



बाच्च पाउने अधिकारको आधार: खाद्य अधिकार

FIAN NEPAL

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9th Annual General Assembly: A Platform for Policy Discussion

The 9th Annual General Assembly of FIAN Nepal was held in Kathmandu on 17 December 2016. The occasion provided an opportunity for policy makers, stakeholders, and activists to gather and express their thoughts on the Right to Food (RtF) and on FIAN Nepal's works. During the opening session, guest speakers commented that the right to food is an emerging issue in Nepal and is now enshrined in the Constitution of Nepal (2015) as a fundamental right. Policy advocacy to implement the Constitution and ensure the rights of vulnerable people in both urban and rural areas

is vital in the context of Nepal. The speakers - Members of Parliament, representatives of human rights organizations, and social activists - requested that FIAN Nepal to reach the most vulnerable people, especially those communities that are marginalized and lacking access to government services. The special guest and key speaker, the Honorable Minister of Agricultural Development Mr. Gauri Shankar Chaudhary, stated: "Ensuring the human right to adequate food and nutrition is a collective effort required by all sectors. The Government of Nepal is trying its best to meet the Zero Hunger Challenge and the

published National Plan of Action. However, inadequate coordination among government mechanisms delays efficient implementation". He requested support from Civil Society Organizations (CSO) in this process of ensuring fundamental rights. He also wished much success to the right to food movement in Nepal.

On this occasion, FIAN Nepal thanked Dr. Sarba Raj Khadka and the Late Mr. Narad Pd. Sharma for their contributions to the right to food movement in Nepal as well as for the establishment of FIAN Nepal.

FIAN Nepal Starts to Work in Remote Bajhang District

Bajhang is a remote districts in Nepal's Far-West Region. It is often in the media due to the violations of its inhabitants' right to adequate food and nutrition. In April 2016, FIAN Nepal started working in Bajhang District in order to identify the specificities of the right to food violations and highlight the state's obligation to address those issues. Following the establishment of a field office with one staff member in the district, four right to food related issues have been documented. Three of these case were considered for further intervention. A District Food Security Plan (DFSP) has also been initiated in collaboration with the District Agriculture Development Office



1. Project Highlights

A. Strengthening Right to Food in Nepal:

Continuation of support to the affected communities Since 2009, German INGOs: Bread for the World - Protestant Development Service and Misereor are continuously supporting the right to food affected vulnerable communities to improve their living condition through FIAN Nepal in the core project entitled "Strengthening the Right to Food in Nepal". Since the first phase, a total of 74 RtF violation issues have been identified and documented. Out of these, a total of 28 RtF violation issues taken further for detail intervention as casework . Out of these, 6 RtF vulnerable communities lead their issues by themselves, successfully claimed their rights and accessed resources from concerned government agencies to improve their livelihood. Other RtF violation issues are nearing success while some further issues being newly initiated. RtF vulnerable communities under caseworks are now gradually empowered, organized and starting to claim their rights as well as accessing supports from concerned government agencies for their better livelihood. See details in casework updates.

B. Right to Food in Indo-Nepal border project by NORAD

FIAN Nepal has been implementing a project on right to food in the Indo-Nepal Border supported by NORAD via FIAN Norway. Under this project, 4 RtF violation issues are taken as casework, namely: a) Laxmanpur Dam, Banke b) Dudhwa National Park, Kanchanpur c) Border Security Road Construction, Banke and d) social security issues of single women, Kailali. The village level interventions and activities of Laxmanupr Dam issue are carried out from NORAD supported project where national level policy advocacy activities are carried out from BfdW and Misereor supported RtF project. (Refer to casework updates for Laxmanpur). Dudhwa National Park is an Indian National Park situated nearby Punarbas village, the border of Kanchanpur district. Nepalese people living in the village, which is adjoined with the Indian National Park, suffer from wild animal attacks, crop destruction, property loss, and loss of human life. As there is no way to claim compensation for these losses from the Government of India, local communities depend on the Government of Nepal for recompense. FIAN Nepal conducted a series of interventions, sensitization, and empowerment



activities to the affected people as well as to the local government officials. As a result, affected people are now starting to claim their rights and government officials are starting to listen to their plights. Together, they are trying to determine appropriate mitigation measures to ensure that their rights are protected. Some efforts have been made to

fence off areas and to restrict the wild animals from entering the villages. In addition, a siren has been installed to alert local people to intrusions. The Government of Nepal also started providing compensation in the case of loss of human lives as a result of wild animal attacks. However, a permanent solution is yet to be found through the bi-lateral dialogue with the Government of India.

C. Sustainable Agriculture Development Project (SADEP)

Sustainable Agriculture Development Project (SADEP), funded by European Union and Dan Church Aid (DCA), a Danish INGO, had aimed to contribute to improved food security and nutrition of smallholder and marginalized farmers through increased agricultural productivity, access to markets and the participation of said farmers, institutions, and related CSOs in the decision making processes. Between 2014 and 2016, the 3-year project covered the far-western hills of Nepal and focused on the Doti and Achham districts. The role of FIAN Nepal in this project is to provide right based orientation and advocacy skill development to technical partner LIBIRD and implementing partners Malika Development Organization (MDO) in Achham and Doti to strengthen their capacity on human-rights and right to food approach. The project has been able to bring 2615 households of smallholders and marginalized farmers together to form 96 community level farmers groups, 6 VDC level groups, and 2 district level groups. They later linked with the District Right to Food Network of Doti and Achham for their sustainability. The targeted farmers have also engaged in 6 agricultural cooperatives. Of the total beneficiaries, total women participation was 2014. The beneficiaries have since been able to access more than 1.5 million rupees from government and the private sector for sustainable agriculture production.



Farmers of Doti and Achham district are organized to advocate for their rights

1. Dalit Farmers Access Natural resources

Empowering the marginalized community to lead their issue for advocacy from human rights perspective resulted equal access over water for its multiple-use like drinking, irrigation and other household chores for 7 dalit households of Gaguda Village Development Committee (VDC) - 6. The community have been able to claim their right to water in front of concerned government authorities for daily livelihood. The decision from the government to provide equal access as other elite community of the VDC will benefit the marginalized dalit community for their sustainable and improved livelihood. The community actively participated in public hearing with other concerned stakeholders and raised their demands strongly.

2. Janamukhi Cooperative Access Resources for Irrigation Canal

After series of empowerment, 50 households members of smallholder farmers of Janamukhi Cooperatives demanded for the construction of irrigation canal. District Agriculture Development Office, Doti allocated NPR 3,99,000 for the construction of irrigation canal in Dhirkhamandu VDC for Payahayall irrigation. After the construction of the canal, 150 Ropani (7.6 hectare) lands of the community will receive water for agriculture.

3. Farmers Organize for their Right

- » The Local Government Authorities like District Development Committee (DDC) and Village Development Committee (VDCs) agreed to allocate 15% of their agricultural budget to farmers' welfare development
- » Farmers are gradually recognized by the Government and the private sector and receiving invitation on formal meetings to take decisions relating to agricultural services, capacity building, agri-inputs like seeds, fertilizers, etc as well as introducing new agriculture technologies.
- » Farmers are gradually organizing taking membership in farmers groups from VDC to national level through the National Farmers Group Federation.

SUCCESS STORY

Ms Narpata Thakulla: A successful Woman Leader

Ms. Narpata Thakulla (30), resident of Bardadevi VDC-5 Achham, is the secretary of village level farmer group federation of Baradadevi VDC. Her husband is in India for employment and she lives with her in-laws and two children. She works in agriculture, farming on 5 Ropani (0.26 hectare) of land and earns NPR 15,000 – 20,000 in a season every year.

She is a social mobilizer at the Community Study Centre in Jayagadh and a local service provider of USAID's Knowledge-based Integrated Sustainable Agriculture and Nutrition (KISAN project). She has been engaged in the Agriculture, Forest and Environment Committee (AFEC), the Ward Citizen Forum, in microfinance, the Aamsain community forest, the farmer group federations from VDC to district. Earlier on, she lacked the confidence and courage to speak up in forums. Now she strongly expresses her ideas, even with district level government authorities and stakeholders. She is participating in interactions and meetings.

Through the project, she received training on the right to food and on income generation. She demanded recommendation from VDC and Agriculture Service Centre (ASC) officials for resource and services those provided by District Agriculture Development Office (DADO) to the farmers. As a result, she received resources from



Ms. Narpata Thakulla resident of Bardadevi VDC-5, Achham

DADO to construct a pond, 5 plastic houses for cucumber farming from ASC. She has provided employment to 2 youths from the local area. Her family's food security increased from three months to six months from their own agriculture production. The remaining months in the year, she is able to purchase food from her income through agriculture business. Now she doesn't wait for cash that her husband sends from India. She can also afford to send her children to a good English medium boarding school at Jayagadh with her own income.

In the past, she had had to cope with family problems as her husband suffers from mental illness and she had been accused of witchcraft. The social stigma is now over, following her contributions to farmers' improved access to agricultural inputs, such as seeds and fertilizers. She is considered a role model for other farmers as well as women in the village.



Farmland of Ms. Narpata Thakulla where she grows seasonal vegetables and sells them in Market to generate income.

D. Increased use of Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forest in the context of National Food Security (VGGT)

In Nepal, land, fisheries and forests have been the major source of livelihood since time immemorial. However, Nepal has a poor track record in the responsible governance of tenure of its natural resources. The rights of the peoples who directly depend on land and other natural resources have not been ensured in the past. For instance, landless



and land-poor people, especially Dalits, marginalized and subsistence farmers, depend on agriculture as a source of livelihood, yet they are deprived of entitlement to land. Moreover, the landed elite rarely engages in agriculture, thus leaving the land barren. This has resulted in a decreasing rate of agricultural production and an increasing rate of food insecurity. Additionally, indigenous peoples and other communities that reside in the buffer zones

of protected areas (totalling one third of Nepal's population) are also often deprived of access to land, rivers and forests, denying them of their ability to gather food, catch fish, and seek other sources of livelihood. All in all, the governance of tenure of land, forests and fisheries is a significant issue in the context of the 2015 constitution.

The United Nation's Food and Agriculture Organization (FAO) has been promoting the use of Voluntary Guideline of Responsible Governance of Tenure of Land, Fisheries and Forest (VGGT). FIAN Nepal, with support from the FAO, implemented the orientation and dissemination of VGGT at grassroots level in 2015 and 2016. In addition, FIAN Nepal has also facilitated a second

multi-stakeholder national workshop focusing on the relevance of VGGT in the context of the 2015 constitution and post-earthquake reconstruction and recovery. The Voluntary Guidelines have created a scope for civil society movements to persuade the government to improve the governance of tenure rights of land, forest and fisheries in Nepal.

During the implementation phase of the projects in 2016, lobby meetings took place with Members of Parliament and the Environment Protection Committee (EPC), a Legislature Committee of the Parliament, leading to a proposal for amendments of the National Park and Wildlife Conservation Act. As a result, EPC approved the amendments of the Act from a human rights perspective, thus protecting several rights for the people living in the buffer zones of protected areas. The EPC has now tabled the amendments to the law for final approval from the parliament. FIAN Nepal considers this to be an unintended achievement of the project.

2015

- 1 national level ToT, Kathmandu;
- 1 national level orientation, Kathmandu;
- 1 regional level orientation, Kailali
- 3 district level training programs, Banke, Bajura and Dhading;

2016

- 5 provincial workshops;
- 1 multi-stakeholder national workshop, Kathmandu;

E. Earthquake-affected People in Nepal

The 2015 earthquakes in Nepal were catastrophic and had a huge impact in economic and social terms. The impacts of the earthquakes were exacerbated when Madesh-based political parties initiated protests in border areas, and an unofficial blockade was imposed by India, causing a further humanitarian crisis. The suffering caused by the earthquake was aggravated. Many in the international community demonstrated their willingness to help Nepal to recover. A relief project supported by Bread for the World and Misereor was implemented to monitor the distribution of relief materials such as emergency food and seeds in 7 affected districts by local implementing partners. Chandra Jyoti Integrated Rural Development Society (CIRDS) in Dhading, National Farmers Group Federation-Nepal (NFGFN) in Kathmandu, Bhaktapur and Sindhupalchowk, All



Nepal Peasants' Federation (ANPFa) in Nuwakot and UFID in Makawanpur were the local implementing partners of the projects. In total, 7,630 households benefited from this project.

2. Casework Updates

FIAN Nepal has been supporting and facilitating more than 19 Right to Food Groups in claiming their right to food and other related economic, social and cultural rights. Some of the groups/committees are in the initial phases of their claims, some are in the process of claiming rights, and some have begun to progressively realize their right to food, gaining new experiences through learning and challenges during the course of their struggle.



Newly constructed concrete house of Gandharba Community. 27 Gandhaba Households constructed their own houses through People's Housing Program of Government of Nepal. Read full text in page 10.

Community Right to Food Promoters: Strengthening the Right to Food Movement at the Local Level

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Aiming to support struggling Right to Food groups and their movements through casework, FIAN Nepal has selected 14 community level Right to Food promoters in an effort to support their local level activities. In a four day orientation program workshop held from 15 – 18 June 2016, in Palpa, the community Right to Food promoters along with staff of FIAN Nepal were introduced to conceptual knowledge of Rights, Human Rights and Right to Food. Along with this, all participants were educated in social mobilization, including practical examples. Encouraged and enthusiastic, these promoters are committed to applying their knowledge in field level activities not only within their own immediate communities but also at wider levels in the district.



Right to Food Groups Join Hands for collective advocacy

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A forum of Right to Food groups key members at Nawalparasi in January 2017 provided an experience for sharing learning of their struggle at the local level. The gathering of both new and existing Right to Food groups has been an effective way to both empower them and strengthen their capacities, and to explore ideas on how to claim their right to food. A key objective was to improve practical experience,

techniques, and advocacy skills. Another goal was to create a district level network made up of different groups, with participants forming strong bonds and supporting each in cases of right to food violations in their districts. The forum also provided knowledge of diverse right to food violation issues, as shared by each of the groups. Out of 35 participants from the key members of the Right to Food groups, 16 were women who had taken the lead in their respective groups. The two-day gathering concluded with the formation of 7 district level networks in Banke, Bardiya, Dang, Bajura, Dailekh, Dhading and Makwanpur. Immediately after the formation of district level networks, Bajura, Dailekh and Makwanpur lead central level delegations to the relevant government line agencies demanding to address their problems.

District level networks of Right to Food groups from Bajura, Dailekh and Makwanpur collaborated to raise their combined voices by leading a delegation to the central government. The joint delegation team arrived in Kathmandu in 4th January 2017, where their plight had never before been heard by the relevant government ministries.

On January 5th and 6th, 2017, the delegation visited the Ministry of Health, the Ministry of Supplies and the Ministry of Forests and Soil Conservation as well as their line agencies: the National Centre for AIDS and STD Control (NCASC), the National Food Corporation and Salt Trading corporation, the National Foundation for Development of Indigenous Nationalities, and the National Women's Commission. The Ministries and their line agencies reacted positively to the delegation's demands and committed to addressing their problems.

For more information, please see: fiannepal.org/expression-of-solidarity-on-rtf-violation-issues-from-the-groups/





Mina B.K.

*HIV infected from Barhabis VDC,
Bajura and President of Bajura Plus*

We would not be able to approach government and its agencies if FIAN Nepal had not developed 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 companion of our cause.

The Right to Food Struggle Bears Fruit

The Salt Trading Corporation (STC) is all set for the establishment of a permanent depot in Kawadi Market focusing on the Rugin, Badhu and Bichhaya VDCs in Bajura District. Bajura, one of the least developed districts according to the Human Development Index, suffers from many right to food violation issues. Over the last 4 years, a prolonged drought has led to drastically reduced agricultural production and increased food insecurity, especially in the remote VDCs, Rugin, Bichhaya and Badhu. As a result, people completely depend on food aid and on subsidized food items distributed by the Government of Nepal through the National Food Corporation. However, the absence of a permanent depot and inadequate food supply contributing food insecurity. Hence, the people of this VDCs were demanding a permanent depot at Kawadi market and a steady supply of food items, especially rice and salt.

The villagers had to walk for a week to purchase food items to district headquarter, Martadi, where they had no choice but to buy rice and salt at

inflated prices - over 100 rupees per kg of salt and more than 120 rupees per kg of rice, which cost 9 rupees and 30 rupees respectively when available under the normal subsidies.

FIAN Nepal took this violation of the right to food as a casework in 2015 and empowered the affected communities to lead their struggles themselves. Efforts were also made to sensitize various government officials from the district to the central level. Henceforth, the Salt Trading Corporation (STC) has now initiated a process to establish a permanent depot in Kabadi Market, focusing on the Rugin, Bichhaya and Badhu VDCs as well as adjoining Humla and Mugu districts.



Mr. Mangal Malla, President of Rice and Salt Struggle Group submitting a memorandum to Supply Minister, Hon. Deepak Bohora demanding permanent depot in Remote VDCs of Bajura district

The people of remote VDCs from Bajura will no longer need to spend extra money to get rice and salt. Also people from adjoining districts like Humla and Mugu can be benefitted the subsidized food items.

- Mr. Keshab Pd. Panday, Deputy General Manager and Chief of Regional Office, STC

"The government has been sensitized on the issue by frequent news coverage in the media together with people's pressure", said the Deputy General Manager and Regional Chief of the STC. Once the depot is permanently established, and an adequate supply of rice and salt is provided, nearby districts will also benefit from being able to purchase food items at a subsidized price.

Laxmanpur Dam and Kalkalawa Afflux: Extraterritorial Obligations Behind Right to Food Violations of 6 VDCs of Banke District

6 VDCs (Gangapur, Matehiya, Fattepur, Banakatti, Batahani and Holiya) of Banke district annually face flooding, inundation, land cutting, property loss and even loss of human life due to the blockade of the natural flow of the Rapti River by the Laxmanpur Dam and Kalkalwa Afflux constructed by the Government of India. A massive flood was occurred in August 2014, hugely affected over 5000 families taking life of 5 people, injuring 15 and 1 person is still gone missing (DDRC report, 2014) including loss of property, arable land and stored food. After 2 years from then, the Government of Nepal approved a procedure to provide compensation to the flood-affected people of Banke including other flood affected districts Bardiya, Dang and Surkhet for the construction of houses in December 2016. The Government of Nepal has also established the "People's Embankment Office" in Dang district, which focuses to control water induced disasters by the Rapti River. The Government of Nepal has also established a quick emergency response mechanism to act during floods in the Rapti River like early warning system, blowing siren, etc.

All these achievements have been possible after intensive intervention to empower the affected communities since 2009. FIAN Nepal along with other NGOs like YAC Nepal and Sahakarmi Samaj continuously supported the affected communities for their capacity strengthening to claim their rights. Although Government of India has been violating the Extra-territorial States Obligation (ETO) from right to food perspective of the communities, Government of Nepal also equally responsible for the protection of their human rights of the people living in border area. Hence, FIAN Nepal has been playing instrumental role of mediator to bridge the community with the Government of Nepal. FIAN Nepal also highlighted the issue frequently at international level taking support from FIAN International, Germany and creating international pressure to the both governments to be accountable on the issue through fact finding mission, releasing urgent action letter, etc. In June

2015, FIAN International issued an urgent action letter while a joint research mission was conducted in November 2016 by FIAN International, FIAN Germany, FIAN Norway, FIAN Nepal, FIAN India and FIAN Uttar Pradesh to the affected areas in Nepal side.

Similarly, 12 Members of Parliament of Banke district formed a group with the common agenda of raising their collective voices in parliament as well as at the local level in relation to the Rapti River issues. This group has identified the issues, prioritized them based on urgency, and committed to creating pressure to allocate a budget for permanent embankment. Additionally, the group committed to exerting pressure on the Ministry of Foreign Affairs to initiate bilateral dialogue between the Governments of India and Nepal to solve the issue and implement necessary mitigation measures.

Recently, Government of Nepal called an invitation for e-bid for the construction of permanent embankment in Rapti River. According the bid invitation published in 19th May 2017 by People's Embankment Program Field Office based in Dang district, the construction of the embankment will be made in Fattepur VDC of Banke along with other VDCs of Dang. The permanent embankment will help to control flooding in the river to secure the



right to food of the affected people. The affected communities and local political leaders organized a delegation to Ministry of Finance and Ministry of Irrigation in 2-6 May 2017 demanding budget allocation for the construction of permanent embankment in the affected areas.

Landless Gandharba Community: Right to Housing and occupation



Cultural performance of Gandharba Community. This community often deprived of their right to food.

The traditional occupation of Gandharba community was to play "Sarangi" (a musical instrument like violin) and singing their own story door to door of elite communities to ask for money for their livelihood. They had to depend on few money donated by so called upper caste after getting entertained from the song they sung. Being an untouchable dalits, the community often faced weird behavior too and struggled the discrimination in the society. The community lived nomadic life for many generations as landless, Illiterate having very low social awareness. Now, the Gandharba community of Sorahawa VDC, Bardiya district has been a role model community for other Gandharba communities of Banke, Dang, Surkhet, Dailekh and Pyuthan districts.

Community empowerment, advocacy and leadership training, social mobilization, access to resources from the government as well as from non government organizations are among the major achievements of this community. FIAN Nepal engaged with this community since 2011 to organize them, orient them on human rights and right to food,

lobby/advocacy for land entitlement and linked them with People's Housing Program (a welfare program of Government of Nepal for marginalized communities). As of now, the community has been able to received 27 permanent houses with land entitlement, under the People's Housing Program. The community now themselves are actively engaged in demanding permanent houses from the Government by submitting proposals for their other family members who are yet to receive houses. The community has also been able to construct an embankment on the Mankhola River for the protection of their lands taking support from local government. Sahakarmi Samaj, an NGO based on Kohalpur continuously supporting the community too for preservation their traditional culture by musical instruments, income generation trainings, constructing a museum of their culture.

Gradually, the upper caste communities have changed their perspective towards the Gandharba community, previously viewed disdainfully as being untouchable Dalits. Now, many households of the community are engaged in income-generating businesses e.g. animal husbandry, dairy farming, professional farming, electric rickshaw driving. Almost all family members can now afford quality clothes and food. The children of the community are able to get good education in attend boarding schools. Replicating the advocacy strategy of the Gandharba community of the Bardiya district, another Gandharba community of the Banke district has also been able to access fund of NPR. 1 hundred thousand from the Municipal Development fund to buy musical instruments for the protection of their occupation. The community urge the government to consider their occupation as a dignified profession.

Sonaha Community: Issue of Identity and occupation

Sonaha community is an endangered indigenous community residing in mid and far west region. The traditional occupation this community is gold panning and fishing in the Karnali River. The river flows through the Bardiya National Park (BNP) and the community is now denied access to these natural resources for their livelihood due to the national park. Following FIAN Nepal's intervention in 2010, the community has begun to



Sonaha Community, even being endangered indigenous, were not listed as they demand and deprived to access natural resources. Supreme Court of Nepal has ordered Nepal Government to enlist the community as endangered indigenous community.

lead their issues by themselves and is continuing to receive livelihood support from Government Organizations as well as Non-Government Organizations. However, lacking adequate food to provide their families with two square meals a day, the committee members often scatter in search of alternative employment, sometimes rendering their efforts and struggles ineffective.

After a series of empowerment activities for the community and sensitization of the government authorities, the community has now succeeded in acquiring fishing licenses in the Karnali River from Bardiya National Park (BNP). The BNP officials and security personnel are now perceived to be softer towards the community than in previous years, and are providing support to access the resources. The community is also engaging in other income generation activities, such as farming and animal husbandry.

The community had filed a writ petition in Supreme Court of Nepal in 2014 demanding to list them as an endangered indigenous community. The Supreme Court ordered the government to register the community as an endangered Indigenous Community in 2015. During Prime Minister Pushpa Kamal Dahal's visit in Bardiya on September 30, 2016, the community reminded the government abide by the decision of the Supreme Court. As soon as the community is officially registered as endangered indigenous community, they will have access to the services and benefits provided by government. The community are now actively participating in different forums to discuss on development activities like in VDC-level meetings, trainings, agriculture and cooperatives.

Tharukumal Applying New Technology to Promote their Profession

The TharuKumal community of Gobardiya VDC of Dang is landless and their traditional occupation is making clay pots. Their main issue was land entitlement where they are residing which is still pending due to inactive Landless Commission. As soon as the commission becomes active again, it is anticipated that the community will receive land entitlement. On the other hand, the community has been able to access support for income generation training activities through Government Organizations and NGOs. The community, with support from the VDC, have also worked by themselves to control the flooding of Supaula River, which has been affecting their lands. The Gobardiya Community Forest Users Committee also supporting their traditional occupation by providing firewood at nominal prices.



Mr. Laxman TharuKumal with his family. Like him, the community now has increasingly better livelihood after they received support for their occupation.

In former days, the community had to rely on manual wheels in order to prepare clay pots. Now they can afford electric wheels which has increased their productivity and efficiency. They also no longer need to travel and carry their products to sell in different markets. Vendors from other areas directly approach them to buy their products in bulk. The lifestyle of the community gradually seems to be improving. Some community members have built permanent houses on their own and their children are getting education in good school. An exposure visit conducted in September 2016 to the Potters' Square of Bhaktapur helped the community to learn about the modern technology of pottery, new designs, market analysis as well as market management. After this exposure, the community has – via their mobile phones – used the internet for marketing. The community now receives orders online which helps them to both continue and promote their traditional occupation.

Livelihood of Bote Community

The livelihood of Bote Community, an indigenous community residing in Makwanpur district, is depend on natural resources which is covered by Parsa Wildlife Conservation Area (PWLCA). Fishing and sand extraction are their main occupation for the survival. However, PWLCA had denied to access the natural resources for their sustainable livelihood. Illiterate and voiceless Bote community often deprived to enjoy their rights due to inability of claiming their rights. After a series of interventions of capacity enhancement trainings, the community is more empowered than ever. The community has gradually been able to build strong functional linkages with duty bearers (e.g. local governmental organizations, the Warden of Parsa Wildlife and Conservation Area (PWLCA), Village and District Development Committee officials, Users Committees like Manahari Users Committee (MUC), Community Forest Users Committee (CFUG) and political parties. An income generation program was also set up (Hariyo Ban Program, etc.). PWLCA authorities now warmly welcome the community and listen to their issues. In order to protect their traditional occupation, the PWLCA has supported the community with NRs 200,000 from the Parsa Wildlife Conservation Authority and with NRs 25,000 from the Manahari Users Committee for the construction of a fishpond, and as per their demands for livelihood support. The major achievement in the community is that they are now able to acquire fishing licenses from PWLCA. They are also now allowed to collect firewood and animal fodder inside the protected areas.



Fishing is the main source of livelihood of Bote Indigenous Community in the Protected Area, i.e. Parsa Wildlife and Conservation which denied their traditional occupation.

Bhote pastorals struggle for their occupation and health

The Bhote people, an ethnic group that lives in Bajura district are an indigenous people. Their main occupation is sheep herding and most of them are seasonally nomadic. During winter, these people travel from the highlands to the lowlands and back again for the summer season. They use their sheep as carriers of goods, which they then sell. Due to a lack of grazing land en route, these pastoralists face difficulties as they try to feed their sheep. Most of the time, they enter community forests to graze their sheep. The management of Community Forest User Groups (CFUG) charge them a huge amount



Bhote pastorals of Bajura are seasonally nomadic and sheep is the means of transportation for their occupation, which are in problem due to lack of pasture lands on their en route.

for grazing and sometimes confiscate their sheep, leading to conflicts. Because of such conflicts, their traditional occupation is endangered. Additionally, Bhote women suffer from severe health and nutritional problems. As being seasonally nomadic, pregnant women give birth en route, in places where there is no easy access to health posts. Hence the child mortality rate is very high in their community. The Bhote people are demanding that the grazing charge be reduced with uniformity in all community forests in order to protect their occupation, and that their health and nutritional problems be considered. The CFUGs are gradually softening towards the community regarding the promotion of their traditional occupation. Land grazing charges have become nominal and systematic en route in the Bajura and Achham districts. The District Forest Officer is facilitating settlements of any disputes arising between the Bhote community and the CFUGs. The Village council

and the Ilaka council recommended that District Development Committee to generate programs for the Bhote community for the promotion of their traditional occupation. Moreover, the Pandusen VDC initiated studies into the nutritional situation of Bhote women. After a delegation to the central government (National Women Commission, National Foundation For Development of Indigenous Nationalities, Ministry of Health, and Ministry of Forest and Soil Conservation), the concerned authorities expressed their commitments to support the addressing of their issues. The Minister of Forest and Soil Conservation, Mr. Shanakr Bahandari, immediately instructed the District Forest Officers of Bajura and Achham to take the issue seriously and provide support as necessary.

Monitoring of Prithivi Highway Hotels

During a monitoring visit by the Department of Food Technology and Quality Control (DFTQC), in coordination with FIAN Nepal in 2015, the highway hotels were ranked in three different color cards. A green card denoted the hotel being in a satisfactory condition, a yellow card denoted that the hotel needed to improve in terms of both hygiene and price, and red card-holders were given warnings with penalties. The District Administration Office of Dhading has taken ownership of the issue and is conducting frequent monitoring. Since then, the highway hotels and restaurants have improved the quality of their reasonably priced food. Media reports of misconduct by hotel owners often lead to action taken against them by the Chief District Officer.



Department of Food Technology and Quality Control has pasted stickers in highway restaurants according to their category and Dhading District Administration Office continue monitoring of foods they offer to the passengers.

Buffer Zone declared in Shivapuri-Nagarjuna National Park

Shivapuri-Nagarjuna National Park covers three districts: Kathmandu, Nuwakot and Sindhupalchowk. Although the park was established in 2002, buffer zones were not declared. The people living in areas adjoining the park were denied access to natural resources and suffered from wild animal threats. Because of none of the area were declared buffer zone, the affected community are not able to claim compensation of the destruction as well as utilization of the natural resources for their livelihood. FIAN Nepal initiated a casework focusing on a Tamang community, an indigenous community of the area, Kageshowra Manahara Municipality-1, Gagalfedi. The main occupation of this community is agriculture and animal rearing. The main source of water for the village lies inside the park but the community had lost access to it. Wild animals - especially wild boar and monkeys - enter the village and destroy the agricultural cultivations of the villagers for their own consumption. In March 2016, the Government of Nepal defined buffer zones around the national park and the process to form a Buffer Zone Management Council was initiated. This helps affected communities to access resources from the park, as well as other services and benefits according to the law.

The people living with HIV from Bajura and Dailekh demand health facility

HIV/AIDS has been a major curse in remote areas of the mid and far west regions. Due to extreme poverty and inadequate job opportunities, many men from these regions migrate to India in order to provide their families with food. Instead, the migrants bring back HIV/AIDS and transmit it to their wives and possibly to any future children. Innocent people living in poverty lose their remaining properties to cover the cost of treatment and finally, their lives too, leaving their families to grieve the loss. Although the government has been taking the issue seriously and



A team of delegation of HIV affected people from Bajura and Dailekh met Health Minister, Hon. Gagan Thapa to address their problem like easy health facility and nutritious food.

has provided the anti-retroviral (ARV) medicine to infected people free of cost, they have not effectively addressed the problem. Poor and infected people have to take the medicine with just a glass of water, given the lack of nutritious food, and their health condition is thus further deteriorating. Therefore, the infected people from these remote districts demand to be provided nutritious food, ARV medicine, and lastly, access to CD4 count machines in the district.

HIV/AIDS affected people from Barhbise VDC, Bajura and Rakam, Dailekh are now taking the lead regarding their issues and accessing services, programs, budgets from local level government line agencies as well as engaging in income generation activities with CSOs and NGOs. Barhbise VDC has formed a five-member committee to study the situation of HIV-affected people, which is ongoing. Government officials from the district expressed their solidarity towards the issue and committed to support depositing NRs. 100 per year for the welfare of the community. DDC Bajura continues to allocate a budget for the affected people, to be used for awareness raising programs for them, such as street dramas and musical plays. DDC Bajura has also allocated 1.5 million rupees from the Parliament Development Fund to construct a blood bank in support of the community. Gradually the affected people are being accepted again in society. Social stigma and discrimination are gradually decreasing. Other vulnerable groups, such as HIV infected single women from Rakam, Dailekh have also been receiving support from the concerned VDCs and DDC. DDC Dailekh has also provided 50 thousand rupees to an emergency fund for affected people. A central level delegation jointly formed by affected people in January 2017 has drawn the attention of Health Minister as well as the Director of National Centre for AIDS and STD Control (NCASC). The delegation demanded easy access to treatment including fortified nutritious food along with ARV

medicine. Currently, HIV/AIDS patients living in poverty from these remote villages are compelled to have the ARV medicine on an empty stomach, leading to a gradual deterioration of their health. The director of NCASC informed the delegation members that a tender for provision of nutritious food (Lito Pitho-cereals) is underway, and sampling is in progress in a laboratory. They will distribute the nutritious food in 65 major parts of 59 districts.

Bursbang Chepang Community Receives Resettlement Offer

The Chepang community, living in a remote hill in the Dhading district, are suffering from food insecurity as well as lack of adequate drinking water. The community, especially the women, have to spend more than 4 hours a day fetching water for drinking and other household chores. Following a series of capacity-strengthening exercises in the community, they conducted a delegation to the District Development Office at the district headquarters



Member of Parliament, Hon. Rajendra Pd. Pandey had a meeting with Bursbang Chepang Community to short out their problem of drinking water

in June 2016, demanding a drinking water project for their village. The community has been able to access NRs. 2 Lakh from the DDC to be used for pond construction under National Adaptation Plan of Action (NAPA) program to tackle the shortage of water. The pond will be used for the collection and storage of rainwater for household chores and for watering livestock. The community had submitted a demand letter to DDC for drinking water project, again in December 2016, the community had a follow up meeting with DDC for the implementation of the

project. However, due to impracticability, the drinking water project funded by a KOIKA, a Korean INGO, was diverted to another place. The delegation also approached the parliamentarian Hon. Mr. Rajendra Pd. Panday with a 7 point letter of demand on the December 8, 2016. The parliamentarian visited the affected community to explore the possibilities of a drinking water facility in the area. After discussion, the parliamentarian offered a resettlement in a more service-accessible area, as relocation was more feasible rather than a drinking water project. The community accepted the offer, however, the resettlement process will take a long time.

Shyamedanda Chepang Community claimed Source of Drinking Water

123 Chepang households live in the Shyamedanda, Pida VDC situated in the southern part of Dhading district. They are forced to do manual labor and to collect wild yam in order to feed themselves, as their own agriculture is only sufficient to cover 4 to 6 months of food. This community also suffers from the lack of safe drinking water. Following the intervention of FIAN Nepal, the community is now organized to lead the issue for themselves. The Right to Food group is headed by Ms. Bimala Chepang as



Safe drinking water has been a challenge to the Chepang Community of Pida VDC and compelled to depend on rain water collected on small ponds which is unsafe for human health

President, who is also actively engaged in resource seeking activities. The community has now identified a source of drinking water and is obtaining consent from other local communities. They submitted an application to register the source in District Water

Resource Committee (DWRC), Dhading in November 2016. DWRC office announced a public notice so as to identify whether there are any claims by other communities on the source. Now the office is in the process of awarding the water resource to the Chepang Community. VDC Council has prioritized their issue and incorporated it into their Shyamedanda Drinking Water Project plan for next fiscal year. The VDC Council has also recommended to the District Drinking Water Office that a project needs to be implemented for the community.

Road Construction Displaces Dalit families in Bajhang



Ms. Kaururi Sarki, one of the displaced family by road construction in Bajhang district, with her family taking temporary shelter nearby her destroyed house.

The livelihood of around 25 families is at risk due to the construction of Jadar Koiralkot road. Heavy landslides caused by the construction and huge stones falling down 300 meters to a village in Malumela VDC at Ambagar, destroyed the houses of 8 Dalit families, displacing them from their homes. The landslides have covered agriculture lands, destroyed drinking water tanks and pipe lines. FIAN Nepal began this casework in July 2016, and started by organizing and strengthening the capacity of the affected people. The affected community, initially tolerated the problems silently, but they have now started to become organized and to demand that concerned line agencies such as District Administration Office, Divisional Office of Road, District Drinking water and Sanitation Divisional Office, and Irrigation Divisional Office address the issue and ensure the community's rights.

Effect of Karnali Distillery on Agriculture



The wastage disposed by Karnali distillery directly to the agriculture field has decreased the production over the year that affected right to food of nearby residents

The Karnali Distillery, situated in the Bageshowr VDC, ward-1, Khajura, has been polluting water and agricultural lands by disposing its factory waste nearby. Environmental pollution has had severe impacts on human health and has led to a decrease in agricultural production over the year. The affected people are organized and struggling.

Due to series of protests and rising pressure, the District High Court of Banke has ordered the company to implement appropriate mitigation measures. With the intervention of FIAN Nepal, the community is also now armed with knowledge about its right to food, realizing that those rights have been violated by the distillery. The community has now begun to claim those rights effectively and in a more organized way.

Rapid Response:

Tilathi Incident

The open border between Nepal and India has resulted in lots of cross-border right to food violation issues pertaining to Extraterritorial States Obligation (ETOs), affecting the right to food of Nepalese Citizens. Nepalese citizens are being forcibly displaced from their productive land due to the increased land encroachment by Indian nationals facing food insecurity in their own country. The land has been tenured by the families since their ancestors with legal land entitlement from the Government of Nepal. Sometimes, however, these lands are claimed by Government of India. This encroachment creates further conflicts between the Nepalese landholders and Border Security Force (BSF) of India. The Tilathi

incident is one of them.

A team of FIAN Nepal visited Saptari, Sunsari & Jhapa Districts from 28-31 July, 2016 to identify ETO-related right to food violation issues. During the visit, the team also met with key witnesses in the Tilathi incident. A small dam was constructed on the Indian side of the Khando river, near to 'no man's land'.

The dam has caused flooding and crop destruction on the Nepal side, violating the right to food of the Nepalese citizens. In order to highlight the ETO issue, FIAN Nepal documented the incident and organized a press conference in August 1, 2016.

Seed Failure



Subsidy crop failures in Dhading, Bardiya and Dailekh have hit the headlines this year, as they had a huge impact on farmers and their right to food. A variety of seeds recommended by the District Agriculture Development Office and sold by the National Seed Distribution Centre have been found to be of poor quality. In Bardiya, when the paddy seed was growing, it was found that the seed contained more than 15 varieties of rice. In Dhading and Dolakha districts, the planted paddy seeds didn't grow as expected. FIAN Nepal team has conducted a rapid response in the three districts in collaboration with the District Right to Food Network and they have highlighted the issue. In a dialogue with the government agency concerned, the government authorities accepted responsibility for distribution of faulty seeds and agreed to provide compensation to the affected farmers.

3. Policy Advocacy

Supreme Court Legitimizes Right to Food

In 2014, FIAN Nepal jointly with affected communities filed two writ petitions in the Supreme Court of Nepal demanding that the state be responsible on the right to food. The livelihood and social security of the weak, the helpless, the destitute, those living in extreme poverty, street children and defenseless old-aged people. On June 8, 2016, the Supreme Court of Nepal made a final hearing and issued a mandamus in accordance with petitioners' demands.

The mandamus order is issued to Government of Nepal, Office of the Prime Minister and Council of Ministers' Office, assigning them the responsibility to collect exact

data on the weak, the helpless, the destitute, the extremely poor, street children and defenceless old age citizens, and to provide shelter and livelihood services to them within one year, so as to protect the fundamental right to life of such citizens.

Such legal provisions are in existences under the Chapter of Pauper in the National Code 1963, but it has not implemented. On the other hand, different acts and rules have been enacted for the social protection of people, but the necessary structures have not been set in place for the implementation of those laws. The targeted people have not benefitted. The mandamus

of the Supreme Court put the responsibility to take care such citizens on the Government of Nepal, which now has to provide the necessary livelihood support.

Following another PIL filed by the Sonaha Community with support from FIAN Nepal and JuRI Nepal, the Supreme Court ordered the Government of Nepal to enlist the community as an endangered indigenous community in December 2015. This has created legal obligation to state to recognize the community as an endangered indigenous community and provide necessary livelihood assistance through social security allowance.

Amendment of National Park and Wildlife Conservation Act



During the implementation of the VGGT orientation programs in 2016, Members of Parliament from the Environment Protection Committee (EPC) initiated a process to amend the National Parks and Wildlife Conservation Act 1973, based on the increasing number of people-park conflicts.

Simultaneously, FIAN Nepal commissioned a research report on the situation of buffer zone communities' access to natural resources. After the research, findings were presented at a meeting with Members of Parliament. Subsequently, FIAN Nepal was also requested by EPC to facilitate a consultation

between policy-makers and affected communities, in order to discuss on the proposed amendments in an inclusive and participatory manner. This consultation workshop brought together stakeholders both from the policy-making and grassroots community levels and provided an opportunity for assessing existing conservation policies from a perspective of tenure rights of land, fisheries and forest. As a consequence, indigenous peoples and other grassroots communities from buffer zone areas have been able to exert pressure on the EPC and propose a series of amendments

of the act with a human rights-based approach, including a stronger participatory management of protected areas. The proposed amendments by EPC were tabled in the Parliament for final approval. After series of discussion in the parliament, the amendment has been approved 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. FIAN Nepal welcomes the linkage between our core project and the guidelines, and these unintended impacts of the VGGT implementation efforts.

Suggestion on Preliminary Draft of Right to Food Bill submitted to Nepal Law Commission

After 26 years being a state party to ICESCR, Nepal ratified international commitments for ensuring the right to food of its citizens, guaranteeing the right to food as a fundamental human right under Article 36 in the Constitution in 2015. The constitution mandated the government of Nepal to enact the legal frameworks around this right by 2018. To this end, the Nepal Law Commission (NLC) has initiated the drafting of the Right to Food Bill. A preliminary draft was published on February 10, 2017 for wider consultation among concerned stakeholders.

In the past, Civil Society Organizations (CSOs), led by FIAN Nepal, have collectively created pressure as well as played a supportive role to ensure the right to food as a 'Fundamental Right' in the Interim as well as the 2015 Constitution. Similarly, FIAN Nepal, jointly with the working group of CSOs, is providing continuous contributions for the enactment of an effective legal framework for the Right to Food'. The draft bill contains some strong provisions for which FIAN Nepal has been lobbying since a long time. However, it was felt that a wider consultation among the concerned stakeholders on the draft bill was necessary. The Nepal Law Commission (NLC) has also requested FIAN Nepal to reach out to grassroots level stakeholders in all provinces for further improvements on the draft bill. Using this opportunity, FIAN Nepal in collaboration



with the National Human Rights Commission (NHRC) has taken the preliminary draft bill to the grassroots level, running provincial consultation workshops in Nepalgunj, Dhangadhi, Pokhara and Biratnagar along with one national workshop in Kathmandu involving communities, CSOs, political parties, journalists, government officials and other concerned stakeholders. Similarly, National Network for Right to Food (RtFN) has conducted a consultation workshop on the draft bill in Mahottari district. Participants in the workshops offered comments and suggestions on the preliminary draft. Having collected their suggestions and feedback, FIAN Nepal compiled the essential comments and prepared a three-column suggestion paper (Teen Mahale), submitting it to the Nepal Law Commission on behalf of civil society organizations on April 23, 2017.

After receiving the suggestion paper, the Chairperson of NLC, Mr. Madhav Paudel, commented that the "CSOs' suggestions on the bill will be an important reference for the commission in the future during finalization of the bill before being tabled in the parliament for enactment. This paper is the property of the Nepal Law Commission and will be incorporated as far as practical". He further thanked all participating CSOs for the effort made to improve the draft bill. Vice-chairperson of the NLC and the Co-ordinator of the Right to Food Bill Mr. Bhesh Raj Sharma said that a final consultation workshop with CSOs will be organized before the bill goes to Parliament.

Revision of Acts from A Human Rights Perspective

FIAN Nepal has been recognized as a pioneer organization on human rights in Nepal, especially regarding the right to food. As such, FIAN Nepal has been requested to review Acts and Policies from a human rights perspective. The Nepal Permaculture Group requested that FIAN Nepal review the Food Safety Policy, and Federation of Drinking Water and Sanitation Users (FEDWASUN) requested a review of the Drinking Water and Sanitation Bill. FIAN Nepal has reviewed these acts and made necessary feedback to the concerned ministries and line agencies.

4. Knowledge Generation

Knowledge generation is promoted by FIAN Nepal through two strategies: first, evidence-based research and second, trainings or workshops for dissemination of knowledge to support policy-making and implementation. The casework and capacity-building approach applied by FIAN Nepal under the first strategy offers the opportunity to build an evidence-based knowledge repository. In addition, FIAN Nepal coordinates and conducts research on specific issues and fact-finding missions. The knowledge generated is further disseminated through trainings, consultations and workshops with various stakeholders and relevant institutions. Through this strategic approach, FIAN Nepal aims to establish itself in the long term as an expert organization and knowledge hub on the right to food in Nepal.

As a part of knowledge generation, FIAN Nepal continuously works with a case based approach (case documentation, evidence collection, fact sheet preparation of right to food violations, capacity enhancement of vulnerable people at local levels, as well as policy advocacy at central levels to address violations) in its working districts. Along with this, FIAN Nepal also intensively engages in policy research where policy gaps in addressing right to food violations are identified, and brings recommendations to the attention of concerned stakeholders. The enshrinement of the fight to food in the 2015 Constitution of Nepal is an achievement resulting from FIAN Nepal's almost decade-long advocacy and knowledge generation journey towards the realization of right to food in Nepal.
<http://fiannepal.org/category/publications/>

Expansion of FIAN Sections in South Asia Region leveraging experiences of FIAN Nepal

A team from Bangladesh comprising social workers and human rights activists visited the FIAN Nepal office between 4 and 6 June 2016, with the aim of enjoying a shared learning experience on the right to food movement in Nepal. General Secretary Satya Twayna briefed the group on the history of FIAN Nepal and its working approach. A successful case from Pipaltar, Dhading was discussed in terms of process and how the affected community has been able to restore their right to water for irrigation and how FIAN Nepal was able to support them. The team later visited Pipaltar and interacted with the community as well as with District Right to Food Network to understand the role in the right to food movement of CSOs and Right to Food Promoters. Lastly, the team visited District Development Office Dhading to understand how government line agencies are accountable for addressing right to food violation issues and ensure the protection of those rights.

Representatives from other South Asian countries such as Sri Lanka and Pakistan are looking forward to similar visits to Nepal in future. This interaction increases the visibility of FIAN Nepal as a learning centre in the South Asia Region on the right to food movement.



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