बाँच्न पाउने अधिकारको आधार: खाद्य अधिकार

FIAN Nepal

RIGHT TO FOOD MOVEMENT IN NEPAL:
JOURNEY OF A DECADE

Imprint

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Contents

Foreword	5
Message from FIAN International	7
Background	9
10 Years of Advancing the Human Right to Adequate Food and Nutrition	10
FIAN Efforts on RtF in Nepal	12
Increasing Realizations towards Right to Food: Exemplary cases	14
Constitution and other related laws guaranteed Right to Food	25
National Parks and Wildlife Conservation Act Amendment	27
Food Security Situation in Nepal: Policy Perspective	29
District Food Security Plan	32

Foreword

Nepal is a state party of International Covenant of Economic, Social and Cultural Rights (ICESCR) 1966 and many others treaties of United Nation. Although, these treaties and covenents, which are explicitly related with people's occupations and livelihood, are cosidered from human rights, however, are yet to realized at the macro level.

Poverty, hunger and malnutrition still persists in Nepal. Many communities have to live under right to food vulnerability. So as the establishment of FIAN Nepal has rationale for the protection and promotion right to food in Nepal and continue activities from policy level to grassroots and vice versa. Having a vision of "Hunger free Nepal" is not achievable by its own solo effort. It is a collective efforts from all like-minded government and non government institutions for progressive and/or full realization of right to food. FIAN Nepal has been lucky enough to have the collaboration and cooperation from like-minded institutions and individuals to translate its dream into reality.

We cannot forget those persons who had been involved actively for the establishment of FIAN Nepal. On behalf of FIAN Nepal, I would like to thank from the bottom of my heart for their tireless efforts. Moreover, FIAN International's contribution then and on is highly appreciable. On this ouspicious event, we would also like to thank our financial co-operation partners for supporting us to continue towards what we want to achieve. Our advisors, executive committe members, general members, staff and all well wishers are appreciated and acknowledged.

We look forward the same cooperation and collaboration in future and join our hands for every individual can fully enjoy and realize the right to food.

Ammar Bahadur Air
Chairperson, FIAN Nepal

Message from FIAN International

"Every FIAN member contributes her or his own story. At FIAN International, we are constantly telling stories. Each FIAN case is a story of people: suffering, struggling and hoping for the full realisation of the human right to food."

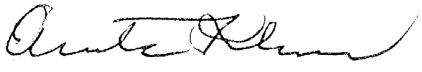
This passage was written by one of the founders of FIAN International 31 years ago, in 1986. In my view, every FIAN section is like a jewel in a crown: it is an essential part for the building and functioning of a human rights organization that operates worldwide.

FIAN Nepal has supported the struggle for ten years, thereby brightening its jewel in our collective crown. It has greatly contributed to making the struggle visible and vibrant.

On behalf of FIAN International, I express my sincere appreciation to all FIAN Nepal members who, during 10 years, made this happen. They have devoted their energy, time and passion to the realization of the human right to food and nutrition.

We are looking forward to the International Council meeting this autumn, which FIAN Nepal will be hosting. What a worthy task to commemorate 10 years of dedication to human rights.

I congratulate you on your journey and look forward to following your tenacious work for the people and its human rights in the coming years.



Anita Klum
President, FIAN International

Background

Human Rights often undermined in Rana and Panchayat Regime. People's protest in 1990 was an important breakthrough to change political system from single-party to multi-party democracy. There after, Nepal has become a state party of many international human rights instruments like UDHR, ICESCR, ICCPR, CEDAW and since then, human rights considerably discussed among many fora. Many non governmental organizations were registered to deal with the issues pertaining human rights. Despite, right to food was neither the priority of those human rights oranizatios nor the government.

People's livlihood under poverty, illeteracy, hunger, malnutrition, natural disasters were not considered from human rights and ESC rights perspective. Rather, believed as their own fate and they continue to suffer. Right to Food was first discussed in Nepal during 2004 when FIAN International and its India Section organized an interaction meeting in Kathmandu. The meeting aimed to establish FIAN section in Nepal at that time. However, it was not happened as expected.

The effort re-initiated by Mr. Hikmat Thapa, the then General Secretary of Amnesty International Nepal in 2005. Sabine Pabst from FIAN International visited Nepal frequently to conduct workshops, meetings on right to food. This second effort was able to establish office in Kathmandu and formulated statute for official registration process. FIAN International's Nepal Chapters were formed like Kathmandu Group, Bhaktapur Group, Lalitpur Group, Kailali Group, Chitwan Group, Pokhara Group and Biratnagar Group. The groups organized a signature campaign to provide land and other fundamental facilities agreed by the government for 474 Freed Haliya Families of Tikapur which was later submitted to the Prime Minister on the occasion of 56th International Human Rights Day. At that time, FIAN International expanded membership to the individuals who were willing to join the ritht to food movement. For them, orientation on Right to Food was also organized. A wider multi-stakeholder workshop for the members, human rights activitsts, representatives of Trade Unions was also organized at the same time. After that, the then President of FIAN Nepal participated in a Fact Finding mission jointly organized by FIAN India and FIAN Norway in Uttar Pradesh and Uttaranchal of India. A bulletine named **"FIAN Voice"** also published to disseminate the activities of FIAN Nepal and the issues of right to food in Nepal in every 2 months, however, the bulletine was not continued after few issues published. Even after all those efforts, FIAN Nepal was unable to get offical registeration and continuation.

Later, a meeting of Ms. Sabine Pabst of FIAN International and Ms. Basudha Gurung of Organization Development Center (ODC) in 2007 once again raised a hope to establish FIAN in Nepal. Their meeting agreed to design a concept note on the issues of right to food violations in Nepal. Later, the concept note was prepared in support of Narad Prasad Sharma and Ammar Bahadur Air of Sahakarmi Samaj, an NGO working for the communities of mid and far west region. The concept note acquired a short term projet from EED, now known Bread for the World (BfdW), Germany, to work on the right to food violation issues of 6 VDCs of Banke created by Laxmanpur Dam, India. The project holder was Sahakarmi Samaj in technical support of ODC. That was the first project initiated. The project also aimed to establish FIAN in Nepal with institutional development and formation of right to food network in Nepal. Similarly, a Fact Finding Mission was organized in April 2007 in mountain district Jumla, hill district Acham and Terai district Siraha which was supported by Rights and Democracy, Canada and facilitated by ODC. The fact finding mission team was comprised of National delegates were from Lutheran World Federation Nepal, ANPFa, Action Aid Nepal, NEFIN, INSEC, RRN and CSRC whereas International delegates were from Rights and Democracy, Canada, FIAN International, Germany, International Indian Treaty Council, USA, Action Aid, Malawi. The findings of the mission was then shared in a workshop where Agriculture Minister Hon. Mr. Chhabi Lal BK was the Chief Guest. Right to food got momentum on many discussions.

The short term project was later taken further in collaboration with YAC Nepal, an NGO of Kailali. A common forum of human rights organizations working for the livelihood of people was established in July 2007 which was named national network for right to food. Representatives from human rights organization and Nepalese members of FIAN International formed an ad-hoc committee in 2008 which officially registered FIAN in Nepal. It was registered in District Administration Office, Kathmandu and Social Welfare Council in 2008 as well as recognized as National Section of FIAN International. After the official registration, right to food issues had taken speed up and since then FIAN Nepal is working on right to food violation issues i dentification, cases documentation, analysis from human rights and legal perspective, capacity strenthening of vulnerable communities to claim their rights, policy advocacy for the promotion, protection and progressive realization.

10 Years of Advancing the Human Right to Adequate Food and Nutrition

Sabine Pabst
Asia Coordinator,
FIAN International

I still remember one of my early visits to Nepal in 2007. Ten years of armed conflict had come to an end, the Comprehensive Peace Accord had just been signed, and monarchy was finally abolished. Land Reform had come back under the spotlight, resulting in cross-party commitments to implement land reform and end feudalism. Just a couple of weeks back, on January 15 that same year, the Right to Food and Food Sovereignty had been constitutionalized as fundamental rights in the Interim Constitution of Nepal.

For a member of the international human rights community, these were extraordinary moments in history not witnessed in many countries. My colleagues and I were all thrilled by the thought of the many possibilities for further advocacy and opportunities that lay ahead of us.

At that time, FIAN International co-organized an "Orientation Workshop on the Right to Food" in Kathmandu. Major objectives of the workshop were to create awareness and increase understanding aboutthe human rights approach with special focus on the right to food, to exchange experiences and perspectives on right to food related issues in Nepal, to acquire knowledge on documenting cases of right to food violations, and to initiate collaborative effort towards strengthening the right to food in Nepal.

For many of the participants the concept of the right to food was rather new. Media coverage about human rights violations were usually focused on civil and political rights. Even reports about malnutrition and hunger rarely mentioned a relation to human rights. Talking about the right to adequate food as a human right was unfamiliar for most representatives of civil society.

Participants of the workshop vividly shared their experiences about situations where right to food violations were occurring in Nepal. In some of these issues, FIAN Nepal got involved later and supported the struggles of affected communities, of which quite a few were able to achieve their demands. Other cases, like the case related to the implications of the Indian Laxmanpur Dam on the livelihood on residents in Banke District (where this year's flood again led to dramatic consequences), still require sustained advocacy.

Early attempts to establish FIAN in Nepal date back to the early 2000s. But it was only in 2007 when things moved fast - after the successful completion of an international Fact Finding Mission on the Human Right to Food in Nepal, of which key findings were used for a submission to the 38th session of the UN Committee on Economic, Social and Cultural Rights (CESCR) in Geneva.

In 2008 FIAN Nepal was recognized as a section of FIAN International. In the years to come FIAN Nepal took part in submissions of parallel reports not only to the Committee on Economic, Social and Cultural Rights (CESCR) but also to the Committee on the Elimination of Discrimination Against Women (CEDAW), the Committee on the Rights of the Child (CRC), and the Universal Periodic Review (UPR), piloted the work on the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT) in Nepal and fostered regional exchange with neighboring FIAN sections and groups. FIAN Nepal's work is covering a broad array of topics: climate change, food aid, extra-territorial states obligations, justiciability, access to natural resources (land, water, forest), rights of women and marginalized communities like indigenous people and Dalits, and others.

Within a relatively short time span of ten years FIAN Nepal has developed into one of FIAN's strongest sections worldwide and is now being recognized as a leading national organization working in Nepal.

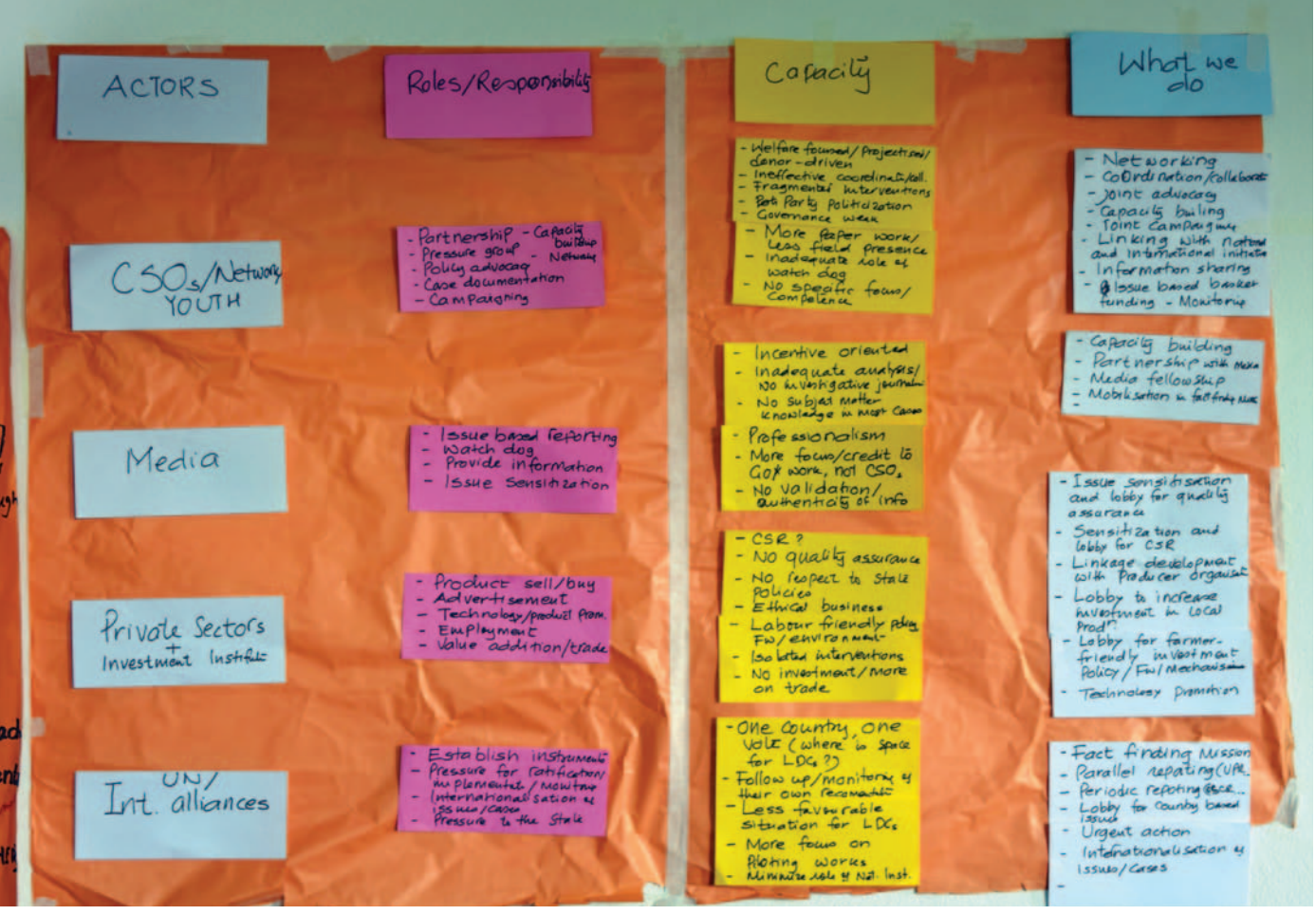
FIAN Nepal has supported numerous communities in

different parts of Nepal to identify and recognize their right to food violations, to address and to struggle towards justice and contributed considerably to realizing their rights. Within these ten years, the right to adequate food and nutrition got mainstreamed in Nepal. Media is frequently taking up right to food related topics, and many civil society organizations have incorporated right to food related activities in their policies and programs.

The right to food is recognized as a fundamental right in the constitution of 2015, and a right to food law is under way. The National Human Rights Commission is increasingly investigating cases of right to food violations, and has recently endorsed a Right to Food Monitoring Framework. Food Security Plans are being developed from a right to food perspective. In all these processes FIAN Nepal has played an indispensable role.

This amazing development was possible through a combination of dedication, commitment and expertise of some key founding members of FIAN Nepal, who were driving the process in the beginning, an extremely structured and professional approach coupled with the mobilization of solid financial resources, networking and cooperation with both civil society, and representatives of the government and government institutions. Their efforts have been supported through a rather conducive political environment, where, in spite of frequent stand stills, lack of accountability and delays and non-implementation of policies and programs, a joint sense to work for a better and just society could be felt in many situations.

We all know that in Nepal, like in many other parts in the world, hunger and malnutrition are still a reality for many. May the achievements and progress of the past years encourage and motivate FIAN International as a whole organization to continue our mission towards securing people's access to the resources that they need in order to feed themselves, now and in the future.



FIAN Efforts on RtF in Nepal

Nepal, the Kingdom of Himalayas, is one of the richest county in natural resources and cultural diversity. There are more than 6000 rivers, 123 ethnic communities and 126 languages. However, complex socio-cultural structure form discrimination in Nepal. Poverty is cited as one of the key factors affecting Nepalese families in their efforts to achieve adequate food and nutrition in Nepal. Although, hunger and malnutrition are not only the result of poverty and inadequate food, but also due to the lack of access over food for all.

Nepal is still largely an agrarian country where majority of rural people depend on subsistence farming for their livelihood. However, the majority of farmers do not get sufficient food from their own production due to low productivity, unfavourable weather conditions and small and poor quality of land holdings. Alternative sources of income and livelihood are also non-existent, which severely limits these farmers' capacity to purchase food from alternatives sources. This has led to disenchantment towards agriculture as a profession in general causing an increasing trend of migration of the working class youth to urban areas and outside the country in search for better livelihood opportunities. For the population that is left behind, which happen to be mostly women, children and the elderly, social exclusion and marginalisation also result in insufficient and insecure access to productive and natural resources for livelihood, in particular land along with landlessness and evictions.

Considering these circumstances, FIAN Nepal, as a human rights non-governmental organization, focuses within the dimension of Right to Food concept with scope for working towards establishing food sovereignty. Using the Right to Food framework, FIAN Nepal can influence change and contribute in creating progressive and positive outcomes in two specific domains; a) Duty bearer and b) Right Holders followed by human rights principles. The uniqueness of FIAN Nepal is case-based approach where the steps involved; a) right to food

issues identification, investigation, documentation and legal analysis; b) strenthening the capacity of vulnerable communities to empower them to make able to claim their rights; c) networking and collaboration with like-minded organizations for the movement; d) policy advocacy, lobby, campaign at all levels to sensitize duty bearers; and e) knowledge generation for evidence based advocacy. FIAN Nepal raised right to food issues based on five thematic areas 1) access to and control over natural and productive resources; 2) social protection and nutrition; 3) public policy and accountability; 4) extraterritorial states obligations (ETO); 5) climate change and disaster response.

Main efforts have been made for qualifying caseworks i.e. right to food violation issues identification, investigation, detail case documentation, legal analysis and facilitate the vulnerable communities to formulate their own strategies. FIAN Nepal has been providing orientation, trainings for them to be organized, capacity development to lead their issues by themseves and intiate advocacy actions to claim their right to food. So far, 75 RtF violations cases have been identified and documented whereas 32 cases adopted as casework and among them 10 right to food vulnerable communities are succeeded to claim their core demands.

FIAN Nepal also join hands with Civil Society Organizations (CSOs), media persons and like-minded organizations for collective advocacy. Initially, many people thought that FIAN is one of the food aid organizations that distributes food in community rather than human rights organization advocating right to food issues. The same mindset also prevailed among the government authorities. However, gradually, FIAN Nepal has become a pioneer human rights organization working on right to food. FIAN Nepal has colloborated with different human right based organization to create pressure to address right to food issues. Similarly, FIAN Nepal extended work through continued focused and support on formation and institutionalize right to food networks at National level as well as district level. 15 District level right to food network actively engaggin on issues raising, monitoring and pressurizing the government line agencies to be accountable on right to food whereas policy advocacy for right to food collectively with National Network on Right to Food and other like-minded organizations at National level.

FIAN Nepal also playing instrumental role to mainstream the right to food in Nepal through policy advocacy collectively with Civil Society Organizations. Right to Food in the constitution, 2015 was a remarkable achievement for all of us. FIAN Nepal also supporting and creating pressure for right to food bill and formulation and amendments of right to food related

laws/policies in line with the constitution. Various consultative workshops, trainings were organized to sensitize and create awareness among the government officials which were highly contributed to Zero Hunger Challenge Initiatives in the country as well as Sustainable Development Goals. FIAN Nepal also supported Sonoha indigenous community and destitute people seeking judicial remedies through the public interest litigation (PIL) to ensure their rights. Similarly, FIAN Nepal convinced local level government agencies in order to incorporate the demands of the communities in their plans and programs towards addressing their rights.

Not only these, FIAN Nepal also created pressure for ensuring states accountability through international lobby/advocacy with support of FIAN international. For example, under UN Mechanism; CEDAW reporting, UPR reporting, ESCR reporting, etc. Also, urgent actions, international research and fact finding missions, participation on international forum related to right to food issues like land, women, peasants' rights were helpful for international lobby advocacy.

Moreover, FIAN Nepal has been generating evidences through research studies for evidence based policy advocacy. For example, food aid study, seed policy study, climate change, access to natural resources, ETO related RtF, violation issues in Indo-Nepal Border Area, small farmers and Agriculture Development Strategy, RtF status of Indigenous people in buffer zone areas. As an outcome, with the collective effort from all, right to food has been included as a fundamental rights in constitution in part three in article 36.

All in all, ensuring right to food in Nepal was not possible only through FIAN Nepal's efforts. Advocacy actions of Vulnerable Communities, partnership and pressure of Civil Society Organizations and progressive realization of state has made it possible collectively to mainstream right to food in Nepal. There is still more efforts needed for sustainable movement in order to implement constitutional provisions, policies and monitoring of right to food to be enjoyed by every individuals.

Increasing Realizations towards Right to Food: Exemplary cases

ACCESS TO AND CONTROL OVER NATURAL & PRODUCTIVE RESOURCES: KEY OF RIGHT TO FOOD

Land entitlements improved livelihood of Gandharba Community

The landless, voiceless Dalit Gandharba community of Bardiya district, who used to depend on other elite communities for their living, becomes the owner of land and house. The community members are engaged in various income generating activities; entrepreneurship, agriculture, social service, and many others. Adequate income has ensured a standard life style, quality education for children. Their community hall is a museum, which reflects their history, tradition, and culture. Few years back, the community was experiencing a disdainful life with discrimination from the society and the state. But now, there is a remarkable transformation. Their village has become a model village for all.

In the year around 1995, 38 households of this community were resettled in the bank of Mankhola River with few pieces of land provided by Nepal Government through Landless Commission. Unfortunately, those lands were gradually eroded by the River. Lands, that left were captured by other elite communities depriving their tenure rights. Their only source of income was to showcase their musical talents to entertain people with their traditional instrument, i.e. Sarangi, and singing message oriented patriotic songs from village to village, which was at risk of extinction due to modernization in music and culture. Occupation displacement, lack of land entitlement, poverty, low awareness, social discrimination accumulated food insecurity to the community.

Gandarva Community entitled land ownership and received permanent houses under People's Housing Program from Nepal Government.

FIAN Nepal has taken this issue since 2011 from their right to food perspective. Gradually, the community became aware to identify the violation of their rights, organized and initiated to lead their issues by themselves. The community built up their self-confidence to express their issues and demand in front of government authorities and concerned stakeholders from local to national level and thus able to claim their rights.

Tireless efforts bring change - Dilip Gandharba

We are able to experience positive changes in our community. Our forefathers used to live nomadic life playing Sarangi and singing song as the main source of livelihood. We had always struggled for adequate food and shelter. The livelihood further disdainful due to discrimination we faced from society and the state as beggar and dalit.

Our human development is the key of our success which FIAN Nepal filled into us. FIAN Nepal supported our struggle. Then after our social, economical and cultural status improved. The perception of the society and the state towards us is gradually changing. Our learning from the struggle is "nothing is impossible" in unity that we also deliver to other communities.

Still we have to go for more. State shall recognize and respect our traditional occupation and provide a platform to conserve and promote.

Sahakarmi Samaj, an NGO working for their holistic development in support of DF Norway, expressed happiness to observe improvements in the community. Mr. Champha Singh Bhandari said, "We are supporting the community for their cultural preservation and promotion. We provided them skill development training to continue their culture as a profession. Municipal Development Office of Bardiya also supporting them. Now they are united and organized as Gandharba Development Society. This organization working for their social welfare and upliftment".

36 households of the community entitled the ownership of land and some of them initiated their own private business. A significant social change seen in the community after land entitlement. They continuously demanded land ownership certificate. Eventually, District Land Revenue Office granted ownership certificate and they are benefitted. Mr. Bishnu Timilsena, Coordinator of District Right to Food Network of Bardiya said, "FIAN Nepal established the land right issue of Gandharba community. Additionally, shelter and occupation displacement issues have taken a discourse among the stakeholders. The community now continuously receiving programs and services like road facility, electricity facility, business loan, etc. from government agencies as well as income generation training, programs from NGOs and INGOs. District Right to Food Network also supports and keep support lobby/advocacy to address their issues."

Nepal Government's **"People Housing Program"** is focused to provide housing facility for the community. 27 permanent houses are already handed over to the community whereas 20 houses are under construction. Now they are residents of Bardiya.

Resotoration of Right to water for irrigation increased agriculture production of Kumal Community

A flat range of productive land, greenery everywhere, Chhoti Gandaki River in the south and Budhi Gandaki River in the North. A beautiful place, theresidence of Kumal community. Seasonal vegetables are the main source of their income and another agriculturalproduceis the means of food security. However, this community deprived to access of water for irrigation for 10 years.

The water canal for irrigation was diverted by another nearby community of Majuwatar and thus the poor community was compelled to live under food insecurity due to lack of adequate water for irrigation. The community people then had to work as low waged labor in others agriculture field leaving their own fields barren.

Top Narayan Shrestha, JCDS

Jagat Jyoti Community Development Society (JCDS) was working on Kumal Community of Pipaltar in collaboration with UMN Nepal. The community was not able to produce adequate agriculture production despite of enough land they had. The main reason behind this was lack of irrigation water. At that time District Food Security Network was formed in Dhading where JCDS is also a member. In a discussion meeting, we raised this issue among the network members. Fortunately, FIAN Nepal also initiated its program focusing Dhading district from right to food perspective. The issue we had raised was adopted by FIAN Nepal and initiated to work with the Kumal Communities from right based approach. Eventually, the community is able to restore their rights of water for irrigation and now producing agriculture production for their better livelihood.

FIAN Nepal took this issue as casework in 2010 when this issue was raised by Dhading district right to food network. The Kumal community then able to raise their voice. In joint meetings with Majuwatar community, the Kumals strongly put their demands. At the same time, Chief District Officer facilitated negotiation process and agreement for water distribution whereas District Development Committee provided NRs. Eight hundred Thousand for therenovation of irrigation canal.

After restoration of right to water for irrigation, the Kumal Community harvesting agricutural production annually.

Gunja Bahadur Kumal, a member of the community, said, "We used to buy vegetables from themarkets, now we sell vegetables in the same market. We are earning a good amount from our seasonal vegetables". Alike Mr. Gunja Bahadur, Hari Bahadur Kumal, Surya Bahadur Kumal, Dol Bahadur Kumal, Ramji Kumalalso earning more than 40 thousand rupees in a season from vegetables.
Mr. Thakur Kumal said, "The reasons behind our success are FIAN Nepal and Jagat Jyoti Community Development Society (JCDS). FIAN Nepal made us aware on our rights

Fulmaya Kumal, President of Kumal Community

We were voiceless, poor and unaware on our rights and right to food. We were unable to oppose the diversion of irrigation canal by Majuwatar community. They also reluctant to listen our voice. We are very thankful to FIAN Nepal who facilitated dialogue between two communities. We are able to understand that our right was violated and Majuwatar community realized their mistake. Ultimately we are able to negotiate for water distribution between the communities. Now we are getting water for irrigation as per the agreement and we continued our agriculture.

and JCDS provided us technical skills of farming. When our rights of water for irrigation restored after ten years and with technical knowledge, we are producing vegetables, potato, maize, wheat, etc. With our products and the incomes, now we don't have the problem with food."

The community initiated to save money from their incomes in their own cooperative which is used in rotation basis when they need for their other needs like clothes, medicines, education, etc. The clean green settlement, healthy life, and smiley faces indicate that their way of life is improving.

Justice through judiciary mechanism: Supreme Court legitimates right to food of Sonaha Community

Buffer zones of protected areas are habitat about a third of thetotalpopulation who are mostly indigenous people and their livelihood depend on the natural resources like land, water, and forest of the protected areas. When protected areas were not declared, people were there and had adequate access to them using their own traditional knowledge and skills along with the great sensitivity of conservation of the resources for their future generations. But since when protected areas are declared, their access to the resources was limited and their livelihood severely affected. Sonaha community is one of them.

Very few population, around only 1200, of Sonaha community, residing mid and far west region, has their own culture, language, tradition, and their own life style. Although they have some similarity with Tharu community but claim to be adifferent ethnicity than Tharus. Their traditional occupation was gold panning and fishing with their own unique and traditional knowledge and skills which were gradually endangered and displaced. The community used to catch fish in Karnali River which passes through Bardiya National Park including collect gold in the bank of the river. Due to very strict National Park Act, the community was restricted to enter in the National Park area and thus, declared illegal entrance to the National Park and punished.

The struggles of the community were progressed after FIAN Nepal initiated to work with them. They were not only organized but has also been able to demand the assurance of their livelihood including the protection of their traditional occupation with the concerned government officials from local to central level.

Kaushila Sonaha, Community RtF Promoter

We were deprived on the resources of government like scholarships and other reservations due to we were not listed as endangered indigenous. Education has also been our dream. Now we are in the process of enlisting after court decision. This has proved that continuous struggles bring success. We were also unaware that local government allocates budgets for the communities like us. Now we are getting funds for income generation trainings.

Sonaha community is in the process of entitling their own identity after a decision made by Supreme Court. Once they are entitled and listed as endangered indigenous, the community will receive government social security scheme, other benefits including access to Bardiya National Park as provisioned by law. The community

A member of the community collecting gold processing sand in the bank of Karnali River.

FIAN Nepal with Sonaha Community during monitoring visit in 2016.

is now able to organize to put their demands strongly with national park authorities as well as concerned government authorities. The Bardiya National Park is providing them income generating training and programs for the sustainability and improved livelihood.

The fifth amendment of National Park and Wildllife Conservation Act in 2017 has provisioned the access to natural resources of people living in bufferzone like Sonaha Community for their livelihood.

EXTRA-TERRITORIAL STATES OBLIGATIONS (ETO): PEOPLE HAVE HUMAN RIGHTS BEYOND THE BORDERS

Human rights and right to food are not only limited within a state's boundary, it is beyond. Activities within a territory may violate human rights and right to food of the people living in another country. This mostly happens to neighboring countries. Nepal has geographical and cultural proximity to India and thus has acultural relationship and brotherhood friendship with India. Along with, both countries share open border throughout the boundary. Thus, many human rights violations persist in the border area. For example, construction of barrages and border security roads in India are affecting many Nepalese citizens. Likewise, wild animals of Indian National Parks and border security road constructed by India nearby the **"No Man's Land"** are threatening the right to food of Nepalese people. Therefore, Government of India is obliged to respect and protect the human rights of Nepalese citizens.

Rapti River annually affects population over 50 thousand living in the border area of Banke district. When it comes to its worst nature, it does not only destroy people's properties but also takes the human lives and livestock. It sweeps away stored foods, damages agriculture land and disturbs the way of life for many months. This is only because of Laxmanpur Barrage and Kalkalwa marginal afflux constructed by India near to Nepal. The affected people used to think that the sufferings are the curse of nature due to their destiny and there was no option than to wait for rescue and relief during the flood. Many years passed the same way.

Laxmanpur Dam affected people takes temporary selter in the road during heavy floods displaced them from their house.

Mr. Jagadish Bahadur Singh, President of Laxmanpur Dam Struggle Committee, remembers the days back, "We were unaware that the sufferings were due to the blockage of Rapti River by Laxmanpur dam and Kalkalwa afflux constructed by India. We didn't know that Government of India was violating our right to food. When FIAN Nepal oriented us, then we came to know that it is not due to our fate, rather it is a man made problem we are facing since many years. Then we decided to struggle for our rights".

After series of struggles from local to national level, Nepal Government initiated to response on this issue. In spite of the emergency rescue and relief during the flood, the

Raj Kumar Shukla, Secretary, Laxmanpur Dam affected Struggle Committee

Our problems are now considerably sought by the officials of Nepal Government. It has taken a national discourse among political parties, Members of Parliament as well as Ministerial level. Efforts are made, however not enough to protect our right to food. A permanent solution should be guaranteed. We have still to go long and our struggle continues.

Mr. Rabi Lal Panthi, Former Chief District Officer, Banke

The Government of India constructed Laxmanpur Barrage in 1980 and its supplement Kalkalwa Afflux in 2000 nearby no man's land. The afflux is still on expansion as Border Security Road which will cover 1751 kilometer throughout the border of India and Nepal. These two structures are the main reason to inundate Nepalese land in monsoon season during flood and cause devastation. However, Government of Nepal is more accountable to safeguard its citizens during disaster. We focus on disaster preparedness before monsoon and provide emergency rescue and relief as and when necessary. We are providing the affected communities a temporary shelter in community forests and also provide an appropriate way out for them to return their houses. Nepal Government recently announced compensation to the affected families to reconstruct their houses.

government agencies always in favor of the demand of the affected communities. Installment of early warning system, temporary resettlement, embankment construction to safeguard villages, compensation to reconstruct the damaged houses are some remarkable efforts. National and International campaigns like Fact Finding Mission in 2012 and a Research Mission in 2016, urgent actions and appeal letters highlighted the issue at International level. German Parliamentarian Member Mr. Klimke also visitied the flood affected area in 2012 and suggested to both Governments to be accountable to protect the rights of the affected people beyond the territory.

Mr. Binod Chapagain, Chief of People's Embankment Program said, "After continuous pressure from affected communities and CSOs, Nepal Government has established People's Embankment Office in Dang District to manage the disasters occurring by Rapti River. Nepal Government allocated budget around 9 billion to construct permanent embankment at the both side of the river and the work is in progress which will safeguard flood-affected villages".

Similarly, Indian National Parks adjoined with the border threats villages and people of Nepal. Dudhwa National Park is one of them. People of the southern part of Kanchanpur district frequently suffer the destruction of wild animals, especially by the wild elephants. These wild animals enter the village and damaged houses, agriculture products, and sometimes kill people. However, Nepal government was providing compensation on the loss of human lives, but still, the agriculture losses and houses do not get recovered. After the struggles of the affected people an amendment in National Park and Wildlife Conservation Act, provisions made to provide relief and compensation to such damages along with increment in the compensation on loss of human life.

These efforts of Nepal Government some how minimized the destruction and protected the affected communities. However, a permanent solution is yet to identify between Nepal and India with diplomatic process.

PUBLIC POLICY AND ACCOUNTABILITY

It is hard to believe that people still struggle for a kg of salt in remote VDCs of Nepal. According to District Health Office of Bajura, the increasing trend of iodine deficiency syndrome recorded among people living in remote parts of the district. The people of the villages especially Rugin, Badhu and Bichhaya either had to walk for a week to district headquarter, Martadi or the border of Tibet, China spending more than a week and NRs. 3000 on their travel to get a packet of iodized salt. After such tedious travel, the community compelled to purchase a kg of salt in expensive rate around NRs. 100 due to high transportation cost which normally available only at Rs. 9 per kg in a normal market.

In 2017, Government of Nepal placed permanent food depot in Kawadi Market, a center point of these 3 remote VDCs i.e. Rugin, Badhu and Bhichhya to ease the

Mr. Mangal Malla, President of rice and salt struggle committed

We heartily welcome the Government's decision to establish permanent depot. We struggled for the ease of adequate food for long. Eventually, the government listened our demand. The villagers from the 3 VDCs and nearby district are benefitted.

supply of rice and salt in subsidized price. Mr. Dhanmal Budha, a resident of Bichhya-4, is now happy to get salt and rice at his nearby food depot. The additional money and time he had to spend are saved. He is getting rice and salt as per the need for his family. Similarly, Mrs. Anakala Budha got rid off her tension to manage rice and salt for her family. Her husband works in India and there was no shortage of money, but the unavailability of rice and

Mr. Devendra Lamichhane, Chief District Officer, Bajura

Bajura district is one of the least developed district of Nepal. Remoteness and lack of road networks were the hurdles for development. Similarly, Prolonged drought since 2013 resulting food insecurity. The rate of malnutrition among children under 5 is increasing. The people from Rugin, Badhu and Bhichhya were continuously requesting us to establish a permanent depot and easy availability of rice and salt in market price. District Administration Office of Bajura assessed the need of permanent depot in the area and recommended the government. However, it was not been a priority of the government. Continuous struggle of the people ultimately turned into a concrete result on their behalf.

salt nearby her house had always been a problem to her. According to Mrs. Budha, her family had to depend on only one square meal a day for many months in the past days. Now she can fulfill her family need of food.

The Government of Nepal is providing rice and salt at a subsidized price through the depot serving more than 10 thousand population. Moreover, the neighboring districts Humla and Mugu are also get benefitted. Mr. Deuche Sarki, a political leader and local resident of Maila VDC of Humla district said, "We are similarly affected due to lack of rice and salt as of Bajura folks. Now we are also relieved".

In the past days, the struggle committee knocked every door step of the government agencies from local to central level demanding for a permanent depot. The committee had also submitted a letter of memorandum to National Food Corporation, Salt Trading Corporation and the Supply Minister, Hon. Mr. Deepak Bohora where they urged the government agencies to be accountable towards their right to food violation.

Mr. Keshab Pd. Pandy, Vice General Manager of Regional Office of Salt Trading Corporation said, "The continuous pressure from the struggle committee including other CSOs as well as media raised the issue frequently and Nepal Government think seriously on their problem. Therefore, our central office decided to do an assessment of existing food depots all over the country. The depots where it is not working and unnecessary were decided to transfer to the needy place. So as the Kawadi and Dhulachaur markets of Bajura district are selected. Government subsidized the transportation cost, so we are able to distribute the food items at normal market prices".

Considering the difficult situation of Bajura district and accumulated food insecurity due to drought, National Food Corporation also introduced a scheme of Food for Work additionally at free of cost.

Consumer protection is must in food market

Consumers often betrayed in food markets as black marketing, poor quality, high price, adulteration, date expired food items affecting human health. Media and CSOs frequently raising these issues, however, the issues do not often get on the priority of duty bearers even the policy, laws and monitoring mechanisms are in place. Therefore, having safe food especially in highway hotels is a challenging issue.

Prithivi Highway connects other parts of the country with the capital city of Nepal. There are many refreshers stops operating for passengers. Unfortunately, the passengers had to have unhygienic food at a high price including passengers unfriendly atmosphere inside the hotels and restaurants.

An official of Department of Food Technology and Quality Control orienting the hotel owners during monitoring visit.

FIAN Nepal initiated an informal monitoring of those highway restaurants from 2011 and keep reporting to the District Administration Office (DAO) of Dhading requesting to take necessary action. After many lobby advocacies, Chief District Officer owned the issue and continued the monitoring process by themselves. Those hotel owners punished for such mischievous if found. Department of Food Technology and Quality Control (DFTQC) ranked those hotels with three color cards. Green for those hotels who have satisfactory performance, yellow card for those who need improvements in hygiene and price, and red card-holders were given warnings with penalties. Since then, the highway hotels and restaurants improved the quality of food at reasonable price. District Administration Office requests FIAN Nepal to join the monitoring of markets and hotels they conduct frequently.

SOCIAL PROTECTION AND NUTRITION FROM GENDER EQUALITY AND SOCIAL INCLUSION

People like poor, marginalized, old aged, children, single women, who cannot feed themselves, are the most vulnerable of hunger and malnutrition and need special care. FIAN Nepal jointly with Juri Nepal filed a writ petition in Supreme Court of Nepal demanding the State to be accountable for ensuring the right to food of destitute people. Supreme Court issued a mandamus to the Government of Nepal to take necessary action to ensure the right to food of such people in 2016. FIAN Nepal not only seek judicial remedies on right to food, but also empower communities to be able to claim their rights from social security and nutrition focusing gender and social inclusion aspect.

HIV/AIDS has been a major curse in remote areas of the mid and far western regions. Due to extreme poverty and inadequate job opportunities, many male migrate to India to provide their families two square meal. Instead, the migrants bring HIV/AIDS back and transmit to their wives and possibly to future children. Innocent people lose their properties to cover the treatment cost and finally, their lives too, leaving their dependents to grieve the loss. Although the government has been taking the issue seriously and has provided the anti-retroviral (ARV) medicine to infected people, they have not effectively addressed the problem of right to food. Poor and infected people have to take the medicine in their empty stomach with just a glass of water and their health condition and nutrition thus further deteriorated. Besides HIV infection, single women often deprived of entitlements of properties. After the death of husband, they suffer badly as they are considered burden for in-laws and thus had to take care of children alone.

Ms. Meena B.K. is an HIV positive single women lives in the remote Bajura district. She even didn't know the name of the disease till she lost her husband. Poor and illiterate, Ms. BK is now leading the struggle of other similar HIV infected people of the district. Ms. Jala Rawal is another lady suffering similar problem as Ms. BK. She has also lost her husband by the same disease. A group of HIV

Mina B.K., President of Bajura Plus Barhabis VDC, Bajura

This would not have been possible if FIAN Nepal had not supported to develop our capacity on rights and the right to food. Because we are members of a Dalit community and live in poverty, our voice is often not heard by the state. We have struggled alone in the past, as we did not receive any sympathy from the government and its line agencies. Instead we faced rude behavior and social stigma, as if we carried the disease because of our character. Our character was judged. Gradually we became aware and started to self-organize; we initiated our struggle, and we claimed our rights. Now society is changing; the way they used to treat us is changing, but it is still not enough. The government and government officials are becoming favorable towards us. But many efforts are needed for the implementation of their commitments. FIAN Nepal has been a good companionof our cause.

Medical facilities are improved in District Health Office, Bajura for HIV infected people

infected people of Bajura district continuously raising the issue of social security with income generating activities to be able to fight with the disease and the social stigma. The group frequently visited the concerned stakeholders from local to central level demanding to ensure their life through adequate nutritious food along with ARV medicine, easy health facility and income generating programs for sustainable livelihood. Similarly another group of single women from Rakam Karnali, Dailekh district also doing the same through the support of FIAN Nepal.

Regional Chief of National Human Rights Commission from Dhangadhi, Mr. Deepak Jang Dhwoj Karki said, "The affected communities registered a complaint in our office and we are processing for a study and will recommend the concerned government agencies to take care as necessary". In a delegation to the Ministry of Health, Hon. Minister Mr. Gagan Thapa committed to provide easy health facility for the infected people and decided to install CD4 count machine in Bajura and Dailekh district

Dr. Rup Chandra BK, Chief, District Health Office, Bajura

We have waived the treatment fee off for such infected people. The needed blood during their treatment is another priority we have focused to manage.

with priority along with fortified nutritious food. Other NGOs and GOs are committed to provide them income generating activities for their sustainable livelihood.

Mrs. Rambha Kunwar (age 45) is a single woman having 3 children inhabiting in Dhanghadi sub-metropolitan, ward no 12, Jugeda of Kailali District. After the death of her husband, she was deprived of her property rights by her in-laws. She has to take a sole responsibility of her children without any support from her family.

She started struggle for her property rights with her in-laws. To feed herself and her children, she is working in break industries, farm lands as low waged labour where she also faced wage discrimination from the owners.

After she became a member of single women RtF group formed by FIAN Nepal, Mrs. Kunwar has been able to develop linkages with government and non-government stakeholders to access services and resources for her livelihood. She is also actively participating in decision making forum. She is now engaged in bee keeping business supported by GIZ. She and other similar single women getting benefits of free medical facilities along with government schemes. Replicating her learning and experiences, other 10 single women from the group started bee keeping business. She is now able to provide a good life to her children and continue her struggle for her property rights.

DEVELOPMENT PROJECTS SHALL RESPECT HUMAN RIGHTS

Development projects and programs in a country like Nepal are very essential. For example; hydropower, road, industries, infrastructure, etc. However, during the implementation of such projects, human rights often neglected. Although, there are provisions for environmental assessment, but not followed in remote parts of the country. Thus, human rights are kept in shadow, displace many people from their own house and lands suffering the violation of human rights and right to food.

Small settlement of Ambagar village with 28 households, adequate water facility for drinking and for irrigation, fertile land and hardworking people. The villagers were very happy with a decision of District Development Committee of Bajhang district to declare the village as a model village among others of the district. Unfortunately, their happiness remains very short.

Hari Narayan Regmi, an affected by the road construction

We had several meetings with Chief District Officer including our political leaders but there was no any conclusion made. Even political leaders rudely replied that few disasters happen in development. But these are not few for us, it was our life.

FIAN Nepal organized us and helped our struggle. District Right to Food Network including media highlighted the issue, therefore, government officials now listened our problems. They provided sort of relief and compensation. However, we still need assurance of our life.

A road construction project over the head of the village initiated by Divisional Road Office without any proper Environmental Impact Assessment (EIA) had broken their dream. During the construction, excavators haphazardly scratched the walls of the hill and dumped the debris down the village. Eight households of the village completely displaced due to the collapse of their house by stone whereas remaining households severely affected. Drinking water system, irrigation canal, agriculture lands destroyed and the villagers compelled to take shelter nearby. Monsoon season further worsen the situation. Land erosion, frequent fall of stone over the village put the residents at risk.

The villagers demanded alternative resettlement, however, no one listened to them. After FIAN Nepal took this issue

Haphazard road construction in Bajhang district displace many people from their house.

in 2016 as a violation of the right to food, the community is able to create strong pressure to the government agencies to ensure their rights. Media highlighted the issue frequently from right to food perspective and the issue has been able to draw attention of duty bearers. After a long struggle, District Administration, political leaders, and Divisional Road Office initiated data collection of the damages occurred. The affected people were provided immediate relief and later a compensation amount to reconstruct the houses. In a joint meeting of villagers and Divisional Road Office, written agreement was made for the renovation of the damaged water system, construction of an embankment to control land erosion and initiate rehabilitation process. Mr. Ramakant Joshi, ward secretary of Thalara Rural Municipality-9 said, "The affected villagers continuously putting pressure on local government in an organized manner. Earlier Malumela VDC has approved a plan for their village management. The new government structure will continue the decisions." Malumela VDC was supporting for the renovation of destructed infrastructures like irrigation canal, drinking water pipes as of the demand of the villagers. However, the main demand is to resettle them to another safe area will take longer and their struggle is ongoing.

Ms. Kaukuri Sarki, an affected by the road construction

Those who reluctant to listen us are now become soften and supportive. Though we spent a year on empty field. Now by the compensation, we will be able to make small hut to cover our head. Now we can start other income generation for livelihood. In addition, we need permanent solution, either resettlement or assurance of our life, so that we can live our risk free life.

INTEGRATED APPROACH FOR SUSTAINABLE LIVELIHOOD: INCREASING FOOD SECURITY OF SMALL HOLDER FARMERS

In Nepal, most of the projects and programs are focused on need based approach. Technology, infrastructures, agri-inputs, technical skills and knowledge were themajor concern of such projects. However, this approach sometimes lacks somewhere to obtain the intended results due tounable to claim rights by target groups. The concept of integration of need-based and right based approaches as a pilot in Doti and Achham districts has proved to fulfill the objective of improved livelihood of small and marginalized farmers.

Narpata Thakulla, Small Holder Farmer, Doti

I am able to be a member of Small Farmers Group and my colleagues had given me the role to lead the group. FIAN Nepal boosted our confidence to claim our rights. My participation in public and governmental forum increased and I can put my views confidently. Li-Bird has increased our technology capacity with necessary tools for agriculture through Malika Development Organization. Before, my agriculture was only to fulfill my family needs, now I became agriculture entrepreneur. I sell vegetables and other produces in the market easily and earning more than NPR 50 thousands a year.

Doti and Achham districts of the far western region are comparatively least developed districts. 6 VDCs of both districts were the target for piloting this approach where Li-Bird provided technical assistance and FIAN Nepal provided right based assistance through local partners i.e. Equity Development Center (EDC) Nepal in Doti and Malika Development Organization (MDO) Nepal in Achham. FIAN Nepal increased the awareness and sensitized the members of National Farmers Group Federation Nepal (NFGFN) as well as concerned stakeholders of the districts which made the small and marginalized farmers to be able to claim their rights like; agriculture budget, irrigation facilities, land entitlements and other productive services and resources.

A cooperative established by small holder farmers from Doti District has been able to construct irrigation canal through accessing fund from District Agriculture Office of Doti which is now providing the water facility for irrigation to 50 Ropani lands of 22 households. The cooperative also accessing many agriculture training and other resources from VDC for its members.

Significant changes are observed. Individual farmers are able to increase their agriculture production for their own use and earn for sustainable and improved livelihood. The farmers are organized and engaged in cooperatives, sell their agriculture productsin easy market and increased participation in thedecision for their welfare.

३२औं विश्व खाद्य दिवस २०६४
कृषि विकास रणनीतिको प्रतिबद्धता
NCFAW
३२औं विश्व खाद्य दिवस २०६४
साना किसानको हात
कृषि सहकारीको साथ
Food First Information and Action Network, Nepal

Constitution and other related laws guaranteed Right to Food

The Interim Constitution of Nepal, 2007 had provided that food sovereignty would be enforced by framing law. FIAN Nepal, from its incorporation, has been making efforts with priorities to establish Right to Food as Fundamental Right based on the interim provision. Right to Food has been established as Fundamental Right in the Constitution of Nepal, 2015 with the common efforts of various associations and organizations working on Economic, Social and Cultural Rights.

The provision in Interim Constitution of Nepal became a milestone for the campaign to achieve Right to Food. FIAN Nepal organized consultative seminars on "Right to Food in the Constitution" among people from local to regional and central level. Similar consultative workshops were also organized with political parties, CA members and concern line agencies in order to sensitize them on right to food provision that shall be incorporated in the constitution. The recommendations, collected from those workshops were submitted to the speaker of Constitution Assembly, Hon. Subash Nembang. The recommendations stressed for mandatory and unconditioned provision in the Constitution in order to protect Nepali citizens from living in vicious cycle of starvation. As a result, Right to Food has been

Indira Dahal Bhattarai, Joint Secretary, Nepal Law Commission

Nepal Law Commission had a mandate from Nepal Government to draft right to food bill in line with the constitution, 2015. FIAN Nepal has been working on Economic, Social and Cultural Rights especially on right to food since 10 years. The CSO version draft of the bill, already prepared by FIAN Nepal, had really been a good reference for us. FIAN Nepal's support and collaboration with Nepal Law Commission for consultation on the bill making process from grassroots level to National level provided very relevantly important feedback to finalize the bill.

Joined Secretary Ms. Indira Dahal Bhattarai presenting the provisions on the draft of RtF Bill in consultation workshop.

established in Article 36 under Fundamental Rights in the Constitution of Nepal, 2015 because of continued efforts of civil society organizations.

Govinda Sharma Poudel, Honorable Member, National Human Rights Commission

Economic, Social and Cultural Rights is the priority issue of National Human Rights Commission. FIAN Nepal has the same. I, personally found that FIAN Nepal's unique work on Right to Food focused ESC Rights, has tremendous results in the past. FIAN Nepal jointly with the Commission had conducted consultation workshops at various districts on Right to Food Bill and Right to Food Monitoring Framework which is highly appreciable. The Commission continues monitoring, investigation of the complaints filed by vulnerable communities in support of FIAN Nepal regarding the violation of their human rights as well as right to food in many districts.

As of the mandate of the Constitution 2015 after right to food being explicitly mentioned under fundamental rights, right to food bill shall be formulated and enacted by 2018. However, FIAN Nepal had already carried out homework and discoursed on it. FIAN Nepal had drafted a **Model frame work of Right to Food Bill** in 2014 with regular and effective cooperation and coordination among civil societies, legal professionals, media people, and experts, in this regard. FIAN Nepal presented draft bill, prepared in 2014 on behalf of civil society, to Nepal Law Commission during framing of the Right to Food Bill. The Commission moved ahead Bill framing procedure, according to provision made in the in the Draft Bill, considering it as a reference material.

FIAN Nepal supported Nepal Law Commission to inform concerned stakeholders about provisions of the Bill making process and collected feedback in cooperation with National Human Rights Commission from local, province and center level at Nepalganj, Dhangadhi, Pokhara, Biratnagar and Kathamandu. FIAN Nepal compiled the feedback collected from the workshops and handed over to Nepal Law Commission on behalf of civil society. Nepal Law Commision considered the suggestions provided during bill making process.

Hon. Govinda Sharma Poudel expressing the opinion on RtF Bill.

FIAN Nepal believes that the formulation and effective implementation of the Bill will translate its vision of **"hunger free Nepal"** into reality.

National Parks and Wildlife Conservation Act Amendment

Around 46 per cent land of Nepal is covered by forest. Local people including indigenous communities and nationalities have been using forest from ancient time as an important part of their sustenance. After enforcement of National Parks and Wildlife Conservation Act in 1973, access of these communities to forest has been restrained. Thus, it seeded conflict between local communities and Parks. About one-third of the total population are living around the bufferzone of protected areas. Still, for most of them, the major source of livelihood is the natural resources of the protected areas. They are sustaining in meager manner on agriculture and animal farming.

FIAN Nepal has been supporting and advocating for such vulnerable people to access the natural resources from Right to Food perspectives. The vulnerable communities such as Sonaha, Malaha, Raji, Majhi, Bote, Bankaria, Danuwar, Kumal, Chepang, Raute, Tharu, etc are indineous and whose livelihood depend on the natural resources of the protected areas, they often faced displacement from their profession like fishing, gold panning and forest bsed products collection.

FIAN Nepal has been engaged in the orientation on the use of the Voluntary Guideline on the Responsible Governance of Tenure of Land, Fisheries and Forests in the context of National Food Security since 2015 in more than 20 districts. Similary, a research has been conducted on the right to food situation of the people living in buffer zone area in 2016. Based on these orientations ans research findings, many right to food violation issues emerged which were shared with the policy makers to address them.

The Government of Nepal, in order to make works of the parks more effective, had began amendment on National Parks and Wildlife Conservation Act, 1973. Taking the opportunity, FIAN Nepal held wider discussion samong concerned political parties, Members of Parliaments to convince them for the amendment of the act from human rights perspectives. Environment Protection Committee (EPC), a legislature committee of the Parliament, who is the responsible for the amendment had been in touch with FIAN Nepal more often in this regards. It carried out activities including various discussions, interactions and recommendation collections in especial cooperation with EPC.

Consultation workshop with Member of Parliaments and Environment Protection Committee on National Park and Wildlife Conservation Act amendment.

FIAN had carried out wide discussions and advocacies among affected communities of buffer zone of protected areas, Civil Society Organizations and concerned stakeholders in order to frame the suggestions to be included in the amendements. As a result, Right to Food friendly provisions were made in the fifth amendment.

This has been possible due to a facilitation of FIAN Nepal to the Environment Protection Committee (EPC) in the process of National Parks and Wildlife Conservation Act 1973 amendment. The amendment has been approved more than 90% suggestions from the Civil Society and the communities and published in the Gazette in March 2017 which respects the tenure rights of the people who are dependent on natural resources for their livelihood.

Raja Ram Syangtan, Honorable Member of Parliament and Environment Protection Committee

Government of Nepal has proposed to amend National Park and Wildlife Conservation Act and mandate was given to Environment Protection Committee. I was very aware about the situation of such communities and therefore, I wanted the act should be revised from human rights perspective. But only I was not in that position to influence and convince other policy makers and bureaucrats. Strong advocacy from communities and CSOs was necessary. Somehow, we were able to collaborate with FIAN Nepal to make this act more human rights friendly than a conservative perspective as earlier. The amended act has made ample scope to support the livelihood providing benefits to people and communities like Sonaha, Bote, Majhi, Musahar who live in the buffer zone of protected areas since their ancestors and depends on the natural resources.

Food Security Situation in Nepal: Policy Perspective

Basu Dev Kaphle
Senior Agriculture Economist
Ministry of Agricultural Development

Introduction

Food security, Food sovereignty and Right to food have emerged as a major global concern to end the extreme hunger, poverty and malnutrition, all of which are interrelated. Food security deals more with production and distribution whereas right to food is a legal right entitling every individual to demand fulfillment. Similarly, food sovereignty is considered as more political which mainly advocates for the rights of people to define their own food and agriculture production system and promotes the formulation of ecologically sustainable trade policies and practices.

The World Food Summit of 1996 defined food security as existing "when all people at all times have access to sufficient, safe, nutritious food to maintain a healthy and active life". Food security is based on four pillars: Food availability-ensuring food available in sufficient quantities and on a consistent basis; food accessibility-ensuring the people be able to regularly acquire adequate quantities of food; food stability – ensuring the stability in the food supply from year to year and during different seasons of the year; and food utilization- ensuring consumed food have a positive nutritional impact on people.

The Sustainable Development Goals would be the main basis for integrating the SDGs into the post 2015 development agenda including "End hunger, achieve food security and improved nutrition, and promote sustainable agriculture" as second of the seventeen proposed SDGs.

Nepal does not have a comprehensive and specific food security policy addressing the different dimensions of food security; however, food security and nutrition security along been included in different policy document.

Food security, food sovereignty and right to food related policies in Nepal

Nepal has made increasing efforts, especially in the past decade, to adopt policies appropriate to addressing food insecurity problems, particularly through the Agricultural Perspective Plan (APP) (1995-2015) and the Ninth Five Year Plan (1997-2002), however, the performance was not satisfactory due to the low investment in agricultural sector and poor coordination as provisioned in APP. The overall performance of APP is mixed. Cereals sector in general did not perform well during APP period which hampered the food and nutritional security (ADS, 2015-2035).

Likewise, the tenth Periodic Plan (2002-2007) has mentioned supporting food nutrition security through raising agricultural production and productivity, and increasing incomes and reducing poverty. The National Agricultural Policy (2004) included various provisions for marginalized and vulnerable groups having less than half a hectare of land to improve food security. It has also mentioned to create food storage provisions, a mobilization network on a local participatory basis and to develop food and nutrition safety nets for poor farmers.

The first three years interim plan (TYIP) (2007/08-2009/10) introduced a long term vision on food security. The second TYIP (2010/11-2012/13) has also included a separate section for food and nutrition security. The three year interim plan (2012/13-2015/2016) mentioned to attain food security through commercialization, diversification, quality promotion, mechanization and rural infrastructure development.

Nepal has expressed its commitment to undertake Zero Hunger Challenge Initiatives introduced by Rio+20 conference on sustainable development, held in Brazil in 2012 in to end hunger, food insecurity and malnutrition by 2025 in a sustainable manner (FAO,2015).

Ministry of agricultural development has established a food security, agribusiness promotion and environment division with food security section to make plan and policies with implementation mechanism regarding food and nutritional security.

National Seed Vision (2013 – 2025) aims to increase crop productivity, raise income and generate employment through self-sufficiency, import substitution and export promotion of quality seeds. The seed vision will contribute significantly in ensuring food security focusing to poor, women and disadvantaged groups. (Seed Vision, 2013)

Nepal Food Corporation (NFC) provides food item to the public at government rates often during festivals and natural disasters. Besides this, NFC supplies subsidized food to 30 districts including 22 remote districts across the country where local production is deficit. It follows the Government's food policy with responsibility of collection, transportation, storage, sale and mobilization of food. It also handles food aid received by the country.

Basically there are three sources of food supply in Nepal: domestic production, import from neighboring countries and food support from donor agencies like the World Food Programme (WFP). Interventions are carried out by WFP in the food insecure areas identified by Nepal Food Security Monitoring System (NeKSAP) in close collaboration with the Government. This system helps to monitor food security situation up to VDCs level, and prepares quarterly food security phase classification report.

The Agriculture Development Strategy (ADS 2015-2035) has clearly mentioned to achieve food and nutrition security leading to food sovereignty in its vision statement. Likewise, Constitution of Nepal has enshrined the Right to Food as a fundamental right for its citizens. The right to food, and other related provisions are mentioned in articles 36 and 42 (Constitution of Nepal) .

The current fourteenth plan of the government has also focused the food and nutrition security with objectives and major expected outcomes. Vision includes maintaining food sovereignty by ensuring food and nutrition security in country (NPC, 2016).

The prevailing policies and laws are taken synergistically and need to be implemented so that these policies can have positive impact on food security leading to food sovereignty in Nepal as mentioned by ADS. However, absence of specialized food security and food sovereignty law makes it difficult to address all aspects of food security.

Agriculture Development Strategy and food sovereignty

The ADS is the main policy document of the ministry of agricultural development. ADS has clearly mentioned to achieve food and nutrition security leading to food sovereignty in its vision statement. The ADS also recognized the critical importance that farmers' access and control of the means of production – primarily land – has for the success of the strategy which is the prerequisite of food sovereignty.

Moreover, ADS promotes the formulation of legislation related to food rights and food sovereignty consistently with the principles of the constitution. The ADS envisages food and nutrition security program as prioritized national programunder ADS flagship programs with sufficient consensus, resources, and effective management. Currently, food security policy has been drafted by MoAD which will be the overall guideline to address the food related issues. Likewise, In line with the constitution and provision of ADS, Nepal law commission has drafted the legislation related to food rights, food security and food sovereignty. Now, it is in the process of fine tuning to proceed ahead on behalf of Ministry of Agricultural Development.

National Cereal Food Availability

Nepal has diversified climatic conditions which are suitable for growing a large number of cereal crops. Cereal, specially rice, is the main staple food in Nepal. The total edible cereals production and requirement illustrating the trend of maintaining an edible cereal surplus above the national requirement for the past few years. However, Nepal is importing the fine and aromatic rice from India as food habit of Nepalese has been changed to consume fine and aromatic rice. The production of fine and aromatic rice is comparatively low in Nepal.

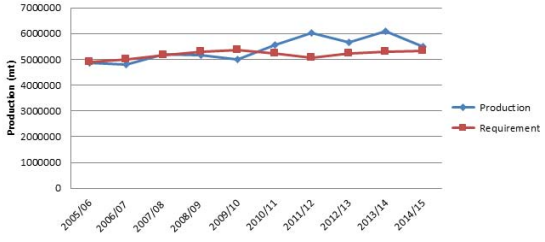


Figure: Total edible cereal production and requirement in different years. Source MoAD

Implementation status, policy gap and future direction

As discussed in earlier sections, the government has made decades long efforts, to adopt policies appropriate to addressing food insecurity problems, particularly through the Agricultural Perspective Plan (APP) (1997-2017) and National Agriculture Policy (2004). However, the performance was not satisfactory as expected due to inadequate resources in agricultural sector and weak functional coordination among the key stakeholder. For few years, the MoAD has given the top priority to food and nutrition security in annual budget program to ensure food and nutrition security as mentioned in ADS. When the prevailing policies and laws are taken synergistically and implemented in combination, there will be positive impact on food security leading to food sovereignty in Nepal. Furthermore, MoAD priority will be to maintain and promote food sovereignty with food security by the formulation of laws as mentioned in ADS complement to constitution of Nepal. Likewise, the utilization of locally available food through product diversification along with increasing the production and productivity of major food crops will be helpful to be self-sufficient in major food promoting the food security situation in Nepal.

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District Food Security Plan

The Government of Nepal has made attempt to achieve Sustainable Development Goals by making provisions of Right to Food and Food Sovereignty in the Constitution and implementing work plan to eliminate hunger till 2025 and 20 years Agriculture Development Strategy. The Government of Nepal has taken belief that Right to Food and Food Sovereignty shall be effectively achieved if they are implemented by framing District Food Security Plan. FIAN Nepal has begun framing District Food Security Plan in cooperation with District Agriculture Development Office of concerned districts, District Development Committee and concerned entities. Framing District Food Security Plan by identifying local level food unsecured communities is effective step in order to help livelihood of vulnerable communities. FIAN Nepal has begun framing District Food Security in four districts namely Dhading, Makwanpur, Surkhet and Banke. In this effort, District Agriculture Development Office and District Development Office have provided technical and administrative supports, simultaneously. Major objective of the plant is to identify unsecured communities that are vulnerable to hunger and remained under poverty line and to create environment to provide food security. It is believed that framing of such plan shall ensure food security and food right for food unsecured communities of the District.

At last .....

FIAN Nepal shall carryout its regular task of identifying issues of Right to Food violation, empowering the community and resolving the issues, and it shall be focused on lobbying, advocating and facilitating in order to make Acts, laws, policies and directives, to be framed in national, provincial and local levels, Right to food friendly. Making communities oriented about constitutional and legal provision relating human rights and rights to food, making provision that would address issues of vulnerable communities in concerned Acts relating to Right to Food and making amendments to prevailing Acts, laws right to food friendly shall be future tasks of FIAN Nepal.