



Economic Empowerment of Indigenous Women in Nepal



ECONOMIC EMPOWERMENT OF INDIGENOUS WOMEN IN NEPAL



National Indigenous
Women's Federation
(NIWF)



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United Nations Development
Programme (UNDP) in Nepal

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Resilient nations.*

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PREFACE

Nepal is known for its natural beauty, rich fauna and flora but also its ancestral heritage and diversity of its people, with 35.80% of the population belonging to indigenous nationalities according to the 2011 census. But this richness hides a more somber reality of poverty and discrimination, with Nepal still on the way to graduate from the status of Least Developed Country and generally acknowledged issues of low representation and limited empowerment affecting many of the people from Indigenous Groups. Of particular concern are indigenous women, who represent more than 18% of the population and who, while playing a key role in providing for their families and communities, suffer a double discrimination of being marginalized as indigenous and disempowered as women in a highly traditional patriarchal society.

At the 61st session of the United Nations Commission on the Status of Women held in 2017, member states and civil society addressed the issue of women's economic empowerment in the changing world of work, with special focus on indigenous women. The Commission recognized the need to focus on the empowerment of indigenous women to the challenges and hardships that these women face. It acknowledged the importance of economic development for indigenous women, through actions on social inclusion aimed at improving their social, cultural, civil and political engagement for economic independence and to foster more sustainable communities. This would not only improve their status as indigenous women, but also contribute to their better integration into national economies.

The United Nations Declaration of the Rights of Indigenous Peoples was adopted by the UN General Assembly in 2007. Article 22 states that “particular attention should be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this declaration”. In addition, Nepal is also party to the Convention 169 of the International Labor Organization on Indigenous and Tribal Peoples. With more than 35% of the country’s people belonging to the indigenous groups, the government has a duty to ensure these communities are no longer marginalized on socio-economic and political grounds.

In September 2015 Nepal adopted the Agenda 2030 and its Sustainable Development Goals. In doing so, it committed to the principle of *Leaving No One Behind* and to address the inequalities. It also committed to work against discrimination affecting the indigenous peoples.

In light of all the above, UNDP Nepal has initiated this research project on the “**Economic empowerment of indigenous women in Nepal**”, partnering with the National Indigenous Women’s Federation to find out more about the landscape of indigenous women in Nepal and better understand the challenges and opportunities of their economic development.

This will examine issues of loss of ancestral lands and restricted access to forests and natural resources, strong patriarchal divisions of labour, including land ownership norms and participation in decision making processes. It will also address the development of eco-tourism and of production of high-value cash crops, so as to provide recommendations on how best to empower indigenous women so that they can continue to maintain, preserve and promote, their culture, traditional skills and heritage.

The adoption of the new Constitution in Nepal in September 2015 and the implementation of federalism also offers new opportunity for a stronger role of indigenous women in decision-making processes including through local elections. Indigenous peoples can make better contribution to their own livelihood and ensure the productivity for everyone in the community.

While acknowledging the diversity of the indigenous peoples across Nepal, it is also important to promote a unified approach to their empowerment, and how

to best to tailor the issues and provide support. If there is a greater “coming together” momentum, then it will be easier to implement policy changes that can support the economic empowerment of women in the indigenous communities.

I am confident this study on the “**Economic empowerment of indigenous women in Nepal**” will help different stakeholders ensure no one is left behind or overlooked in the country’s efforts to achieve the Sustainable Development Goals. There are several positive ways by which women’s role in the economic development of indigenous peoples can be promoted, while still maintaining local culture and traditions.

I also hope that through this publication, there will be a clearer indication of the importance of indigenous women and their economic prosperity, and further concrete actions can be initiated by all three tiers of government and other stakeholders in Nepal.

I wish to congratulate the National Indigenous Women’s Federation for their leadership in taking this initiative forward and thank the Indigenous Women’s Legal Awareness Group and the National Indigenous Women Forum for their support in the study.

UNDP is committed to continuing its support towards gender empowerment and inclusion for the indigenous peoples of Nepal, to fulfil their economic rights and as a pathway to achieving the Sustainable Development Goals.



Renaud Meyer
Country Director
UNDP Nepal

ABBREVIATIONS

ACAP	: Annapurna Conservation Project
CA	: Constituent Assembly
CDO	: Chief District Officer
CEDAW	: Convention on Elimination of All Forms of Discrimination against Women
CERD	: Convention on Elimination of Racial Discrimination
CFUG	: Community Forest User Groups
CPC	: Community Production Center
CTEVT	: Council for Technical Education and Vocational Training
CSW	: Commission on the Status of Women
DFID	: Department for International Development
DANIDA	: Danish International Development Agency
DOF	: Department of Forest
EEIWF	: Economic Empowerment of Indigenous Women Fund
FGD	: Focus Group Discussion
FPIC	: Free, Prior and Informed Consent
GIZ	: German Agency for International Cooperation
ICCPR	: International Covenant on Civil and Political Rights
ICESCR	: International Covenant on Economic, Social and Cultural Rights
IIDS	: Institute of Integrated Development Studies

ILO	: International Labour Organization
INWOLAG	: Indigenous Women's Legal Awareness Group
IPs	: Indigenous Peoples
JICA	: Japan International Cooperation Agency
LDO	: Local Development Officer
LAHURNIP	: Lawyer's Association for Human Rights of Nepalese Indigenous Peoples
MCDC	: Mahuli Community Development Center
MEDEP	: Micro-Enterprise Development Programme
MEDPA	: Micro-Enterprise Development for Poverty Alleviation
MFSC	: Ministry of Forest and Soil Conservation
MoLJPA	: Ministry of Law, Justice and Parliamentary Affairs
MoWCSW	: Ministry of Women, Children and Social Welfare
NEFIN	: Nepal Federation of Indigenous Nationalities
NFDIN	: National Foundation for Development of Indigenous Nationalities
NGO	: Non-Governmental Organization
NORAD	: Norwegian Agency for Development Cooperation
NTFP	: Non Timber Forest Product
NIWF	: National Indigenous Women's Federation
NIWForum	: National Indigenous Women Forum
PAF	: Poverty Alleviation Fund
SDC	: Swiss Agency for Development and Cooperation
SGM	: Sexual and Gender Minorities
UN	: United Nations
UNDP	: United Nations Development Programme
UNDRIP	: United Nations Declaration on the Rights of Indigenous Peoples
VDC	: Village Development Council

GLOSSARY

<i>Ailani</i>	:	Non-registered land
<i>Barghar</i>	:	Head of the customary institution of the Tharu Indigenous Peoples
<i>Chyowar</i>	:	Initiation ritual of male child at the odd age such as 5, 7, 9, 11 and 13.
<i>Grameen Bikas Bank</i>	:	Village Development Bank
<i>Ghampa</i>	:	Head of the customary institution of the Thakali Indigenous Peoples
<i>Ghundal</i>	:	Assistant of the Ghampa
<i>Guruwa</i>	:	Tharu religious priest
<i>Hastakala Mahasang</i>	:	Handicraft Federation
<i>Halo</i>	:	Local tool used to plough the field by using a pair of oxen
<i>Jand</i>	:	Locally brewed beer
<i>Kamlari/Kamiya</i>	:	"Bonded Labourer", a form of slavery or an involuntary personal servitude, who are invariably the Tharu Indigenous Peoples
<i>Kipat</i>	:	Communal land tenure system of Indigenous Peoples, such as Limbu
<i>Kisan Microfinance</i>	:	Farmer's Microfinance
<i>Kukath</i>	:	Useless timber, such as Simal (cotton tree)
<i>Lokta</i>	:	Plant used to make hand made paper
<i>Manusmriti</i>	:	Hindu legal religious text

<i>Marcha</i>	:	Yeast, used to make local beer/liquor (alcohol)
<i>Mukhiya</i>	:	Head of the customary institutions of Raute and Majhi Indigenous Peoples
<i>Muluki Ain</i>	:	The National Code of Nepal, 1854 (Now, the National Code of Nepal, 1963)
<i>Nhokon Cholo</i>	:	Traditional Thakali costume given to daughter during coming of age ritual
<i>Pewa</i>	:	Property owned solely by women
<i>Phapar</i>	:	Buckwheat
<i>Radi Pakhi</i>	:	Wollen blanket
<i>Raksi</i>	:	Locally distilled liquor
<i>Sauri Bachat Tatha Reen</i>	:	Sauri Saving and Credit
<i>Sukuti</i>	:	Jerkey or dry meat
<i>Terra Nullius</i>	:	A doctrine used by colonizers to occupy on Indigenous peoples' lands, territories and resources by claiming it as "nobody's land".
<i>Uwa</i>	:	Barley

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1.

INTRODUCTION

Indigenous Peoples

The National Foundation for Development of Indigenous Nationalities Act, 2002 has listed 59 Indigenous Peoples, which can be regrouped in four Eco-regions (See Table 1). According to Article 2 (a) of this Act, "Indigenous Nationalities" means a tribe or community as listed in the schedule having its own mother language and traditional rites and customs, distinct cultural identity, distinct social structure and written or unwritten history" (HMG-N 2002:170). According to the Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries, i.e. Convention no. 169 of ILO, 1989, Indigenous Peoples refers to:

“(a) Tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;

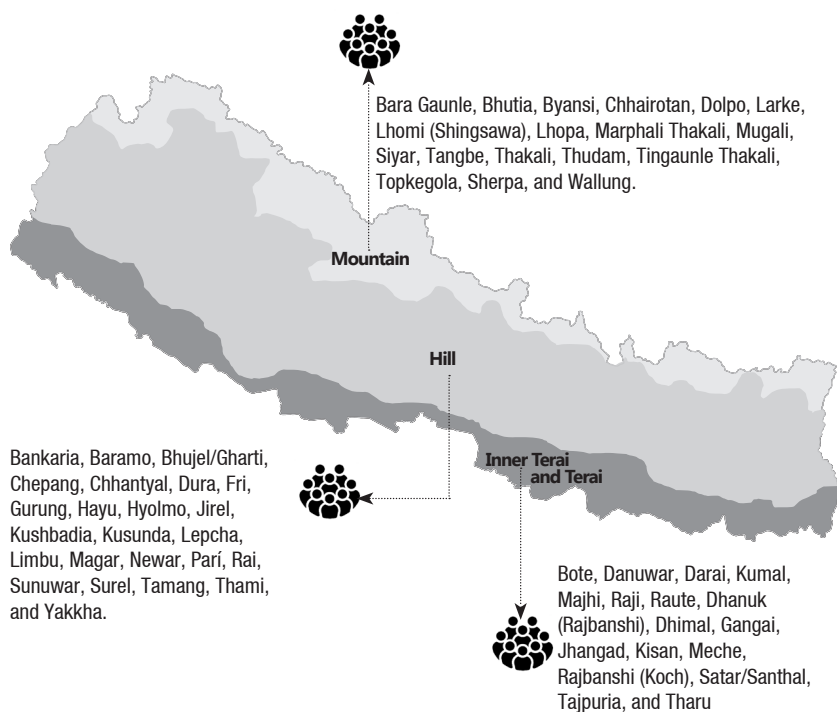
(b) Peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present State boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.” (ILO 1989).

Table 1. Lists the 59 Indigenous Peoples formally recognized by the Nepal Government and five developmental categories of Indigenous Peoples listed by the Nepal Federation of Indigenous Nationalities (NEFIN), an umbrella organization of 59 Indigenous Nationalities of Nepal that was founded in 1990.

List of 59 Indigenous Peoples formally recognized by the Nepal Government	
Ecological Regions	Indigenous Peoples
(I) Mountain	(1) Bara Gaunle, (2) Bhutia, (3) Byansi, (4) Chhairotan, (5) Dolpo, (6) Larke, (7) Lhomi (Shingsawa), (8) Lhopa, (9) Marphali Thakali, (10) Mugali, (11) Siyar, (12) Tangbe, (13) Thakali, (14) Thudam, (15) Tingaunle Thakali, (16) Topkegola, (17) Sherpa, and (18) Wallung.
(II) The Hill	(1) Bankaria, (2) Baramo, (3) Bhujel/Gharti, (4) Chepang, (5) Chhantyal, (6) Dura, (7) Fri, (8) Gurung, (9) Hayu, (10) Hyolmo, (11) Jirel, (12) Kushbadia, (13) Kusunda, (14) Lepcha, (15) Limbu, (16) Magar, (17) Newar, (18) Pari, (19) Rai, (20) Sunuwar, (21) Surel, (22) Tamang, (23) Thami, and (24)Yaktha.
(III) Inner Terai	(1) Bote, (2) Danuwar, (3) Darai, (4) Kumal, (5) Majhi, (6) Raji, and (7) Raute.
(IV) Terai	(1) Dhanuk (Rajbanshi), (2) Dhimal, (3) Gangai, (4) Jhagad, (5) Kisan, (6) Meche, (7) Rajbanshi (Koch), (8) Satar/Santhal, (9) Tajpuria, and (10) Tharu.
NEFIN's five developmental categories of Indigenous Peoples	
Developmental Categories	Indigenous Peoples
(I) Endangered Indigenous Peoples	(1) Bankariya, (2) Hayu, (3) Kisan, (4) Kusunda, (5) Kusbadiya, (6) Lepcha, (7) Meche, (8) Raji, (9) Raute, and (10) Surel.
(II) Highly Marginalized Indigenous Peoples	(1) Baramu, (2) Bote, (3) Chepang, (3) Danuwar, (4) Dhanuk, (5) Jhagad, (6) Lohmi, (8) Majhi, (9) Satar (Santhal), (10) Siyar, (11) Thami, and (12) Thudam.
(III) Marginalized Indigenous Peoples	(1) Bhote, (2) Bhujel, (3) Darai, (4) Dhimal, (5) Dolpo, (6) Dura, (7) Free, (8) Gangai, (9) Kumal, (10) Larke, (11) Lhopa, (12) Mugal, (13) Pahari, (14) Rajbansi, (15) Sunuwar, (16) Tajpuriya, (17) Tamang, (18) Tharu, (19) Topkegola, and (20) Walung.
(IV) Disadvantaged Indigenous Peoples	(1) Bargaule, (2) Byansi, (3) Chhairotan, (4) Chhantyal, (5) Gurung, (6) Jirel, (7) Limbu, (8) Magar, (9) Marphali Thakali, (10) Rai, (11) Sherpa, (12) Tangbe, (14) Tinganule Thakali, (15) Yaktha, and (16) Yolmo.
(V) Advanced Indigenous Peoples	(1) Newar, and (2) Thakali.

Source: Adapted from Bhattachan (2012: 3-4).¹

1. NEFIN's five categories are based on developmental indicators, such as literacy, education, income, wealth, land holding and other assets. These are not based on indicators such as ownership and control over lands, territories and resources, autonomy, self-rule, customary laws, mother tongue, or indigenous knowledge.



According to the Census of 2011, out of 26,494,504, total population of Nepal, females comprise 51.50%, and Indigenous Peoples comprise 35.80% of the total population. (See Annex1; NIWF 2014: 2-5). Out of the 51.50% female population of Nepal, Indigenous women comprise 18.67% (See Annex 1). According to NIWF (2014:1), the Census Report does not provide any data of 11 of the 59 Indigenous Peoples of the list, i.e. Thduam, Surel, Bankaraia, Larke, Baragaunle, Marphali Thakali, Mugal, Tangbe, Tingaunle Thakali, and two extinct groups, Chhairotan and Free; however, they have added 12 Indigenous Peoples, namely, the Athpahariya, Bahing, Bantawa, Chamling, Khaling, Kulubng, Loharunbg, Mewahang, Nachhiring, Sampangm Thulung, and Yamfu, who were previously included under Rai Indigenous Peoples, and Ghale, previously included within Gurung Indigenous Peoples.

Based on a report by the Institute of Integrated Development Studies (IIDS), Bhattachan, articulates that the seven strategies pursued by the Indigenous Peoples of Nepal are:

- “(a) **Nomads.** The Rautes are the only nomads of Nepal who are still committed to continue their traditional nomadic lifestyle in the forests of far-western and mid-western development regions. They are facing hardship in continuing their traditional way of life because forests are owned and/or controlled and/or managed by the Government, community and non-indigenous individuals. Some of the Rautes have already been settled by the Government and the remaining ones continue to refuse the suggestions of the Government and non-governmental organizations (NGOs) to settle down.
- (b) **Foraging and horticulture.** The Indigenous Peoples Bankaria, Chepang and Kusunda rely mainly on foraging for their livelihood.
- (c) **Foraging, horticulture and agriculture.** Three Indigenous Peoples (i.e. Hayu, Raji and Thami) rely on foraging, horticulture and agriculture for their livelihood.
- (d) **Horticulture and agriculture.** Fourteen Indigenous Peoples (i.e. Baramo, Bhujel, Chantyal, Dura, Fri, Limbu, Lapcha, Magar, Pahari, Rai, Sunuwar, Surel, Tamang and Yakkha) rely on both horticulture and agriculture for their livelihood.
- (e) **Pastoralism, agriculture and industrial activities.** Ten Indigenous Peoples (i.e. Bara Gaunle Thakali, Byansi, Chairotan, Gurung, Jirel, Larke, Siyar, Tangbe, Thakali and Tin Gaunle,) rely on pastoral, agricultural and industrial activities for their livelihood.
- (f) **Agriculture.** Fifteen Indigenous Peoples (i.e. Bote, Majhi, Danuwar, Darai, Dhanuk, Dhimal, Gangai, Jhangad, Kisan, Kumal, Meche, Rajbanshi, Santhal, Tajpuria, Tharu, (Rajbanshi)) [Sic] rely only on agriculture for their livelihood.
- (g) **Agriculture and industrial activities.** Three Indigenous Peoples (i.e. Marphalis Thakali, Newar and Thakali)² rely partly on agriculture and mainly on industrial activities for their livelihood.” (Bhattachan 2012: 12-13).

2. Marphali Thakali and Thakali are different Indigenous Peoples listed by the National Foundation for Development of Indigenous Nationalities Act, 2002.

As the official data shows women comprise a little more than a half of the total population of Nepal, and Indigenous Women comprise one third of the total population of women; Nepal would not be a peaceful, democratic and prosperous State without upholding social justice for women in general, and Indigenous Women in particular. As all Indigenous Peoples have already lost ownership and control over their ancestral lands, territories and resources, many of them are living in poverty, illiteracy/education, and lack of food security.

International Obligations

Nepal has ratified many international instruments of human rights. Of them, the most significant ones are adoption of United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007, and ratification of Conventions no. 169 of International Labour Organization (ILO) in 2007, Convention on the Elimination of Racial Discrimination (CERD) in 1971, International Covenant on Civil and Political Rights (ICCPR) in 1991, International Covenant on Economic, Social and Cultural Rights (ICESCR) in 1991 and Convention on Elimination of All Forms of Discrimination against Women (CEDAW) in the same year. One of the main concern is that the Government is very good in ratification of treaties, conventions and declarations, but the problem lays with its meaningful implementation.

In 2015, the Sustainable Development Goals, the 2030 Agenda endorsed by the world leaders envisions a world in which “every women and girl enjoys full gender equality”, undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws (Transforming our word: the 2030 Agenda for Sustainable Development-2015). And addressing gender equality and social inclusion is an essential aspect of leaving no one behind one of the guiding principles of the 2030 Agenda. In the context of Indigenosu Peoples right, SDGs implementation plan needs to be compatable with UNDRIP. The Government of Nepal has adopted the Roadmap to achieve SDG’s by 2030 and shows the wayforward which needs continuous follow-up and strict monitoring.

Economic Empowerment of Indigenous Women

“There is increasing recognition that economically empowering women is essential both to realize women’s rights and to achieve broader development goals such as economic growth, poverty reduction, health, education and welfare,” write Golla, Malhotra, Nanda, and Mehra (2011:3). According to them, “a woman is economically empowered when she has both the ability to succeed and advance economically and the power to make and act on economic decisions,” and “to *succeed and advance economically*, women need the skills and resources to compete in markets, as well as, fair and equal access to economic institutions,” they continue to argue that in order “to *have the power and agency* to benefit from economic activities, women need to have the ability to make and act on decisions and control resources and profits” (Golla, Malhotra, Nanda, and Mehra 2011:4). The limitation of this study, however, is that they have treated women as a homogenous group, which is not so in many countries, including Nepal.

A review of the available literature revealed that there is plenty of literature on theoretical, methodological, and practical applications of economic empowerment, and on the economic empowerment of women. Also, there is plenty of literature on the economics of discrimination based on race and gender that are also available. But, none of the mainstream literature on economic empowerment of women take up the issue of, or help to better understand, economic empowerment of Indigenous Women. The Australian Government has taken a lead initiative for economic empowerment of Indigenous Peoples, i.e. Aboriginal and Torres Strait Islander Australians. The report focuses on five key areas for improving the prosperity of Indigenous Australians, “strengthening foundations to create an environment that supports economic development; education; skills development and jobs; supporting business development and entrepreneurship; and helping people achieve financial security and independence” (Australian Government 2007). The strategy, however, has not focused on economic empowerment of Australian Indigenous Women.

Meena Acharya, a leading economist and gender expert in Nepal, who writes on the issue of women and economy, and economic aspects from a gender perspective, has noted, “The studies in the series on Status of Women in Nepal

(CEDA, 1979-81) concluded that in Nepal ethnicity/caste played an important role in the economic activity pattern of Nepalese women” (Acharya 2001: 130). Although, caste/ethnicity and economic activities are correlated, not many studies have been done to study in depth about economic empowerment of Indigenous Women and also of other marginalized women’s groups including Dalit, Madhesi and Muslim women. Acharya further writes, “... women from the Tibeto-Burman group tended to be more enterprising and more involved in economic activities in the market than those from the Indo-Aryan group” (Acharya 2001: 130), implying that Brahman/Chhetri women need more economic empowerment than Indigenous Women, which is a misleading conclusion. Even in a study done by both Indigenous and non-Indigenous experts, namely, Chaitannya Subba, Bishwamber Pyakuryal, Tunga Shiromani Bastola, Mohan Khajum Subba, Nirmal Kumar Raut, and Baburam Karki, published in a book on the Socio-Economic Status of Indigenous Peoples of Nepal, there is no gender analysis, and very little information about the economic empowerment of Indigenous Women. (Subba *et al.* 2001).

In brief, be it global or Nepalese literature, there has been no book, article, or report available on economic empowerment of Indigenous Women. Neither women’s empowerment nor the empowerment of Indigenous Peoples contributes significantly for economic empowerment of Indigenous Women. The 61st Session of the Commission on the Status of Women (CSW) held in New York from 13-24 March 2017 had an emerging issue/Focus area entitled “The Empowerment of Indigenous Women.” Point no. 32 of its Agreed Conclusion on women’s economic empowerment in the changing world of work states, “The Commission recalls its multi-year programme of work for the period 2017-2019, according to which it considered the empowerment of Indigenous Women as the focus area at its sixty-first session and consider challenges and opportunities in achieving gender equality and the empowerment of rural women and girls as the priority theme at its sixty-second session” (UN Women 2017:7).

Point no. 34 states, “The Commission recognizes that the economic empowerment, inclusion and development of Indigenous Women, including through the establishment of indigenous-owned businesses, can enable them to improve their social, cultural, civil and political engagement, achieve greater economic independence and build more sustainable and resilient communities, and notes the contribution of Indigenous Peoples to the broader

economy” (UN Women 2017:8). According to point no. 8 of The Agreed Conclusions of CSW61 relating to implementing economic and social policies for women’s economic empowerment, “Take measures to promote the economic empowerment of Indigenous Women, including by ensuring access to quality and inclusive education and meaningful participation in the economy, by addressing the multiple and intersecting forms of discrimination and barriers they face, including violence, and promote their participation in relevant decision-making processes at all levels and in all areas, while respecting and protecting their traditional and ancestral knowledge, and noting the importance of the United Nations Declaration on the Rights of Indigenous Peoples for indigenous women and girls;” (UN Women 2017: 12-13).

United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) adopted by the UN General Assembly in 2007 ensures collective rights of Indigenous Peoples relating to distinct identity, collective rights, including self-determination, autonomy, self-rule, ownership and control over lands, territories and resources, customary laws and Free, Prior and Informed Consent (FPIC) (UN 2007). Article 22 of the UNDRIP states, “Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this declaration” (UN 2007).

Operational Definition of the Key Terms

For the purpose of this study, operational definitions of the terms, based on the literature review, “Indigenous Women”, “Empowerment”, “Economic Empowerment”, “Economic Empowerment of Women”, “Empowerment of Indigenous Women”, and “Economic Empowerment of Indigenous Women, are provided below.

Indigenous Women: Indigenous Women belongs to Indigenous Peoples and the National Foundation for Development of Indigenous Nationalities Act of 2002 has listed 59 Indigenous Nationalities (Indigenous Peoples) of Nepal. In this study Indigenous Women refers to those 59 Indigenous Peoples (See Table 1).

Empowerment: Empowerment means different things to different people(s), groups, communities, organizations and the State. Its meaning differs from society to society, culture to culture, place to place, and time to time. According

to the English Oxford *Living Dictionaries*, the term “empowerment” means, “The process of becoming stronger and more confident, especially in controlling one’s life and claiming one’s rights.”³ “The term **empowerment**”, according to Wikipedia, “refers to measures designed to increase the degree of autonomy and self-determination in people and in communities in order to enable them to represent their interests in a responsible and self-determined way, acting on their own authority. Empowerment as action refers both to the process of self-empowerment and to professional support of people, which enables them to overcome their sense of powerlessness and lack of influence, and to recognize and use their resources.”⁴ For Indigenous Peoples, including Indigenous Women, self-determination, including autonomy and self rule, are highly important to maintain their distinct identity and collective way of life.

Economic empowerment: According to Wikipedia, “economic empowerment refers to the ability for women to enjoy their rights to control and benefit from resources, assets, income and their own time, as well as the ability to manage risk and improve their economic status and wellbeing.” This definition of economic empowerment often is detrimental to the collective way of life of Indigenous Peoples as these try to exploit lands, territories and resources of Indigenous Peoples making them vulnerable to suffer from poverty, illiteracy, and bad health.

Economic empowerment of women: Oxfam, with a gendered perspective, has stated, “effective economic empowerment for women occurs when women enjoy their rights to control and benefit from resources, assets, income and their own time, and when they have the ability to manage risk and improve their economic status and wellbeing”⁵ (OXFAM 2017:8). While this definition is from a gendered perspective, it fails to address the distinction of Indigenous women’s collective rights.

Empowerment of Indigenous Women: For the purpose of this study, the Research Team has used the term, “Empowerment of Indigenous Women” to refer to the enjoyment of their individual and collective rights by maintaining their distinct identity.

Economic empowerment Indigenous Women: For the purpose of this study, the

3. <https://en.oxforddictionaries.com/definition/empowerment>

4. <https://en.wikipedia.org/wiki/Empowerment>

5. https://en.wikipedia.org/wiki/Women%27s_empowerment

term, “Economic Empowerment of Indigenous Women” refers to the ability for Indigenous Women to enjoy their collective rights by maintaining a distinct identity, and also, to enjoy individual rights by respecting collective way of life. Collective rights and collective way of life include rights to distinct identity, self-determination, autonomy, self-rule, ownership and control over lands, territories and resources, customary laws, Free, Prior and Informed Consent (FPIC), mother tongues, and traditional religion.

Objectives of the Research

The general objective of this research is to deepen the understanding on economic status of Indigenous Women particularly whether they are able to exercise their rights as provisioned by the Government’s plans and policies, and inform the concerned stakeholders on the effective measures to address the specific needs for economic empowerment of Indigenous Women in order to make it fully compatible with the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP).

The specific objectives are to:

1. assess whether Indigenous Women benefit from existing general laws that promote women’s economic empowerment, see whether environment is conducive for them to influence different institutions in decision making processes, respect for and protection of their traditional and ancestral knowledge;
2. provide overview and analysis of the vulnerability, multiple and intersection form of discrimination faced by Indigenous Women in general, and in particular, to economic empowerment and identify the root causes for the same;⁶ and
3. provide specific and concrete recommendations/enabling actions to be taken by the Government (Federal, Provincial and Local), UN agencies, Civil Society, and Development Partners to improve the

6. At least one Indigenous Groups from each category identified [(i) Endangered, (ii) Highly Marginalized, (iii) Marginalized, (iv) Disadvantaged (v) Advantaged group] to identify the common issues among women of these groups. So that the findings inform the policy and programmes to target these groups – women for each category and also for Indigenous Women as a whole.

economic empowerment of Indigenous Women in Nepal.

Research Questions

The main research questions are:

- Are Indigenous Women benefiting from economic empowerment interventions or they are not benefiting at all? What are the related obstacles/challenges that are specific to Indigenous Women?
- Are the current laws and policy conducive for the promotion of economic empowerment of Indigenous Women?
- What are the issues/agendas that are common to the Indigenous Women in Nepal? Are there any similarities or differences?
- If targeted actions/interventions are initiated or existing ones strengthened, would that trigger the actions for the economic empowerment of women?

Research Methodology

The mainstream social science methodology has been used in this study. Also, Indigenous methodology has been used as much as possible and practicable. These two methodologies are diametrically opposed in many ways, but effort was made to supplement and complement each other.

Research design: The research is based on descriptive research design and the study uses both qualitative and quantitative methods, incorporating both primary as well as secondary data.

Universe of the study: The universe of the study is all Indigenous Women of Nepal who comprise 18.67% of the total 26.4 million population of Nepal.

Unit of the study: As the study is about Indigenous Women, i.e. Indigenous Peoples; hence, the unit of study is the collective. However, Indigenous Women (and men also) have individual rights as well; hence Indigenous Woman as an individual is an additional unit of study in selective aspects such as awareness on existing laws and policies, and discrimination faced.

Sample Indigenous Women and districts: The sample Indigenous Women and districts were selected by National Indigenous Women's Federation (NIWF) with consultation with INWOLAG and NIWForum as per their expertise, i.e. legal expertise of INWOLAG and expertise of NIWForum on endangered

Indigenous Peoples on the basis of the following two criteria:

- One from each of the five categories, (i) Endangered, (b) Highly marginalized, (iii) Marginalized, (iv) Disadvantaged, and (v) Advanced,
- representing the following seven provinces: (i) Province no. 1, (ii) Province no. 2, (iii) Province no. 3, (iv) Province no. 4, (v) Province no. 5, (vi) Province no. 6, and (vii) Province no. 7.

The NIWF, NIWForum and INWOLAG and the Research Team took into consideration of the following three additional criteria for the selections:

- (a) representation of Indigenous Peoples with variation in their primary means of livelihood: (i) Indigenous Peoples who are nomad and rely primarily on hunting gathering, (ii) Indigenous Peoples who rely primarily on water resources, such as water/river for fishing, (iii) Indigenous Peoples who rely primarily on forest resources, (iv) Indigenous Peoples who rely primarily on agriculture, and (v) Indigenous Peoples who rely primarily on pasture, agriculture, trade and business.
- (b) representation of Indigenous Peoples from the three ecological regions: (i) the Mountain, (ii) the Hills, and (iii) the Terai.
- (c) existence of member organizations of NIWF with reach in the selected Indigenous Peoples of the selected Provinces and the community. Of the five selected Indigenous Peoples, all four, except the Rautes, have their respective Indigenous Women's organizations as NIWF members. In the case of Raute, NIWForum has worked for protection of their rights since its establishment in 1998.

Considering these all criteria, the NIWF started selecting Indigenous Peoples, first from the Endangered group, followed by Highly Marginalized, Marginalized, Disadvantaged groups and finally the Advanced group. Once selection was made from one group, it eliminated some of the Indigenous Peoples belonging to the same Province and limited the options to choose for another. After long and dense deliberation, five Indigenous Peoples belonging to 7 Provinces were selected (Table 2).

Rationale for selection of the sample districts, villages and settlements: The sample settlements and districts were selected for the study are based on: (a) the

significant presence of the identified Indigenous group; and (b) settlements with Indigenous Peoples continuing customary and modern livelihood. Sample districts and villages were decided by the lead organization, i.e. NIWF, in close consultation with INWOLAG, NIWForum, leaders of the concerned member organizations and the District Coordination Committees of NIWF. Previous plan was to select two sample settlements, one with significant presence of selected Indigenous Women, whose primary mode of living is their own traditional way of life, and the other, Indigenous Women living in a mixed population, who have adopted non-traditional way of living. During the inception workshop, the participants suggested that it would be difficult to find settlements with customary and modern way of living; as most of the settlements are mixed. Therefore, the Research Team decided not to go with the previous plan of differentiating settlements based on customary and modern way of livelihood. Detail of selected 5 sample Indigenous Women and settlements are shown in Table 2.

Nature and Sources of Evidences

Data was collected from both primary and secondary sources. Primary sources include field work in sample villages/settlements of each of the five Indigenous Peoples selected. Secondary sources include published books, reports, articles, and unpublished reports.

Tools of Data Collection: Tools of data collection of both the mainstream and indigenous research methodology have been used.

The main tools of the first category are as follows:

Sample Survey and Survey Questionnaire: The total target sample survey respondents were 500 families, with 100 families from each of the five Indigenous Women Surveyed (Table 3). The questionnaire contained 73 questions divided into 7 parts, namely personal profile, family detail, occupation, knowledge about laws and policies, customary laws, risks and multiple discrimination, lands, territories and resources, and designated tasks. The questionnaires were administered by treating the community as a whole, in which members are

Table 2. Sample Indigenous Women and sample settlements

SN	Sample Indigenous Women	Categories	Province	Ecological Regions	Significant Presence of Indigenous Peoples	Indigenous Women's Organization	Having Customary Livelihood Practices	Modern Livelihood Practices
1	Raute (According to the Census of 2011, total Raute women's population is 298 of the total 26.4 million population of Nepal)	Endangered	6 & 7	The Hill/ the Terai	Yes	No (NIWF-Forum as a Link Organization)	The last nomad, who rely primarily on hunting and gathering, camped at Kholi Chaur in a river bank of Dungeeswor in Dailekh district	Settled Raute settlement in Jog Budha village in Dandeldhura district
2	Majhi (According to the Census of 2011, total Majhi women's Population is 43,005 or 0.16% of the total 26.4 million population of Nepal)	Highly Marginalized	3	The Hill	Yes	Nepal Majhi Mahila Uthan Sangh, NIWF-Affiliated Member Organization	Majhi settlement in Bhatauli and Kunauli in Manthali Municipality (Both customary and modern mixed, who rely primarily on water/river for fishing)	Majhi settlement in Bhatauli and Kunauli in Manthali Municipality (Both customary and modern mixed, otherwise who rely primarily on water resources, such as water/river for fishing)
3	Tharu (According to the Census of 2011, total Tharu Women's Population is 884,501 or 3.33% of the total 26.4 million population of Nepal)	Marginalized	2 & 5	The Terai	Yes	Tharu Mahila Jagam Kendra, NIWF-Affiliated Member Organization	Tharu settlement in Thakurdiwar Bardiya district, who rely primarily on forest resources	Tharu settlement in Mahuli Bazar in Kirshna Sabram Village Council in Saptari district, who rely primarily on agriculture
4	Yakkha (According to the Census of 2011, total Yakkha women's population is 12896 or 0.05 % of the total 26.4 million population of Nepal)	Disadvantaged	1	The Hill	Yes	Yakkhama Yapsen NIWF-Affiliated Member Organization	Yakkha settlement in Tamaphok in Dharmadevi Municipality and Tamaphok (Both customary and modern mixed, otherwise who rely primarily on forest and water resources)	Yakkha settlement in Dharmadevi Municipality
5	Thakali (According to the Census of 2011, total Thakali women's population is 7,058 or 0.02% of the total 26.4 million population of Nepal)	Advantaged	4	The Mountain	Yes	Thakali Mahila Sangh, NIWF-Affiliated Member Organization	Thakali settlement in Lete, Ghansa, and Natrunkot who rely primarily on customary pasture, agriculture, trade and business	Thakali settlement in Kobang, Larjung, Khatari, and Naktung, who now rely in modern livelihood practices

adopting partially customary and partially modern economic activities.

Table 3. Number of sample survey respondents by Indigenous Women and districts

Indigenous Women	District							Total	
	Dadeldhura	Dailekh	Bardiya	Mustang	Ramechhap	Sankhu-wasabha	Saptari	No	%
Raute	50	45	0	0	0	0	0	95	20.7
Majhi	0	0	0	0	96	0	0	96	20.9
Tharu	0	0	50	0	0	0	50	100	21.7
Yakha	0	0	0	0	0	90	0	90	19.6
Thakali	0	0	0	79	0	0	0	79	17.2
Total	50	45	50	79	96	90	50	460	100
Percent	10.9	9.8	10.9	17.2	20.9	19.6	10.9	100	

Source: Field survey 2018.

The Tharu population is large in size. So, it was not difficult to fill 100 survey questionnaires in the Tharu community, with 50 questionnaires (out of 240 families in the settlement) in Baridya and 50 questionnaires (out of 150 families) in Saptari. In the Majhi community in Ramechhap 96 questionnaires (out of 190 families) were filled in. Among the settled Raute in Jogbudha 50 questionnaires (out of 84 families) were filled, but nomadic Raute at the *Kholi Chaur* in Dailekh only 45 questionnaires (out of 45 families) were filled in. Only 90 questionnaires (out of 227 families) were filled in Yakkha community. The lowest number of questionnaires, i.e. 79 questionnaires (out of 88 families) were filled in the Thakali community as many families had migrated to the Southern parts of Nepal to avoid winter cold. A standardized survey questionnaire eliciting quantitative data were filled in by asking mainly women family members. In Raute and Thakali communities, it was like a census, as each household was contacted. Questionnaires were administered in Majhi in an interval of one family, in Tharu in an interval of 2 families in Bardiya and of 3 families in Saptari, and in Yakkha in an interval of one family was contacted and missing household was replaced by the next available family.

Six Local Research Associates comprising of 3 females and 3 males, six local enumerators comprising 5 females and 1 male, 3 volunteers comprising 2 females and 1 male were hired in consultation with the NIWF's member Indigenous Women's Organizations. Local Research Associates and

enumerators were given orientation about administering the household questionnaires and organizing field work, including focus groups discussions and individual interviews (See the List of people concated in Annex-2).

Focus Group Discussion (FGD): FGDs and its participants were decided in consultation with local customary leaders and Local Research Associates. 27 FGDs, with a total of 265 participants, were conducted to generate necessary qualitative data. In each of the five selected Indigenous Women, the following FGDs were conducted:

- a) Indigenous Women under 40 years of age in Bardiya, Jogbudha Sankhuwasabha, and Saptari,
- b) Indigenous Women above 40 years of age in Bardiya and Jogbudha,
- c) Mixed group of Indigenous Women of below and above 40 years with traditional and modern economic activities in Bardiya, Dailekh, Jogbudha, Sankhuwasabha, Saptari, and Mustang.
- d) Indigenous men in Sankhuwasabha, Saptari, Ramechhap, and Mustang,
- e) Mixed group of men in Mustang,
- f) Local intellectuals, including teachers, human rights activists, political leaders, journalists in Mustang, Ramechhap, Saptari, and
- g) Mixed groups representing Government officials, political parties, NGOs.

Planned and actual interviews differed to some extent because of the following reasons:

- In Jogbudha and Dailekh, Raute Indigenous Women do no customary acvities, and nomadic Raute in Daliekh are not permitted to do any customary and modern economic activities by their customary leaders.
- In Bardiya, Mustang, Sankhuwasabha, Saptari and Ramechhap, Indigenous Women do both customary and modern economic activities.

Interviews: In total 41 individual interviews were done in close consultation with customary leaders and Local Research Associates in all seven sample sites. A check list was used to interview with Indigenous Women, above and below 40 years of age, Indigenous college going girls, customary leaders,

elected leaders of local bodies, teachers, social activists/mobilizer, chair (female) of Community Forest User's Group (CFUG) in Saptari, forest guard, engineer, and overseer, in Sankhuwasabha, political leaders (male and female) in Saptari, and Sankhuwasabha, Dalit activist (male) in Jogbudha, Indigenous elder (male) in Jogbudha, lawyer (males) in Bardiya and Saptari, and women with disability in Bardiya. Similarly, in Kathmandu, interviews were done with Joint Secretary (female) of Ministry of Forest and Social Conservation in Kathmandu, Gender and Social Inclusion (GESI) Focal Person at the Ministry of Federal Affairs and Local Development, GESI Focal Person cum Senior Institutional Development and Strategy Specialist (female), and National Program Manager (male) of MEDEP-UNDP, Vice Chair (female) of the Federation of Handicrafts Association, Government Officials (male and female) of Poverty Alleviation Fund (PAF), Ministry of Women, Children and Social Welfare (MoWCSW), Ministry of Law, Justice and Parliamentary Affairs (MoLJPA), and Ministry of Forest and Soil Conservation (MFSC).⁷

Observation: A few observations of activities done by women were carried out as available and relevant.

- In Bardiya, a bakery industry registered in the name of Tharu woman, poultry farm and fresh house.
- In Sankhuwasabha, a beauty parlor, retail shop, tea shop and hotel are run by Yakkha women.
- In Jogbudha of Dadeldhura, vegetable farming, public housing programme.
- In Mustang, hotel business, political leadership and social work are done by a Thakali woman.

Case Study: In total 11 stories, with 3 stories of Raute, 1 story of Majhi, 1 story of Tharu, 2 stories of Yakkha, 1 story of Thakali, related to customary/traditional and modern economic activities were collected.

Indigenous Research Methods: Research on Indigenous Peoples require indigenous methods of data collection and its interpretation. Efforts were made to use the following tools of indigenous methods: talking circles of Indigenous girls and women, folk stories, myths and proverbs related to

7. All ministries names are as per during the field visit before they were renamed.

Indigenous Women's empowerment prevalent in the respective community but due to very limited time and resources it was not possible to carry out these methods as intended. Some folk stories from Majhi were collected. Efforts are made to use other indigenous methods, such as de-Brahmanization⁸, deconstruction, de-colonization, re-righting⁹, and re-writing, as much as possible in the use of indicators and interpretation of data.

Data Processing, Analysis and Presentation: Quantitative survey data was processed using Excel. Qualitative data was processed manually and through discussions by all Research Team members. Data analysis has been done by putting Indigenous Peoples' perspective at the center. Qualitative data is presented in the form of tables with simple statistical analysis using percentage. As the sample size is small and variations in answers are many, the Research Team avoided cross tabulations using multiple variables. The Research Team has generated rich qualitative data; hence, quantitative data is used to additionally supplement the material.

Triangulation and Validation of Data and Report: To ensure reliability and validity of the data collected, triangulation was done by using multiple tools or by asking same questions in different ways or with different respondents as needed. Validation of draft report was done in Manthali in Ramechhap on 28 April 2018, in Mahuli in Saptari on 30 April 30, 2018 and in Kathmandu on 2 May 2018.

Monitoring: A team comprising 9 members representing NIWF, NIWForum and INWOLAG visited Ramechhap and Saptari to carry out monitoring of the research project. UNDP also joined the field visit to Ramechhap district during the data collection.

Limitation: Due to limited resources, and time constraint, the Research Team, in

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8. Brahmanization means imposition of fatalistic Hindu caste hierarchy against Indigenous Peoples and Muslims who never belonged to Hindu caste hierarchy along with imposition of Hindu religion, Hindu culture, and Khas Nepali language against non-Hindus and mother tongue speakers. Hence, De-Brahmanization means retention of Indigenous Peoples' distinct collective identity along with collective way of life.
 9. Re-righting means, there were many historical wrongs done by the dominant caste groups that needs to be made right. For example, the Muluki Ain (the Civil Code) of Nepal of 1854 included Indigenous Peoples belonging to second in the caste hierarchy as the Matawali ("Liquor drinking") caste. Hence, re-righting means Indigenous Peoples never belonged to Hindu caste hierarchy.

consultation with UNDP, and participants of the inception workshop, decided to include selected questions in the survey questionnaire and collect detail information from interviews, FGDs, case studies, and Indigenous Research Methods. Completion of targeted 100 survey questionnaires took more days than originally expected. In Baridya, doing field work without approval from the *Barghar* was impossible. All *Barghars* cooperated and provided their best support for successful completion of the study. In Mustang, Thakali *Ghmapa* (Headman) also provided full support to carry out the field work successfully. As the field work was done in Mustang at the end of winter season, many Thakali had not returned to their ancestral lands from their seasonal migration to the Southern parts of Nepal. Thus, data collection resembled a census survey in 8 of the 13 villages that were studied. In Dailekh, field work would not have been possible without consent of Raute *Mukhiya* as well as the help and support of Dhan Bahadur Budha who worked as a volunteer in a project for welfare of the Raute supported by the National Planning Commission of Nepal.

2. PROFILE OF THE RESPONDENTS OF THE HOUSEHOLD SURVEY

Socio-demographic Profile of the Household Survey Respondents

Socio-demographic information generated from household survey are as follows:

Population by age group and sex: For the purpose of this research, family members were defined as those who live together in the same house and eat in the same kitchen, including those member(s) who may have gone away temporarily. The survey data revealed that of the total 2,267 family members of 460 respondents, 49.8% are female, 50% are male, and 0.2% are sexual and gender minorities. Number of female family members are more than their male counterparts in the Tharu and Thakali, equal in the Yakkha, and less in the Raute and Majhi (Table 4). In terms of age group of 18 to 60 years, on an average, the number of females is more (28.6%) than the number of males (26.6%) (Table 3).

Table 4. Population of respondents' families by age group and sex.

Indigenous Peoples	Age Group by sex													
	0-4			5-17			18-60			60+		Total		SGM
	F	M	SGM	F	M	SGM	F	M	SGM	F	M	F	M	
Raute	43	34	0	60	77	0	99	92	0	11	14	213	217	0
Majhi	10	24	0	58	76	0	156	139	1	20	25	244	264	1
Tharu	18	17	1	61	49	0	164	145	0	24	43	267	254	1
Yakha	18	22	0	61	50	0	126	136	0	25	22	230	230	0
Thakali	8	10	0	29	41	2	104	92	1	33	26	174	169	3
Total	97	107	1	269	293	2	649	604	2	113	130	1128	1134	5
Percent	4.3	4.7	0.0	11.9	12.9	0.1	28.6	26.6	0.1	5.0	5.7	49.8	50.0	0.2

Source: Field Survey 2018

Note: M = Male; F = Female; SGM = Sexual and Gender Minorities

Caste/Ethnicity of Family Members: The survey results show that almost all family members belong to their respective Indigenous Peoples community. Of the 2,267 family members of 460 respondents, almost all, with some exception of 0.3%, are married within the same Indigenous Peoples community. Of the 11 family members who belong to other caste and ethnic groups, Brahman-Chhetri, foreigner and not identified, comprise 3 each, and Dalit and Madhesi comprise 1 each (Table 5). Because of the tendency of Indigenous People to marry other Indigenous People, they have rare cases of inter-caste/ethnic marriages. There are no sexual and gender minorities in Raute and Yakkha Indigenous Peoples. There are a negligible number of sexual and gender minorities in Thakali, followed by Tharu and Majhi Indigenous Peoples. During validation workshop in Saptari, Tharu participants said that 4 Majhi female and 5 Majhi male family members belong to the Tharu, not to the Majhi Indigenous Peoples (Table 5). During the validation workshop in Ramechhap, the participants were not aware about any sexual and gender minorities who is married with the Raute community.

Indigenous Peoples with Disability: The survey data revealed that out of the total 2,267 family members of 460 respondents, 46 persons have some type of disability. Of the 46 family members with disability, percentage of family members with hearing disability is 26%, with visual disability is 21.7%, and with visual and hearing disability is 19.6%. There are few persons with other forms of disability (Table 6).

Ability to speak mother tongue: The survey data shows that 75% of the total 2,060 family members who are above 5 years of age can speak their respective mother tongues fluently (Table 7). Except in Thakali, males in other Indigenous Peoples outnumber females in speaking their respective mother tongues fluently or to some extent. In the case of Thakali the percentage of females is more than that of males. Very few (13.7%) speak their mother tongue to some extent and 11.3% of them do not speak their mother tongue at all. Number of Tharu who do not speak, or speak Tharu language to some extent, is negligible. In the case of the Thakali, those who speak their Thakali mother tongue is less than those of who do not speak.

Table 6: Percentage of respondents' family members with various forms of disability.

Indigenous Women	Types of Disability														Total		
	Visual Impaired		Hearing disability		Visual and hearing disability		Voice and speech related disability		Psychosocial disability		Intellectual disability		Genetic freedom related disability		Multiple disability		
	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	
Raute	1	3	0	0	1	2	0	0	0	0	1	0	0	0	0	2	6
Majhi	1	1	1	2	0	1	0	0	0	0	0	0	0	0	0	2	4
Tharu	1	0	0	0	3	0	0	0	0	0	2	2	0	0	6	2	
Yakha	0	1	1	1	0	1	0	1	0	0	0	0	0	0	1	5	
Thakali	1	1	4	3	1	0	2	1	2	1	0	0	1	0	11	7	
Total	4	6	6	6	5	4	2	2	2	2	2	2	1	1	22	24	
Percent	8.7	13.0	13.0	13.0	10.9	8.7	4.3	4.3	4.3	4.3	4.3	4.3	2.2	2.2	47.8	52.2	

Source: Field survey 2018.

Table 7: Fluency of respondents' family member to speak mother tongues

Indigenous Peoples	Fluency in Mother Tongue									Total		
	Speak fluently			Speak to some extent			Do not speak					
	F	M	SGM	F	M	F	M	SGM	F	M	SGM	
Raute	149	168	0	10	9	11	6	0	170	183	0	
Majhi	202	224	1	20	12	12	4	0	234	240	1	
Tharu	246	232	0	2	5	1	0	0	249	237	0	
Yakha	95	139	0	72	44	45	25	0	212	208	0	
Thakali	46	44	1	70	38	50	77	2	166	159	3	
Total	738	807	2	174	108	119	112	2	1031	1027	4	
Percent	35.8	39.1	0.1	8.4	5.2	5.8	5.4	0.1	50.0	49.8	0.2	

Source: Field survey, 2018.

Note: M = Male; F = Female; SGM = Sexual and Gender Minorities

Marital Status: The survey data shows that of the total 2,062 males, females and other family members who are above 5 years of age, 27.4% of females and 27.3% of males are married, 19.3% of females and 21% males are unmarried, and those who are married but live separately, divorced, engaged, or lost husband/wife are negligible (Table 8).

Literacy: Of the total 2,062 family members who are above 5 years of age, 33.9% of female are literate as opposed to 40.0% of male, and 16.1% of female are illiterate as opposed to 9.8% of the males (Table 9). Illiteracy is high among Raute, Majhi and Tharu but low in Yakha and Thakali peoples.

Table 8. Marital status of respondents' family members by sex

Indigenous Peoples	Marital status by sex														Total				
	Unmarried						Married and live together			Married but live separate		Divorced		Engaged		Lost Husband/Wife		Other	
	F	M	SGM	F	M	SGM	F	M	SGM	F	M	F	M	F	M	F	M	F	M
Raute	66	90	0	88	89	0	2	0	0	0	0	1	13	4	0	0	183	0	
Majhi	80	100	0	147	136	1	5	3	0	0	0	0	2	1	0	0	240	1	
Tharu	106	91	0	135	136	0	0	2	0	0	0	0	7	8	1	0	237	0	
Yakha	77	76	0	122	126	0	5	3	0	2	0	0	8	1	0	0	208	0	
Thakali	69	77	2	74	76	1	2	1	4	2	0	0	17	3	0	0	159	3	
Total	398	434	2	566	563	2	14	9	4	4	1	1	47	17	1	1027	4		
Percent	19.3	21.0	0.1	27.4	27.3	0.1	0.7	0.4	0.2	0.2	0.0	0.0	2.3	0.8	0.0	49.8	0.2		

Source: Field survey, 2018.
 Note: M = Male; F = Female; SGM = Sexual and Gender Minorities

Table 9. Literacy of respondents' family members by sex

Indigenous Women	Literacy status by sex					Total	
	Yes			No			
	F	M	SGM	F	M	Yes	No
Raute	75	89	0	95	94	164	189
Majhi	141	188	1	93	52	330	145
Tharu	168	203	0	81	34	371	115
Yakha	193	199	0	19	9	392	28
Thakali	121	145	3	45	14	269	59
Total	698	824	4	333	203	1,526	536
Percent	33.9	40.0	0.2	16.1	9.8	74.0	26.0

Source: Field survey, 2018.

Note: M = Male; F = Female; SGM = Sexual and Gender Minorities

Education: Of the total 1,526 literate family members of respondents who are above 5 years of age, percentage of females with educational attainment of non-formal education is 4.0%, primary is 14.8%, lower secondary is 8.0%, secondary is 9.0%, 11 to 12 years of school is 8.0%, 13 to 15 years in school is 2.4% (Table 10).

Education in Mother Tongue: Almost all of the 2,058 family members, both female and male, of the respondents who are above 5 years of age, with few exceptions, have not received education in their mother tongue (Table 11).

Table 10. Educational attainment of respondents' family member by sex

Indigenous Women	Educational attainment by sex																	
	Primary (1-5)			Lower Secondary (6-8)			Secondary (9-10)			SLC Pass, +2, A Level (11-12)*		B.A., M.A. and Ph.D. (13-15)*		Non-Formal*		Total		
	F	M	SGM	F	M	SGM	F	M	SGM	F	M	F	M	F	M	F	M	
Raute	54	65	0	9	12	0	5	4	0	5	3	0	1	2	4	75	89	0
Tharu	32	35	0	25	21	0	51	86	0	38	40	20	21	2	0	168	203	0
Thakali	23	30	1	25	26	1	27	38	1	31	47	8	4	7	0	121	145	3
Majhi	61	74	1	29	40	0	28	49	0	18	22	0	0	5	3	141	188	1
Yakha	50	76	0	34	36	0	26	41	0	30	27	8	5	45	14	193	199	0
Total	220	280	2	122	135	1	137	218	1	122	139	36	31	61	21	698	824	4
Percent	14.4	18.3	0.1	8.0	8.8	0.1	9.0	14.3	0.1	8.0	9.1	2.4	2.0	4.0	1.4	45.7	54.0	0.3

Source: Field survey, 2018.
 Notes: M = Male; F = Female; SGM = Sexual and Gender Minorities
 Yakéha: mother tongue
 * Column of SGM where there is no representative of SGM is not included in the Table.

Table 11. Respondents' family members' education in mother tongue

Indigenous Women	No Education in Mother Tongue			PE in MT		MSE in MT		HSE in MT		HE in MT		Total		
	F	M	SGM	F	M	F	M	F	M	F	M	F	M	SGM
Raute	167	178	0	3	5	0	0	0	0	0	0	170	183	0
Tharu	242	234	0	6	3	1	0	0	0	0	0	249	237	0
Thakali	159	158	3	5	0	1	0	0	1	1	0	166	159	3
Majhi	234	240	1	0	0	0	0	0	0	0	0	234	240	1
Yakha	210	206	0	2	2	0	0	0	0	0	0	212	208	0
Total	1012	1016	4	16	10	2	0	0	1	1	0	1031	1027	4
Percent	49.1	49.3	0.2	0.8	0.5	0.1	0.0	0.0	0.0	0.0	0.0	50.0	49.8	0.2

Source: Field survey, 2018.

Notes: PE = Primary Education. MSE = Middle School Education; HSE = High School Education;

HE = Higher Education; MT = Mother Tongue

M = Male; F = Female; SGM = Sexual and Gender Minorities

No text book in Raute's Kham language.

Occupation: Among the five categories of Indigenous Peoples, most of the respondents said that their primary occupation is their own customary livestock farming, followed by modern agriculture in their own land, and customary cultivation in their own land (Table 12). Some family members of respondents said that their primary occupation is working as domestic workers, followed by their own trade and commerce (Table 12). Primary occupation of most women (and men) family members of the respondents settled in the communities of Raute, Majhi, Tharu, and Thakali is customary cultivation on their own lands; from nomadic Raute is the barter of wooden materials with food grains, and from Yakkha is modern agriculture on their own lands (See Table in Annex 2). Primary occupation of significant number of settled Raute women (and men) family members is wage labor, and of the Thakali is trade and business (See Table Annex 2).

Table 12. Primary and secondary occupation of respondents' family members by sex

Occupation	Primary occupation				Total		Secondary occupation				Total	
	F	M	SGM	N	%	N	F	M	SGM	N	%	
Student	302	322	2	626	30.4	626	6	3	0	9	0.4	
Customary cultivation in own land	272	198	0	470	22.8	470	54	57	1	112	5.4	
Modern agriculture in own land	99	81	0	180	8.7	180	76	74	1	151	7.3	
Own trade and commerce	60	44	2	106	5.1	106	18	22	0	40	1.9	
Daily wage work	44	51	0	95	4.6	95	2	5	0	7	0.3	
Casual wage work	15	75	0	90	4.4	90	2	7	0	9	0.4	
Domestic worker	65	6	0	71	3.4	71	73	10	0	83	4.0	
Foreign employment (Countries other than India)	17	53	0	70	3.4	70	0	8	0	8	0.4	
Own customary cottage and small industry	23	37	0	60	2.9	60	3	6	0	9	0.4	
Permanent Government job	10	31	0	41	2.0	41	0	0	0	0	0.0	
Unemployed	26	15	0	41	2.0	41	24	21	0	45	2.2	
Customary hunting, gathering and fishing	25	10	0	35	1.7	35	0	9	0	9	0.4	
Permanent job in private sector	13	10	0	23	1.1	23	0	0	0	0	0.0	
Own customary livestock farming	0	10	0	10	0.5	10	145	90	0	235	11.4	
Temporary Government job	4	7	0	11	0.5	11	1	2	0	3	0.1	
Service work	4	4	0	8	0.4	8	0	1	0	1	0.0	

3.

EXISTING LAWS AND POLICIES TO ECONOMIC EMPOWERMENT OF INDIGENOUS WOMEN

In Nepal, laws begin with the first ever written legal code of Nepal, known as *Muluki Ain*, that was promulgated by Prime Minister Junga Bahadur Rana in 1854 to the Constitution of Nepal promulgated in 2015 and are primarily based on Hindu Jurisprudence and to some extent, British Common Law. Indigenous Peoples' customary laws have no place in both systems. Nepal's policies, plans and programs are fully guided by Hindu religion, tradition, culture, norms and values.

On the contrary, Indigenous Peoples have their own customary laws and institutions. These are still robust in some Indigenous Peoples such as Raute, Tharu, Thakali, Marphali Thakali, Newar, Gurung, Tamang, and Jhangad (but are at the verge of extinction in some Indigenous Peoples such as Magar, Rai, and Limbu, and almost extinct in some Indigenous Peoples, including Bhujel LAHURNIP 2015), The process of Hinduization, Sanskritization, Nepalization, Westernization, and modernization has split Indigenous women and men who are divided into at least three categories in terms of their pursuit of economic empowerment activities. One category is of those Indigenous Women who still pursue customary economic activities, the other is of those who pursue modern economic activities and then there are others who pursue both customary and modern economic activities. Due to legal and administrative reasons, economic activities based on customary knowledge and skills are rapidly declining.

Existing Laws and Policies Relating to Economic Empowerment of Indigenous Women

There are some direct and indirect constitutional and legal provision of economic empowerment of women in general, but negligible for economic empowerment of Indigenous Women. There is no policy or law that is focused on economic empowerment of Indigenous Women (See Table 13). As the Constitution, as well as, laws and policies of Nepal fail to recognize diversity among women, almost all legal provisions directly favor so-called high caste women but not to women belonging to Indigenous Peoples, Dalit, Madhesi and Muslim. Detail analysis is in Table 13.

Both existing and recently drafted laws and policies of, previously central and now federal, provincial and local levels were not and are not made by getting Free, Prior and Informed Consent from and meaningful participation of Indigenous Peoples as per international standards of human rights, such as UNDRIP and Convention no. 169 of ILO. The existing Constitution, policies and laws are made by ignoring or denying collective rights of Indigenous Peoples.

The National Foundation for Development of Indigenous Nationalities is the only organization with exclusive focus on Indigenous Peoples established in 2002 with the sole focus on catering to the concerns of Indigenous Peoples. However, even the Foundation has not designed and implemented any programs for the economic empowerment of Indigenous Women in Nepal. The Constitution of Nepal has provisioned for more than five Constitutional Commissions including an independent Indigenous Peoples Commission, Inclusion Commission, Women's Commission, Madhesi Commission and the Tharu Commission. However, not all Commissions are yet formed and functional. And it is yet to see how they ensure the economic empowerment of Indigenous Women in Nepal.

Table 13. Constitution, laws, policies, procedures and programmes relating to economic empowerment of Indigenous Women

S.N.	Constitution, laws, policies, procedures and programmes	Existing Legal Provisions	Provisions Relating to Indigenous Women	Provisions, Relating to Indigenous Women, to be made
A	Constitution			
1	Constitution of Nepal 2015*	<p>Preamble: Embracing multi-caste, multi-lingual, multi-cultural and diverse geographical specificities, by ending discriminations relating to class, caste, region, language, religion and gender discrimination including all forms of racial untouchability, in order to protect and promote unity in diversity, social and cultural solidarity, tolerance and harmonious attitudes, we also express our determination to create an egalitarian society on the basis of the principles of proportional inclusion and participation, to ensure equitable economy, prosperity and social justice.</p> <p>PART 3. Fundamental Rights and Duties</p> <p>18. Right to equality: (3) The state shall not discriminate among citizens on grounds of origin, religion, race, caste, tribe, sex, economic condition, language or geographical region, ideology and such other matters.</p> <p>38. Right of women: (1) Every woman shall have equal right to lineage without any gender discriminations.</p> <p>(4) Women shall have the right to access participate in all state structures and bodies on the basis of the principle of proportional inclusion.</p> <p>(5) Women shall have the right to special opportunity in the spheres of education, health, employment and social security on the basis of positive discrimination.</p> <p>(6) Both the spouses shall have equal rights in property and family affairs</p>	<p>Indigenous Women are invisible in the Constitution, i.e. Indigenous women are lost in women, and also in Indigenous Peoples.</p> <p>No provision specifying Indigenous Women.</p>	<p>Recognition of Indigenous Women</p> <p>Ensure collective rights, including ownership and control over lands, territories and resources, and recognition of Indigenous customary law and justice system.</p> <p>Ensure Free, Prior and Informed Consent (FPIC)</p> <p>Ensure meaningful participation at all levels of decision making that affect to Indigenous Women.</p> <p>Proportional representation and preferential and remedial affirmative action should be in place for Indigenous Women</p> <p>Intersectionality issues should be addressed.</p>

S.N.	Constitution, laws, policies, procedures and programmes	Existing Legal Provisions	Provisions Relating to Indigenous Women	Provisions, Relating to Indigenous Women, to be made
		<p>42. Right to social justice: (1) Socially backward women, Dalits, Adibasi, Janajati, Adibasi Janajati, Madhesi, Tharu, minority groups, persons with disability, marginalized groups, Muslim, backward classes, gender and sexually minority groups, youths, peasants, laborers, the oppressed and the citizens of backward regions, and economically poor Khas Atya shall have the right to employment in state structures on the basis of the principle of inclusion.</p> <p>(2) Citizens who are economically very poor and communities on the verge of extinction, shall have the right to special opportunity and facilities in the areas of education, health, housing, employment, food and social security, for their protection, progress, empowerment and development.</p> <p>PART 4. Directive Principles, Policies and Responsibilities of the State</p> <p>50. Directive Principles: (1) It shall be the political objective of the State to strengthen a federal democratic, republican system to ensure an atmosphere where democratic rights are exercised by acknowledging sovereignty, independence and integrity of the country to be of utmost importance; by protecting freedom, equality, property and all citizens through rule of law; by embracing the norms and values of fundamental rights and human rights, gender equality, proportional inclusion, participation and social justice; and by maintaining a just system in all spheres of national life in order to establish a government system aimed at public welfare, while maintaining relations between federal units on the basis of cooperation between them; and internalizing the principle of inclusion in the governance system on the basis of local autonomy and decentralization,</p> <p>51. State policies:</p> <p>g. Policy regarding the conservation, management and use of natural resources:</p>		

S.N.	Constitution, laws, policies, procedures and programmes	Existing Legal Provisions	Provisions Relating to Indigenous Women	Provisions, Relating to Indigenous Women, to be made
		<p>(1) The State shall pursue a policy of conserving the natural resources available in the country by imbibing the norms of inter-generation judicious use of it and for the national interest. It shall also be about its sustainable use in an environmental friendly way. The policy shall ensure the fair distribution of the benefits generated by it by giving local people the priority and preferential rights.</p> <p>(5) The State shall pursue a policy of making a sustainable use of biodiversity through the conservation and management of forests, fauna and flora, and by minimizing the negative impacts of industrialization and physical development by promoting public awareness on environmental cleanliness and protection.</p> <p>(j) Policies regarding social justice and inclusion:</p> <p>(8) Making special arrangements to ensure the rights of Adivasi Janajatis (indigenous ethnic groups) to lead a dignified life with their respective identities, and making them participate in decision making processes that concern them, and preserving and maintaining the traditional knowledge, skill, experience, culture and social practices of Adivasi Janajatis and local communities.</p> <p>261. Adibasi Janajati Commission 263. Tharu Commission</p>		

S.N.	Constitution, laws, policies, procedures and programmes	Existing Legal Provisions	Provisions Relating to Indigenous Women	Provisions, Relating to Indigenous Women, to be made
B	Laws			
1	Aquatic Animal Protection Act, 1960*	There is a provision of Powers of Government of Nepal to prohibit the catching, killing and wounding of certain kinds of aquatic animals (Section 4).		
2	Lands Act, 1964*	There are provisions relating to abolition of <i>Jimidar</i> , including Kipat (Indigenous Peoples' ancestral lands), ceiling of land, acquisition of land, compensation, tenant etc.	These Acts have snatched ownership and control over lands, territories and resources of Indigenous Peoples without getting their FPIC. These Acts are incompatible with UNDRIP and Convention no. 169 of ILO.	It is necessary to reform these laws in line with the Convention No. 169 of ILO and the UNDRIP that guarantee Indigenous Peoples' rights over lands territories and natural resources. These Acts should cover the issues of Indigenous Peoples, with specific focus on Indigenous women, for their better livelihood and economic empowerment options.
3	National Parks and Wildlife Conservation Act, 1973*	There are detail provisions relating to National Parks, Strict Nature Reserve, Wildlife Reserve, Hunting Reserve, Conservation Area, and Buffer Zone.	All provisions of these Acts are absolutely against Indigenous Peoples, including Indigenous Women.	Ensure FPIC. Ensure meaningful participation in decision-making relating to forest and relevant resource management.
4	Forest Act 1993*	There are detail provisions relating to national forest: Government managed forest, protected forest, community forest, leasehold forest, religious forest and private forest, and also about land acquisition and compensation.	These Acts are in no way to help Indigenous Women for their economic empowerment.	
5	Water Resources Act, 1992*	There are provisions relating to Ownership of Water Resources (Section 3), Utilization of Water Resources (Section 4), Constitution of Water Users Association (Section 5), Provisions of License (Section 8), Utilization of Water Resources for Hydro-electricity (Section 9), Government of Nepal may Utilize or Develop Water Resources (Section 10), Utilization and Acquisition of Other's Land and House (Section 16), Not to Cause Substantial Adverse Effect on Environment (Section 20), Power to Make Rules (Section 24),		

S.N.	Constitution, laws, policies, procedures and programmes	Existing Legal Provisions	Provisions Relating to Indigenous Women	Provisions, Relating to Indigenous Women, to be made
6	Soil and Watershed Conservation Act, 1992*	There are provisions relating to Power to declare as conserved watershed area (Section 3), Farming to be done by following land use system (Section 6), Provision of compensation (Section 8), Powers to shift industry, business and settlement of habitation (Section 11), and Power to acquire land (Section 14).		
7	Environment Protection Act 1997*	There is a provision to Carry Out Initial Environmental Examination or Environmental Impact Assessment (Section 3)		
8	National Foundation for Development of Indigenous Nationalities Act, 2002*	<p>5. Objectives of the Foundation: The Foundation shall have the following objectives:-</p> <p>(a) To make overall upliftment of the <i>Aadibasi/Janjati</i> by formulating and implementing the programmes relating to the social, educational, economic and cultural development and upliftment of <i>Aadibasi/Janjati</i>,</p> <p>(c) To preserve and promote the traditional knowledge, skill, technology and special knowledge of the <i>Aadibasi/Janjati</i> and to provide assistance in its vocational use.</p> <p>(e) To provide assistance in building an equitable society by making social, economic, religious and cultural development and upliftment of <i>Aadibasi/Janjati</i>.</p>	No specific provision for economic empowerment of Indigenous Women - Member	Provision should be made for economic empowerment of Indigenous Women based on customary knowledge and skills.
9	Bill to amend and integrate Industrial occupation related laws 2016 ^s	<p>Paragraph-3, Kha. As follows cottage industries consider as</p> <p>(1) Based on Traditional Skill and technology</p> <p>Paragraph-5, no-25. Additional support for Women entrepreneurship (1) Whatever written in existing laws, Women industries under women ownership, during registration 35% tax will be discount.</p> <p>(2) Whatever written in existing laws, 25% tax shall be discounted in the industrial property registered in the name of women</p> <p>(3) If women want to register industry, place within the industrial area will be given priority to women</p> <p>(4) The industries owned by only women wants to demand loan to export products, specified loan shall be provided.</p>		

S.N.	Constitution, laws, policies, procedures and programmes	Existing Legal Provisions	Provisions Relating to Indigenous Women	Provisions, Relating to Indigenous Women, to be made
10	Indigenous Commission Act, 2017 ^s	(7) (k) To protect and promote customary skill, technology and distinct knowledge that exist in the community of Indigenous Peoples and support for business application. 7(l) To give necessary directives by monitoring international treaties, which Nepal is a party to, relating to Indigenous Peoples are implemented or not.	No specific provision for Indigenous Women.	Ensure meaningful representation of Indigenous Women at all levels of decision making, Ensure FPIC
11	Tharu Commission Act, 2017 ^s	(7) (k) To protect and promote customary skill, technology and distinct knowledge that exist in the community of Tharu and support for business application. 7(l) To give necessary directives by monitoring international treaties, which Nepal is a party to, relating to Tharu are implemented or not.	No specific provision for Tharu Women.	Ensure meaningful representation of Tharu Women at all levels of decision making, Ensure FPIC
C				
Policies				
1	Industrial Policy, 2010 ^o	21. Special Provisions for Woman entrepreneurs With the objective of involving more women in industrial enterprises thereby more opportunities of employment may be available and for enhancing financial empowerment of women, the following additional provisions have been made as per concept of inclusion.	21.1. In any level to formulate policies relating to any industrial enterprises, representation of women belonging to indigenous and tribal people ... who are involved in the concerned industrial enterprises shall be made mandatory.	No FPIC with Indigenous Women done during making of this policy; and no Provision of FPIC in the policy.

S. N.	Constitution, laws, policies, procedures and programmes	Existing Legal Provisions	Provisions Relating to Indigenous Women	Provisions, Relating to Indigenous Women, to be made
		<p>21.1. In any level to formulate policies relating to any industrial enterprises, representation of women belonging to indigenous and tribal people, dalit, Madhesi, marginalized communities who are involved in the concerned industrial enterprises shall be made mandatory.</p> <p>21.2. Provision of group loan shall be made in various banking and cooperative institutions for extending loans in simple and easy manner to woman entrepreneurs of cottage and small scale.</p> <p>21.3. Priority shall be given to women in the venture capital to be provided while establishing an industry.</p> <p>21.4. An exemption of 35% in the registration fee shall be given if an industry is registered only in the name of woman.</p> <p>21.5. Special priority shall be given to woman entrepreneurs if they desire to establish an industry in an industrial estate.</p> <p>21.6. In order to develop women entrepreneurship and to encourage women to become an entrepreneur, women shall be involved in trainings, meetings, seminars, study visits on technology development.</p> <p>21.7. In the sales counters to be developed in various development regions, provisions shall be made for sales counters also for the products developed by women entrepreneurs.</p> <p>21.8. In exhibitions concerning industry or business to be organized by Government agencies, women entrepreneurship/businesspersons shall compulsorily involve women.</p> <p>21.9. Provisions shall be made for making available export loans to women entrepreneurship/businesspersons exporting their products.</p> <p>21.10. The industry registered only in name of a woman shall be provided with an exemption of 20% in the fee for getting registered the industrial property such as patent, design and trademark.</p>		<p>Develop separate policy for IP women who are rich in traditional knowledge and skill that should be promoted by the Government i.e., legalizing of home made liquor, patent right should be given to the products and separate budget allocation for the promotion of indigenous local products.</p>

S.N.	Constitution, laws, policies, procedures and programmes	Existing Legal Provisions	Provisions Relating to Indigenous Women	Provisions, Relating to Indigenous Women, to be made	
2	Herbs and Non Timber Forest Product (NTFP) Development Policy, 2004 ⁸	<p>Promoting Peoples Participation Policy Article no-8. Peoples participation shall be encouraged to cultivate herbs and NTFPs giving maximum benefit and special priority to women below poverty.</p> <p>Working Strategy, Article no. 18. Herbal Production and Processing. Institutional coordination shall be done in an integrated way to the programme and activities, like small farmer development programs, loan programmes, to indigenous rural women development program, market management, herbal production and processing and market management.</p> <p>Article 20. Women of rural area shall be given special priority for training, exhibition, publication... related to herbal and NTFP collection and cultivation.</p> <p>Article 27. Emphasis shall be given to timely improvement of current traditional system and technology along with development and expansion of modern technology related to Herbal and NTFP production, collection, use and management.</p>	<p>21.11. For development of women entrepreneurship, a separate women entrepreneurship fund shall be created.</p> <p>21.12. A separate sectoral unit shall be created in the Ministry of Industries for development of women entrepreneurship.</p> <p>21.13. Mandatory provisions of introducing directives for prevention and control of all types of gender-based violence at workplace shall be made for protection of rights of women entrepreneurs, woman workers, and women service-seekers.</p> <p>21.14. Plan, program and budget implementation concerning industrial promotion shall be made gender-friendly and to ensure the guarantee of gender equality, gender analysis and assessment, gender auditing and gender budget system of the concerned policies and programs shall be introduced.</p>	<p>These provisions are not specific to Indigenous Women but Indigenous Women could benefit.</p>	<p>Specific Provisions shall be for Indigenous Women</p>

S.N.	Constitution, laws, policies, procedures and programmes	Existing Legal Provisions	Provisions Relating to Indigenous Women	Provisions, Relating to Indigenous Women, to be made
3	National Agriculture Policy, 2004*	Policy 4.1.17 Women farmers with respect to women farmers trainings arrangements shall be made as far as possible.... The flow of information of data relating to involvement of women in the programs shall be ensured.	There is no specific provision for Indigenous Women	Specific Provisions shall be for Indigenous Women as per UNDRIP and Convention no. 169 of ILO.
D	Procedures			
1	Homestay Operation procedure, 2010 ^e	Promoting ecotourism and economic empowerment of local people	Applies both men and women equally	It is necessary to promote ecotourism of Indigenous Peoples areas. Indigenous Peoples should be given priority for home stay business and provision for specific training to IP culture, skills, knowledge and hospitality.
2	Local body resource mobilization and management procedures, 2012 ^c	10. Target Group Development Programme: (Ka) Women groups from belonging to various caste and ethnicity, 10% of budget for women's empowerment or employment oriented and income generating works are allocated. (Ga) All caste and ethnicity who are socially and economically left behind (Senior Citizen, Dalit, Indigenous Peoples, Disability, Madhesi, Muslim; and backward class) and target groups by publishing notice in the Nepal Gazette, provide 15% benefit from the development programs.	Special provision for women	Differentiate the women from different caste and ethnicity, Information should be given in local languages with formats assessable to all. Capacity building by local natural resource mobilization.
3	Women Entrepreneurship development fund (operational guideline, 2012) ^e	Collateral free loans for women, provides loans up to Rs. 50,0000 in one fiscal year with 6% interest rate	Good provision for the women to involve in entrepreneurship. Women are not informed properly about the provision. IP women are not access to the provisions.	State should follow the culturally appropriate tools for the promotions of productions made by IP women and allocate budget for the IP traditional products promotion and conservation.

S.N.	Constitution, laws, policies, procedures and programmes	Existing Legal Provisions	Provisions Relating to Indigenous Women	Provisions, Relating to Indigenous Women, to be made
E	Directives			
1	Micro-Enterprise Development for Poverty Alleviation-MEDPA, Operational Directives, 2014*	<p>Part 2. Target Group:</p> <p>1. Its target group would be family members of poor people living below poverty line: (1) Target group of this program is family members of Nepali citizens who are living below poverty line.</p> <p>(2) This program will focus on ultra poor group, backward women, Dalit, indigenous Peoples, and VDC [Village Development Committee] that is in remote and less access to services.</p> <p>(3) Target group will comprise 70% women, 30% Dalit, 40% Indigenous Peoples, 40% Madhesi, 60% youth (16-40 years).</p>	Target group comprise 40% Indigenous Peoples	<p>Ensure FPIC mechanism</p> <p>Focus on microenterprise based on customary knowledge and skills.</p> <p>Ensure meaningful representation of Indigenous Women at all levels.</p> <p>MEDEP/MEDPA is fully gender sensitive, it should further promote the Indigenous traditional skills.</p>
F	Programs			
1	Poverty Alleviation fund (PAF), 2004*	<p>The target beneficiaries of PAF are the marginalized communities- the poor, women, Dalit, Janajati and other disadvantaged groups.</p> <p>PAF follows six guiding principles, namely: (a) Targeted to the poor (Antodaya) (b) Social Inclusion (Samabesi) (c) Demand Driven approach (Maag Anusar) (d) Transparency (Paratashita) (e) Direct funding to community organizations of the poor (Pratakshta Bhuktani) and (f) Community Institutional Development (Samudaya Ko Sanshthagat Bikkash)</p>	As PAF gives high priority to women for their entrepreneurship development with gender sensitive approach, it provides support to Indigenous women entrepreneur with focus on modern economic activities.	Need to give high priority in developing economic activities based on customary knowledge and skill.

Note: See annex 3 for the source of documents.

4.

DIMENSIONS OF ECONOMIC EMPOWERMENT OF INDIGENOUS WOMEN

Access to, Ownership and Control Over, and Use of, Lands, Territories and Resources

Indigenous Peoples' and Indigenous Women's livelihood and empowerment, including economic empowerment, have been fully dependent on their lands, territories and resources. In the past, Indigenous Peoples had lost ownership and control over their lands, territories and resources through the use of gun, treaty and *Manusmriti* (Hindu sacred text) and principles of *terra nullius*, and now, by the use of principle of eminent domain by the rulers belonging to the dominant caste group. Hence, for them, access to and use of lands, territories and resources are still vital. However, some respondents, especially the Thakalis, believe that they still have ownership and control over their ancestral lands, territories, and resources.

The Research Team's observation is that such control is *de facto*, not *de jure*. Respondents belonging to Majhi, Yakkha, other Indigenous Peoples, Brahman-Chhetris and Dalits said that in the past, lands, territories and resources of Majhi, Yakkha and Thakali were known as *Kipat*, legally recognized by the State, but now these are taken away by the State. During a focus group discussion with the Government officials and Majhi leaders in Manthali, Ramechhap, a Majhi respondent said that lands under the fog seen in the morning are their lands, territories and resources. All the Tharu respondents from Baridya and Saptari said that they have been living on their lands, territories and with their resources since time immemorial and used to practice slash and burn agriculture system, which now has been made illegal by the

Government. Additionally, they said that until 1950 only the Tharus could live, and no other people could live on their lands and territories, as they are immune to malaria. The Tharu Key Informant said that they gradually lost ownership and control over their lands after malaria eradication, as the State encouraged migration of the Hill peoples in their lands, and many of their lands were declared as national forest, wildlife parks, conservation area, community forests, collaborative forests, private forest and private lands.

The Research Team had the impression that all Indigenous Peoples still have a very strong feeling that their lands, territories and resources are their own, though the State has gained ownership and control without ever taking their Free, Prior and Informed Consent (FPIC). Many respondents from all seven sample sites said that they have been labeled as criminal by the State while using their own ancestral lands, territories and resources in accordance to their customary laws and practices that has been handed down from generation to generation. All respondents belonging to Indigenous Peoples said that many of them continue to use natural resources, namely; forests, water, including rivers, wetlands, and pastures, some as legally permitted by the State and others at the risk of being caught, tortured and punished. One of the Tharu women respondents from Bardiya, who lived near the Bardiya National Park, said, “We continued our ancestral tradition of using firewood, herbs, vegetable, fruits, fish and other resources from our forests. But, now-a-days we are branded as criminal, if we do so; and we continue to do so even if we should be harassed, face pointed guns or arrested by the security forces. We have no option left for our livelihood.”

The Raute chief, leader of the last nomads of Nepal, whom the team met during field work period at the river bank near Kholi Bazar in Dalikeh district, said, “We used to freely move in different forests. In the past, we never took permission from any one. Now-a-days, we are allowed to move in forests, including National Parks and community forests, but we should take their permission to do so.” It means their movement has been gradually restricted by the Government authorities and the executive committee of Community Forest User Groups (CFUGs). Raute respondents said that they have not found any *Kukath* (useless timber) in the forest where they have camped at present in Dailekh. The research team had observed a program of distribution of soaps to all Raute families that was jointly organized by an NGO in presence of the Local Development Officer (LDO) and elected representatives from District

Coordination Committee (DDC). During his speech, a district level elected leader said that if Rautes do not stop drinking alcohol, the Government will build fences around their camp restricting their movement, and if any one should cross it, they will ask police to arrest the trespasser.” that the mindset of the leader goes against the spirit of human rights, in general, and against Convention No. 169 of ILO and UNDRIP, in particular. Instead of ensuring Rautes’ ownership and control over their lands, territories and resources by the Government, they are determined to restrict its use. Hence, Raute women are facing problems in making their livelihood (Case study 1).

CASE STUDY 1

Raute women are facing problem of transitional condition

Nepal Government took the policy to settle nomadic Raute in 1980 (2037 BS). As a result, with help of some Raute, the local government administration identified the land of Ampani and Rajwad located in Jogbuda, Dadeldhura. They brought Raute who were nomadic in Bajura, Achham, Baitadi and Dadeldhura to settle there in 1980 (2037 BS). In the initial stage, Raute came there but later they again went back to their original habitat system in their respective areas. Very few Raute settled there. Government provided land at the rate of 1.5 bigha per family in the beginning.

Again, for the second time, with help of settled Raute, the local level government administration brought those Raute who had left already the place. Most of them settled there and very few did not. At present, they have land ranging from 1 katta to 1.5 biha. Some have not more than 1 katta land because they settled later. Some Raute are landless due to they came later and settled there as their community were there. The process continued till 1983 from 1980 (2037-2040 BS). There are, now, altogether nearly 84 families (households) including both settlements – Ampani and Rajwad.

As expressed by Raute women of both settlements, they faced a great problem in the initial stage and still facing problem. They had no idea and knowledge how to do agriculture farming and how to move ahead their livelihood. The forests attached to their settlements were not made community forests for a long time till 2000 AD (2056 BS). They could use and go into the forest and could bring things as they had enjoyed in their original habitat system. Slowly, they learnt to do agriculture farming, goat rearing, poultry farming etc. They started to send their children school. That was a very painful process in their lives. Before, they were free and there was no restriction on them. After they settled, they have been facing restrictions and problems. They liked to say the present life as confined and kept in a fenced house just like animals are kept into it.

People belonging to other caste and ethnic group transformed the forest used by Raute as a Community Forest (CF). The main committee of the community forest captured the land attached to forest where landless Raute had been living since they settled there. The CF fenced the forest, and restricted Raute to go in the forest. Also, The CF restricted Raute to take their animals in the forest, and restricted to bring firewood and other forest products. Since then, they faced difficulty to run their livelihood. Because of that difficulty, most of the Raute sold their land for their livelihood although the lands are not passed due to law has prohibited passing the lands of Raute to other.

This has created conflict between Raute and other people who purchased the lands. If their land is passed, all of them except 4-5 families become landless having no other alternative and have to go back again to their original habitat system however that will be again painful for them. Raute women are victimized more from this painful process and difficulty.

Source: Field Survey, 2017.

In the case of Raute in Jogbudha in Dadeldhura district, who were settled in 1980, they previously freely used the nearby forest, water and other natural resources. They are not allowed to enter in nearby community forests after formation of Community Forest User Groups in 2000. They have no access to water resources in Ampani and Rajwar settelemt. If Rautes go to fish in rivers, other community members would harass, stop or chase away or confiscate collected fishes. An elderly Raute woman, 82 years old complained, “We used to move freely in the past before we had settled in Ampani in Parshuram Municipality in Dadeldhura. Government settled us in this village. But now we feel like we have been put in a goat cage. We have no access to forest and water resources.”

During field work in Manthali in Ramechhap district, the Chief District Officer (CDO), Officer of the Local Development Office (LDO), newly elected Mayor and Member of the Province No. 3, and district level political party leaders of Ramechhap district said that the Majhi began to lose ownership and control over their lands, territories and resources since the last 15-20 years. One of the Majhi respondents said, “Our parents used to tell us that the lands under the cover of fog used to be our Kipat [customary lands of Indigenous Peoples] lands, but now it is no more ours.” In a smiliar vein, one of the Yakkha respondents from Tamaphok in Sankhuwasabha, who is a recently elected Ward Chairperson, said, “From top of the Hill, down to the Maya river that we could see by our naked eyes used to be our lands. Now all forests are community forests.”

In Saptari, one of the Tharu respondents said that they have so many traditional and customary skills and knowledge, but these are of no use as they have no access to forest and resources. Many Tharu women respondents from Saptari said they are not permitted to collect *Mothee Patiya* (plant used to make mat) since the establishment of Koshi Tappu. This is a must in their wedding ceremony. So, they continue to go and collect it illegally. Respondents of a

FGD of Tharu Women said that their forests have been given to Forest User Groups and both Tharus and non-Tharus are represented in the Forest User Groups. Those who do not have any knowledge of the forest are represented in the decision making. Tharus have knowledge about the forest but they are not allowed to participate in making policies, plans and programs. Its consequence was that they are restricted from use of the forest. Hence, they are forced to use forest resources illegally. In Baridya, Tharu respondents said that they are asked to work while implementing programs but when plans and policies are made they are not represented and involved, and when benefits are to be shared they are deprived.

In Sankhuwasabha, the Yakkha respondents said that they lost control over their forest and water after Kipat was abolished in Limbuwan in 1968. At present, they do not use the forest, as forests are far from their settlement and existing community forests are controlled by Community Forest User Groups that are fully controlled by people other than Yakkha.

In Thasang of Mustang, most of the Thakali and non-Thakali respondents said that their ancestors had full ownership, control and use of their ancestral lands. They continue to use natural resources (See case study 2). However, before the establishment of the Annapurna Conservation Area Project (ACAP) in 1998, the Forest Department prohibited them from using forest resources even for cutting some trees to build their houses. One of the 13 *Ghampa* (Headmen) said, “Although our lands, territories and resources are controlled by the Government through ACAP, ACAP has given all responsibilities of protection and use of such resources by customary 13 *Ghampa* (*Mukhiya*).” In contrast, one of the women respondent said, “We have Yak herd. We need to go graze Yak in highland pasture but ACAP prohibit doing so. If they scare Leopard to protect their Yaks, ACAP take action against them. If Leopard should kill Yaks, they do not get any compensation.”

The list of natural resources used by Raute, Majhi, Tharu, Yakkha and Thakalis are many (see Table 14). The data relating to the use of wild vegetable, wild fruits and roots, wild animals, forest products and [water] clearly reveal the following patterns:

Thakalis are in the best situation to have both access to and use of natural resources, including wild vegetables, wild fruits and roots, forest products. They are fully restricted from access to and use of wild animals through hunting. They have limited access to use of water *animals*. Though the Government,

Use of natural resources by Thakali women

Suraja Gauchan, 39 years old, a resident of Kalopani, Lete, Thasang Village Development Council ward no-3, Mustang. She is temporary teacher of Ganudaya Higher Secondary School, Lete. She teaches up to 5 class in English subject. She is also handling Hotel business in support of her Husband. She was involving hotel business for the past 29 years since she was very young. She is also a very success entrepreneur; she has knowledge about the traditional forest product processing and bring it in market as an income initiation in her community.

She got this knowledge from her mother about the Thakali food processing process. Mustang is very cold and snowy place for more than 6-month long. So, they have a very good knowledge to preserve food for the winter season. They have good knowledge to dry the fruit, vegetables and medicinal plants for long term preservation. She has used this knowledge to convert it into income generating sources. She collects *Jimbu*, *Dhokayako sag*, *Jibre ko Sag*, *Jagali Lasun*, *Phalu phool*, different types of mushroom etc. She dries the mashroom at home, pack in the different size with the information about the food with processing process. Mustang is a tourist area where many domestic and foreign tourists visit in the peak season. Because she has been in this business for a long time, she is aware that tourists prefer locally produced products. She earns two lakh Nepali Ruprees per year. She is very happy with her traditional knowledge, but she disclosed that only traditional knowledge is not enough for the expansion of her earning activities. If the Government introduces subsidy in Dry machine, and market linkages to other districts she could continue and expand in bigger quantities. Her current problem is of manufacture and expiry dates in her product. Many tourists asked her about the manufacture and expiry date of the product, and she had no answer.

Only traditional knowledge is not enough to promote and sustain the market, so she requests for training on the expiry date for her products. She is only a success entrepreneur in her community, she is visioning to promote such products and involve more Indigenous women who have such knowledge in this sector.

She said that if the Government supports and promotes such knowledge creation and provide incentives, loan grant and trainings, many Thakali women can boost themselves by getting involved in such processes. There is a big opportunity in Mustang for the women to get involved in income generating activities, however, the government should play an important role to strengthen and create a friendly environment to secure them with economic activities.

Due to bad road access and negative impact of ACAP policies related to the forest-based income generation activities. Thus, she suggested that ACAP need to revise the policies towards Indigenous women friendly policy and the Government should focused public service facility for the economic empowerment.

Source: Field survey, 2017.

and its local agency, such as ACAP has taken away their ownership and control over natural resources, nevertheless, ACAP has involved them in management and use of these resources. ACAP rules and regulation is restrictive but they cannot ignore the customary laws and institutional arrangements.

In the case of the Tharus, although the Government has not only taken away their ownership and control over their lands, territories and resources but has also put restrictions on the access to and use of these resources. Despite these restrictions, Tharus continue to use limited resources during limited time permitted by the Government, and in using other resources, they continue to face the risk of harassment and punishment.

Majhi, Yakkha and nomadic Raute are almost uprooted from access to and use of natural resources. Yakkha and Majhi have already adopted modern skills and occupations. Nomadic Rautes are completely dependent on the Government benefits and donation, and support provided by visitors and well-wishers.

Settled Rautes are at the worst situation. They have not only lost ownership and control over their lands, territories and resources, but they have lost both access and use of it as well. What is worse is that psychologically they have some memory of access to and use of natural resources but now it has become nothing but a dream.

Many respondents belonging to Tharu and Thakali said that most of the wild vegetables, fruits and plants are seasonal and perishable. Hence, the State may legalize the collection and use of these seasonal and perishable vegetables, fruits and plants for economic empowerment of Indigenous Women.

In brief, Thakalis, Tharus and nomad Rautes have relatively better access to use of lands, territories and resources because of continuation of their customary institutions and laws. Majhi, Yakkha, and Tharu living in the influence area of Madhesi and settled Rautes are worst of in terms of losing such access to and use of resources.

Table 14. *Continuing practices of collection of natural resources*

Natural Resources	Raute	Majhi	Tharu	Yakkha	Thakali
Wild roots, tubers and vegetables	Nomad Raute collect wild vegetable such as <i>Sisno</i> (nettle), wild roots such as <i>Tarool</i> (yam), <i>Githia Bhyakur</i> . Settled Raute collect wild vegetables such as <i>Sisno</i> (nettle) wild roots such as <i>Tarool</i> (yam), <i>Githia Bhyakur</i> , forest products such as Chalaune to make <i>Halo</i> (plough), fire wood.	Majhi have left to collect wild vegetables, wild fruits and roots and tubers.	<i>Nieuro</i> , <i>Chyau</i> , <i>Pawra ko Sag</i> , <i>Tama</i> , <i>Delawa</i> and <i>Tarool</i> .	<i>Yangben</i> (tree or stone moss), <i>Muro</i> , <i>Sisno</i> , <i>Tama</i> , <i>Tusa</i> , <i>Kalkuina</i> , <i>Tutimbi</i> , <i>Chimfin</i> , and <i>larod</i> .	<i>Nhordhou</i> , <i>Sekudhou</i> , <i>Dhakayo</i> , <i>Patyau</i> , <i>Pangno</i> , <i>Timiyo</i> , <i>Ghepre</i> , <i>Chalni Sag</i> , <i>Tusa</i> , <i>Karkalo</i> . Musrooms including <i>Tawai</i> , <i>Rato Chyau</i> , <i>Chamre chyau</i> , <i>Tehtawe chyau</i> , <i>Tilana</i> , <i>Shoshte</i> , <i>Mharimo</i> , <i>Forrimo</i> , <i>Bholu fool</i> (flower), <i>Rupkal</i> (<i>Chuthe amla</i> in Khas Nepali), and <i>Mhukali</i>
Forest products	Smal to make <i>Koshi</i> (wooden utensil), fire wood, and <i>Salkopat</i> (leaves)	<i>Magarri Jhar</i> , <i>Didhu</i> , <i>Damfara</i> , <i>chapa Jhar</i> (herbs to make <i>marcha</i> (yeast)),	Fodder, fire wood, <i>Mlagalo</i> , <i>Bans</i> (bamboo), <i>Bhoral ko Pat</i> , <i>Sai ko Pat</i> , <i>Kans</i> , <i>Babiyo</i> , <i>Khar</i> .	Fodder, and firewood.	<i>Salla</i> , <i>Dhupi</i> , <i>Kisin</i> (<i>Salla Gyakar</i> (<i>Salla</i>), <i>Jehm-parsing</i> (<i>Loth Salla</i>), <i>Parsing</i> (<i>Gurans</i>), <i>Chimal</i> (<i>Gurans</i>), <i>Bhol patra</i> , <i>Puchu sin</i> (<i>Chutro</i>). They do not make <i>Marcha</i> .
Wild fruits		Wild fruits such as <i>bel</i> (wood apple),	<i>Bejar</i> ,	<i>Chutro</i> ,	<i>Koto</i> (<i>Dante</i> <i>Okha</i> in Khas Nepali; <i>Walnut</i>), <i>Syau</i> (<i>Apple</i>), <i>Khurpaari</i> (<i>Apricot</i>), <i>Chilli</i> (<i>Plum</i>), <i>Abujhkrada</i> (<i>Peach</i>), <i>Naspat</i> (<i>Pear</i>), <i>Kokail</i> (<i>wild peach</i>), <i>Uyru</i> (<i>wild apple</i>), <i>Chosing</i> (<i>Chutro</i> in Khas Nepali), <i>Khalya</i> (<i>wild peach</i>), <i>Meechar</i> , <i>Chichi</i> (<i>Shikakthong</i>)
Medicinal plans/Herbs		<i>Harro</i> , <i>Barro</i> , <i>Amala</i> , <i>Bojho</i> , <i>Khyar</i> , <i>Nieem Patra</i> , <i>Asuro</i> , <i>Tite Pali</i> , <i>Bannara</i> , and <i>Raj Brikchya</i> .		<i>Sambarigake</i> , <i>Rhodendron flower</i> , <i>Kungchungbek</i> , <i>Kongchehelekh</i> , <i>Tupebhung</i> and <i>Bathnengong</i> .	<i>Mirbasi</i> , <i>Panch Aunle</i> , <i>Stuwa</i> , <i>Bhusket</i> , <i>Pangwa</i> (<i>Jatamsi</i>), <i>Yarsa Gummba</i> .
Animals	Settled Raute go for hunting <i>Dumsi</i> (porcupine). Note: Settled raute are allowed to hunt <i>Dumsi</i> as these animals destroy crops in the village	Majhi abandoned hunting wild animals.	<i>Musa</i> (mouse), <i>Dumsi</i> , <i>Bandel</i> (wild boat) Note: Hunting is done by Tharu of Bardiya but not by Tharu of Septari.	Yakkha abandoned hunting.	Thakali abandoned hunting animals and birds. In the past they used to hunt <i>Yakm</i> lamb, <i>Chayngira</i> , musk deer, deer, <i>Ghoral</i> (wild goat), <i>Naur</i> (wild lamb), <i>Thar</i> (wild buffalo), <i>Haruwa Mirga</i> (red deer), <i>Bandel</i> (wild boar), <i>Tiger</i> , <i>Bear</i> , <i>Chituwa</i> (leopard). In the past they used to hunt birds including <i>Darife</i> , <i>Munal</i> , <i>Kalli</i> , and <i>Fangras</i> .
Fishing	Settled Raute do fishing.	Previously they used to fish 22 different types of fish. <i>Asala</i> , <i>Baam</i> , <i>Poti</i> , and <i>Barangi</i> are the main fish they are collecting.	They fish <i>Ghongi</i> , <i>Gangata</i> , <i>Sipi</i> , fish.	<i>Tite Macha</i> (They export it in the U.K.)	Fish <i>Asala</i> and <i>Paha</i>

Source: Field work, 2018

Knowhow of Customary Knowledge and Skills

Customary knowledge and skills are important aspects of Indigenous Peoples collective way of life. Some Indigenous women and men have retained, and many have already lost their customary knowledge and skills. In the survey data, the interviews and FGDs confirm such observations.

Knowhow of customary skills and works by women family members: Almost all Indigenous women respondents from nomadic Raute and Majhi and almost 4/5th from Tharu said that they have women family members who have knowhow of customary skills and works (Table 15). Only one third of Indigenous women respondents from Yakkha and Thakali said so.

Table 15. Respondents' women family members who knows customary skills and works

Indigenous	Women family member(s) who know(s) customary skills and works		Total
	Yes	No	
Women			
Raute	52	43	95
Majhi	94	2	96
Tharu	81	19	100
Yakha	27	63	90
Thakali	21	58	79
Total	275	185	460
Percent	59.8	40.2	100.0

Source: Field survey, 2018.

Types of knowhow of customary skills and works: Indigenous women have knowhow of customary skills and works such as agriculture, save seeds, cook indigenous foods, produce local liquors and fishing (Table 16). Nomadic Raute women have knowhow of production of local beer; they do not know other customary skills and works, as their male counterparts do not allow them to work. Settled Raute women have skills in bamboo and herb based products, fishing and local liquor production. Majhi women have skills in local liquor and *Marcha* (yeast), wood/timer production, save seeds, fishing, agriculture and animal husbandry. Yakkha women have knowhow of local liquor production, saving seeds and agriculture. Thakali women have knowhow of local liquor production. Tharu of Saptari and Thakali women have no knowledge of *Marcha* production; they buy *Marcha* produced by other communities.

Table 16. types of customary skills

Customary Skills	Raute		Majhi		Tharu		Yakha		Thakali		Total							
	K	DK	K	DK	K	DK	K	DK	K	DK	K	DK						
Bamboo based skills	33	19	0	93	0	30	49	2	0	26	1	20	0	65	207	3		
Herb based skills	22	30	0	3	91	0	81	0	2	25	0	3	18	0	30	245	0	
Produce Marcha (Yeast)	2	46	4	62	32	0	79	2	9	18	0	1	20	0	74	195	6	
Produce local liquor and beer	16	36	0	91	3	0	77	1	24	3	0	20	1	0	154	120	1	
Fishing	25	27	0	82	12	0	34	47	0	27	0	3	18	0	144	131	0	
Wool, thread and paper based skill (Allo, hand loom, Lokta etc.)	8	42	2	13	81	0	31	50	0	7	20	0	8	13	67	206	2	
Wood/Timber related skill	12	39	1	8	86	0	4	77	0	0	27	0	2	19	0	248	1	
Animal shed related skill	10	42	0	48	46	0	4	77	0	2	24	1	6	15	0	204	1	
Milk products, including hard cheese	2	49	1	4	90	0	0	81	0	0	26	1	5	15	1	261	3	
Slash and burn (Khorhya)	3	46	3	18	76	0	4	77	0	0	26	1	5	13	3	238	7	
Save seeds	8	44	0	77	17	0	69	12	0	18	8	1	12	9	0	184	90	1
Agriculture	7	45	0	88	6	0	77	4	0	21	6	0	10	11	0	203	72	0
Indigenous food	2	49	1	74	20	0	75	6	0	6	21	0	11	9	1	168	105	2
Mining related skill	2	50	0	4	90	0	2	76	3	0	27	0	4	17	0	12	260	3
Collect wild honey	3	48	1	2	92	0	3	73	5	0	27	0	1	19	1	9	259	7
Clay related skill	2	49	1	1	93	0	66	15	0	1	26	0	2	18	1	72	201	2
Other (specify)?	2	49	1	1	93	0	31	46	4	0	27	0	1	19	1	35	234	6
Total	159	710	15	577	1021	0	433	927	17	90	364	5	95	254	8	1354	3276	45
Percent	18.0	80.3	1.7	36.1	63.9	0.0	31.4	67.3	1.2	19.6	79.3	1.1	26.6	71.1	2.2	29.0	70.1	1.0

Source: Field survey, 2018
 Note: K = Know, DK= Do not know, NR = No idea/No response

Unfortunately, both the Government and the “mainstream” women’s movement dominated by Hindu women are against production and consumption of local liquor. Dry area movement ban production, sell and consumption of both *jand* (locally brewed beer) and *raksi* (locally distilled liquor), and police often raid, confiscate and throw *jand* and *raksi* but freely allow to sell and consume liquors produced by Distilleries and imported expensive liquors. Indigenous Peoples have a custom of using and offering both, *jand* and *raksi* in life cycle rituals, religious and spiritual functions. If liquors produced by distilleries and imported liquors should be limited and production of local liquors should be regulated, promoted and its quality is controlled, it could be sold both at the national and international level making it a prime product to use local knowledge, provide jobs and make good income by both common people and the state through its revenue.

Disappearance of customary skills and work: Respondents are divided on the question whether customary skills and works are disappearing or not. There are more respondents who said that these are disappearing (Table 17). During FGDs and interview, many respondents said that most of the customary skills and works are disappearing among Indigenous Women belonging to all five sample Indigenous Peoples. MEDEP respondents said that their experience in implementing microenterprise development is that Indigenous Women have relatively better sense of entrepreneurship which directly contributes to the economic empowerment of Indigenous Women. MEDEP/MEDPA have supported microenterprises based on local raw materials such as *Allo*, *Lokta* and *Sisno* but could focus more on promoting microenterprise based on Indigenous knowledge and skills and empower Indigenous Women economically and contributes to promote and preserve indigenous knowledge and skills. The data clearly indicate there are many Indigenous Women who still do have customary skills and works, and if necessary, technical and financial support are provided to these women. The younger generation would also get involved and it would not disappear for good. Hence, the targeted programme like MEDEP/MEDPA could contribute a lot for the economic empowerment of Indigenous Women if they focus more on promoting microenterprise based on indigenous knowledge and skills.

The below table elaborates on the types of customary skills of various Indigenous Peoples in Nepal.

Table 17. Disappearance of customary skills and work

Customary skills	Raute		Majhi		Tharu		Yakha		Thakali		Total	
	DA	NDA	DA	NDA	DA	NDA	DA	NDA	DA	NDA	DA	NDA
Bamboo based skills	17	16	0	1	20	11	0	1	0	1	37	30
Herb based skills	7	15	3	0	0	0	2	0	1	2	13	17
Produce Marcha (Yeast)	3	2	19	43	0	0	4	5	1	0	27	50
Produce local liquor and beer	3	13	20	71	0	3	1	23	4	16	28	126
Fishing	4	21	17	65	7	27	0	0	1	2	29	115
Wool, thread and paper based skill (Allo, hand loom, Lokta etc.)	6	4	4	9	25	6	2	5	7	1	44	25
Wood/Timber related skill	6	7	2	6	2	2	0	0	1	1	11	16
Animal shed related skill	3	7	12	36	0	4	1	2	2	4	18	53
Milk products, including hard cheese	1	2	1	3	0	0	0	1	1	5	3	11
Slash and burn (Khoriya)	5	0	5	13	3	1	0	1	3	5	16	20
Save seeds	3	5	16	61	0	69	5	14	6	6	30	155
Agriculture	0	7	21	67	4	73	1	20	2	8	28	175
Indigenous food	2	1	22	52	5	70	0	6	2	10	31	139
Mining related skill	0	2	0	4	1	3	0	0	2	2	3	11
Collect wild honey	4	0	0	2	2	3	0	0	1	1	7	6
Clay related skill	1	2	0	1	50	16	1	0	1	2	53	21
Other (specify)?	2	1	0	1	9	23	0	0	1	1	12	26
Total	67	105	142	435	128	311	17	78	36	67	390	996
Percent	39.0	61.0	24.6	75.4	29.2	70.8	17.9	82.1	35.0	65.0	28.1	71.9

Source: Field survey, 2018
 Note: DA = Disappearing; NDA = Not Disappearing

Reasons for disappearance of customary skills and work: Reasons for disappearance of customary skills are mainly two, one due to lack of interest taken by Indigenous Women themselves and the other due to the Government's laws and policies. (Table 18). Many respondents of survey and FGDs, and interviewees were of the view that many of them, and most of the new generation, are not interested in practicing and/or learning customary skills and works for various reasons. They said that most of the families send their daughters and sons to get educated in Kathmandu or nearby cities, or abroad; so they are not interested to learn it. They further said that they do not get paid in accordance to their time and labor. One of the Tharu respondents said, "It takes at least a month to weave customary Tharu dress of women; it is highly labor and time intensive but when they sell it, they get very little money." The respondent further said, "So, they are no longer interested in doing such works; they would be interested to do such tasks if new technology is designed to get work done faster." Other respondents said that the Government's, both central and local, policies, including laws, are against Indigenous Peoples, against access to and use of natural resources. The Government's economic empowerment programmes and the poverty reduction programme, such as PAF, Cottage and Development Programs, target women but do not recognize diversity among women and are not sensitive to the collective rights of Indigenous Women. As laws relating to natural resources, i.e. lands, forest, water, and pasture prohibit use of natural resources; so, they face difficulty in maintaining their knowledge and skills, which has been gradually disappearing and it is not far when all will disappear for good.

Learning of customary skills and works by sons and daughter

Most of the daughters and sons have learned customary skills and works related to agriculture, followed by indigenous foods, save seeds, fishing, produce local liquor and beer, and produce *marcha* (Table 19).

Table 18. Reasons for disappearance of customary skills and works

Customary skills and works	Raute			Majhi			Tharu			Yakha			Thakali			Total			
	Law & Policy	No interest	Other	Law & Policy	No interest	Other	Law & Policy	No interest	Other	Law & Policy	No interest	Other	Law & Policy	No interest	Other	Law & Policy	No interest	Other	
Bamboo based skills	15	1	1	0	0	0	0	0	0	0	0	0	0	0	0	15	21	0	1
Herb based skills	5	1	1	0	2	1	0	0	0	0	0	0	0	0	0	5	6	1	1
Produce Marcha (Yeast)	0	2	1	1	16	2	0	0	0	2	2	0	0	0	1	1	20	4	2
Produce local liquor and beer	2	1	0	4	16	0	0	0	0	0	0	0	0	0	0	6	21	1	0
Fishing	2	2	0	7	10	0	0	0	7	0	0	0	0	0	0	9	19	0	1
Wool, thread and paper based skill (Alo, Hand loom, Lokta etc.)	3	3	0	0	4	0	1	24	0	0	1	1	0	4	3	4	36	1	3
Wood/Timber related skill	1	4	1	1	0	1	0	2	0	0	0	0	0	0	0	3	6	1	1
Animal shed related skill	0	3	0	4	6	2	0	0	0	0	0	0	1	0	1	5	11	2	0
Milk products, including hard cheese	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	1	1	0
Slash and burn (Khoriya)	2	2	1	0	4	1	0	3	0	0	0	0	0	0	0	4	10	1	1
Save seeds	0	2	1	2	14	0	0	0	0	1	2	2	5	1	0	8	19	2	1
Agriculture	0	0	0	2	19	0	0	4	0	1	0	0	2	0	0	5	23	0	0
Indigenous food	0	2	0	3	19	0	0	5	0	0	0	0	2	0	0	5	26	0	0
Mining related skill	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	3	0	0
Collect wild honey	1	2	1	0	0	0	0	2	0	0	0	0	0	0	0	1	5	0	1
Clay related skill	0	1	0	0	0	0	1	46	3	0	1	0	0	0	1	1	48	0	4
Other	1	1	0	0	0	0	0	9	0	0	0	0	0	0	0	1	11	0	0
Total	33	27	7	24	110	8	2	123	3	2	9	6	13	17	6	74	286	14	16
Percent	49.3	40.3	10.4	16.9	77.5	5.6	1.6	96.1	2.3	11.8	52.9	35.3	36.1	47.2	16.7	19.0	73.3	3.6	4.1

Source: Field survey, 2018.

Table 19. Learning of customary skills and works by sons and daughter

Customary skills	Learning customary skills and works by daughters(s) and son(s)														Total	
	Raute		Majhi		Tharu		Yakha		Thakali		Total		Total			
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No		
Agriculture	1	6	73	15	43	34	8	13	3	7	133	70				
Indigenous food	1	2	61	13	50	25	1	5	6	6	119	51				
Save seeds	2	6	63	14	36	33	8	11	6	6	115	70				
Fishing	13	12	65	17	18	16	0	0	2	1	98	46				
Produce local liquor and beer	11	5	68	23	2	1	8	16	5	15	94	60				
Produce Murcha (Yeast)	2	3	38	24	0	0	1	8	1	0	42	35				
Animal shed related skill	0	10	31	17	0	4	1	2	1	5	33	38				
Bamboo based skills	19	14	0	1	2	29	0	1	0	1	21	46				
Wool, thread and paper based skill (Allo, hand loom, Lokta etc.)	2	8	8	5	5	26	2	5	2	6	19	50				
Herb based skills	13	9	2	1	0	0	0	2	2	1	17	13				
Clay related skill	2	1	0	1	9	57	0	1	2	1	13	61				
Slash and burn (Khoriya)	1	4	8	10	0	4	0	1	4	4	13	23				
Wood/Timber related skill	2	11	4	4	0	4	0	0	0	2	6	21				
Mining related skill	0	2	2	2	1	3	0	0	2	2	5	9				
Milk products, including hard cheese	0	3	2	2	0	0	0	1	1	5	3	11				
Collect wild honey	1	3	0	2	0	5	0	0	2	0	3	10				
Other	2	1	0	1	1	31	0	0	1	1	4	34				
Total	72	100	425	152	167	272	34	61	40	63	738	648				
Percent	41.9	58.1	73.7	26.3	38.0	62.0	35.8	64.2	38.8	61.2	53.2	46.8				

Source: Field survey, 2018.

Gender Dimensions of Economic Empowerment of Indigenous Women

Access to and Control over Property

Women's access to and control over property is important aspect of women's economic empowerment (See Case Study 3). Although Indigenous Peoples have an egalitarian society, patriarchal values and gender inequality has risen due to increasing influence from Hindu religion, culture and society. Also, Indigenous Peoples, in contrast to caste Hindu society and culture, have egalitarian social system and culture, have better status of women in the household. The study showed that Raute, Majhi, Tharu, Yakkha and Thakali are influenced by patriarchy and unequal gender relations prevailing in Hindu society and culture. Such Hindu influence is seen more in Tharus of Saptari and Settled Rautes of Jogbudha. Majhi, Yakkha and Thakali have been somewhat influenced by Hindu patriarchy but they retain many Indigenous customs and traditions on gender equity and equality.

CASE STUDY 3

Vegetable farming by Raute women

Dhana Devi Raute pays fees for her children and expenses in house hold cost from the income of vegetable farming

Dhana Devi Raute, 26 years old, has been living in Raute settlement of Parsuram Municipality Ward no 12 Ampani. Her husband's name is Gagansing Raute. Her husband works outside as wage labour. She has two daughters of 12 years and 10 years old. Her elder daughter studies in grade 6 and another daughter studies in grade 3 in a boarding school located in Jogbuda. Dhana Devi is also a member of Samabesi Krishi Sahakari for more than two years.

A year before, she received one lakh rupees from the *Samabesi Krishi Sahakari* which was supported by the Ministry of Agriculture for Vegetable Farming. It was a grant which did not need to be repaid. She did tomato farming. For the past year, she has been producing and selling tomatoes with a daily earning of Rs 400 to 500. The tomato traders come to her and carry the tomatoes to the market.

She is happy and pays her children's fees from the income. She has been expensing the income for daily home needs such as soap, salt, rice, pulse, meat etc. She has only a ropani land which feeds them for a month. The tomato farming has hugely supported her family's livelihood. Now, she does not need to worry for daily home needs. Formerly, she had to depend on her husband's earning. At present, she does not depend on her husband. Before, it was very difficult to celebrate and perform Dashain, Maghe, Teej and Dewali festivals. Now, it has become easier. The pressure from her husband has decreased significantly.

Source: Field survey, 2018.

In terms of access to and control over property, what is common among all five Indigenous Peoples studied include the following:

Family land and home is generally owned by male family members;

- Land is registered in the name of male family members;
- Although male own properties, they cannot sell it without making joint decisions of both male and female family members;
- Female family members can own *pewa* (personal property) but they use it mostly for their children's and family needs.
- Most of the married women have not received parental property. It should be noted that Thakalis have a tradition of giving parental property to daughters during initiation rights for their grandchildren, namely Chyowar of grandson(s) and *Nhokon Cholo* of granddaughter(s).

Patriarchy is foreign to Indigenous Peoples but as they have been exposed to Hindu patriarchy for a long time, its influence could be seen more in some and less in other Indigenous Peoples. Although nomad Rautes have not come to close contact with Hindu society and culture, they have their own tradition of not allowing women and girls to go to the forest to cut trees, make wooden utensils and do outdoor activities. The reason may be to protect their girls and women from outsiders in getting married, resulting in extinction of their community, but from gender perspectives, their practices look highly patriarchal and gender discriminatory. However, nomad Raute men and women go together to sell Koshi utensils and barter it with food grains.

- In Thasang, Thakali women have the control key of their household locker; husband must ask his wife if he needs money; Thakali women are in-charge of their family business activities;
- In Saptari, Tharus still have joint families, hence, there is a rising trend of registering land in the women's name to prevent from sharing it with other brothers. It includes registration of land and house/building in her name,
- Majhi and Tharu women sell Jand (locally brewed beer) and some hand over its earning to their husband and many other buy household needs, including needs of their children.

In recent past, Yakkha used to have land and home registered in the name of women family members. Now, many of them do not do so anymore, as they

have a tradition of remarriage that creates problems in land rights when the wife elopes with other men.

Decision Making

Indigenous Women have decision making powers in their homes or private sphere. Indigenous Women should be able to make decisions relating to economic empowerment activities, both in the private and public sphere, and relating to other matters as well. Again, any such decision that affects individual or family or collective should help to maintain distinct collective identity and collective way of life.

In Jogbudha, settled Raute women respondents said that both husband and wife consult and decide to: buy and sell land, raising and selling of goats and chicken. Nomadic Raute women respondents said that when they move from one place to another, men go and see feasibility, but women do not go to do so.

In Saptari, most of the Tharu women are relatively educated, many have studied from 10th grade to 12th Plus, but they are unable to make decisions independently. They follow whatever is decided by male family members. There is a popular saying, "*Pothee baseko ramro hundaina*" ("It is not good if hen crows"). One of the Tharu women respondents said that her views in Ward Committee meetings were never entertained. Tharu women are less educated due to traditional attitude and patriarchy. Hence, they have access to information, but they have no role in decision making in household and community levels.

Yakkha and Thakali women, and men participants of FGD, said that women and men jointly make decision in household activities. Unlike Yakkha women, Thakali women are relatively more decisive as men comply with decisions made by their female counterpart.

In Ramechhap, Majhi respondents said that Rita Majhi has been their role model as she has been successful in being elected as the Legislature Parliament of Province No. 3 (See Case Study 4).

Transformation from home to policy maker

Since Rita Majhi was a little girl, she would always be the top of her class carrying the ambition of development for her community. When she was in Grade 8, an education tour was organized by SAVE the Children. She learnt a lot about her community and its' situation. In the year 2003, she had given her SLC Examination. She was a leader and an inspiration for the classmates. The problems and struggles of her life began when she arrives in Kathmandu for her further studies. This was the time when the Jan Andolan had taken place i.e. in the year 2006. For 'Majhi Women', she joined in an advocacy work and delivered many speeches regarding their rights. During the time she was known as the "*Kapal Kateko Ketu*" and was wanted by the police and army. With the help of DANIDA different Majhi women's organization were established in different districts of Nepal. Afterwards, she actively participated in National Indigenous Women's Federation. In major events and programmes she gave many outstanding speeches. During the Madhes Andolan, she was in the Morang District for 21 days due to the nationwide curfew. During her stay, there she found out that many of the Majhi Community were suffering from poverty and lack of opportunities. She had analyzed the problems of the community and had come up with different solutions.

In the year 2007, the second convention of Majhi Women Federation, she was elected as a board member. After she became a board member in her community, she felt injustice towards the political discrimination to the Majhi Community. She realized that she had to do something to eradicate this shrewdness. That is why in the year 2013, representing the National Democratic Party (Ra.Pra.Pa). She had contested Constituent Assembly (C.A) election; she received a decent number of votes, despite not winning the election. Afterwards, in the year 2017, she again took part in the election for the local level of Deputy Mayor, despite losing again she gained more prestige and recognition. At last, in the National Democratic Party, she won the proportional election, gaining the position of State Assembly member of province number 3. After numerous difficulties and complications, she finally gained this significant accomplishment.

She is the first State Assembly Member from the Majhi Community. The National Democratic Party has allowed her to conduct awareness raising programmes regarding the difficulties and problems of Majhi community. She is dedicated in improving the rights of Indigenous Women. In the upcoming days, she has vowed to continue her work in the development of Majhi community and for the empowerment of women. There is a high expectation from her community towards her success for the community.

Source: Field survey, 2018.

Education

For economic empowerment, Indigenous Women need to be educated from indigenous perspectives in at least three languages: (a) one's own mother tongue, (b) Khas Nepali language, and (c) English or any other international language that is appropriate for her economic empowerment activities. Most of the Indigenous Women have not received education in their respective mother

tongue. Some women respondents from all five sample Indigenous Peoples said that they have a felt need for education in their own mother tongue; that it is much needed as mother tongue speakers are rapidly declining and their cultures are disappearing. However, many respondents said that Indigenous Women also need to be educated in Khas Nepali and English for education and jobs. They stated that educating children in mother tongue is of no use in terms of daily interaction with other caste and ethnic groups, education in schools and colleges, and jobs.

- Only one settled Raute girl has received 11 grade educations. Most of the girls from settled Raute study up to 8th and 9th grade. The number of school going girls in settled Raute are more than boys because boys must go work far way when they become young. Only 5 Raute girls are getting educated in Boarding school, who have good income from agriculture farming supported by the Government's Agriculture Department. The rest, cannot pay school fee, so they avoid going to school because the local school charges fee from 5 class above. Teachers strictly check dress, health, sanitation and school fee, so they are discouraged from going to school. Nomad women and girls have no education. However, Dhan Bahadur Kathayat, a teacher of B.P, primary school of Ampani, Jogbuda said that Raute people believe in traditions making them backward in thought and education. They go for fishing leaving all their work. They do not send children to school because they go to work far from home, hence, children must look after the house and younger children. They do not care much for their children, and the children transfer from one school to another in groups, which is discouraging. No child from the nomadic Raute go to school.
- In Majhi community in Kunali village in Manthali, about five women have received education up to plus 2 level. Most of the Majhi women are not educated. Almost all young girls have school education.
- Among the Tharu's, women from older generations are not educated but young Tharu women and girls are educated. New generation of Tharu women and girls are fully aware about the importance of education.
- In Yakkha, child marriage, from 12 years or more, is prevalent, so school dropout rate is very high. They often complete education up to grade 8.

- Thakali women from older generations are not educated but from younger generations are educated. Even though Thakali women who are uneducated can maintain accounts of income, expenses, profits and exchange of cash and kind. In Thakali community, they have started providing education in Thakali language.

For some formal and for others informal education would enhance their empowerment. Also, those who have partially or fully forgotten their collective way of life, including indigenous language, religion, culture, rituals, indigenous knowledge, they need to be educated. Also, Indigenous Women and girls and their men family members need education on gender equity and equality with an aim to eliminate any forms of gender inequality and discrimination.

Mobility

Indigenous Women should be able to move freely outside their homes, to engage in economic activities, without the feeling of any risk, intimidation, threats, or violence from their family members or from outsiders at any time. This is true among Tharu women in Bardiya.

In all five sample Indigenous Peoples, except the Nomadic Raute Women, Indigenous Women have no restrictions to go outside whenever needed. Settled Raute women go far away with their husband and community males for road construction work, house construction and sawing the wood in forests. Tharu women in Bardiya do not hesitate to go to the forest, including national parks, irrespective of risk of harassment by the park security forces. Tharu women have started to go and participate in the meetings of women's groups, mother's groups, cooperatives and so on. There are no women from all five Indigenous Peoples, other than Tharu women from Saptari, who do not go to Government offices. They send their husbands or any other male family member.

Visibility

Visibility of Indigenous Women in women's empowerment and Indigenous Peoples' empowerment is of great importance. Also, visibility of Indigenous Women in the Constitution, laws, plans, policies, and programmes are also crucial.

Tharu woman bonded laborer

Serdevi Tharu (former Kamlari) a resident of the Mohanpur Village, Thakurbaba Municipality ward no-7. She is 28 years old. Currently she is doing tailoring from the last 15 years. Although she is not working as a professionally, but from tailoring, she is earning two thousand rupees per month. She is also investing her income for her household. Her husband is working in labor. She got training from the Ministry of Land Reform where her father suggested her to participate in the training. She got 3 month tailoring training, and afterwards she started her tailoring from her own home. She is earning 2 thousand rupees per month, which helps her to be a strong decision maker in her home. She is saving some money in Nirdhan Saving and credit local level finance.

She has also traditional knowledge to make *Bhakari*, *Dhakkiya*, Cultural dress etc. She has gained such knowledge from her mother in childhood. She shared that if the women involved in economic activities, they change the society. Very less income also can bring the change in the decision-making process at home. Many organizations are working for the former *Kamlari* (Tharu women bonded laborer) in different sectors in her area but she was not involved in any programme due to her busy household chores and tailoring.

Source: Field surevy, 2017.

Indigenous Women are generally invisible in constitution and all national to local plans, policies, and programmes. Also, Indigenous Women are lost in laws, policies, plans, and programmes targeted to women and also targeted to Indigenous Peoples. However, concerning the visibility of Indigenous Women, national and international visibility of Tharu Kamaiya and Kamlari (bonded laborers) women is good (see case study 5). Government, local Bodies, NGOs, international development agencies and others are fully aware about them. But in practice, selective Kamaiya and Kamlari are visible, others are not. They often invite them to participate in training, education, health, planning of development works, and income generation activities. Also, Thakali women are highly visible among the public as they are very famous in cooking and serving delicious Thakali foods, and many Thakalis make income by opening Thakali Bhatti (in the past) and *Thakali Bhancha Ghar* these days. Thakali women (and men) are not happy with such visibility as non-Thakalis are opening Thakali Bhancha Ghar where no such authentic quality foods are served, and that discredits and gives a bad impression of the Thakali foods cooked by Thakali women. At local levels, few individual women belonging to Majhi, Tharu and Thakali are visible in their culture, politics, economic entrepreneurship, and Tharu traditional foods and dress.

Nomadic Raute are visible not only from local to national level, but also at an international level due to their nomadic life and their own customary *Mukhiya* (Headman) system. Raute select their leader, whom they refer to as their *Mukhiya*. All members have to abide by the decisions made by the *Mukhiya*. However, nomadic Raute women neither participate in any State's activities nor get to be *Mukhiya*. They are not visible in all fields.

Security

Overall, physical and mental security, and security to carry out economic activities based on traditions and customary knowledge, skills and resources are in poor condition in all sample areas. During FGDs, and individual interviews, many respondents said that as the Government has restricted their access to and use of natural resources, their physical safety and mental security are getting worse. For example, in Jogbudha, settled Raute women and men receive threats from other community members not to allow their goats in the community forest, and not to go for fishing in Rangun river. Other community people chase them from the river and threaten that they would be evicted from their settlement if they should not obey their decisions.

Majhi, Tharu (except the Tharus of Saptari), Yakkha and Thakali women have psychological and economic security as they all have skills of producing local homemade alcohol and Jand. They are confident that they can earn cash and educate children, spend for health services and household consumption, and pewa.

Indigenous Women, in contrast to Hindu women, have relatively liberal social norms and values that give them peace of mind, followed by confidence. In all sample Indigenous Peoples, lands are often registered in the name of male family members that makes Indigenous Women a bit insecure, but when such property is to be sold, as both husband and wife have to give their consent, that gives some security to Indigenous Women. It is good that, in Kamaiya, they have joint ownership of lands and homes, so they are fully secured.

In Thakali and Tharu community, all community members are guided, informed, mobilized and participated by their customary leaders, called *Mukhiya* in the Raute, *Ghampa* (*Mukhiya*) in the Thakali and *Barghar* in the Tharu. So, Tharu and Thakali women feel that their customary leaders are always there for their help, support and security.

Building Critical Conscientization

If economic empowerment of Indigenous Women should be achieved, there needs to be conscientization in every sphere of their economic activities. It means the ability of Indigenous Women to critically see what is good and what is bad for them individually and collectively, and from gender perspectives. Doing modern entrepreneurship, business and jobs may be good individually but may harm immensely to their collective way of life; and may be good or bad from gender perspective. Therefore, there is a need for Indigenous Women to critically think whether their economic empowerment activities are destroying or helping to maintain their distinct identity and collective way of life.

- Settled and nomad Raute women have no critical conscientization. Nomad Raute is fully controlled by their men; women are not allowed to speak with outsiders. Settled Raute women are aware on some subject matter but not critical conscientization. They participate in NGOs activities, but they lack critical perspectives. Settled Raute women have a long list of their needs but they do not know what happens if they should get what they have demanded. Raute women respondents know what they want but they are not critically aware about why they need it.
- In Saptari, Tharu women respondents know that they have knowledge and skill to do customary and modern economic activities, but they are fully aware that they have no nearby market. One of the Yakkha respondent said that there is plenty of water and knowledge to cultivate vegetables, but market is very far, as it takes about 3 hours to walk. One of the Yakkha women who had taken beauty parlor training said that she has better opportunity in Dharan to provide such services.
- During FGDs, all Majhi women did not know what they need from various Government agencies and donors.
- Yakkha women have received training in beauty parlors, now they have engaged in communal farming and Ward have helped.
- Thakali women are relatively better empowered as they are active in economic activities, control cash and kind, make decision at the household level, but in terms of education adult women are less educated and mostly do household works.

5.

AWARENESS OF AND BENEFIT FROM EXISTING LAWS AND POLICIES

Two types of laws exist in Nepal. One is the constitution and laws of the State and other is the customary law of Indigenous Peoples.

Awareness and use of the State laws

There are more than 50 existing policies and laws such as small, medium and big business law, tax law, company registration law, banking law, cooperatives law, entrepreneur law, patent rights law, trade law, company law, property law, land law, forest law, mining law, water resource law, law regarding women, plans (existing 14th periodic plan (2017/2018-2019/2020), policies (such as policies related to manufacturing, trade, business and services, affirmative action, special measure, social inclusion) and programmes that promote women's economic empowerment. Respondents said that they had no participation in making existing policies, including laws. Some interviewees said that the Government has never taken Free, Prior and Informed Consent of Indigenous Peoples in both legal and administrative measures as required by UNDRIP. But there is a conspicuous lack of awareness among Indigenous Women belonging to different categories of 59 Indigenous Women including women from Raute, Majhi, Tharu, Yakkha and Thakali that are unaware about these existing laws, plans and policies.

Survey data (Table 20), FGDs and interviews revealed that overwhelming majority of the respondents have no awareness about existing laws, but the percentage of the respondents who knew that daughters would get property

able 20. Knowledge about laws and policies related to economic empowerment of women

Law and policy	Do you know the following law and policy?												Total		Percent	
	Raute		Majhi		Tharu		Yakha		Thakali		Yes	No	Yes	No		
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No						
01 Do you know about the Micro Cottage and Small Scale Industrial Development Regulation?	0	95	0	96	2	98	1	89	5	74	8	452	1.7	98.3		
02 Do you know about the Micro Cottage and Small Scale Industrial Development Operation Work Procedure?	1	94	0	96	16	84	1	89	2	77	20	440	4.3	95.7		
03 Do you know about the Micro Enterprise Development Program for Poverty Alleviation?	2	93	33	63	65	35	5	85	7	72	112	348	24.3	75.7		
04 Do you know about the Rural Self Help Development Fund Operation Directive?	0	95	3	93	2	98	0	90	4	75	9	451	2.0	98.0		
05 Do you know about the Women Entrepreneurship Development Fund (Operation) Working Procedure?	0	95	0	96	0	100	5	85	5	74	10	450	2.2	97.8		
06 Do you know about the National Cooperative Law?	0	95	0	96	2	98	0	90	8	71	10	450	2.2	97.8		
07 Do you know about the National Cooperative Policy?	0	95	0	96	2	98	0	90	8	71	10	450	2.2	97.8		
08 Do you know about the Labor and Employment Policy?	0	95	0	96	0	100	0	90	5	74	5	455	1.1	98.9		
09 Do you know about the National Micro Finance Policy?	0	95	0	96	0	100	0	90	3	76	3	457	0.7	99.3		
10 Do you know about the Village Development Committee Grant Operation Working procedure?	0	95	0	96	0	100	0	90	4	75	4	456	0.9	99.1		
11 Do you know about the Village Enterprise Development Plan Formulation Guideline?	0	95	1	95	2	98	0	90	5	74	8	452	1.7	98.3		
12 Do you know about the District Development Committee Grant Operation Working procedure?	0	95	0	96	1	99	0	90	5	74	6	454	1.3	98.7		

Law and policy	Do you know the following law and policy?														Total		Percent	
	Raute		Majhi		Tharu		Yakha		Thakali		Yes		No		Yes	No	Yes	No
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No				
13 Do you know about the District Enterprise Development Plan Formulation Guideline?	0	95	0	96	0	100	0	90	4	75	4	456	0.9	99.1				
14 Do you know about the Agriculture Promotion Policy Implementation Working Procedure?	0	95	0	96	1	99	0	90	6	73	7	453	1.5	98.5				
15 Do you know about the Village Development Committee Grant Operation Working procedure?	0	95	3	93	12	88	1	89	4	75	20	440	4.3	95.7				
16 Do you know about the Forest Law?	0	95	0	96	10	90	2	88	6	73	18	442	3.9	96.1				
17 Do you know about the Private Forest Development Directive?	0	95	3	93	1	99	2	88	7	72	13	447	2.8	97.2				
18 Do you know about the Orchid Collection and Cultivation Working Procedure Directive?	0	95	0	96	0	100	0	90	3	76	3	457	0.7	99.3				
19 Do you know about the Community Forest Development Guideline?	0	95	2	94	0	100	4	86	5	74	11	449	2.4	97.6				
20 Do you know about the Non-Timber Forest Policy?	0	95	0	96	0	100	0	90	4	75	4	456	0.9	99.1				
21 Do you know about the Homestay Operation Work Procedure?	0	95	0	96	0	100	2	88	4	75	6	454	1.3	98.7				
22 Do you know about the Ethics against Violence against Women at the Industrial Institutions?	0	95	0	96	1	99	0	90	10	69	11	449	2.4	97.6				
23 Do you know about the Youth and Small Enterprise Self Employment Fund?	0	95	0	96	0	100	4	86	12	67	16	444	3.5	96.5				
24 Do you know about equal parental property rights for son and daughter?	0	95	7	89	16	84	44	46	29	50	96	364	20.9	79.1				
26 Do you know that daughter get property as son?	2	93	13	83	57	43	49	41	28	51	149	311	32.4	67.6				

Law and policy	Do you know the following law and policy?														Total		Percent	
	Raute		Majhi		Tharu		Yakha		Thakali		Yes	No	Yes	No	Yes	No		
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No								
27 Do you know about women's properties?	0	95	9	87	11	89	17	73	33	46	70	390	15.2	84.8				
28 Do you know that women get 25% discount, as per provision of Revenue Law, in registering land in the name of women?	0	95	21	75	32	68	41	49	30	49	124	336	27.0	73.0				
29 Do you know about facilities during divorce?	0	95	11	85	4	96	54	36	28	51	97	363	21.1	78.9				
30 Do you know that when you divorce, your property is not divisible to others?	0	95	7	89	3	97	39	51	19	60	68	392	14.8	85.2				
31 Do you know about the Company Law?	0	95	1	95	0	100	0	90	7	72	8	452	1.7	98.3				
32 Do you know about the Company Registration Law?	0	95	0	96	0	100	0	90	3	76	3	457	0.7	99.3				
33 Do you know about the Tax Law?	0	95	0	96	2	98	1	89	10	69	13	447	2.8	97.2				
34 Do you know about the Mining Law?	0	95	0	96	0	100	1	89	6	73	7	453	1.5	98.5				
35 Do you know about the facilities available for foreign employment?	0	95	3	93	2	98	0	90	7	72	12	448	2.6	97.4				
36 Do you know about the training provide by CTEVT?	0	95	5	91	2	98	0	90	16	63	23	437	5.0	95.0				
37 Do you know about the ILO Convention No. 169?	2	93	0	96	0	100	0	90	7	72	9	451	2.0	98.0				
38 Do you know about the United Nations Declaration on the Rights of Indigenous Peoples?	1	94	0	96	0	100	0	90	8	71	9	451	2.0	98.0				
39 Do you know about the Convention on Elimination of Discrimination against Women?	0	95	0	96	2	98	0	90	10	69	12	448	2.6	97.4				
40 Do you know about the Beijing Declaration?	0	95	0	96	0	100	0	90	7	72	7	453	1.5	98.5				
Total	8	3697	122	3622	248	3652	273	3237	374	2707	1025	16915	5.7	94.3				
Percent	0.22	99.78	3.26	96.74	6.36	93.64	7.78	92.22	12.14	87.86	5.71	94.29	1.2	20.5				

Source: Field survey, 2018.

as much as a son is 32.4%; that women get 25% discount, as per provision of Revenue Law, in registering land in the name of women is 27%; and that there are facilities during divorce is 21.2%; that there is equal parental property rights for son and daughter is 20.9%. Percentage of respondents who knew about women's properties, including parental property, facilities received from divorce and *pewa* (personal property) is 15.2 (Table 20). It shows that two thirds of women are not aware about women's rights. Percentage of respondents who knew about the Micro Enterprise Development Programme for poverty alleviation is 24.3. Percentage of respondents who said that they know about various existing laws is less than 2.6. The main reason for relatively large percentage of respondents who knew about micro enterprise is that the Government has been implementing other empowerment programmes for *Kamiya* and *Kamlari* in the Far and Mid-Western Terai, and both MEDEP and PAF have implemented programmes in Ramechhap. Those who said that they know existing laws have never read the laws per se.

Customary Law

Customary law is a part and parcel of collective way of life of Indigenous Peoples. State intervention, specially, laws relating to land, forest, water, and pasture have deprived Indigenous Peoples from its ownership and control, and imposition of the legal, administrative and judicial system of the State have negatively impacted on customary law.

Knowledge of customary law: Customary laws in Endogenous Peoples of mountain, such as the Thakali, Marphali Thakali, Tin Gaunle Thakali, Barahaunle, Lhoba, Dolpo, Topkegola, Indigenous Peoples of the Hills, such as the Newar, Gurung, Rai, Limbu, Sunuwar, and Chepang, and Indigenous Peoples of Terai such as Tharu, Kisan and nomadic Raute still have well-functioning customary law. The survey data reveals that almost all respondents of the Thakali, Tharus of Bardiyaya and nomadic Raute have knowledge about customary laws and among the Majhi respondents, 40% of them said that they have knowledge about customary laws (Table 21).

Table 21. Knowledge of customary law

IPs Women	Do you know about customary laws of your Indigenous Peoples?			Total
	Yes	No	Don't Know	
Raute	27	32	36	95
Majhi	40	53	3	96
Tharu	44	48	8	100
Yakha	3	34	53	90
Thakali	69	6	4	79
Total	183	173	104	460
Percent	39.8	37.6	22.6	100.0

Source: Field survey, 2018.

Community practice of customary law: Among those respondents who said that they have knowledge of customary laws (See Table 22), all from the Majhi and almost all from Thakali, and Raute said that their community practice customary laws (Table 22). Among the Tharu respondents some said they practice and some said that they do not (Table 22). Field observation revealed that settle Raute in Jogbudha, Tharu in Saptari and Yakkha in Sankhuwasabha practice customary law but they are not governed by having effective customary institutions.

Table 22. Community practice of customary law

IPs Women	Do your community practice customary laws?			Total
	Yes	No	Don't Know	
Raute	24	1	2	27
Majhi	40	0	0	40
Tharu	24	20	0	44
Yakha	0	3	0	3
Thakali	68	1	0	69
Total	156	25	2	183
Percent	85.2	13.7	1.1	100.0

Source: Field survey, 2018.

Condition of customary law: Among those respondents who said that they have knowledge of customary laws (See Table 23), some Tharu and Thakali respondents said that it is strong, others said that it is weak (Table 23). Among the Raute respondents, some said it is weak and other said it is disappearing (Table 23). All Majhi respondents said that it is disappearing (Table 23).

Table 23. Condition of customary law

IPs Women	Condition				Total
	It is strong	It is weak	It is disappearing	It has disappeared	
Raute	1	13	10	0	24
Tharu	19	1	4	0	24
Thakali	39	15	13	1	68
Majhi	0	0	39	1	40
Yakha	0	0	0	0	0
Total	59	29	66	2	156
Percent	37.8	18.6	42.3	1.3	100.0

Source: Field survey, 2018.

Seeking justice: Of the total 460 respondents, very few of them go to the Government bodies to seek justice. Instead, 69.9% of them said that they go to community and 24.3% said that they go to customary institution, when they should seek justice from customary institution (Table 24).

Table 24. Seeking justice

IPs Women	Seeking justice				Total
	Go to customary Institution	Go to Government Bodies	Go to Community	Other	
Raute	35	6	53	1	95
Majhi	13	6	77	0	96
Tharu	3	7	90	0	100
Yakha	0	4	86	0	90
Thakali	61	4	14	0	79
Total	112	27	320	1	460
Percent	24.3	5.9	69.6	0.2	100.0

Source: Field survey, 2018.

Appropriate environment to influence various decision-making institutions

Majority of respondents have no idea about whether they can influence various decision-making institutions such as Ward Office, Village councils, Municipality, other local bodies, political parties, NGOs, and organizations related to women (Table 25). 24.6% and 18.7% of the respondents thought that they can influence the Ward Office, and Village Council respectively (Table 25).

Benefits from Existing Laws and Policies

The Government's noteworthy programmes for women's economic empowerment is Women Entrepreneur Development Programme of the Cottage and Small Industries Development Committee¹⁰, and both Micro-Enterprise Development Programme (MEDEP)¹¹ and Poverty Alleviation Fund (PAF)¹² also focused on economic empowerment of poor women and men. MEDEP a joint initiative of the Government of Nepal and the United Nations Development Programme (UNDP) which has come a long way since it started working in rural poor in 1998. Now MEDEP is in fourth phase after successfully completing three phases of the project term (first phase 1998-2002), second phase (2003-2007), third phase (2008-2013) and fourth phase (2014-2018). The Australian Government has been the latest donor supporting MEDEP. MEDEP target groups includes (i) income poverty (people living below national poverty line, hard core poor), (ii) Youth (Youth living below national poverty line aged 16-40), (iii) Social Inclusion (Women, Dalit, Indigenous Nationalities and other caste/ethnicities), (iv) Geographical diversity (people representing geographical diversity).

"MEDEP's impressive achievements led the Government in its Interim Plan to allocate \$3 million to 45 districts and to gradually replicate the MEDEP model in the name of Micro Enterprise Development for Poverty Alleviation (MEDPA) across Nepal's all 75 districts. Eventually, in the fourth phase (August 2013 - July 2018), Government's MEDPA will gradually take over

10. <https://www.csidb.gov.np/information/9>

11. <http://www.medep.org.np/index.php?page=page&id=1>

12. <http://www.pafnepal.org.np/>

Table 25. Appropriate environment to influence various decision-making institutions to respect and protect Indigenous tradition and knowledge

Institutions to be influenced	Appropriate environment to influence various decision-making institutions to respect and protect Indigenous tradition and knowledge																		Total			Percent		
	Raute						Tharu			Thakali			Majhi			Yakha			Yes	No	DK	Yes	No	DK
	Yes	No	DK	Yes	No	DK	Yes	No	DK	Yes	No	DK	Yes	No	DK	Yes	No	DK						
Ward Office	1	14	80	66	16	18	25	28	26	26	13	52	31	8	26	56	113	136	211	24.6	29.6	45.9		
Village Council	1	14	80	61	19	20	23	26	30	1	63	32	0	13	77	86	135	239	18.7	29.3	52.0			
Municipality	11	14	70	12	27	61	15	35	29	4	59	33	19	25	46	61	160	239	13.3	34.8	52.0			
Other Local Bodies (Forest, Health, Agriculture, etc.)	0	25	70	8	33	59	25	24	30	3	60	33	19	24	47	55	166	239	12.0	36.1	52.0			
Political parties	1	15	79	6	33	61	17	31	31	20	43	33	13	21	56	57	143	260	12.4	31.1	56.5			
NGOs working at local level	5	21	69	4	33	63	16	32	31	3	60	33	18	28	44	46	174	240	10.0	37.8	52.2			
Organizations related to women's development rights	12	14	69	9	31	60	20	29	30	2	61	33	20	27	43	63	162	235	13.7	35.2	51.1			
Total	31	117	517	166	192	342	141	205	207	46	398	228	97	164	369	481	1076	1663	14.9	33.4	51.6			
Percent	4.7	17.6	77.7	23.7	27.4	48.9	25.5	37.1	37.4	6.8	59.2	33.9	15.4	26.0	58.6	14.9	33.4	51.6	3.2	7.3	11.2			

Source: Field survey, 2018

MEDEP's role of creating and sustaining entrepreneurs and MEDEP will focus more towards capacity building of the Government line agencies and private organizations for the sustainable delivery of Micro Enterprise Development services."¹³ MEDPA is a successor of MEDEP supported by UNDP, Nepal and is based on the MEDEP model which is fully owned by the Government of Nepal. According to MEDPA,

“To meet the economic necessities of the rural masses and in particular to cater to the needs of those living below the poverty line, the Government of Nepal and the UNDP entered into a technical collaboration to promote off-farm employment and income-generating opportunities. The partnership between the Nepal Government and the UNDP established MEDEP in July 1998 in 10 districts of Nepal, covering two districts each from the five development regions. Initially designed as a five-year programme, interest in the programme by funding agencies resulted in the extension of the programme for another four years to cover an additional fifteen districts until December 2007. With the success of the programme, MEDEP was extended for the third phase (2008-2013) covering additional 13 districts and thus reaching out to the hardcore poor of 38 districts.

During Interviews with MEDEP officials, although MEDEP had targeted to benefit 40% of its beneficiaries as Indigenous Peoples, in fact it was 47%. Other beneficiaries Dalits and Madhesi remained below the targeted percentages. The reason for such a success was mentioned as entrepreneurship aptitude and passion of Indigenous Peoples. MEDEP is phasing out in 2018 and will fully support the Nepal Government to implement MEDPA strategy for five years, from 2018 to 2023. MEDEP and its successor MEDPA strategy have proven to be successful and beneficial to Indigenous, Dalit and Madhesi women and men, and that it is highly gender sensitive. But according to MEDEP respondents, MEDEP and MEDPA could have focused more on entrepreneurship development based on customary knowledge and skills of Indigenous Peoples in general, and Indigenous Women in particular, and mostly based on natural resources used by Indigenous Women and Men.

13. <http://www.medep.org.np/index.php?page=page&id=1>

Also, MEDEP and MEDPA programmes focus more on entrepreneurship development through individual rights but not on collective rights of Indigenous Peoples. It would have contributed hugely if collective rights of the Indigenous Women were also taken into consideration during the project implementation. It could have contributed in preserving the customary and traditional skills of Indigenous Peoples in Nepal.

Most of the Indigenous Women are neither familiar with programmes on economic empowerment nor with existing policies and laws relating to economic empowerment of women. For example, comparatively among the five sample Indigenous Peoples, settled Rautes are familiar, to some extent, with existing laws and policies more than by women belong to Majhi, Tharu, Yakkha, and Thakali. This is because, Rautes being the endangered Indigenous Peoples both the Government and NGOs have implemented various programmes. Respondents from FGDs, individual interviews with non-Raute people relating to settled Raute in Jogbudha said that Raute women have knowledge of Small Industry Promotion Programme, Janata Awas, scholarship for children, allowance for endangered Indigenous Peoples distributed by the Government, Poverty Alleviation Fund, Women's Cooperatives, *Sauri Bachat Tatha Reen*, *Nirdhan*, *Kisan microfinance*, Forward, and *Grameen Bikas Bank*.

However, nomad Rautes have no knowledge about existing laws and policies. They have little knowledge that community forest might restrict them to moving in jungles, and state administration will arrest those who commit crimes.

Almost all respondents of FGDs, individual interviews, key informant interviews, and household survey said that Indigenous Women belonging to all five categories, including endangered Raute, highly marginalized Majhi, marginalized Tharu, disadvantaged Yakkha and advanced Thakali are by and large not familiar with existing dozens of State laws and policies (See Table 13, and Table 20). Very few respondents belonging to Thakali, Majhi, who were members of the local savings and credit cooperatives said that they have heard about the cooperative policies and laws, and some Majhi and Tharu and Yakkha respondents who have benefited from Poverty Alleviation Fund (PAF) said that they know the Poverty Alleviation Fund, but they all said that they have never ever read any such policies and laws. Some Tharu respondents from Saptari said that they are familiar with *Mahuli Samyudayi Laghubitta Bittiya Sanstha* and benefited by getting training, practice saving credit, get loans to raise goats. Initially, this organization was established targeting the

Tharu women but now it gives less priority to Tharu women and give high priority to women belonging to other caste and ethnic groups. Similarly, some Tharu respondents from Bardiya and some Yakkha respondents from Sankhuwasabha, said that they are familiar with programmes of *Nirdhan Bachat Tatha Bittiya Sanstha* and some Yakkha respondents were familiar with the activities of the Solve Nepal, as they have provided loans to them. They, however, are not familiar with its policies and laws.

All Indigenous Women, whoever have benefitted in terms of getting training, loans, scholarship, allowances have done so **not because that they have awareness and knowledge about existing laws and policies but because the programmes run by various Government, donors, UN agencies and NGOs have reached out them in providing such benefits.** As some Indigenous Women have benefitted directly from various programmes, few of them have heard about the law and policies but none of them have read or are knowledgeable about the details of such laws and policies. During FGDs and individual interviews, most of the respondents complained that they received those benefits not based on their needs but because these programmes were already designed by the organizations implementing it. However, in the case of Raute and Tharu Kamaiya and Kamlari women most of the benefits they have been receiving are because of the Government's laws and policies. All these benefits are individual benefits as these are related more to modern entrepreneurial activities, but not economic activities based on customary practices. For example, they receive training on vegetable framing, tailoring, poultry farming, and goat raising. Hence, although these Indigenous Women are benefiting from some cash and kind, and also knowledge and skills, but these are at the cost of collective way of life and customary practices that may go extinct. During FGDs and interviews, most of the respondents said that they are interested to pursue economic empowerment activities that are based on their customary skills and knowledge.

Respondents from the *Hastkala Mahsangh* based in Kathmandu said that traditional skills have marketing opportunities, but it is time consuming and costly; hence, there is need to develop appropriate technology to make cost effective. They said, if each Ministry should promote handicrafts products, products from customary skills would be protected and promoted. Some respondents from the Government suggested that if the Government make it mandatory to distribute indigenous handicrafts, such as scarf made from *Allo*

(nettle plant) and hankerchief made from Dhaka, Indigenous Women could benefit a lot. However, many respondents particularly Indigenous Women noted that doing so may give immediate benefits in terms of cash, but it is part of the strategy to undermine identity of Indigenous Peoples.

Benefits from existing laws and policies specific to Indigenous Women belonging to sample five Indigenous Peoples, as noted by respondents of FGDs and interviewee are as follows:

- Settled Raute women have benefitted more than women belonging to Majhi, Tharu, Yakkha and from existing laws. They get per head endangered people's allowance in cash, i.e. Rs. 2,000 per head, scholarship Rs 300 per Raute child to buy books, stationary and dress for two times provided by District Education Office but now that is stopped. Nomadic Raute men and women have benefitted especially relief types of support from various NGOs and Government as a result of laws and policies. However, these are not economic empowerment schemes.
- Tharu women in Baridya have benefitted from various trainings such as goat and pig farming, chaat (a kind of food) making, embroidery, Muda (stool made of bamboo and rope) manufacturing, kitchen garden, mason, and tailoring. Also, Tharu children have received scholarships. In Saptra, Tharu women have received loan from PAF but, some respondents said that they misuse it to give *Dahej* (dowry). Tharu women have received benefit by planting *Swejan* (Scientific name is *Moringa oleifera*, and drumstick in English) with support from Mahuli Community Development Center.
- Further, some Tharu respondents, most of whom were Kamlari (bonded laborer) from Bardiya said that they have benefitted from programmes implemented by the Ministry of Land Reform and Management. They had received training on tailoring. Those respondents who are familiar with PAF, cooperatives and financial institutions, benefitted, initially, from it by taking loans, but the loan amount was misused in household expenses. Government provided land to free Kamlari to make house, as well as, provided training in vegetable farming but it was not used as they have no lands to farm vegetables.

In Bardiya, *Nirdhan* Bank, and financial institutions such as the *Sangini* and the *Koseli*, forms regular saving groups of the Tharu and provides loan to buy goats, pigs, and solar panels for lighting bulbs, boring for irrigation. Some respondents said that once the boring fails to work, they have no technical knowledge to fix it.

- Majhi women have benefitted by receiving training in goat, pig, buffalo, poultry and vegetable farming from the *Laghu Uddhyam Bikas*. They have benefitted from MEDEP of UNDP in training on woolen caps, socks, hand gloves, handkerchief. Benefitted from local NGOs in getting training in tailoring, juice making, beauty parlor, and vegetable farming. Majhi women had collective vegetable, pig farming and fishery but it failed as they quarreled among themselves. Majhi women, some respondents of FGDs said, earn up to Rs. 4,000 a day by collecting and selling sands from river banks and crushing stones by hand.
- In Sankhuwasabha, Yakkha respondents said that they have received loans for raising goats and pigs from the *Nirdhan*, and the *Solve Nepal* but they have formed groups and provided loans. Yakha women are not really benefitting from it except getting burden of loans. Yakkha have received training in beauty parlor, boutique, tailoring vegetable farming, goat and *Bangoor* (pig) farming, *Thukpa* (noodle) making from CTEVT, and Ward Committee.
- All Thakali women respondents said that the Thakali women, by and large, have not benefitted from existing laws and policies. Some Thakali respondents said that a few Thakali women have benefitted in terms of taking loans from local cooperatives formed by *Ama Samuha* (Mother's Group).

Root Causes for not Being Able to Benefit from Existing Laws and Policies

Root causes, as said by the respondents, for overwhelming majority of Indigenous Women not being able to benefit from existing laws and policies are as follows:

Structural: Many Indigenous women respondents from all five sample Indigenous Peoples studied noted that they were unable to be aware about

the existing policies and laws because the central and local Governments lack mechanism to disseminate information about existing policies and laws.

A Yakkha woman respondent of lower village said, “We live in lower village, people living in upper village get information, such as about the training, but they do not share it with us.” Another Yakkha woman respondent said, “Ward Office provide information about capacity building and programmes to people who live in upper village. They do not share any information with us.” Although Yakkha are most numerously populated and the Ward Chair belong to Yakkha Indigenous Peoples, caste people use divide and rule tactics against Indigenous Peoples based on their party lines.

The FGD participants of settled Raute of Jobguda responded that they have no knowledge about what provisions are in the laws and policies. They don't have knowledge about how they can receive benefits from those provisions. No agencies have told them about these laws and policies. The people, other than Raute, do not help and co-operate with them. Nomadic Raute do not consider knowing about existing laws and policies of the state.

Everyday life of Tharus in Bardiya are fully governed by their customary institution, but existing laws, regulation and policies of the central and local Government, including the Bardiya National Park, and Buffer Zone, are against the rights of Indigenous Tharu. And they are making it difficult to benefit Tharu women and men from existing laws and policies. One of the participants of a FGD said, “Buffer zones are made to provide benefit to community members, which otherwise are denied by the national park, Tharu are neither involved nor given any access to get benefits by budget allocated for their benefits.” It should be noted here that about 50% of the total revenue collected by the Government from the national parks are given to the local community for their development.

Many Majhi respondents of both FGDs and individual interviews said that their life became miserable after their ownership and control over lands around *Koshi* (big rivers) were taken away by the Government. More recently, as Government's local bodies have given right to collect river based resources including *gitti baluwa* (stone pebbles and sand), and fishing to contractors, who belong to other caste and ethnic groups, all Mahji are completely displaced from their customary economic activities. They all have been trying to get involve in modern economic activities but facing difficulties due to poverty, illiteracy, and lack of experience in doing such activities.

Most of the Thakali and non-Thakali respondents noted that their highest priority and reliance on customary institutions, namely the 13 *Ghampa*, on the one hand, and imposing top down structure of the Government with domination of ACAP, has systematically limited the role and responsibility of customary 13 *Ghampa*, and they are unable to benefit from existing laws and policies. They were of the view that customary laws protect their rights, but Government's laws and policies ignore their rights. Yak herding is gradually disappearing due to imposing rules and regulations implemented by ACAP without taking FPIC of the Thakali.

Procedural: Many Indigenous Women respondents noted that they have no access to getting information about existing State policies and laws. Mayor and Officer of the Local Development Office in Ramechhap conceded that the budget allocated for programmes targeted towards women, Indigenous Peoples, Dalits, and Madhesi are used in infrastructure building works such as bridge building and road construction.

In Jogbudha, Dailekh, Bardiya, and Mustang, Government Bodies, including the Rural Municipality and Ward Offices make procedural exclusion of customary institutions as well as the participation of Indigenous Women by using procedures. During FGDs, many participants noted that the Government Bodies and schools do not recognize the existence of customary institutions through legal and administrative procedures but when they need to mobilize Indigenous Peoples, they do so through leaders of customary institutions such as Mukhiya, Barghar, and *Ghampa*. Some respondents in Mustang noted that the Government Officials invited *Ghampa* to participate in the Government organized programmes but the Government Officials, including the CDO and LDO, never acknowledge them as *Village Aguiwa* ("leader"), not as *Ghampa* ("*Mukhiya*" in Khas Nepali) of the village. Their logic for doing so is that Government does not recognize customary institution, and if they address them as *Ghampa* it would imply formal recognition. It clearly reveals that the Government use procedural tactic to undermine Indigenous Peoples' collective rights.

Legal: Participants of FGDs and individual interviews with intellectuals/teachers, legal professionals, and leaders in all seven sample sites mentioned that the root cause for Indigenous Women being not able to benefit from existing laws and policies is that there are no such provisions in the Constitution, laws and policies. A few residents who are familiar with the Constitution and

laws said that what ever Constitutional and legal provisions are there, these are little, insignificant and vague. A few respondents who were familiar with UNDRIP and Convention no. 169 of ILO, said that Indigenous Women cannot benefit from the legal and policy provisions as these all are against collective rights of Indigenous Women. They further noted that existing laws and policies completely ignore Indigenous Peoples' and Indigenous Women's rights in general, and right to economic empowerment of Indigenous Women in particular. Concerning whatever legal and policy provisions are in place, according to Majhi women respondents in Bhatuli in Manthali, Ramechhap, "They are unable to get information as no Government information is disseminated neither in Khas Nepali language nor in their mother tongue, i.e. Majhi mother tongue."

Socio-Cultural: Raute Mukhiya said that it is their custom not to allow Raute women to work outside their home, including works related to making wooden utensils. Settled Raute women of Jogbuda responded eventhough there is no restriction in working outside of the settlement. The people of other communities and cultural groups who get information quickly and easily, they do not provide information to Raute in general and Raute women.

Tharu men respondents of FGDs in Bardiya and Saptari said that they do not allow their women family members, including those who are highly educated, to go outside. Hence, Tharu women, who are influenced from North Indian culture, also mostly stay home.

Yakha women respondents in Tmaphok said that they feel ashamed of selling green vegetable, such as garlic, Akabare (chilly) and leafy vegetables. Hence, they are not interested to use such opportunities. On the contrary, Tharu women in Saptari don't feel ashamed to go to local *Hat Bazar* (local market) held twice every week to sell vegetables that contribute to their earnings.

Political: Yaakha, Majhi and Tharu respondents said that information sharing is done on party line, i.e. political leaders share information to other people either belonging or are sympathetic to their own party. The FGD respondents of settled Raute of Jogbuda said that Raute do not get jobs because Raute are not in power and link with powerful persons.

Family: In the case of settled Raute and Raute women of Jogbuda, and Majhi family members are not educated and aware on laws, policies and programme except a few families. Because of this condition, Raute women are not aware

about any laws and policies that are supportive for them to be economically active. In Bardiya, *Kamlari* respondent said that problem of food security of their family has forced them to go back to work as *Kamlari*. Unlike in many other Indigenous Women, Thakali women are in full control in family in terms of household decision making and controlling property and economic activities; men family members provide help and support to them.

Individual: Lack of awareness has been pointed out by almost all respondents as the main root cause for not knowing about existing policies and laws, and also not being able to benefit from these policies and laws. They pointed out lack of literacy and education is another individual cause for not being able to get such information, or even, if they should get such information, they have no time to attend or take benefit from it.

Most of the Thakali women respondents said that they are not interested in getting information as they all are usually very busy in doing agricultural and household works.

The settled Raute women of Jogbuda are illiterate except few girls studying in school. The respondents of FGD put their view that they are not being able to get information and opportunities due to illiteracy.

6.

DISCRIMINATION, VULNERABILITY, CHALLENGES AND OPPORTUNITIES

Multiple Forms of Discrimination and Vulnerability

Indigenous Peoples, in general, and Indigenous Women, in particular, have been facing multiple forms of discrimination and vulnerability.

Most of the respondents from all sample sites said that they are facing multiple discrimination. The common discrimination mentioned by all during household survey, interviews and FGDs is differences in wages, i.e. women get less than their male counterpart. For example, In Tamaphok, Yakkha women get Rs. 700, as against Rs. 1,000 by men; in Bhatauli, Manthali in Ramechhap, Majhi women get only Rs. 350 a day as against Rs. 500 by men; In Muktipur in Baridya, Tharu women who plant paddy seedlings whereas men who do *Bause* (men who do digging in the paddy field) work get more wages. The Nomadic Raute women and men do not go to do wage works. Majhi women earn more than Rs. 4,000 daily by collecting and selling sands from Koshi river banks.

In Jogbuda of Dadeldhura, the settled Raute women get Rs 500 wage for a day where male get Rs 700. In the 40 years above women FGD participants responded that other people hate Raute women saying 'Rauteni ta ho' and 'Rauteni harulai kehi thaha china' (Raute women don't know anything). They are facing discrimination in entering into and bringing something out from the Dungeshwar Community Forest attached to Raute settlement. The Raute women FGD respondents said that the forest guard blocks them from entering and check strictly firewood and grasses brought from forest where

other communities' women can enter easily, and the forest guard does not check strictly what they bring.

Various forms of discrimination mentioned by the respondents during interviews and FGDs are as follows:

Ethnicity: Raute, Majhi, Tharu and Thakali respondents said that they have been facing racial discrimination. For example, one of the Majhi respondents said, "*Majhiko pitara, dhoti bhitara*" ("Majhi's ancestors, inside the underwear). Also, Teachers belonging to so called high caste refer to Majhi boys as "Balaute Majhi", meaning boys who play with sand in river bank, and refer to Majhi girls derogatorily as "Majhini". Tharu women are undermined as "Tharuni" by so called high caste people and when Tharu women go out of their society they are teased by saying "*Tharuni aai Tharuni, Tharuni nachda lehanga matrai hallaunxa*" ("Tharuni came Tharuni, When Tharuni dance, they shake full ankle-length skirt only"). A few Thakali women said that they sometimes are referred to as "Bhote" by others when they seasonally migrate in Southern parts. Bhote literally means the people of Tibet, but in the Hills of Nepal many caste people use it in a derogatory sense to refer to mountain people, such as the Thakali, as people who are bad in maintaining their personal hygiene and wearing clean clothes.

Additionally, in case of Raute, other people used to say, "*Yadi hamile bhaneke namanne ho bhane, hami timiharulai khedai dinchhau*" ("We will chase you from this place if you do not obey our order"). If Raute opposes it, then they use to say "*Thulo kura garchha banabasi*" ("Forest dwellers talk great thing"). Similarly, other people use dominating language saying Raute get allowance.

Language: Majhi call "Khukuri" ("Gurkha Knife") as "Cheka", which sounds vulgar in Khas Nepali language and hence tease them. She said that since then, she stopped speaking in her mother tongue and swore not teach the mother tongue to her children. Also, one of the Majhi girl respondents said that a so-called high caste people often tell Majhi students like her, "Who would work in the farm, if you get education?" Raute women are dominated as 'Banabasi Rauteni.' All settled Raute speak Dadeldhure local language, so Raute feel that other people do not discriminate them as language speaker.

Religion: All respondents said that they have faced religious discrimination. Although, in Saptari, Tharu are influenced by Hindu religious sect, named

Vaisnav, and many Yakkhas have adopted Christianity, they too have not faced any religious discrimination by the Tharus and others in the community.

Gender: In family level, settled Raute women have been facing same as other women have. For example, women cook food, clean utensils, manages household affairs where male do outside work.

Region: Thakalis are referred to as Bhote when they go the Hills. Raute are referred to as Banabasi (forest dwellers) when they go to villages.

Class: All respondents belonging to Majhi, Tharu, Yakkha and Thakali said that rich and poor women are often discriminated in everyday life. For example, rich Indigenous Women get high respect, but poor ones are not treated as such. Nomadic Raute is exception as they live a communal life, so they have no rich or poor Raute women. In Settled Raute, rich and educated women and men, receive respect.

Level of Education: Many respondents mentioned that illiterate and uneducated Indigenous Women are discriminated often by literate and educated women and men of their own and other communities.

Occupation: Raute women are not discriminated based on their occupation, i.e. hunting and gathering. Instead, they feel proud of this occupation and would like to continue. They are proud that almost every day many Nepalese and foreigners come to see them. Tharu, Thakali and Yakkha respondents said that they are not discriminated on the basis of their occupation. Majhi respondents said that in the past when they practiced their customary occupation of fishing and boating (See Folk Stories # 1, 2 and 3) in the Koshi rivers, they were treated as second class citizens. But now, they have no more experience such discrimination based on occupations that they have switched to new ones after losing the old ones.

Sexuality: All respondents in all five communities said that there is no discrimination among women by sexuality.

Experienced Discrimination in Community and Government Offices

Many Raute, a few Majhi and Tharu, and a very few Yakkha and Thakali said that they have experienced discrimination in their respective communities (Table 26).

Folk stories about customary occupation of the Majhi Indigenous Peoples

- A) Traditional occupation of Majhi men is to provide boating service to people who want to cross Koshi (River) and Majhi women is to sell Moon (Jand or local beer) near the river bank to the passers by. One day the King came asked the Majhi to help him cross the river. When the boat was in the middle of the river somehow it got stuck and all his efforts to move the boat failed. The Majhi prayed with the Koshi river God to rescue his boat and promised to sacrifice a goat. After that the boat easily crossed the river. The King very happily got off the boat. The King wanted to reward the Majhi by offering a lot of coins. The Majhi had nothing on his body except his langoti (underwear) and Kandani (string). He pulled out his undergarment and the King poured all the coins in it. As coins were very heavy his string broke and he became nude.

This story clearly reveals traditional occupation of Majhi men and women.

- B) Majhi used to fish every day in the Koshi. Fishes were very unhappy as many of them got killed by the Majhi. As it was unberable for them, all fishes complained to the God that killing of fishes in the Koshi by Majhi is cruel and must be stopped immediately. The God invited both parties, fishes and the Majhi in the court. God asked Majhi why you kill fish everyday. Majhi argued that human beings offer sacred water to God every day, but these fishes pollute water every day through excreta and urination. Majhi wanted to keep river clean by killing the river water polluters. The God was satisfied with answers given by the Majhi and they were asked to continue their traditional work of fishing in the river.

This story reveals that Majhi's traditional occupation is fishing.

- C) Majhi villagers decided to make a new boat. They gave responsibility to a group of Majhi to go to the forest and find out the tree needed for making a boat. The group walked in the forest for several hours but could not find the tree. In the evening they sat down under a big tree and decided to spend whole night under that tree in the forest. They talked among themselves that it had been very difficult to find the right tree to make a boat in the forest. There was a nest of birds in the branches of that big tree. Children of the bird were curious about the discussion among the strangers who were sitting under the tree. They asked their mother to understand what they were talking about. Their mother refused to answer children's questions. Children protested by saying that if they do not get its answers they refuse to eat food. Then, the mother said the people who are underneath are Majhi and they are looking for a right tree to make a boat and oar. Fortunately, they do not know that the tree where we are sitting is the right tree to make a boat and oar. If we should tell this to them they will cut the tree and make us refugees. The mother suggested children to be quiet. One of the Majhi, who understood the bird's language, heard it. They were happy to find the right tree and decided to cut it immediately. Before cutting the tree, they worshipped the forest God and made a beautiful nest for the birds in another nearby tree. After transferring birds in the new nest, they cut the tree and took it in the village to make a boat.

The story reveals that Majhi's traditional occupation is boating and that they care for nature, environment and biodiversity.

Source: Field survey, 2018.

Table 26. Experienced discrimination in community because of being Indigenous Women

Indigenous Women	Experienced discrimination in community because of being Indigenous Women			Total
	Yes	No	Don't Know	
Raute	19	35	41	95
Tharu	9	90	1	100
Thakali	4	66	9	79
Majhi	10	79	7	96
Yakha	4	83	3	90
Total	46	353	61	460
Percent	10.0	76.7	13.3	100.0

Source: Field Survey, 2018.

Among five categories of Indigenous Women, about one third of the Majhi women, and a few Tharu and Raute women, respondents have experienced discrimination in the Government offices because of being Indigenous women. Majority of Raute and some Thakali respondents have no idea about visiting the government office. Many Yakkha respondents have never visited the government office (Table 27).

Table 27. Experienced discrimination in the Government offices because of being Indigenous Women

Indigenous Women	Experienced discrimination in the Government Offices because of being Indigenous Women?				Total
	Yes	No	Never been there	Don't Know	
Raute	7	33	1	54	95
Tharu	13	86	0	1	100
Thakali	3	61	0	15	79
Majhi	34	55	2	5	96
Yakha	1	48	37	4	90
Total	58	283	40	79	460
Percent	12.6	61.5	8.7	17.2	100.0

Source: Field Survey, 2018.

About one third of the respondents have experienced discrimination, in the last 12 months based on the following because of being Indigenous Women, on the basis of caste/ethnicity, religious, cultural, linguistic, gender, regional, class, age, occupation, sexuality, labor, wage, and during the management of natural disaster. About one third of the Raute have experienced such discrimination frequently, and majority of Majhi respondents and one third of the Raute respondents have experienced it occasionally (Table 27).

Experienced Risks

Majority of Raute, Majhi, Tharu, Yakkha and Thakali respondents have said that they have experienced various risks, namely, natural, gender, educational, ethnic, social, political, religious, cultural, and psychological (Table 28 and Table 29).

Main Challenges

According to the respondents of FGDs and interviewee about the common challenges facing Indigenous Women are:

- ***Patriarchy***: In Nomadic Raute, women are not allowing to talk with outsiders and all the decisions are made by male members told by Raute *Mukhiya* in FGD. Tharu, Yakkha, Majhi and Thakali community, most of the ownership of land is within the men than women shared during the FGD in respective districts. In Saptari and Bardiya, Tharu Indigenous Peoples, women prepare all the things for pooja, but they are not allowing to do pooja, said in FGD by both Tharu *Barghar, Thanpati*.
- ***Lack of education and de-linking of customary skills by modern education (except of the Raute)***: Majhi women are not very aware in education and drop out rate is high due to teasing in schools, by not understanding the value of education, not in their culture to study etc. In Yakkha community, Yakkha girls dropped out of education due to child marriage/eloped in young age, shared by local school teacher. Though earlier Tharu women were not allowed to get education due to Kamlari/Kamaiya system. But, now they are encouraged towards education by many educational plans and

Table 28. Experienced discrimination in the last 12 months based on the following because of being Indigenous Women

Basis of Discrimination	Experienced discrimination in the last 12 months based on the following because of being Indigenous Women												Total			Percent					
	Raute			Tharu			Thakali			Majhi			Yakkha			Often	Occa- sionally	No	Often	Occa- sionally	No
	Often	Occa- sionally	No	Often	Occa- sionally	No	Often	Occa- sionally	No	Often	Occa- sionally	No	Often	Occa- sionally	No						
1 Caste/Ethnic	32	24	39	18	3	79	3	18	58	1	41	54	0	11	79	54	97	309	11.7	21.1	67.2
2 Religious	28	27	40	10	9	81	1	17	61	0	56	40	1	7	82	40	116	304	8.7	25.2	66.1
3 Cultural	22	38	35	6	9	85	1	17	61	0	52	44	0	8	82	29	124	307	6.3	27.0	66.7
4 Linguistic	35	26	34	10	5	85	4	19	56	1	54	41	0	11	79	50	115	295	10.9	25.0	64.1
5 Gender	18	36	41	12	5	83	5	18	56	1	61	34	0	6	84	36	126	298	7.8	27.4	64.8
6 Regional	16	33	46	8	5	87	5	17	57	0	44	52	1	5	84	30	104	326	6.5	22.6	70.9
7 Class (Rich and poor)	21	33	41	8	6	86	6	20	53	4	61	31	0	6	84	39	126	295	8.5	27.4	64.1
8 Age	14	23	58	10	5	85	4	19	56	1	63	32	0	8	82	29	118	313	6.3	25.7	68.0
9 Education	20	12	63	7	6	87	8	18	53	5	71	20	1	7	82	41	114	305	8.9	24.8	66.3
10 Occupation	22	7	66	8	5	87	3	20	56	2	67	27	1	5	84	36	104	320	7.8	22.6	69.6
11 Sexuality	17	9	69	8	5	87	3	20	56	1	40	55	0	5	85	29	79	352	6.3	17.2	76.5
12 Labor	28	10	57	10	3	87	1	17	61	0	65	31	2	5	83	41	100	319	8.9	21.7	69.3
13 Wage	26	12	57	8	5	87	1	19	59	3	65	28	3	8	79	41	109	310	8.9	23.7	67.4
14 Natural disaster management	10	10	75	8	5	87	3	19	57	0	43	53	1	5	84	22	82	356	4.8	17.8	77.4
Total	309	300	721	131	48	1193	48	258	800	19	783	542	10	97	1153	517	1514	4409	8.0	23.5	68.5
Percent	23.2	22.6	54.2	9.4	5.4	85.2	4.3	23.3	72.3	1.4	58.3	40.3	0.8	7.7	91.5	8.0	23.5	68.5	1.7	5.1	14.9

Source: Field survey 2018.

Table 29. Experienced risk in economic empowerment because of being Indigenous Women

Risks	Experienced risk in economic empowerment because of being Indigenous Women																		Total		
	Raute						Tharu			Thakali			Majhi			Yakha			Yes	No	Don't know
	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know						
Have you experienced the risk: Natural	3	2	2	3	3	0	33	31	4	58	16	19	11	11	1	108	63	26			
Gender	18	17	3	13	13	0	8	7	2	52	10	20	3	3	0	94	50	25			
Educational	17	17	2	2	2	0	13	12	1	54	12	20	7	7	1	93	50	24			
Linguistic	25	21	7	6	6	2	8	7	2	47	5	18	4	4	1	90	43	30			
Ethnic	17	15	5	13	13	2	8	7	3	51	9	20	1	1	0	90	45	30			
Social	14	13	3	12	12	0	7	6	1	44	2	17	8	8	0	85	41	21			
Political	2	2	0	17	17	2	11	10	0	46	4	18	3	3	0	79	36	20			
Religious	17	17	2	2	2	0	1	0	0	50	8	21	5	5	0	75	32	23			
Cultural	12	11	2	1	1	0	5	4	1	42	0	16	4	4	0	64	20	19			
Psychological	15	15	0	3	3	0	3	2	0	26	0	0	0	0	0	47	20	0			
Total	33	27	10	35	35	4	48	46	6	63	21	21	21	21	2	200	150	43			
Percent	47.1	38.6	14.3	47.3	47.3	5.4	48.0	46.0	6.0	60.0	20.0	20.0	47.7	47.7	4.5	50.9	38.2	10.9			

policies. Thakali women are more focused in hotel business than education. But, the new generation receive high education expressed in FGD.

- ***Lack of awareness:*** Settled Raute women in FGD shared that we do not understand any laws, and no one comes to tell us about it. There is lack of awareness and they have not been informed.
- ***Lack of market:*** Yakkha women and Tharu shared in FGD that they are not producing their indigenous products as their products do not have market value. As Majhi women shared in FGD that they feel ashamed to carry their baskets and sell their products in the market.
- ***Modernization of Indigenous skills and knowledge:*** Women respondents belonging to Raute, Majhi, Tharu, Yakkha and Thakali said that their traditional skills and knowledge need modernization in terms of producing more by using modern technology, lowering price of the commodity, and adapting with the market.
- ***Discouraged in continuing customary skills:*** As all Indigenous Women shared in FGD that though they have indigenous knowledge and skills, but they are not getting raw materials to make their products, even Tharu women are not allowed to enter in protected forest area to get raw materials i.e. mochi, patiya, fruits, vegetables and aquatic animals etc. And the new generation is not interested to learn customary skills and knowledge rather they prefer to get an education.
- ***Lack of flow of information:*** Settled Raute women shared in FGD that they have not been informed in planning and programme implementation time by ward committee or any other committees. Majhi women also shared that all the informations are instructed in Nepali language and they do not have access in it. Even Tharu women shared that they should get information in their language rather than Nepali, and there should be mechanism to distribute the message by their own system i.e. message flow through *Barghar*.
- ***Limited participation in decision-making processes:*** The Settled Raute women shared that “we are not invited in meetings and programs. We do not have much knowledge and information about the issue. Therefore, we can not interact in that subject matter.”

Majhi, Yakkha and Tharu women are not invited in any meetings, planning and programmes either empowerment or community forest programme etc.

- ***Lack of recognition of the collective rights of indigenous peoples to their lands and resources:*** Raute women can enter in forest only by getting permission from Forest Users Group or Government officials as expressed by Nomadic Raute women in Dailekh during FGD. Same applied with Tharu, Majhi and Yakkha women.
- ***Loss of access to forests and natural resources:*** Raute, Majhi, Tharu and Yakkha Indigenous Women are facing problems in making their livelihood due to loss of access to forests and natural resources,
- ***Forced displacement brought about by development aggression:*** Settled Raute women are not allowed to bring their cattle into the community forest shared by Raute participants in FGD in Jogbudha, Dadeldhura.
- ***Limited access to social services:*** Limited access to general education and health, and no access to education in one's own mother tongue is a challenge for economic empowerment of Indigenous Women.
- ***Loss of traditional roles and Indigenous knowledge:*** Increasing loss of traditional roles and Indigenous knowledge is another challenge for economic empowerment of Indigenous Women.
- ***Domestic violence:*** Respondents had noted that domestic violence against women is prevalent in Yakkha, and to some extent in Tharu and Majhi community, and none in Raute and Thakali. Domestic violence is a challenge for economic empowerment of Yakkha women, and, to some extent, also of Majhi and Tharu women.

The survey data revealed that about one third of the respondents mentioned the following as the main obstacles for economic empowerment of Indigenous Women (Table 30):

- No consultation and consent in decision making process,
- No participation in decision making process,
- Forest user's Groups do not give priority in Saptari, Bardiya, Yakkha women as told in FGD.

- Loss of access to natural resources including forest, water and land, and
- Loss of Indigenous knowledge and land.

Other obstacles are as follows (Table 30):

- Being victims of domestic violence and violence against women,
- Limited access to social services such as education and health,
- Indigenous Peoples' Organizations pay no attention,
- Collective rights not ensured in Constitution and laws,
- Forced displacements due to aggressive development,
- Misuse of one's own culture and rituals,
- International Organizations, Governmental and Non-Governmental Organizations do not work with Indigenous Peoples,
- Discriminatory Government policy and law, and
- Work as directed by political parties.

Opportunities

Almost all respondents, 85.7% of survey respondents, many FGD participants, and interviewee said that they have no idea about federalism. A few survey respondents said that they see no opportunity for Indigenous Women's economic empowerment even in the context of federalism. Survey data revealed that 85.7% of the respondents of the household survey revealed that they do not know about it, but 13.9% of the total respondents said that they see no opportunity for Indigenous Women's economic empowerment even in the context of federalism (Table 31).

Table 30. Obstacles for economic empowerment

Obstacles	Obstacles for economic empowerment												Total			Percent										
	Raute				Tharu				Thakali				Majhi				Yakha				Yes	No	DK	Yes	No	DK
	Yes	No	DK	Yes	No	DK	Yes	No	DK	Yes	No	DK	Yes	No	DK	Yes	No	DK								
No consultation and consent in decision making process	20	18	57	79	6	15	52	8	19	45	34	17	10	23	57	206	89	165	44.8	19.3	35.9					
No participation in decision making process	10	16	69	79	7	14	53	7	19	47	33	16	7	43	40	196	106	158	42.6	23.0	34.3					
User's Groups do not give priority	23	8	64	14	2	84	45	10	24	72	13	11	44	10	36	198	43	219	43.0	9.3	47.6					
Loss of access to natural resources including forest, water and land	25	8	62	21	10	69	53	6	20	75	12	9	17	35	38	191	71	198	41.5	15.4	43.0					
Loss of Indigenous knowledge and land	24	3	68	18	6	76	53	7	19	74	11	11	6	33	51	175	60	225	38.0	13.0	48.9					
Being victims of domestic violence and violence against women	11	7	77	37	6	57	38	21	20	66	16	14	20	31	39	172	81	207	37.4	17.6	45.0					
Limited access to social services such as education and health	12	6	77	16	4	80	55	8	16	74	11	11	9	41	40	166	70	224	36.1	15.2	48.7					
Indigenous Peoples' Organizations pay no attention	4	20	71	5	5	90	47	11	21	71	14	11	39	14	37	166	64	230	36.1	13.9	50.0					
Collective rights not ensured in constitution and laws	26	2	67	36	13	51	43	8	28	46	34	16	11	32	47	162	89	209	35.2	19.3	45.4					

Obstacles	Obstacles for economic empowerment																		Total			Percent	
	Raute						Tharu			Thakali			Majhi			Yakha			Yes	No	DK		
	Yes	No	DK	Yes	No	DK	Yes	No	DK	Yes	No	DK	Yes	No	DK	Yes	No	DK					
																			Yes	No	DK	Yes	No
Forced displacements due to aggressive development	10	9	76	8	9	83	39	12	28	56	22	18	27	13	50	140	65	255	30.4	14.1	55.4		
Misuse of one's own culture and rituals	6	8	81	8	5	87	43	14	22	63	20	13	19	29	42	139	76	245	30.2	16.5	53.3		
International Organizations, Governmental and Non-Governmental Organizations do not work with Indigenous Peoples	3	4	88	6	6	88	51	8	20	47	32	17	31	13	46	138	63	259	30.0	13.7	56.3		
Discriminatory Government policy and law	6	6	83	13	6	81	51	7	21	54	23	19	7	37	46	131	79	250	28.5	17.2	54.3		
Work as directed by political parties	3	3	89	5	6	89	47	10	22	46	34	16	7	31	52	108	84	268	23.5	18.3	58.3		
Total	183	118	1029	345	91	964	670	137	299	836	309	199	254	385	621	2288	1040	3112	35.5	16.1	48.3		
Percent	13.8	8.9	77.4	24.6	6.5	68.9	60.6	12.4	27.0	62.2	23.0	14.8	20.2	30.6	49.3	35.5	16.1	48.3	7.7	3.5	10.5		

Source: Field survey, 2018.

Table 31. Opportunity for Indigenous Women's economic empowerment in federalism

Indigenous Women	Yes	No	Don't know	Total
Raute	0	11	84	95
Tharu	0	4	96	100
Thakali	1	5	73	79
Majhi	0	40	56	96
Yakha	1	4	85	90
Total	2	64	394	460
Percent	0.4	13.9	85.7	100.0

Source: Field survey, 2018.

7.

PERCEIVED NEEDS AND THE WAY FORWARD

Perceived Needs

Perceived needs of Raute, Majhi, Tharu, Yakkha and Thakali for economic empowerment of Indigenous Women are shown in Table 32.

Table 32. List of perceived needs for economic empowerment of Indigenous Women

Endangered: Raute	Highly Marginalized: Majhi	Marginalized: Tharu	Disadvantaged: Yakkha	Advanced: Thakali
<p>Legal and Policy:</p> <ul style="list-style-type: none"> • Stop restriction in the forest to graze and access to forest resource without any interference <p>Training:</p> <ul style="list-style-type: none"> • Entrepreneurship • Furniture • Tailoring • Skill development • Vegetable • Knitting (Sweater, muffler) <p>Programmes:</p> <ul style="list-style-type: none"> • Build a community house for production • Generate employment • Poultry farming • Vegetable farming • Safe drinking water facility • Irrigation • Access to land to landless Raute • Self-employment promotion • Employment • Land for landless 	<p>Legal and Policy:</p> <ul style="list-style-type: none"> • Rivers should be handed over to Majhi community for 10-15 years for their economic empowerment • Ownership on Dhunga (stone), Giiti (crused stone) and Baluwa (sand) • Patent rights of fishermen by organizing Fish conference • Legalize production and marketing of local liquor • Permission for collective farming in Ailani(non-registered) lands • FPIC on upcoming dam construction <p>Programmes:</p> <ul style="list-style-type: none"> • Dams have reduced fish production; so help for alternative for fish farming in community ponds 	<p>Legal and Policy:</p> <ul style="list-style-type: none"> • Change laws related to lands, forest, including community forests, national parks, wildlife conservation, buffer zone and water, to give access to, use of and benefits from natural resources using Indigenous knowledge and skills • Develop separate policy for the economic empowerment of Indigenous Women • Legalize production and marketing of local liquor • Royalty of the use of Tharu culture 	<p>Legal and Policy:</p> <ul style="list-style-type: none"> • Need to change policies and laws for promotion of economic empowerment of Indigenous Women • Legalize production and marketing of local liquor <p>Programmes:</p> <ul style="list-style-type: none"> • Targeted programme for economic empowerment • Establish local resources processing center • Research on and promotion of Yakkha tradition and culture • Promote market facility for the local production 	<p>Legal and Policy:</p> <ul style="list-style-type: none"> • Give formal legal recognition to customary 13 Ghmapa (Mukhiya system) • Change constitution and legal provisions to give back right to natural resources to the 13 Ghmapa • Give permission to trap or kill animals that come to farm to damage crops • Legalize production and marketing of local liquor • Take consent of Ghampa while implementing projects and programmes

Endangered: Raute	Highly Marginalized: Majhi	Marginalized: Tharu	Disadvantaged: Yakha	Advanced: Thakali
<p>Services:</p> <ul style="list-style-type: none"> • Health post facility <p>Participation:</p> <ul style="list-style-type: none"> • Participation in all the planning and policies making process • Mandatory employment facility (quota system) <p>Training:</p> <ul style="list-style-type: none"> • Preservation of Indigenous seeds <p>Budget:</p> <ul style="list-style-type: none"> • Separate budget for economic empowerment 	<ul style="list-style-type: none"> • Promotion of Traditional skills, knowledge and culture • Promotion of Tourism through Majhi Culture • Grants for communal fishery, and vegetable-farming • Free Education • Irrigation facility for vegetable farming • Health facility • Protection of Majhi language • Link Majhi with Fisherman's Asia and global Network • Technical education in main education system <p>Services;</p> <ul style="list-style-type: none"> • Low interest loan to utilized skills received during training <p>Training:</p> <ul style="list-style-type: none"> • Awareness raising • Enterpeurship 	<ul style="list-style-type: none"> • Management and utilization of community forestbased economic activities • Equal benefit sharing mechanism should be introduced <p>Programmes:</p> <ul style="list-style-type: none"> • Establish Tharu Hub in the Tharu villages • Promotion of cultural, religious, spiritual, wildlife, and sports tourism • Uniform production price and price tag by the Tharu • Establish collection center in the community for promotion and marketing of Indigenous Handicrafts • Establish collection and cold storage center in the community for promotion and marketing of Indigenous edible products • Grant facility for the modern agriculture system • Irrigation • Access to road <p>Training:</p> <ul style="list-style-type: none"> • Trainings on: <ul style="list-style-type: none"> • Entrepreneurship • Vocational and Skill (advance, modern, as per age and capacity) • Animal husbandry • Seed • Leadership • Awareness raising • Legal awareness • Training to both husband and wife 	<ul style="list-style-type: none"> • Promotion of local production and link with market • Separate budget for the promotion of local resources <p>Training:</p> <ul style="list-style-type: none"> • Training on, by using of local resources and production • Skill development • Community vegetable farming • Handicraft • Leadership • Awareness raising • Regular monitoring should be done for the implementation of programme • Employment generation in the community • Access to road • drinking water facility • Provide quality education 	<ul style="list-style-type: none"> • Take FPIC by Nepal army to use lands in the Danfe Charan (high altitude pasture) • Patent rights of Thakali food products • Stop misuse of Thakali Bhansa Ghar(Thakali foods) by people belonging to other caste and ethnic groups <p>Training:</p> <ul style="list-style-type: none"> • Trainings on Preservation of processed Indigenous foods • Labeling • Quality control • Adaptation from the effects of climate change <p>Services:</p> <ul style="list-style-type: none"> • Access to low interest loans <p>Programmes:</p> <ul style="list-style-type: none"> • Control Kaligandkai river

Endangered: Raute	Highly Marginalized: Majhi	Marginalized: Tharu	Disadvantaged: Yakkha	Advanced: Thakali
		<p>Programmes:</p> <ul style="list-style-type: none"> • Facility of drinking tap water • Education (Scholarship) • Access in Employment • Link with the market • Research and development of technology suitable for production based on Indigenous knowledge, skills and resources • Separate/Special quota system for Tharu women • Promotion customary profession Promotion of Tharu culture • Motivate by providing incentive, promotion, and credit • Land for landless Tharu • Dissemination of information in Tharu language <p>Participation:</p> <ul style="list-style-type: none"> • Participation in the planning in budget and policy and programme (Ward, and Village Council, Municipality Levels) • Access mechanisms to political empowerment <p>Budget:</p> <ul style="list-style-type: none"> • Separate budget for the Tharu women for the economic empowerment 		

Source: Field work 2018.

The Way forward: In General

Considering all the perceived needs as expressed by respondents belonging to Raute, Majhi, Tharu, Yakkha and Thakali Indigenous Women (See Section 8 of this report), the Research Team has recommended the following common actions for economic empowerment of Indigenous Women based on collective rights blended with strategic and practical common needs and its viability.

Changes in existing, and/or making new, laws and policies

Changes in existing and/or need for new laws and policies are direct, immediate concerns of both Indigenous Women and of Federal, Provincial and Local Level Governments. It is very difficult to materialize economic empowerment of Indigenous Women through existing laws and policies of the State. The existing laws and policies of the Governments at various levels do not create a conducive environment for all Indigenous Peoples, in general, and Indigenous Women, in particular, as these are based solely on individual rights. For creating the conducive environment for effective and meaningful economic empowerment of Indigenous Women, existing laws and policies of various levels of the Governments (Federal, Provincial and Local levels) need to be changed and/or make new legislations, making it fully compatible with international instruments of human rights, especially Convention no 169 of ILO and United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Based on the detail analysis of the existing laws and policies against Convention no. 169 of ILO and UNDRIP (See Table 13). While changing or making new laws and policies, the following core values must be complied with:

- Ownership and control over lands, territories and resources by Indigenous Peoples shall be ensured.
- Customary laws and institutions of Indigenous Peoples such as *Barghar/Bhalmansa/Mattawa* of Tharu, *13 Ghampa* of Thakali, *Ghampa* of Marphali Thakali, *Tingaunle* Thakali, and *Baragaunle*, *Mukhiya* of Ruate, *Majhihadam* of Santhal, *Bheja* of Magar, *Guthi* of Newar, etc. shall be legally recognized.
- Free, Prior and Informed Consent (FPIC) mechanism of Indigenous Peoples, and Indigenous Women shall be established.

Actions for economic empowerment of Indigenous Women

Although, existing laws and policies do not directly support economic empowerment of Indigenous Women through protection and promotion of collective rights, nevertheless, these laws and policies do not prohibit the implementation of activities for economic empowerment of Indigenous Women that would protect and promote both individual and collective rights of Indigenous Women.

The Research Team recommends taking a two-pronged approach by both the Government and international development partners for more effective and meaningful results and outcomes for economic empowerment of Indigenous Women. These are:

- a) The Government and all likeminded International Development Partners, specially UN Agencies, including UNDP, Department for International Development (DFID), Norwegian Agency for Development Cooperation (NORAD), Swiss Agency for Development and Cooperation (SDC), German Development Agency (GIZ), Japan International Cooperation Agency (JICA), etc can work together by establishing a basket fund for economic empowerment of Indigenous Women. UNDP should take a lead in this process. This approach avoids reinventing the wheel, duplication of works and isolated programmes and projects, and such synergic effort make easier to achieve desired results and goal.
- b) Those international development partners who are not interested to join in the basket fund or those international development partners who are a part of the basket fund but would like to make additional contribution may work directly in partnership with concerned Indigenous Women.

For the above-mentioned actions for economic empowerment of Indigenous Women, following actions, principle, and structures, for actions are proposed:

Actions

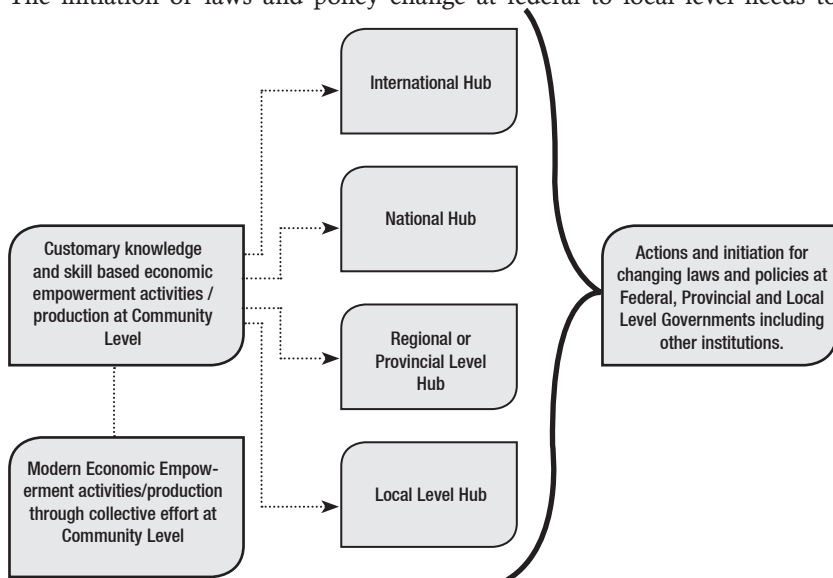
The Actions need to focus primarily on economic empowerment through customary knowledge and skills, and modern activities for economic empowerment through collective effort as complementary to customary

knowledge and skills. So, funds should be utilized for economic empowerment through customary knowledge and skills and modern activities in the ratio of 7:3.

Considering the facts that Indigenous Peoples/Women of Nepal have different customary knowledge and skills, actions and activities at community level may be different from one Indigenous Peoples/Women to another. To promote productions by Indigenous Women at the community level, business hubs need to be established at five different levels, i.e. Community level, Local level, Regional or Provincial level, National level and International level (See Diagram 1).

Diagram 1. *Economic empowerment through hubs*

The initiation of laws and policy change at federal to local level needs to



happen along side with the actions for economic empowerment at a community level and establishing various levels of hubs for the promotion of Indigenous Women’s customary skills and knowledge. Associations are to be made based on the types of entrepreneurship.

Principle of actions

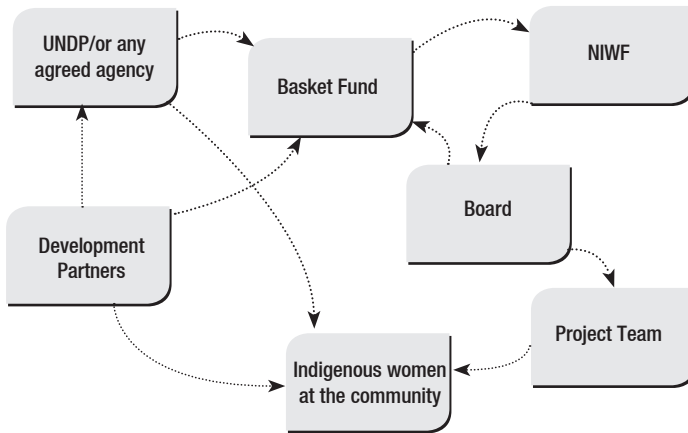
For the actions of economic empowerment of Indigenous Women, the main principle, “Collective Effort, Individual Benefit” needs to be followed. While carrying out economic empowerment activities, whether those are based on customary knowledge and skills, or modern activities, they work together for production or produce collectively, i.e. land leasing, internal code of conduct, and working together on land in the case of agriculture, and working together in production centre for the case of customary knowledge and skills, and the dividing the return should be as follows:

- 33.3% for Individual benefit,
- 46.7% Expenses for cost of production including management, and
- 20.0% Sell and keep money in collective fund.

The proposed division of return could be applied in production based on traditional/customary knowledge and skills such as animal husbandry (pig, buffalo, goat in the Terai and the Hills, Yak and mountain goat and lamb in the Mountain), weaving, such as weaving traditional dress, handicrafts production, modern skills such as vegetable farming, Indigenous foods and drinks such as *Jand*, *Raksi*, *Tongba*, *Chyang*, Indigenous costumes, such as *Lehanga Choli* of Tharu.

Structures

For carrying out all the above-mentioned actions of economic empowerment for Indigenous Women, there needs to be an autonomous body within the National Indigenous Women’s Federation (NIWF) having clear cut governance and operation system from NIWF. In order to run good governance and operation system, a Board (9 members) for this needs to be formed with 3 represented from NIWF, one each from NIWforum, NFDIN and INWOLAG, 3 from selected Indigenous Experts and leaders from local to national level and technical experts from both Indigenous and non-indigenous as Project team comprising advisors and staffs.



Mandatory Preconditions for Indigenous Women’s Economic Empowerment Programmes

All programmes, projects and activities of economic empowerment of Indigenous Women should fully comply with UNDRIP, Convention No. 169 of ILO that includes the following:

- Get Free, Prior and Informed Consent (FPIC) from concerned Indigenous Peoples and Indigenous Women;
- Full and meaningful participation of Indigenous Women at all levels of decision making;
- Indigenous women's traditional skills and knowledge that passed through generation to generation should be recognized and provided collective patent rights through a legal or policy regime in accordance with the Article 51(j)(8)¹⁴ of the Constitution of Nepal, 2015. This effort not only ensure economic development of the respective Indigenous Peoples but also benefitted country against piracy.
- Introducing concept of Self - Management or Co-management of Protected Areas where clear provisions of Indigenous Women's

14. “Making special arrangements to ensure the rights of Adivasi Janajatis (indigenous ethnic groups) to lead a dignified life with their respective identities and making them participate In decision making processes that concern them, and preserving and maintaining the traditional knowledge, skill, experience, culture and social practices of Adivasi Janajatis and local communities.” – Article 51(j)(8)

participation, role and responsibilities and benefit sharing could be measured to resolve the plights created from Protected Areas.

- Free legal Aid and exemption of court fees or levy that require to seek remedies on the cases relating to Indigenous Women such as exercising their customary rights, conflict with Protected Areas etc.
- Make all programmes and projects gender sensitive.
- In terms of priority,
 - Give highest priority to Indigenous Women belonging to Endangered Indigenous Women,
 - High priority to Highly Marginalized, followed by Marginalized Indigenous Women,
 - Some priority to Disadvantaged Indigenous Women,
 - Least priority with selective programmes and activities to Advanced Indigenous Women.
 - Design and implement economic empowerment activities targeted to Indigenous Women with disabilities, and for sexual and gender minorities.
- Orientation and training, basic, intermediate and advanced, to all beneficiaries on UNDRIP, Convention no. 169 of ILO, Outcome Document of the World Conference on Indigenous Peoples, CEDAW, Outcome Document of 61st Session of Commission on the Status of Women (CSW61), Convention on Elimination of All Forms of Racial Discrimination (CERD), and on procedures to complain on violation of human rights.
- Orientation on existing laws and policies relating to economic empowerment of Indigenous Women.

The Way Forward to Federal, Provincial, Local Governments and Development Partners

The respondents suggested the following way forward to the Federal, Provincial, Local Governments and development partners for both customary, modern knowledge and skill based economic empowerment, one common to all Indigenous Women and the other specific to endangered, highly marginalized, marginalized, disadvantaged, and advanced Indigenous Women.

Table 33. Federal, Provincial, Local Governments and Development Partners

I Federal Government				
Endangered	Highly Marginalized	Marginalized	Disadvantaged	Advanced
Customary Knowledge and Skill based Economic Empowerment				
Policy Change				
	Amend laws, including Aquatic Animal Protection Act, 1960, Lands Act, 1964, National Parks and Wildlife Conservation Act, 1973, Forest Act 1993, Water Resources Act, 1992, Soil and Watershed Conservation Act, 1992, Environment Protection Act 1996, National Foundation for Development of Indigenous Nationalities Act, 2002, Indigenous Commission Act, 2017, and Tharu Commission Act, 2017, Inclusion Commission Act, 2017, Women Commission Act, 2017, and/or make new legislation to ensure customary use of forest resources for access to and use of forest, water, pasture and water resources leading to its ownership and control, and also meaningful participation in decision making at all levels, and establishment of FPIC mechanism.			
	Amend policies, including Industrial Policy, 2010, Herbs and Non Timber Forest Product (NTFP) Development Policy, 2004, National Agriculture Policy, 2004, procedures, including Homestay Operation procedure, 2010, Women Entrepreneurship Development Fund (Operational Guideline, 2012), directives, including Micro-Enterprise Development for Poverty Alleviation, 2014, Micro-Enterprise Development for Poverty Alleviation-MEDPA, Operational Directives, 2014, and programmes, including Poverty Alleviation Fund (PAF), 2004, and/or make new policies, procedures, directives and programmes to ensure customary use of forest resources for access to and use of forest (wild vegetables, wild fruits, herbs, wild root and tuber, bamboo, fodder, firewood, timber etc.), water (Fish, Ghongri, Paha, Sipi, The Machha etc.), wetland (Patrija, Mothi and other plants as raw materials for handicraft production) and pasture leading to its ownership and control, and also meaningful participation in decision making at all levels, and establishment of FPIC mechanism.			
Amend and or bring new laws and policies to ensure its patent rights.	Amend and or bring new laws and policies to give ownership and control over and use of river, fish, sand and stones to Majhi; Amend and or bring new laws and policies to give ownership and control over and use of pasture.	Amend or bring new legislation to formally recognize customary judicial system, such as Barghar/Bhainansa/Matwa system; Amend or bring new legislation to allow Indigenous Women to use of Aalaini land for economic empowerment activities; Amend or bring new legislation to use community forest for movement of Yak and lamb herds.	Amend or bring new legislation to use community forest for movement of animals, such as Yak and lamb herds. Amend or bring new legislation ensuring access to natural resources (wild vegetable, wild fruits, NTFP, etc.) by Indigenous Women	Repel Projects, such as the Annapurna Conservation Project (ACAP), and formally recognize customary judicial system, such as 13 Ghampa system; Amend laws and policies or bring new legislation to allow to trap and/or kill animal that destroy agriculture or pay due compensation.

	Amend or bring new laws to formally recognize ownership and management of traditional lands, territories and resources.			Amend laws and policies or bring new legislation to allow to trap and/or kill animal that destroy agriculture or pay due compensation. Amend or bring new legislation to use community forest for movement of animals, such as Yak and lamb herds.
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II. Provincial Government					
Customary Knowledge and Skill based Economic Empowerment					
Policy Change	Endangered	Highly Marginalized	Marginalized	Disadvantaged	Advanced
	Provincial legislations that are in the process of making should ensure customary use of forest resources for access to and use of forest, water, pasture and water resources leading to its ownership and control, and also meaningful participation in decision making at all levels, and establishment of FPIC mechanism.				
	Provincial legislations that are in the process of making should ensure customary use of forest resources for access to and use of forest (wild vegetables, wild fruits, herbs, wild root and tuber, bamboo, fodder, firewood, timber etc.), water (Fish, Ghongri, Palha, Sipi, Tite Machha etc.), wetland (Pattilya, Mothi) and other plants as raw materials for handicraft production) and pasture leading to its ownership and control, and also meaningful participation in decision making at all levels, and establishment of FPIC mechanism.				
	Amend and or bring new laws and policies to allow IPs women to produce and sell local liquors, i.e. <i>Jand</i> and <i>Rakshi</i> , and to label, standardize <i>Jand</i> and <i>Rakshi</i> and ensure its patent rights.				

<p>Economic Empowerment Programmes</p>	<p>Forest and water based Entrepreneurship</p> <ul style="list-style-type: none"> • Wild vegetables • Wild fruits • Roots and tubers • Rice and other food grains • NTFP • <i>Kukathi</i> • Timber • Handicrafts • Indigenous foods • Aromatic and medicinal plants • Collective Fisheries • Endangered Indigenous hub 	<p>Lands, forest and water based Entrepreneurship</p> <ul style="list-style-type: none"> • Collective fisheries • Wild vegetables • Wild fruits • Roots and tubers • Rice and other food grains • NTFP • Timber • Aromatic and medicinal plants • Handicrafts • Indigenous foods • Bee keeping • Indigenous foods • Highly Marginalized Indigenous hub 	<p>Lands, forest and water based Entrepreneurship</p> <ul style="list-style-type: none"> • Collective fisheries (Ghongi, Gangata, Sipi etc.) • Wild vegetables • Wild fruits • Wild and Indigenous rice and other food grains • NTFP • Timber • Aromatic and medicinal plants • Handicrafts • Indigenous foods • Bee keeping • Cultural tourism • Marginalized Indigenous hub 	<p>Lands, forest and water based Entrepreneurship</p> <ul style="list-style-type: none"> • Wild and Indigenous rice • Collective fisheries • Wild vegetables • Wild fruits • Roots and tubers • Rice and other food grains • NTFP • Timber • Aromatic and medicinal plants • Handicrafts • Indigenous foods • Bee keeping • Indigenous cultural/ Sports tourism • Disadvantaged Indigenous hub 	<ul style="list-style-type: none"> • Lands, forest and pasture based Entrepreneurship • Indigenous food grains (<i>Uwa, Fapar</i>) • Wild vegetables • Wild fruits • NTFP • Aromatic and medicinal plants • Indigenous foods • Patent rights of Thakali and Newari foods • Yak, Mountain goat and Lambs • Churpi and cheese made from Yak milk • Stool (<i>Mudha</i>) made from leather of mountain goats • Wild vegetables, fruits • Promotion of Shikthong juice • Jerky (<i>Sukuti</i>) • Woolen products (<i>Radi, Pakhi</i>, carpet, <i>Pashmina</i>) • Wildlife control • Indigenous cultural/Sports tourism • Advanced Indigenous hub
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	Allocate budget for economic empowerment of endangered Indigenous Women with top priority.	Allocate budget for economic empowerment of highly marginalized Indigenous Women with top priority.	Allocate budget for economic empowerment of marginalized Indigenous Women.	Allocate budget for economic empowerment of disadvantaged Indigenous Women.	Allocate budget for economic empowerment of advanced Indigenous Women in selected areas.
Modern Knowledge and Skill based Economic Empowerment					
Economic Empowerment Programmes	<ul style="list-style-type: none"> • Vegetable farming • Animal husbandry • Fisheries • Irrigation • Trade and business • Handicrafts • Nonformal education • Vocational training 	<ul style="list-style-type: none"> • Vegetable farming • Animal husbandry • Fisheries • Beauty parlor • Tailoring/Boutique • Vocational training 	<ul style="list-style-type: none"> • Vegetable farming • Animal husbandry with modern technology and hybrid methodology • Bee keeping • Trade Fair • Handicraft, tailor, vocational training • Collective fishery with modern technology • Tourism promotion & management • Adaption and mitigation from climate change 	<ul style="list-style-type: none"> • Vegetable Farming • Animal husbandry with modern technology and hybrid methodology • Bee keeping • Trade Fair • Handicraft, tailor, vocational training • Collective fishery with modern technology • Tourism promotion & management • Adaption and mitigation from climate change 	<ul style="list-style-type: none"> • English language speaking and writing training to deal with the tourists • Labeling and Packaging technology • Adaption and mitigation from climate change • Tourism promotion and management • Large scale cold storage and transportation of wild nut, apples, buckwheat, millet, etc.

III. Local Government					
	Endangered	Highly Marginalized	Marginalized	Disadvantaged	Advanced
	Customary Knowledge and Skill based Economic Empowerment				
Policy Change					
	Local level legislations that are in the process of making ensure customary use of forest resources for access to and use of forest, water, pasture and water resources leading to its ownership and control, and also meaningful participation in decision making at all levels, and establishment of FPIC mechanism.				
	Local level legislations that are in the process of making ensure customary use of forest resources for access to and use of forest (wild vegetables, wild fruits, herbs, wild root and tuber, bamboo, fodder, firewood, timber etc.), water (Fish, Ghongi, Paha, Sipi, Tite Machha etc.), wetland (Patiya, Mothi and other plants as raw materials for handicraft production) and pasture leading to its ownership and control, and also meaningful participation in decision making at all levels, and establishment of FPIC mechanism.				
	Amend and or bring new laws and policies to allow IPs women to produce and sell local liquors, i.e. Jand and Rakshi; and to label, standardize Jand and Rakshi and ensure its patent rights.				
Economic Empowerment Programmes	<p>Forest and water based Entrepreneurship</p> <ul style="list-style-type: none"> • Wild vegetables • Wild fruits • Roots and tubers • Rice and other food grains • NTFP • <i>Kulkath</i> • Timber • Handicrafts • Indigenous foods 	<p>Lands, forest and water based Entrepreneurship</p> <ul style="list-style-type: none"> • Collective fisheries • Wild vegetables • Wild fruits • Roots and tubers • Rice and other food grains • NTFP • Timber • Aromatic and medicinal plants 	<p>Lands, forest and water based Entrepreneurship (Ghongi, Gangata, Sipi etc.)</p> <ul style="list-style-type: none"> • Collective fisheries • Wild vegetables • Wild fruits • Wild and indigenous rice and other food grains • NTFP • Timber • Aromatic and medicinal plants • Handicrafts • Indigenous foods • Bee keeping • Cultural tourism • Marginalized indigenous hub 	<p>Lands, forest and water based Entrepreneurship</p> <ul style="list-style-type: none"> • Wild and indigenous rice • Collective fisheries • Wild vegetables • Wild fruits • Roots and tubers • Rice and other food grains • NTFP • Timber • Aromatic and medicinal plants • Handicrafts 	<p>Lands, forest and pasture based Entrepreneurship</p> <ul style="list-style-type: none"> • Indigenous food grains (<i>Jwa, Fapar</i>) • Wild vegetables • Wild fruits • NTFP • Aromatic and medicinal plants • Indigenous foods • Patent rights of Thakali and Newari foods • Yak, Mountain goat and Lambs

	<ul style="list-style-type: none"> • Aromatic and medicinal plants • Collective fisheries • Endangered Indigenous hub 	<ul style="list-style-type: none"> • Handicrafts • Indigenous foods • Bee keeping • Highly Marginalized Indigenous hub 		<ul style="list-style-type: none"> • Indigenous foods • Bee keeping • Indigenous cultural/sports tourism • Disadvantaged Indigenous hub 	<ul style="list-style-type: none"> • Churpi and cheese made from Yak milk • Stool (Mudha) made from leather of mountain goats • Wild vegetables, fruits • Promotion of Shivakthong juice • Jerky (Sukuti) • Woolen products (Radi, Pakhil, Pasmina) • Wildlife control • Indigenous cultural/Sports tourism • Advanced Indigenous hub
	Allocate budget for economic empowerment of endangered Indigenous Women with top priority.	Allocate budget for economic empowerment of highly disadvantaged Indigenous Women with top priority.	Allocate budget for economic empowerment of marginalized Indigenous Women.	Allocate budget for economic empowerment of disadvantaged Indigenous Women.	Allocate budget for economic empowerment of advanced Indigenous Women in selected areas.
Modern Knowledge and Skill based Economic Empowerment					
Economic Empowerment Programmes	<ul style="list-style-type: none"> • Vegetable farming • Animal husbandry • Fisheries • Irrigation 	<ul style="list-style-type: none"> • Vegetable farming • Animal husbandry • Fisheries • Beauty parlor • Tailoring/Boutique • Vocational training 	<ul style="list-style-type: none"> • Vegetable farming • Animal husbandry with modern technology and hybrid methodology • Bee keeping • Trade Fair 	<ul style="list-style-type: none"> • Vegetable farming • Modern husbandry with modern technology and hybrid methodology • Bee keeping 	<ul style="list-style-type: none"> • English language speaking and writing training to deal with the tourists • Labeling and Packaging technology

	<ul style="list-style-type: none"> Trade and business Handicrafts Nonformal education Vocational training 		<ul style="list-style-type: none"> Handicraft, tailor, vocational training Collective fishery with modern technology Tourism promotion & management Adaption and mitigation from climate change 	<ul style="list-style-type: none"> Trade Fair Handicraft, tailor, vocational training Collective fishery with modern technology Tourism promotion & management Adaption and mitigation from climate change 	<ul style="list-style-type: none"> Adaption and mitigation from climate change Tourism promotion and management Large scale cold storage and transportation of wild nut, apples, buckwheat, millet, etc.
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Development Partners (UN Agencies, Bilateral)					
	Endangered	Highly Marginalized	Marginalized	Disadvantaged	Advanced
	Customary Knowledge and Skill based Economic Empowerment				
Economic Empowerment Programmes	<ul style="list-style-type: none"> Support for policy formation & change Budget allocation Technical support Programme support Support for global market & promotion indigenous business hub 				
Policy Change					
	Policy change in line with UNDRIP, Convention number 169 of ILO and Outcome document of Commission on the Status of Women (CSW) 61, regarding economic empowerment of Indigenous Women.				
	Establishment of FPIC mechanism.				
	Meaningful participation of Indigenous Women at all level.				
	Targeted program to Indigenous Women.				

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http://www.un.org/ga/search/view_doc.asp?symbol=A/69/L.85&Lang=E

ANNEXES

Annex 1

Caste and ethnic population with detail of Indigenous Peoples' population by sex (Census of 2011)

S.N.	Caste/Ethnicity	Female	Male	Total
	Total	13,645,463 (51.50)	12,849,041 (48.50)	26,494,504 (100.00)
1	Bahun/Brahman (Hill)			3,226,903 (12.17)
2	Chhetri (Hill)			4,398,053 (16.59)
3	Sanyasi Dasnami			227,822 (0.85)
4	Thakuri			425,623 (1.60)
5	Hill Dalit			2,151,626 (8.12)
6	Madhesi Dalit			1,181,495 (4.45)
7	Dalit Others			155,354 (0.58)
8	Madhesi			3,916,235 (14.78)
9.	Terai Others			103,811 (3.91)
10	Muslim			1,164,255 (4.39)
11	Foreigner			6,651 (0.02)
12	Bangali			26,582 (0.10)
13	Punjabi/Sikh			7,176 (0.02)
14	Undefined Others			15,277 (0.05)
15	Indigenous Peoples	4,947,916 (18.67)	4,539,725 (17.13)	9,487,641 (35.80)

S.N.	Caste/Ethnicity	Female	Male	Total
15.1	Magar	1,013,317 (3.82)	874,416 (3.30)	1,887,733 (7.12)
15.2	Tharu	884,501 (3.33)	852,969 (3.22)	1,737,470 (6.55)
15.3	Tamang	794,962 (3.00)	744,868 (2.81)	1,539,830 (5.81)
15.4	Newar	679,581 (2.56)	642,352 (2.42)	1,321,933 (4.98)
15.5	Rai	326,097 (1.23)	293,907 (1.11)	620,004 (2.34)
15.6	Gurung	283,780 (1.07)	238,861 (0.90)	522,641 (1.97)
15.7	Limbu	206,796 (0.78)	180,504 (0.68)	387,300 (1.46)
15.8	Dhanuk	109,437 (0.41)	110,371 (0.41)	219,808 (0.82)
15.9	Sherpa	58,522 (0.22)	54,424 (0.20)	112,946 (0.42)
15.10	Bhujel	62,486 (0.23)	56,164 (0.21)	118,650 (0.44)
15.11	Kumal	63,671 (0.24)	57,525 (0.21)	121,196 (0.45)
15.12	Rajbanshi	58,831 (0.22)	56,411 (0.21)	115,242 (0.43)
15.13	Sunuwar	28,954 (0.11)	26,758 (0.10)	55,712 (0.21)
15.14	Majhi	43,005 (0.16)	40,722 (0.15)	83,727 (0.31)
15.15	Danuwar	44,129 (0.16)	39,986 (0.15)	84,115 (0.31)
15.16	Chepang	33,779 (0.12)	34,620 (0.13)	68,399 (0.25)
15.17	Sattar/Santhal	26,195 (0.10)	25,540 (0.09)	51,735 (0.19)
15.18	Jhangad/Dhangar	19,301 (0.07)	18,123 (0.07)	37,424 (0.14)
15.19	Gangai	18,603 (0.07)	18,385 (0.06)	36,988 (0.13)
15.20	Thami	14,758 (0.05)	13,913 (0.05)	28,671 (0.10)

S.N.	Caste/Ethnicity	Female	Male	Total
15.21	Dhimal	14,184 (0.05)	12,114 (0.04)	26,298 (0.09)
15.23	Bhote	7,047 (0.03)	6,350 (0.02)	13,397 (0.05)
15.24	Yakkha	12,896 (0.05)	11,440 (0.04)	24,336 (0.09)

Source: Adopted from Annex A-1, Population of caste/ethnicity by sex (Census of 2001) (Bhattachan 2008:108-113)

Annex-2

Primary and secondary occupation of respondent's family members by sex

Occupation	Primary occupation by sex			Total	Secondary occupation by sex			Total
	Female	Male	Sexual and gender minorities		Female	Male	Sexual and gender minorities	
Raute								
Customary hunting, gathering and fishing	16	10		26	0	5		5
Customary cultivation in own land	1	2		3	0	0		0
Own trade and commerce	2	3		5	0	0		0
Own customary cottage and small industry	23	37		60	3	6		9
Own middle scale industry	1	0		1	0	0		0
Daily wage work	1	6		7	0	0		0
Student	46	51		97	1	0		1
Daily wages	40	41		81	1	2		3
Employment in India	0	1		1	0	0		0
Domestic worker	13	2		15	5	1		6
Unemployed	4	6		10	24	19		43
Others (specify)?	23	24		47	55	60		115
Total	170	183		353	89	93		182
Percent	48.2	51.8		100.0	48.9	51.1		100.0

Majhi								
Occupation	Primary occupation			Total	Secondary occupation			Total
	Female	Male	Sexual and gender minorities		Female	Male	Sexual and gender minorities	
Customary hunting, gathering and fishing	3	0	0	3	0	1	0	1
Customary cultivation in own land	114	67	0	181	29	39	1	69
Modern agriculture in own land	18	8	0	26	38	37	0	75
Own customary livestock farming	0	5	0	5	89	49	0	138
Own trade and commerce	5	1	1	7	2	1	0	3
Own middle scale industry	0	0	0	0	1	0	0	1
Service work	1	1	0	2	0	0	0	0
Daily wage work	6	22	0	28	0	0	0	0
Permanent Government job	1	17	0	18	0	0	0	0
Temporary Government job	3	5	0	8	0	0	0	0
Temporary job in private sector	1	0	0	1	0	0	0	0
Permanent job in private sector	4	2	0	6	0	0	0	0
Temporary job in NGO	0	1	0	1	0	0	0	0
Politics	1	0	0	1	0	0	0	0
Daily wage work	0	0	0	0	1	7	0	8
Social service	0	1	0	1	0	0	0	0
Student	66	89	0	155	0	0	0	0
Daily wages	1	2	0	3	0	1	0	1
Employment in India	1	3	0	4	0	0	0	0
Foreign employment (Countries other than India)	2	7	0	9	0	0	0	0
Unemployed	5	0	0	5	0	0	0	0
Others (specify)?	2	9	0	11	67	99	0	166
Total	234	240	1	475	227	234	1	462
Percent	49.3	50.5	0.2	100.0	49.1	50.6	0.2	100.0

Tharu								
Occupation	Primary occupation by sex		Sexual and gender minorities	Total	Secondary occupation by sex		Sexual and gender minorities	Total
	Female	Male			Female	Male		
Customary hunting, gathering and fishing	2	0		2	0	1		1
Customary cultivation in own land	68	47		115	0	2		2
Modern agriculture in own land	0	0		0	0	1		1
Own customary livestock farming	0	0		0	3	0		3
Own trade and commerce	9	10		19	0	3		3
Own modern cottage and small industry	2	0		2	0	0		0
Daily wage work	7	46		53	1	0		1
Permanent Government job	6	8		14	0	0		0
Temporary Government job	0	0		0	1	2		3
Temporary job in private sector	0	4		4	0	1		1
Permanent job in NGO	0	0		0	0	1		1
Social service	0	0		0	2	0		2
Permanent job in private sector	6	6		12	0	0		0
Foreign employment (Countries other than India)	1	22		23	0	0		0
Student	77	66		143	2	2		4
Daily wages	3	8		11	0	2		2
Domestic worker	52	4		56	65	7		72
Bonded laborer	0	0		0	1	0		1
Unemployed	6	4		10	0	1		1
Other	10	12		22	87	104		191
Total	249	237		486	162	127		289
Percent	51.2	48.8		100.0	56.1	43.9		100.0

Yakha							
Primary occupation	Primary occupation		Total	Secondary occupation		Total	
	Female	Male		Female	Male		
Customary hunting, gathering and fishing	2	0	2	0	2	2	
Customary cultivation in own land	48	51	99	3	1	4	
Modern agriculture in own land	79	72	151	35	35	70	
Own customary livestock farming	0	0	0	49	37	86	
Own trade and commerce	5	3	8	10	9	19	
Permanent Government job	0	1	1	0	0	0	
Service work	2	0	2	0	1	1	
Own modern cottage and small industry	0	0	0	0	2	2	
Temporary Government job	0	1	1	0	0	0	
Own middle scale industry	0	0	0	1	1	2	
Permanent job in private sector	2	2	4	0	2	2	
Student	70	58	128	3	1	4	
Daily wages	0	0	0	1	0	1	
Lahure	0	3	3	2	6	8	
Foreign employment (Countries other than India)	4	15	19	0	8	8	
Domestic worker	0	0	0	3	2	5	
Unemployed	0	0	0	0	1	1	
Other	0	2	2	96	92	188	
Total	212	208	420	203	200	403	
Percent	50.5	49.5	100.0	50.4	49.6	100.0	

Thakali								
Occupation	Primary occupation			Total	Secondary occupation			Total
	Female	Male	Sexual and gender minorities		Female	Male	Sexual and gender minorities	
Customary hunting, gathering and fishing	2	0	0	2	0	0	0	0
Customary cultivation in own land	41	31	0	72	22	15	0	37
Modern agriculture in own land	2	1	0	3	3	1	1	5
Own customary livestock farming	0	5	0	5	4	4	0	8
Own trade and commerce	39	27	1	67	6	9	0	15
Service work	1	3	0	4	0	0	0	0
Own big industry	0	0	0	0	0	1	0	1
Own middle scale industry	1	2	0	3	0	0	0	0
Daily wage work	1	1	0	2	0	0	0	0
Permanent Government job	3	5	0	8	0	0	0	0
Temporary Government job	1	1	0	2	0	0	0	0
Temporary job in private sector	1	0	0	1	0	0	0	0
Permanent job in private sector	1	0	0	1	0	0	0	0
Politics	1	1	0	2	0	0	0	0
Social service	0	1	0	1	0	0	0	0
Student	43	58	2	103	0	0	0	0
Lahure	0	4	0	4	0	0	0	0
Foreign employment (Countries other than India)	10	9	0	19	0	0	0	0
Unemployed	11	5	0	16	0	0	0	0
Others	8	5	0	13	10	4	0	14
Total	166	159	3	328	45	34	1	80
Percent	50.6	48.5	0.9	100.0	56.3	42.5	1.3	100.0

Annex 3

Web link addresses related to Constitution, laws, policies, directives and procedures highlighted in table 13

with*

<http://www.lawcommission.gov.np/en/documents/2016/01/constitution-of-nepal-2.pdf>
<http://www.lawcommission.gov.np/en/documents/2015/08/aquatic-animal-protection-act-2017-1960.pdf>
<http://www.lawcommission.gov.np/en/documents/2015/08/lands-act-2021-1964.pdf>
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<http://www.lawcommission.gov.np/en/documents/2015/08/forest-act-2049-1993.pdf>
<http://www.lawcommission.gov.np/en/documents/2015/08/water-resources-act-2049-1992.pdf>
<http://www.lawcommission.gov.np/en/documents/2015/08/soil-and-watershed-conservation-act-2039-1982.pdf>
<http://www.lawcommission.gov.np/en/documents/2015/08/environment-protection-act-2053-1997.pdf>
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<http://lbfc.gov.np/content/local-body-resource-mobilization-and-management-procedures-2069>

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http://parliament.gov.np/lpsn/public/np/bills?bill_type=2&find_bill_by=bill_type

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<http://dcsi.gov.np/backend/web/file/8752115260682de05f4bb6634fc7beaa4d13d94b8.pdf>

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http://medep.org.np/index.php?page=pub_details&id=117

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http://www.pafnepal.org.np/uploads/document/file/FinalEngBroserPAF_20161019023524.pdf

ABOUT THE BOOK

“While acknowledging the diversity of the indigenous peoples across Nepal, it is also important to promote a unified approach to their empowerment, and how to best to tailor the issues and provide support. If there is a greater “coming together” momentum, then it will be easier to implement policy changes that can support the economic empowerment of women in the indigenous communities.

I am confident this study on the “**Economic empowerment of indigenous women in Nepal**” will help different stakeholders ensure no one is left behind or overlooked in the country’s efforts to achieve the Sustainable Development Goals. There are several positive ways by which women’s role in the economic development of indigenous peoples can be promoted, while still maintaining local culture and traditions.

I also hope that through this publication, there will be a clearer indication of the importance of indigenous women and their economic prosperity, and further concrete actions can be initiated by all three tiers of government and other stakeholders in Nepal.

I wish to congratulate the National Indigenous Women’s Federation for their leadership in taking this initiative forward and thank the Indigenous Women’s Legal Awareness Group and the National Indigenous Women Forum for their support in the study.

UNDP is committed to continuing its support towards gender empowerment and inclusion for the indigenous peoples of Nepal, to fulfil their economic rights and as a pathway to achieving the Sustainable Development Goals.”

Renaud Meyer

Country Director, UNDP Nepal

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