2) Every citizen shall have the following freedoms: - (a) Freedom of opinion and expression;

2. Art 32 Right to language and culture:

Art 32(3) Every Nepalese community residing in Nepal shall have the right to preserve and promote its language, script, culture, cultural civilization and heritage

[Constitution of Nepal 2072](#)

74. What is the proportion of Indigenous individuals using the internet?

Proportion: **8.54**

Comment

Although recent data is not available, according to the 2011 Population Census, the total population was 26,494,504, including 5,888,017 Hill Janajatis (Indigenous Peoples), 1,321,933 Newars, and 2,276,464 Tarai Janajatis. The percentage of internet users within these groups was as follows: 7.20% of Hill Janajatis, 28.00% of Newars, and 0.70% of Tarai Janajatis. In total, there were 810,014 internet users, accounting for 8.54% of the population.

8.2 Combating prejudice and discriminatory propaganda

Index for this area

This survey: 56
Community average: 21
Latest national:

72. Does national legislation prohibit advocacy of hatred that constitutes incitement to discrimination, hostility or violence against Indigenous Peoples?

No

Comment

The consultation indirectly silences the Indigenous Peoples, though it talks about freedom of speech. Article 17 provides the right to freedom that guarantees the freedom of freedom of opinion and expression. It prohibits advocacy that incites discrimination, hostility, or violence. It specifically forbids actions that promote caste-based or communal hatred, disrupt inter-communal harmony, or encourage violence, ensuring protection against discrimination or incitement targeting communities.

However, this provision could be used or interpreted to criminalize Indigenous Peoples when they defend their rights, by accusing them of disrupting inter-community harmony or encouraging violence.

88. Are Indigenous Peoples’ cultures, traditions and histories positively reflected in national primary school curricula?
Limited

Comment

The *Basic Education Curriculum (2022)* (Grades 4–5), developed based on the *National Curriculum Framework (2020)*, shows that very few social studies lessons incorporate content related to the culture, history, and traditions of major Indigenous groups.

For example: **Basic Education Curriculum, 2078** (Grades 4–5), **Grade 4:** Bullet 2.3: *Language, dress, lifestyle, and festivals of the community* (p. 165), Bullet 3.3: *Protecting the public heritage in your local area* (p. 169), **Grade 5:** Bullet 2.1: *Our traditional social beliefs and practices* (p. 185), Bullet 2.2: *Local languages, traditional costumes, lifestyles, fairs, festivals, and rituals* (p. 186), Bullet 3.2: *Adherence to, protection of, and promotion of traditionally valued social norms* (p. 191).

Moreover, the **National Curriculum Framework (2020)** indicates that primary school curricula (Grades 1 to 5) encompass Nepali, English, Mathematics, Science and Technology, Social Studies and Human Values Education, Health, Physical Education and Creative Arts, as well as Mother Tongue, Local Curriculum, or Both. The local government develops the local curriculum in coordination with local experts, teachers, and parents, which has space for the integration of Indigenous cultures, traditions, and histories. Likewise, the mother tongue curriculum is supposed to be implemented to enhance learning outcomes and preserve and promote Indigenous languages and cultures. In addition, the **National Curriculum Framework (2020)** provides space for traditional education systems such as Sanskrit, Gurukul, Gumba/Bihar, Madrasa, and Mundhum in which Gumba/Bihar and Mundhum are Indigenous education systems.

9. Economic and Social

Right index 0%(Few)
Average for communities 22%
National level of rights %

Explanations:

Nepal rights are middle in terms of cultural integrity. There are a small gap Compared to Nepal level of rights in the area. It is on the same level as other communities in Nepal

9.1 The right to food

Index for this area

This survey: 0
Community average: 14
Latest national:

75. Are there Indigneous children who are stunted?

Yes

Comment

Disaggregated data is not available

9.2 The right to development

Index for this area

This survey: 0
Community average: 12
Latest national:

76. Have Indigenous Peoples participated in the definition of the national poverty reduction strategy?

No

Comment

Article 51 of the Constitution establishes the state policies relating to development that aim to enhance local public participation in the process of development. Article 51 (j8) enshrines the participation of Indigenous Peoples in the matters that affect them. [In Article 59 of the Constitution of Nepal 2015](#), states that the federal, provincial, and local levels shall prepare plans concerning economic matters within their respective jurisdictions. The areas of jurisdiction defined in Schedules 8 and 9 of the Constitution, along with fundamental rights, state directive principles, policies, and duties, serve as the basis for the planning of local levels. Through the federal democratic republican governance system, the constitutional expectation is to fulfill the aspirations of lasting peace, good governance, development, and prosperity. This includes the development of a socialist-oriented, free, and prosperous economy, as outlined in the Constitution.

However, Indigenous Peoples have not been involved in contributing country's national poverty reduction strategy. There are no legal or policy provisions or mechanisms that ensure the participation of Indigenous Peoples in the planning process. Indigenous Peoples are excluded from contributing to the national plan to combat poverty, which fails to address their unique issues, voices and development aspirations.

77. Do national poverty reduction strategies and programs comprise special measures to overcome poverty of Indigenous Peoples?

No

Comment

Even though, the Nepal government has a policy for Endangered Ethnicity Allowance for every individual member of officially recognized endangered Indigenous Peoples: Kusunda, Raute, Hayu, Kishan, Meche, Bankariya, Surel, Raji, Lepcha and Kuswadiya.

-The [Social Security Act \(2075\) 2018](#), Section 1(g)

The [Social Security Act \(2075\) 2018](#), Schedule

78. What is the proportion of Indigenous men and women living below the national poverty line?

79. What is the proportion of resources allocated by the government directly to poverty reduction programmes for Indigenous Peoples?

9.3 Social protection

Index for this area

This survey: 0
Community average: 30
Latest national:

80. Has the State developed targeted social protection programs for Indigenous Peoples?

No

Comment

Even though, the Nepal government has a policy for Endangered Ethnicity Allowance for every individual member of officially recognized endangered Indigenous Peoples: Kusunda, Raute, Hayu, Kishan, Meche, Bankariya, Surel, Raji, Lepcha and Kuswadiya.

-The [Social Security Act \(2075\) 2018](#), Section 1(g)

The [Social Security Act \(2075\) 2018](#), Schedule

9.4 Housing, water and sanitation

Index for this area

This survey: 0

Community average: 30

Latest national:

81. Has the State developed targeted housing, water and sanitation schemes for Indigenous Peoples?

No

Comment

However, the Government of Nepal has special program on water and sanitation schemes.

10. Education

Right index 23%(Few)
Average for communities 40%
National level of rights %

Explanations:

Nepal rights are middle in terms of cultural integrity. There are a small gap Compared to Nepal level of rights in the area. It is on the same level as other communities in Nepal

10.1 Education

Index for this area

This survey: 23
Community average: 40
Latest national:

82. Does national legislation recognise the right to mother-tongue and culturally appropriate education?

Yes

Comment

National legislations related to education give preference to Nepali and English as both a medium of instruction and a subject of instruction. However, the legislations clearly recognize the right to mother tongue education (both as medium and subject of instruction), particularly in basic or secondary level education, as well as other subjects. For example, the Constitution of Nepal of 2015 has specified that every Nepali community has the right to acquire education in its mother tongue up to the secondary level, and the right to open and run schools and educational institutions (Article 31(5)). This constitutional provision is clearly reflected in the Act Relating to Compulsory and Free Education of 2018. The Act specifies that the medium of instruction to be provided by the schools shall be the Nepali language, English language or both the languages or mother tongue of the Nepali community (Section 26 (1)).

Article 32 (3) of the Constitution of Nepal of 2015 stipulates that each community living in Nepal shall have the right to preserve and promote its language, script, culture, cultural civilization and heritage. But education in Nepal is less appropriate or responsive to Indigenous culture. However, general formal education/schooling, technical and vocational education, higher/tertiary education, and non-formal education (which is understood as adult literacy programs) rarely integrate the Indigenous knowledge, skills, technologies, culture, history, civilization, and heritage. There are a few courses, such as Social Studies in schools and higher education, that include the Indigenous culture and languages. Further, the Act Relating to Compulsory and Free Education of 2018, section 16 promotes non/Indigenous traditional education provided through Gurukul (non-Indigenous), Gumba (Indigenous), and Madarsa (minority religion) for preserving and protecting the non/Indigenous values, norms, culture, custom and practice.

[Art 31\(5\) Right relating to Education:](#) Every Nepali community residing in Nepal shall have the right to get education in its own mother tongue and, for that purpose, to open and operate schools and educational institutes, following law

[The Act Relating to Compulsory and Free Education, 2075 \(2018\), Section 3\(2\)](#) Every Nepali community residing in Nepal shall have the right to acquire education in the mother tongue

[The Act Relating to Compulsory and Free Education, 2075 \(2018\), Section 16.](#) To provide traditional education: (1) In order to preserve and protect the values, norms, culture, custom and practice related to education since ancient time and to continue them by improving them to the tune of the time, children may be provided with education by operating institutes such as Gurukul, Gumba, Madarsa.

[The Act Relating to Compulsory and Free Education, 2075 \(2018\), Section 26.](#) Language of instruction: (1) The medium of instruction to be provided by the schools shall be the Nepali language, English language or both the languages or mother tongue of the Nepali community concerned.

[The Act Relating to Compulsory and Free Education, 2075 \(2018\)](#) Chapter-4 Education to be Provided in Mother Tongue and Operation of Schools

83. Does national legislation recognise Indigenous Peoples' right to establish their own educational institutions?

Yes

Comment

As a fundamental right, Article 31(5) of the Constitution of Nepal 2015 stipulates that every Nepali community has the right to get an education in their mother tongue, for which the communities can establish and operate educational institutions. The constitutional provisions are also well reflected in other national legislations. For example, the Act Relating to Compulsory and Free Education of 2018 has provided the right to acquire education up to the basic level or secondary level in the mother tongue of the communities establishing, managing, and operating educational institutes under the grants of the government of Nepal (sections 28 and 29).

In addition, the Act envisages protecting and preserving religious values through religious schools (which also integrate modern school curriculums) such as Gurukul, Gumba, and Madarsa (where Gurukul is a non-Indigenous religious school, Gumba is a non-Indigenous school, and Madarsa is a religious minority school). However, there are no legislative arrangements and practices for promoting education through existing Indigenous traditional institutions of the majority of Indigenous groups (sections 16 and 26).

85. Has the State developed special measures within the national education strategies and programs to ensure equal access to education for Indigenous Peoples?

No

Comment

From the beginning of the Education for All (EFA) to the current School Education Sector Plan (SESP) for 2022-2032/sectoral plan for Sustainable Development Goal 4 (to ensure inclusive and equitable quality education and promote lifelong learning for all), the government has given high priority to provide universal access, participation and retention of all children including the children from 22 disadvantaged Janajatis like Bankaria, Baramu, Bote, Chepang, Danuwar, Dhanuk, Hayu, Jhangad, Kisan, Kusunda, Lepcha, Majhi, Meche, Musbadiya, Raji, Raute, Satar, Singa, Siyar, Sural, Thami and Thunam.

The School Education Sector Plan (SESP) for 2022-2032 specifies key strategies and programs to ensure equal access to education for all children, including education for Indigenous peoples. The plan provides equity strategies and programs to reduce disparities in access, participation and learning outcomes that include the school mapping for providing accessible alternative learning programs, free and compulsory school education for all, multilingual education, strengthening scholarships for needy, inclusive education for disabled, basic health and nutrition services, including safe water, sanitation, and hygiene, and arrange midday meal in school to support the nutritional status and health of basic level children. The plan also envisages improving the physical and educational environments by making schools free from fear, discrimination, and abuse and conducive to diversity so that children can participate in learning activities in a child-friendly (including gender - responsive and disability - friendly) environment.

Sustainable Development Goal 4: Education 2030, Nepal National Framework, also specifies several strategies and programs. The key strategies are to make equal access to quality early childhood, basic, and secondary education, technical vocational education, and both technical and general higher/tertiary education. Promoting alternative and flexible modes of education, non-formal education/literacy programs, and respecting diversity in terms of culture, knowledge and skills in education are other strategies adopted in the national framework that are likely to address the educational access for Indigenous peoples.

86. Are primary education curricula diversified in accordance with Indigenous Peoples'™ cultural and linguistic characteristics?
No

Comment

The National Curriculum Framework (2020) shows that primary school curricula (Grade I to V) include Nepali, English, Math, Science and Technology, Social Studies and Human Value Education, Health, Physical and Creative Arts, and Mother Tongue or Local Curriculum or Both. The framework states that local curriculum, which can be developed by the local government in coordination of local experts, teachers, and parents, has the possibility of reflecting Indigenous peoples'™ cultures, traditions, and histories. Likewise, the mother tongue curriculum is supposed to be implemented to enhance learning outcomes and preserve and promote Indigenous languages and cultures. However, in most cases, the schools have focused on developing local curricula rather than Indigenous mother tongue curricula.

Moreover, the *Basic Education Curriculum (2022)*, developed based on the *National Curriculum Framework (2020)*, shows that very few social studies lessons incorporate content related to the culture, history, and traditions of major Indigenous groups. For example: **Basic Education Curriculum, 2078** (Grades 4-5), **Grade 4:** Bullet 2.3: *Language, dress, lifestyle, and festivals of the community* (p. 165), Bullet 3.3: *Protecting the public heritage in your local area* (p. 169), **Grade 5:** Bullet 2.1: *Our traditional social beliefs and practices* (p. 185), Bullet 2.2: *Local languages, traditional costumes, lifestyles, fairs, festivals, and rituals* (p. 186), Bullet 3.2: *Adherence to, protection of, and promotion of traditionally valued social norms* (p. 191).

87. Are secondary education curricula diversified in accordance with Indigenous Peoples'™ cultural and linguistic characteristics?
Limited

Comment

Secondary education curricula are less diversified by Indigenous peoples'™ cultural and linguistic characteristics. The National Curriculum Framework of 2020, shows that grades 9-12 include Nepali, English, Math, Science and Technology, Social Studies, and two or three optional subjects. The optional courses/subjects dominantly include non-Indigenous knowledge and skills. However, social studies include the culture (dress, costumes, values, identity, lifestyle, festivals, rituals, traditional beliefs and practices, cultural heritages and to name a few), traditional knowledge, skills, and technologies of some major Indigenous groups. National Curriculum Framework of 2020 gives space for first and second optional subjects which include some courses such as music, herbal farming, livestock keeping, poultry farming, vegetable farming, and so name a few examples of diversification of education following the Indigenous culture. Further, the framework includes major Indigenous languages (such as Maithili, Awadi, Nepal Bhasa, Bhojpuri, Bhot Bhasa, and to name a few) as third optional subjects (general) in grades 9 and 10, which diversify the major linguistic characteristics. However, secondary education curricula do not include other minority Indigenous languages as a medium and subject of instruction in secondary education.

Even though, some generic topics are related to indigenous peoples'™ cultural and linguistic characteristics on social subjects. These are:

Class 4, 2.3 Language, dress, lifestyle and festivals of the community, p 165

Class 4, Protecting Heritage of Local Area, p 169

Class 5, 2.1 Our Traditional Social Beliefs and Practices p 185

Class 5, 2.2 Local language, costumes, lifestyle, fairs and festivals (jatra) p 186

Class 5, 2.3 Inspirational Personality of Own Community, P 187

Class 5, 3.2 To uphold, preserve, and promote our good traditional social norms, P 191

Class 6, 2.3 Our identity, p 273

Class 7, 2.2 Traditional Rituals P 295

Class 7, 2.3 Cultural Customs P 295

Class 8, 2.2 Social Traditions and Customs Prevalent in Nepal, p 321

Class 8, 2.3 Popular Social and Religious Activities in Nepal p 322

89. Has the State developed special measures to train Indigenous bilingual teachers?

No

Comment

The state has put some effort into developing special measures to train Indigenous bilingual teachers. The National Centre for Educational Development (NCED) is responsible for planning and implementing teacher training through different training centers in provinces. The NCED has developed a day's MLE teacher training guideline on "Mother Tongue and Multilingual Education Instructor Training" and the training modules in different indigenous languages are developed and delivered by the provincial training centers. However, teacher recruitment, teacher deployment, and the production of reading materials to support primary education through the mother tongue are not effective

90. Do all Indigenous boys and girls complete primary education?

Boys: **Yes**

Girls: **Yes**

Comment

Disaggregated data on the primary education completion rate of Indigenous boys and girls are not available. But the Flash I REPORT 2081 (2024/25) of the government of Nepal shows that the completion rate of boys and girls at the basic level (grades 1-8) is 82.8% and 82.1% in 2024. This indicates that about 18% of the children do not complete basic-level education.

The School Education Sector Plan (SESP) for 2022-2032 reveals that the Net Enrollment Rate (NER) at basic level (1-5) and basic level (1-8) are 96.85 and 95.1. The facts indicate that a significant number of highly marginalized Indigenous boys and girls might have no access to education as they face multiple exclusions " economic, social, cultural, and linguistic barriers in education.

This is confirmed by another study that Nepal has a high primary completion rate at 82 per cent, but has not yet achieved universal primary completion.

The report reveals the Net Enrollment Rate (NER) at basic level (1-5), basic level (6-8), and basic level (1-8) are 95.6, 94.4, and 95.1. The facts indicate a significant number of children from low caste groups, religious minorities, and highly marginalized Indigenous communities do not complete primary education as they have been facing multiple vulnerabilities and exclusions " economic, social, cultural, and linguistic barriers in education.

92. What is the secondary education completion rate for Indigenous boys and girls?

Comment

The flash report of 2024 of the government of Nepal shows the Net Enrollment Rate (NER) of boys and girls at secondary level (9-10) is 77.3 percent and 75.7 percent, respectively. The report reveals the NER of boys and girls at secondary level (9-12) are 59.9 percent and 55.8 percent, respectively. This shows a significant number of boys and girls which including Indigenous boys and girls do not complete secondary education. A report by UNICEF (2022) reveals that completion rates decline steeply for lower and upper secondary education, with 73 per cent completing lower secondary and 27 per cent completing upper secondary, which indicates the lower completion rates of the children from rural and economically poorer Indigenous communities.

However, the report highlights the higher completion rates of girls (Including Indigenous girls) in all levels of schools.

94. What is the tertiary education enrolment rate for Indigenous men and women?

Comment

There is no exact and latest disintegrated data available to show the enrollment rate of Indigenous men and women in tertiary education. However, a study (students' representation analysis in the oldest and biggest Tribhuvan University, which holds around 80% of the total students of Nepal) conducted by Martin Chautari in 2015 shows that the Indigenous students represent only 12.7 percent out of the Indigenous population, 31.7 percent of the total population of Nepal but Newar students represent 12.3 percent though the Newar Indigenous group has 5.48 percent of total population. This shows that Newars are more progressive in terms of enrollment in tertiary education. This indicates the total representation of Indigenous students in Tribhuvan University (TU) is 25 percent from total Indigenous population (37.2 percent) while Hill Brahmin-Chhetri (non-Indigenous group) students represent 68.4 percent from the total population of 30.89 percent of the total population. The study reports that female Indigenous students account for 42 percent and males 58 percent of the total enrollment. But, within Newar, the male and female students' representation is almost equal. However, the female Indigenous students represent only one-third (33.8 percent) in technical higher education. This shows gender disparities in higher education. The same study reveals that the five major hill Indigenous groups (Magar, Gurung, Tamang, Rai and Limbu) occupy 80.4 percent of the total student population enrolled. Newar and Thakali, categorized as advanced groups, account for 12.4 percent of the total Janajati representation of 25 percent. These facts indicate that there is no access to tertiary education for most students, including males and females representing from a large majority of Indigenous groups.

96. Do all Indigenous children and young people achieve at least a minimum proficiency level in reading and mathematics? Indicate what is the percentage of Indigenous children and young people who achieve at least a minimum proficiency level in reading and mathematics?

In grade 2/3: **Yes**

At the end of primary education: **No**

At the end of lower secondary education: **No**

Comment

A report on the National Assessment of Student Achievement (NASA) of the Education Review Office (2018) shows the achievement of the Indigenous students in Grade 5 Mathematics stands at 496, which is below the proficiency score range is defined as 509-561. The NASA report shows the achievement of the Indigenous students in the Grade 5 Nepali subject is 500, which is equal to the national average (500). This indicates that they have achieved the reading proficiency level.

Report on National Assessment of Student Achievement (NASA) in Mathematics for Grade 8 (2020) shows that Nepali speakers at home scored 483, which is very slightly lower than the mean score of 484 of students who spoke other languages (including Indigenous languages) at home. The report reveals that there is no significant difference in educational achievement in Mathematics between Nepali speakers and other language speakers (including Indigenous languages) at home. Compared to the national average score (500) in Grade 8 Nepali, Madhesi/lowland, hill, and mountain Indigenous children have achieved 492.5796, 510.5414, and 501.5532, respectively (p. 130). Similarly, compared to the national average score (500) in Grade 8 English, Madhesi/lowland, hill, and mountain Indigenous children have achieved 496.5299, 506.1659, and 501.3341, respectively (p. 151 & 152). The data above reveals that the Grade 8 Indigenous children have almost achieved the average competency in both the Nepali and English languages. But, the state has no data on measuring competency achievement in Indigenous language curricula.

11. Health

Right index 0%(Few)
Average for communities 13%
National level of rights %

Explanations:

Nepal rights are middle in terms of cultural integrity. There are a small gap Compared to Nepal level of rights in the area. It is on the same level as other communities in Nepal

11.1 Health

Index for this area

This survey: 0
Community average: 13
Latest national:

97. Does national legislation recognise Indigenous Peoples' right to maintain traditional medicines and health practices?

No

Comment

Nepal's legislations give priority to modern health systems and practices rather than Indigenous health systems and practices. The constitution of Nepal 2015 has established the basic health care services as the fundamental rights of all citizens (Article 35) as individual rights. The National Health Policy 2019 reiterates these rights to modern health services and further envisages developing "Ayurveda, Naturopathy, Yoga, and Homeopathy", which are the traditional Hindu and Western health systems. However, the national legislations do not recognize the collective rights of Indigenous peoples to maintain their traditional medicine, healing, and health practices.

98. Has the State developed targeted health programs for Indigenous Peoples?

No

Comment

In Nepal, there are no specific health programs targeted at Indigenous peoples. But, Nepal has prioritized the promotion of equitable access to quality health services. However, disadvantaged groups, including women including Indigenous people,s have less access to quality health services despite a wide range of programs.

There are a few programs, such as the "HPV Vaccination Service Program," which aims to reach adolescent girls in grades 6-10 and out-of-school girls aged 10-14 years, the "School Health and Nursing Service Program" the "National Immunization Program", "the Social Health Security Program" that aims to enable its citizens to access quality health care services without placing a financial burden on them, and "Free Health Care Program.

99. What is the neo-natal mortality rate among the Indigenous population?

Comment

There are no disintegrated data on the neonatal mortality rate among the Indigenous peoples. But, there are mixed reports of the neonatal mortality rate in general. For example, the **Nepal Demographic and Health Survey (NDHS) 2022** has reported a neonatal mortality rate of **21 deaths per 1,000 live births in 2022** and Nepal's Family Welfare Division shows the neonatal mortality rate as **39 deaths per 1,000 live births in 2022. The data shows the achievement of Nepal under the ambitious target to reduce the neonatal mortality rate to 12 per 1,000 live births by 2030**, aligning with the Sustainable Development Goals (SDGs).

100. What is the under-five mortality rate among Indigenous children?

Comment

There are no disintegrated data on the under-five mortality rate among the Indigenous peoples. There are mixed results of the under-five mortality rate in the studies. As of the 2022 Nepal Demographic and Health Survey (NDHS), the **under-five mortality rate** in Nepal is **33 deaths per 1,000 live births**. But, according to UNICEF, the Under-Five [Mortality Rate](#) (Deaths per 1000 in live births) in Nepal is 27 and among them, the rate of females is 25, whereas the rate of Males is 29.

-Key demographic indicators, Child survival, Under-five mortality rate (Deaths per 1,000 live births).

101. What is the maternal mortality ratio for Indigenous women?

Comment

We cannot find the disaggregated maternal mortality rate of Indigenous women. However, we can find that the [maternal mortality](#) ratio of women in Nepal, is 151 in 100,000 live births in 2021 (A REPORT on MATERNAL MORTALITY, national POPULATION AND HOUSING CENSUS 2021, National Statistics Office. P 20. This shows that it is difficult to achieve the Sustainable Development Goal (SDG) target of reducing the maternal mortality ratio to less than 70 per 100,000 live births by 2030 (<https://nepal.un.org/en/sdgs/3>).

We can not find the disaggregated maternal mortality rate of Indigenous women. However, we can find that the [maternal mortality](#) ratio of women in Nepal, is 151 in 100,000 live births.

102. What is the suicide mortality rate among the Indigenous population?

Comment

Data on suicide mortality rates among Indigenous peoples in Nepal is limited. However, a retrospective study which studied 2172 suicide cases of children and young adults under the age of 21 years reported to Nepal Police Headquarter from January 2005 to December 2009 show that there were Brahmins (18.4%), Chhetris (15.6%), Rais (6%), Tharus (10%), Magars (4.1%) and Chaudhary (7.7%). The figures indicate that suicide cases are present across various Indigenous groups in Nepal and cumulatively, the Indigenous peoples often face higher suicide rates. Further, in general, according to Nepal Police data, 7,223 individuals died by suicide in 2023-2024, averaging about 20 deaths per day—the highest annual figure recorded to date (https://kathmandupost.com/health/2024/08/19/nepal-witnesses-unprecedented-rise-in-suicide-cases?utm_source=chatgpt.com). However, as per data published on 8 sep 2022 by the [Epidemiology and Disease Control Division](#) of Nepal, the suicide rate is decreased by 4.35%.

103. What is the adolescent birth rate (10-14 and 15-19years) per 1000 women among the Indigenous population?

Comment

As of the latest available data, specific adolescent birth rates per 1,000 women aged 10–14 and 15–19 years among indigenous peoples in Nepal are not documented. However, overall, 14% of adolescent women aged 15-19 have ever been pregnant: 10% have given birth, 4% were pregnant at the time of the survey, and 2% have ever had a pregnancy loss.

12. Employment and occupation

Right index 15%(Few)
Average for communities 32%
National level of rights %

Explanations:

Nepal rights are middle in terms of cultural integrity. There are a small gap Compared to Nepal level of rights in the area. It is on the same level as other communities in Nepal

12.1 The right to work and equality in employment and occupations

Index for this area

This survey: 25

Community average: 36

Latest national:

104. Does national legislation prohibit discrimination based on Indigenous identity or background with respect to access to recruitment and terms and conditions of employment?

No

Comment

Article 33 of the Constitution of Nepal 2015 has guaranteed the right to employment of each citizen and Article 42 of the constitution specifies the employment rights of Indigenous peoples on the basis of the principle of inclusion.

Prohibition on discrimination: (1) No employer shall discriminate against any labour on the ground of religion, colour, sex, caste, tribe, origin, language, ideological conviction or other similar ground.

105. Has the State developed special measures to promote employment of Indigenous youth?

No

Comment

The Government of Nepal has implemented several programs that are not exclusively targeted at indigenous peoples, but to benefit all marginalized groups. For example, the Prime Minister Employment Program aims to improve employment services and labor market outcomes for youth, especially women from poor and marginalized communities

Youth Self-Employment and Small Enterprise Fund provides collateral-free loans up to NPR 200,000 at low interest rates to unemployed youth and small business entrepreneurs.

Council for Technical Education and Vocational Training (CTEVT) is a pivotal institution with over 1,100 affiliated institutions nationwide and offers diploma and pre-diploma courses in various fields, including engineering, health sciences, agriculture, and information technology to equip youth, including those from indigenous communities, with practical skills aligned with labor market demands

However, some inclusionary provisions in the [Civil Service Act, 2049 \(1993\)](#). According to section 7(7) of the act, forty-five percent posts of the posts to be fulfilled by open competition shall be set aside and be filled up by having a separate competition between the following candidates only, by considering the percentage as a cent percent:

- (a) Women -Thirty-Three Percent
- (b) Indigenous Peoples -Twenty-Seven Percent
- (c) Madhesi -Twenty Two Percent
- (d) Dalit -Nine Percent
- (e) Disabled (differently able)- Five Percent
- (f) Backward Area -Four Percent

107. What is the proportion of young Indigenous men and women (15-24 years) employed in the formal sector (i.e. have jobs with normal work hours and regular wages, that are recognized as income sources on which income taxes must be paid)?

Comment

As of the latest available data from the Nepal Labour Force Survey 2017/18, specific statistics on the proportion of young indigenous men and women (aged 15-24) employed in the formal sector are not directly provided. However, the survey indicates that 65% of employed youth aged 15-24 work in the informal sector, implying that approximately 35% are in formal employment. While this figure encompasses all youth within that age group, it does not offer a breakdown by ethnicity. Given that indigenous communities often face systemic barriers to formal employment, it's plausible that the proportion of indigenous youth in formal sector jobs is lower than the overall average

108. Does national legislation penalize forced labour and human trafficking?

Yes

Comment

Nepal's national legislation penalises forced labour and human trafficking. Article 20 of Nepal's Constitution explicitly prohibits human trafficking, slavery, and forced labour in any form, stating that any contravention shall be punishable by law.

Human Trafficking and Transportation (Control) Act, 2007 criminalizes activities such as the sale or purchase of individuals, involvement in prostitution, and transportation of persons for exploitation. Penalties include imprisonment of up to 20 years and fines, depending on the severity of the offence.

109. Has the State developed special measures to eliminate forced labour among Indigenous Peoples?

No

Comment

Nepal has introduced important legal provisions to safeguard workers' rights, primarily through the **Labour Act, 2017 (2074)**. This Act prohibits all forms of forced labour—direct or indirect—and includes key protections such as the **prohibition of child labour** (Section 5) and **non-discrimination in employment** based on religion, colour, sex, caste, tribe, origin, language, or ideology. These measures are designed to promote fairness and equality in the workplace.

In addition, the **Bonded Labour (Prohibition) Act, 2058 (2002)** specifically addresses the issue of bonded labour. **Section 3** states that all individuals serving as bonded labourers at the time of the Act's commencement are automatically freed, while **Section 4** prohibits anyone from employing others in such conditions. Reflecting these legal commitments, the Government of Nepal has also undertaken targeted efforts to eliminate forced labour among historically marginalised indigenous communities. These include groups previously subjected to bonded labour systems such as the **Kamaiya, Kamlari, Haliya, and Haruwa—Charuwa**. According to recent data, the government has officially recognised and freed **69,738 Haruwa—Charuwas, 27,570 Kamaiyas, 16,953 Haliyas, and 9,490 Kamlaris**, marking significant progress toward ending exploitative labour practices and restoring the dignity of these communities.

110. What is the number of Indigenous victims of human trafficking?

Comment

Human trafficking is a serious problem in Nepal, especially for Indigenous women and girls. Exact numbers are hard to find because trafficking is hidden, but reports give an idea of how widespread it is. Studies and internal assessments by organizations such as Shakti Samuha and Maiti Nepal indicate that approximately 70% of trafficking survivors in Nepal are from Indigenous communities. In general, it is estimated that annually, more than 20,000 Nepalese are victims of trafficking and two million are at risk of exploitation (e.g., modern slavery).

12.2 Child labour

Index for this area

This survey: 0

Community average: 22

Latest national:

111. Has the State developed special measures to eliminate child labour among Indigenous Peoples?

No

Comment

The Government of Nepal has implemented several measures to eliminate child labour among disadvantaged groups who face multiple vulnerabilities. Nepal's Constitution enshrines children's rights, including protection from exploitation. The Child Labour (Prohibition and Regulation) Act of 2000 and the Act Relating to Children (2018) set the minimum working age at 14 and prohibit hazardous work for those under 18. Further, the government introduced the Second National Master Plan on the Elimination of Child Labour (2018–2028), aiming to eradicate the worst forms of child labour by 2022 and all forms by 2025.

12.3 Vocational training

Index for this area

This survey: 0

Community average: 28

Latest national:

106. What is the proportion of young Indigenous men and women (aged 15-24) not in education, employment or training?

Comment

There are no specific statistics on the proportion of Indigenous (Adivasi Janajati) youth aged 15–24 in Nepal who are not in education, employment, or training (NEET) that are not readily available. However, general NEET rates for Nepalese youth in this age group are available and indicate significant gender disparities. In 2017/18, approximately 35.3% of Nepalese youth aged 15-24 were not in education, employment, or training (NEET)

This translates to around 2 million young people out of a total of 5.6 million in that age group. Specifically, the NEET rate was 46.6% for females and 21.5% for males

112. Has the State developed special measures to provide vocational training according to Indigenous Peoples' special needs or traditional occupations?

No

Comment

Even though, the government has special provisions for [Marginalized groups](#) which also include some Indigenous peoples of Nepal (Chepang, Kusunda, Bankariya, Raute, Sural, Hayu, Raji, Kishan, Lepcha, Meche and Kushbadiya)

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