

2025 National Survey: Indigenous Peoples of Nepal — Rights, Realities and Future Pathways



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Indigenous Peoples of Nepal

- 61 Indigenous groups are officially recognized as Indigenous Nationalities (*Adivasi Janajati*).
- An additional 22 groups were identified in the 2021 census.
- 10.2 million people—approximately 35% of the total population—are identified as Indigenous Peoples, though Indigenous experts and organizations claim the actual figure may exceed 50%.
- The vast majority of the 124 languages documented in the 2021 national census—along with 5 more languages identified by the Language Commission—are Indigenous. Many of these languages are critically endangered and at risk of extinction.



**INDIGENOUS
NAVIGATOR**

Data by and for Indigenous Peoples

UNDRIP:

- Article 3: Indigenous Peoples have the right to self-determination, including the freedom to choose their political status and to pursue their economic, social, and cultural development.
- Article 4: Indigenous Peoples have the right to autonomy or self-government in matters relating to their internal and local affairs, including access to the resources necessary to support these functions.
- Article 5: Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

National Policies:

- The Constitution of Nepal (2015) does not guarantee Indigenous Peoples' rights to self-determination and autonomy.
- Article 56(5) of the Constitution and Sections 99 and 100 of the Local Government Operation Act (2017) provide for the creation of Special, Autonomous, and Protected Regions for the socio-economic and cultural development of Indigenous Peoples—but these provisions remain unimplemented.
- In 2018, the Supreme Court of Nepal ordered the government to establish autonomy for the Baram Indigenous Peoples in Gorkha District.
- In 2025, the Supreme Court directed all levels of government to align national laws and policies with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and ILO Convention No. 169.

Initiatives of Local Governments:

- Kirtipur Municipality in Kathmandu District has enacted a local law establishing a Cultural Protected Area, granting full autonomy to NewaGuthi institutions — the traditional self-governing bodies of the Newa Indigenous Peoples.
- Thirteen local governments in Western Nepal have officially recognized Barghar/Bhalamansha — the customary self-governance and judicial institutions of the Tharu Indigenous Peoples.

Gaps:

- Nepal's Constitution and national laws do not clearly or fully guarantee the rights of Indigenous Peoples to self-determination, autonomy, or self-government, as affirmed in Articles 3, 4, and 5 of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).
- While Article 56(5) of the Constitution and Sections 99–100 of the Local Government Operation Act (2017) provide for the creation of Special, Autonomous, and Protected Regions, these provisions remain unimplemented, despite relevant Supreme Court directives.
- Nepal's legal framework is primarily focused on individual rights, and lacks comprehensive recognition and protection of the collective rights of Indigenous Peoples.



Recommendations:

- Amend the Constitution to explicitly guarantee the rights of Indigenous Peoples to self-determination and autonomy, in full alignment with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and ILO Convention No. 169.
- Implement and operationalize Article 56(5) of the Constitution and the relevant provisions of the Local Government Operation Act (2017) to establish Special, Autonomous, and Protected Regions for the development of Indigenous Peoples.
- Formally recognize additional groups who self-identify as Indigenous, along with their collective rights, in accordance with international standards.

UNDRIP:

- Article 10: Indigenous Peoples shall not be forcibly removed or relocated from their lands or territories without their Free, Prior, and Informed Consent (FPIC).
- Article 11(2): States shall provide redress, including restitution, for cultural, intellectual, religious, and spiritual property taken without the FPIC of Indigenous Peoples.
- Article 19: States shall consult with Indigenous Peoples, through their own representative institutions, to obtain FPIC before adopting or implementing legislative or administrative measures that may affect them.
- Article 28: Indigenous Peoples have the right to restitution or fair compensation for lands, territories, and resources taken, used, or damaged without FPIC.
- Article 29(2): Hazardous materials shall not be stored or disposed of on Indigenous lands without their FPIC.
- Article 32(2): States must obtain FPIC before approving any projects affecting Indigenous Peoples' lands, territories, or resources.

National policies:

- Article 51(g)(8) of the Constitution of Nepal (2015) acknowledges the principle of Free, Prior, and Informed Consent (FPIC)—referred to as *Prior Informed Consent*—for the protection, promotion, and utilization of natural resources.
- Article 51(j)(8) of the Constitution guarantees the participation of Indigenous Peoples in decision-making processes, and seeks to protect and promote their dignity, identity, knowledge, and culture.
- The Nationally Determined Contribution (2020) recognizes the importance of FPIC in climate action and policy implementation.
- The National Action Plan on Business and Human Rights (2023) identifies FPIC as a key component of the Environmental Impact Assessment (EIA) process.

Gaps:

- There are no mandatory laws, legal provisions, or institutional mechanisms in place to fully implement Free, Prior, and Informed Consent (FPIC) in accordance with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).

Recommendations:

- Enact binding national legislation to ensure the implementation of Free, Prior, and Informed Consent (FPIC) in full compliance with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).
- Establish dedicated institutional mechanisms to monitor, oversee, and enforce FPIC, ensuring the meaningful participation of Indigenous Peoples in all relevant decision-making processes.

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Land, Territories, and Resources

UNDRIP:

- Article 26 (1): Indigenous peoples have the right to the lands, territories, and resources they have traditionally owned, lived on, or used.
- Article 26 (2): Indigenous peoples have the right to own, use, develop, and control lands and resources they have through traditional ownership, occupation, or other means.
- Article 26 (3): Governments must legally recognize and protect these lands and resources, respecting the customs and traditions of the Indigenous peoples involved.

Gaps:

- Indigenous Peoples' rights to land, territories, and resources are not explicitly recognized in national policies.
- Some policies refer to community land or forests, but do not specifically address Indigenous Peoples.
- All lands, territories, and resources traditionally used by Indigenous Peoples remain under state control.
- Existing constitutional and legal provisions are largely symbolic and lack enforceable rights for Indigenous Peoples over their lands, territories, and resources.

National policies:

- Article 26 of the Constitution of Nepal (2015) guarantees the right to operate and protect religious sites and religious *Guthi* (trusts).
- Article 32 of the Constitution guarantees the right to preserve and promote culture and heritage.
- Article 56(5) of the Constitution and Sections 99 and 100 of the Local Government Operation Act (2017) provide for the establishment of Special, Autonomous, and Protected Regions for socio-economic and cultural development.
- The Local Government Operation Act (2017) grants local governments the authority to formulate policies to protect the environment, pasturelands, and biodiversity, as well as to manage and maintain records of public and community lands.
- The Land Survey and Measurement Act (2019) includes provisions for community land, referring to land reserved for community use, any structures on such land, or land owned collectively by a community.
- The Civil Code (2017) defines community property, including land and structures used collectively by communities.
- The National Forest Policy (2019) recognizes community-protected forest areas traditionally managed by local communities.
- The Land Policy (2019) aims to protect traditionally used lands and assigns local governments the responsibility of maintaining land records.
- The 15th Five-Year Plan emphasizes the mapping of un-surveyed lands, including public and community-used lands.

Recommendations:

- Amend national laws and the Constitution to explicitly recognize Indigenous Peoples' collective ownership and legal rights over their traditional lands, territories, and resources.
- Establish mechanisms to identify, map, and protect ancestral lands, ensuring full participation of Indigenous communities and recognition of their customary land tenure systems.
- Guarantee legal restitution and protection for Indigenous lands, including demarcation, prevention of harmful activities on sacred sites, and enforcement of customary governance over land use and management.

UNDRIP:

- Article 30(1): Military activities shall not occur on Indigenous lands unless they are freely agreed to or expressly requested by the Indigenous Peoples concerned.
- Article 30(2): Indigenous Peoples must be consulted, through their representative institutions, prior to any military use of their lands.

Current Status:

- 8,000 soldiers (representing 10% of total forces) have been deployed across 14 protected areas.
- Military forces have been mobilized in connection with three national pride projects, two priority projects, and the construction of roads (e.g., Darchula–Tinker Road, Kathmandu–Terai Expressway) through Indigenous territories.
- None of these activities have been carried out with the free, prior, and informed consent of the Indigenous Peoples affected, nor have they been adequately consulted.

Gaps:

- There is no legally binding procedure in place to obtain the Free, Prior, and Informed Consent (FPIC) of Indigenous Peoples before conducting military activities on their lands, as required under Article 30 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

Recommendations:

- Establish legal and policy provisions that prohibit military activities on Indigenous lands unless they are explicitly requested by, or freely agreed to by, the Indigenous Peoples concerned, and require prior consultation through their representative institutions before any such activities are approved.

UNDRIP:

- Article 10): Indigenous Peoples must not be forcibly removed from their lands. Any relocation must have their free, prior, and informed consent, include fair compensation, and allow for return whenever possible.

Current Status:

- Indigenous Peoples continue to face land dispossession, forced evictions, and displacement as a result of protected area designations, infrastructure projects, and commercial ventures.
- Such land appropriation is often justified through existing laws, policies, and government programs.
- Free, Prior, and Informed Consent (FPIC) is not obtained before these actions are carried out.

Gaps:

- Indigenous Peoples are being forcibly removed from their traditional lands without obtaining their Free, Prior, and Informed Consent (FPIC).
- There is a lack of meaningful participation by Indigenous Peoples in decision-making processes that affect their lands and livelihoods.
- Mechanisms for restitution and reparation for affected communities remain inadequate.

Recommendations:

- Enact, amend, and enforce national legislation to require Free, Prior, and Informed Consent (FPIC) for any development or relocation involving Indigenous lands, ensuring that Indigenous Peoples retain full authority over decisions that impact them.
- Establish an independent Indigenous Land Rights Commission mandated to address land dispossession, ensure fair compensation, and facilitate the restoration or return of Indigenous territories wherever possible.

UNDRIP:

- Article 29 (1): Indigenous Peoples have the right to conserve and protect their environment and natural resources without discrimination.

Current Status:

Since 2008, numerous protected areas have been established or expanded without obtaining the Free, Prior, and Informed Consent (FPIC) of the Indigenous Peoples concerned.

- Banke National Park in Tharu territories – 2010
- Shivapuri National Park in Tamang and Newa territories – 2016
- Api Nampa Protected Area in ByasiSauka territories – 2010
- Gaurishankar Protected Area in Thami territories – 2010
- Krishnashar Protected Area in Tharu territories – 2009
- Mai Pokhari Ramsar Site in Limbu territories – 2008

Recommendations:

- Establish a legal framework requiring the Free, Prior, and Informed Consent (FPIC) of Indigenous Peoples before creating, expanding, or managing protected areas on their traditional lands, ensuring their active and nondiscriminatory participation in environmental conservation and resource management decisions.

UNDRIP:

- Article 13(1): Indigenous Peoples have the right to revitalize, use, develop, and transmit their languages and oral traditions to future generations.
- Article 11(1): Indigenous Peoples have the right to redress and restitution for cultural, intellectual, religious, and spiritual property taken without Free, Prior, and Informed Consent (FPIC).

National Policies:

- Article 32 of the constitution of Nepal (2015) guarantees the right to cultural identity and integrity, including use of languages, preservation of script, heritage, and cultural life.
- Article 51(j)(8) of the constitution commits to protect Indigenous traditional knowledge, skills, culture, and social practices.

Current Status:

- 2021 Census: 142 castes/ethnicities and 124 mother tongues
- Language Status in Nepal (UNESCO): 18 Vulnerable, 33 Definitely Endangered, 12 Severely Endangered, 7 Critically Endangered, and 1 Extinct

Gaps:

- Despite existing policies, many Indigenous languages remain critically or severely endangered, reflecting a lack of effective protection and revitalization efforts.
- There is no clear legal mechanism for communities to seek redress or restitution for the loss or appropriation of their cultural or spiritual heritage.

Recommendations:

- Establish special, protected, and autonomous regions that guarantee full rights to cultural integrity, heritage, and language, in accordance with UNDRIP and the Constitution.
- Develop a legal framework to recognize Indigenous cultural, spiritual, and intellectual property rights, and to ensure restitution, return, or compensation for cultural items taken without Free, Prior, and Informed Consent (FPIC).

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Education

UNDRIP:

- Article 14(1): Indigenous Peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

National Policies:

- Article 31(5) of the Constitution of Nepal (2015): Guarantees the right to receive education in one's mother tongue and to establish and operate educational institutions.
- Article 32(3) of the Constitution: Ensures the right to preserve and promote one's language, culture, and heritage.
- Sections 28 and 29 of the Act Relating to Compulsory and Free Education (2018): Guarantee the right to receive education in one's mother tongue up to the basic or secondary level.
- Section 26(1) of the Act Relating to Compulsory and Free Education (2018): Allows the use of Nepali, English, or the mother tongue as the medium of instruction.
- National Education Policy (2019): Promotes mother-tongue-based education from grades 1 to 8 and advocates for a trilingual approach in schools.
- Local Government Operation Act (2017): Mandates the promotion and preservation of Indigenous languages and grants authority to local governments to approve and monitor mother-tongue schools

Curriculum and Implementation:

- National Curriculum Framework (2020): Emphasizes the development of either mother-tongue-based or local curricula at the basic education level (Grades 1–8), assigning this responsibility to local governments. However, in practice, the emphasis has largely been on developing and implementing local curricula rather than Indigenous mother-tongue programs.
- Major Indigenous languages are offered only as optional subjects at the secondary level (Grades 9–12), while minority Indigenous languages are generally excluded.
- The Social Studies curriculum for Grades 4–11 includes some content related to Indigenous culture and history.

Access and Enrollment Data in General:

- Disaggregated data on the access and enrollment of Indigenous students in formal education is not available. However, the general statistics below suggest that a significant number of Indigenous students remain out of school due to multiple barriers—economic, social, cultural, and linguistic.
- The Net Enrollment Rate (NER) for Basic Education is:
 - Grades 1–5: 96.85%
 - Grades 1–8: 95.1%
- The NER for Secondary Education is:
 - Grades 9–10: 76.5%
 - Grades 9–12: 57.9%
- The NER by gender at the secondary level is as follows:
 - Grades 9–10: Boys – 77.3%, Girls – 75.7%
 - Grades 9–12: Boys – 59.9%, Girls – 55.8%

Higher Education:

- Indigenous students make up only 12.7% of the total student population at Tribhuvan University, despite Indigenous Peoples representing approximately 50% of the national population (as estimated by Indigenous experts).
- Among the Indigenous students enrolled at TU, 80.4% belong to five major groups: Magar, Gurung, Tamang, Rai, and Limbu.

Teacher Training & Materials:

- National Center for Educational Development (NCED) provides bilingual teacher training in Indigenous languages.
- Recruitment, deployment, and reading materials for mother tongue education are insufficient.

Student Achievement:

- Grade 5 Mathematics (Indigenous students): Average score is 496, which is below the proficiency range (509–561).
- Grade 5 Nepali: Average score is 500, which is equal to the national average.
- Grade 8 Mathematics: Indigenous students score around 483–484, which is close to the national average.
- Grade 8 Nepali and English: Scores are near or slightly above the national average, ranging from approximately 492 to 510.

Gaps:

- Indigenous communities are not granted full control over their educational systems, as the right to self-determination and autonomy is not ensured. There is a lack of support for Indigenous-designed curricula and teaching methodologies, leading to the marginalization of Indigenous languages and epistemologies.
- Access to basic education (Grades 1–5) is nearly universal, but enrollment declines sharply at the secondary level. Gender disparities become more pronounced in higher grades, with girls facing greater disadvantages.
- Indigenous Peoples are significantly underrepresented in Nepal's higher education system, with many smaller or more marginalized Indigenous groups having very low or negligible representation.
- Indigenous students fall below the proficiency threshold in Grade 5 Mathematics, but perform on par with the national average in Grade 5 Nepali. In Grade 8 Mathematics, their performance is close to or at the national average.

Recommendations:

- Change education policies to clearly recognize the right of Indigenous communities to set up and run their own schools, with public support. These schools should include Indigenous languages and teaching methods based on their culture.
- Make local governments and education offices include Indigenous languages, cultures, histories, and knowledge in all levels of formal education. This should be backed by proper teacher training and resources.
- Create and use local school curriculums that are based on mother tongues and reflect Indigenous cultures and contexts.

UNDRIP:

Article 24(1): Indigenous Peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals.

Legal and Policy Framework:

- Article (35) of Constitution of Nepal (2015) guarantees basic health care as a fundamental individual right.
- National Health Policy (2019) prioritizes modern health systems and development of Ayurveda, Naturopathy, Yoga, Homeopathy — not Indigenous/traditional healing systems.

Programs (Not-Specific to Indigenous Peoples):

- Free Health Care Program, National Immunization Program, HPV Vaccination Program – Girls (10–14 yrs), School Health and Nursing Service Program, and Social Health Security Program (SHSP).

Key Health Statistics:

- Neonatal Mortality Rate (2022): 21 babies die per 1,000 live births within the first 28 days of life.
- Family Welfare Division (2022): Reports a higher rate — 39 deaths per 1,000 live births (possibly using different data or methods).
- Under-Five Mortality Rate (2022): 33 children die per 1,000 live births before reaching age five.
- Adolescent Pregnancy (ages 15–19):
 - 14% of girls have been pregnant
 - 10% have already given birth
 - 4% were pregnant at the time of the survey

Suicide Statistics:

- Suicide among non-Indigenous youth (under age 21) from 2005–2009:
 - Brahmin: 18.4%
 - Chhetri: 15.6%
- Suicide among Indigenous youth (under age 21) from 2005–2009:
 - Tharu: 10%
 - Rai: 6%
 - Magar: 4.1%
 - Chaudhary: 7.7%
- Epidemiology Division (2022): Reported a 4.35% decrease in the overall suicide rate.
- Nepal Police (2023–2024): Recorded 7,223 suicide deaths (around 20 per day), the highest ever reported.
- Despite the overall decrease, the data suggests a high rate of suicide among Indigenous youth, indicating an ongoing concern for these communities.



Key Gaps:

- No disaggregated health related data of Indigenous Peoples.
- No legal recognition of Indigenous traditional health systems.
- The overall data indicates a large number of Indigenous Peoples under health adversities.
- No specific targeted public health policies or programs or services for Indigenous communities.



Recommendations:

- Amend national laws and health policies to formally recognize Indigenous healing systems and traditional medicine, including support for Indigenous healers and preservation of medicinal resources.
 - Establish systems to collect and report disaggregated health data (e.g., neonatal mortality, under-five mortality, adolescent pregnancy, suicide rates) by ethnicity, gender, and region to design evidence-based and inclusive health interventions for Indigenous populations.
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UNDRIP:

- Article 17(3): Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.

National policies:

- Article 33 of the Constitution of Nepal (2015): Guarantees the right to employment for all citizens.
- Article 42 of the Constitution (2015): Ensures inclusive and equitable representation in employment.
- Civil Service Act (1993): Provides job reservations in government employment as follows:
 - 27% for Indigenous Peoples
 - 33% for Women
 - 22% for Madhesi
 - 9% for Dalits
 - 5% for Persons with Disabilities
 - 4% for Backward Groups
- Non-Discrimination: Employment discrimination based on caste, ethnicity, religion, gender, or similar grounds is prohibited.
- Act Relating to Children (2018): Prohibits employment of children under 18 in hazardous work.
- Second National Master Plan on Child Labor (2018–2028): Aims to eliminate the worst forms of child labor by 2022, and all forms of child labor by 2025.

Key Government Programs:

- Prime Minister Employment Program (PMEP) for providing Employment services for youth from poor and marginalized communities.
- Youth Self-Employment & Small Enterprise Fund provides low interest loans up to NPR 200,000 without collateral.
- The Council for Technical Education and Vocational Training (CTEVT) offers 49 diploma, 33 pre-diploma, and around 260 short-term vocational courses in IT, engineering, health, agriculture etc., ranging from 40 to 1,696 hours through 1,100 institutions across Nepal.

Unemployment Status:

- According to the Fourth Nepal Living Standards Survey by the National Statistics Office, the unemployment rate increased to 12.6% in 2022–23, up from 11.4% in 2017–18.
- Ongoing job shortages have driven large-scale labour migration, with 740,000 foreign employment permits issued in the first 11 months of FY 2023–24 — expected to reach 800,000 by the end of the fiscal year.
- As of 2022–23, only 32.4% of working-age Nepalis were employed, while 62.9% were outside the labour force. The official unemployment rate was 4.7%, indicating inconsistencies in how unemployment is measured.
- An estimated 66.5% of men and 59.7% of women work in the informal sector, highlighting widespread underemployment and lack of job security.

Gaps:

- Although youth-oriented policies are in place, limited domestic job opportunities and weak implementation continue to drive young people toward foreign employment, undermining their right to work within Nepal.
- Despite strong laws prohibiting child labor, the widespread informal economy and poor enforcement allow child labor to persist, particularly among poor and marginalized communities.
- Indigenous Peoples face fewer employment opportunities in Nepal, often forcing them to seek wage labor abroad.
- While legal frameworks promote non-discriminatory and inclusive employment, systemic inequalities and the dominance of the informal sector continue to limit equitable access to stable, quality jobs.

Recommendations:

- Develop culturally relevant education and training programs to create meaningful employment opportunities for Indigenous youth.
- Strengthen the enforcement of child labor laws to protect Indigenous children from the worst forms of child labor.
- Ensure fairness and transparency in the implementation of reservation quotas for Indigenous Peoples in government and public sector jobs.
- Guarantee equal access to employment opportunities for Indigenous youth across all sectors.

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