



Leaving No One Behind: Enhancing Birth Registration for Dalit Children in Madhesh Province

Nepal Peacebuilding Initiative

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Ankita Singh Rathour, Priyanka Jha and Subindra Bogati

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Executive Summary

This study highlights the issue of birth registration among the Dalit community in the Madhesh Province of Nepal. According to the 2021 census, a significant 23.4% of births in the Madhesh Province remain unregistered, with the issue being particularly acute among the marginalized Dalit communities. Lack of birth registration among Dalit children in Madhesh Province has profound detrimental consequences. The absence of legal identity denies these children access to basic services such as education, healthcare, and government benefits. This also makes them susceptible to exploitation and can become easy prey of human trafficking. The impact extends to their economic prospects in adult life, as the likelihood of securing formal employment, including foreign employment, becomes extremely low. It restricts access to essential services such as insurance, pension schemes, and basic utilities like water and electricity. This further entrenches their marginalization and perpetuates cycles of poverty.

Birth registration is a fundamental right. The government of Nepal has expressed its commitment to birth registration through international obligations, the Constitution, and numerous pieces of legislation. Target of Sustainable Development Goals (SDG) 16.9 aims to ensure the legal identity for all, including birth registration by 2030. Constitution of Nepal 2015 has enshrined the right of every child to a birth certificate. The 15th Periodic Plan of Nepal aspires to guarantee legal identification. In 2014, the Ministerial Declaration of the United Nations Economic and Social Commission for the Asia Pacific (UNESCAP) set goals related to vital registrations and Nepal has set the goal of achieving 100% birth registration by 2024.

This study examines the key factors restricting Dalit children's access to birth registration. Data was collected through focus group discussions with the Madheshi Dalit communities and key informant interviews with stakeholders in three districts of Madhesh Province -Dhanusha, Saptari and Siraha.

The primary barriers to birth registration include:

- (a) Institutional challenges like limited resources, technical capacity, and coordination have hindered effective birth registration;
- (b) Lack of awareness and access among the Madheshi Dalit community regarding the need and process of birth registration;
- (c) Lack of citizenship certificates among parents;
- (d) Limited understanding of birth registration procedures among local representatives;
- (e) Fear among officials of repercussions for registration – related errors; and
- (f) Identity-based discrimination.

Additional obstacles to information and access include economic hardship, a complex registration process, geographical isolation, low literacy rate, linguistic barriers and gender-based discrimination within the Dalit community and households. Economic constraints primarily stem from travel expenses and documentation costs. Geographical isolation limits access due to the remote locations of Dalit communities, where infrastructure and government services are minimal. Low literacy rates make it difficult for individuals to understand the importance and procedures of birth registration, exacerbated by the fact that many Dalits, particularly women, may not be fluent in Nepali. Moreover, restrictive social norms limit Dalit women's mobility, further preventing them from accessing information and actively participating in the registration process.

Ward Secretaries often require both parents' citizenship certificates to issue birth registration certificates. This adds complexity and creates a significant burden for Dalit community members seeking birth registration. The policy, it seems, is partly driven by concerns over Nepal's proximity to India and the potential interest of Indian citizens in acquiring Nepali citizenship. While intended as a safeguard against misuse, this requirement unintentionally obstructs the birth registration process for Dalit children.

A key barrier for Madheshi Dalits in obtaining birth registration is the lack of awareness among local representatives. Several factors contribute to this issue, including insufficient training on birth registration procedures, reluctance to register children born to parents who married below the legal age and the overall complexity of registration process.

Fear of punishment among officials, even for unintentional errors during the registration process, often leads to hesitation or reluctance in facilitating birth registration. This fear stems from a lack of understanding and misinterpretation of legal provisions. District

Administration Offices (DAOs) and Ward Secretaries frequently assume that penalties apply to them, when in reality, they are intended for the “suchak” (informer) responsible for initiating the registration. When a DAO has doubts about a case, Ward Secretaries are required to seek clarification from the Chief District Officer. However, Ward Secretaries often lack institutional support when engaging with the DAO, further discouraging them from actively processing registration.

In conclusion, the lack of birth registration among Dalit children in Madhesh Province has far-reaching consequences, restricting their access to rights, services and opportunities. The root causes of low registration rates lie both within the Dalit community – due to lack of awareness and access – and among officials who face institutional barriers and misunderstandings. Addressing these challenges requires a multi-pronged approach, including comprehensive awareness campaigns for the Madheshi Dalit communities, targeted training for local representatives and officials, simplification of registration procedures and stronger collaboration between government bodies and the community. Only through these concerted efforts can Dalit children obtain birth registration and, ultimately, citizenship - breaking the cycles of poverty and vulnerability.

Introduction

Background

According to the United Nations Children’s Fund (UNICEF), birth registration is the official process of recording a child’s birth, providing a permanent and legal recognition of their existence. At a minimum, it establishes essential details such as the child’s place of birth and parentage. Birth registration is a prerequisite for obtaining a birth certificate—the first legal proof of identity. In industrialized countries, registering a child’s birth is widely recognized as a parental responsibility. However, birth registration extends beyond an administrative formality; it serves as a crucial data source for national statistics, enabling governments to formulate policies, allocate resources effectively, and plan development programs in areas such as education and healthcare.¹

Birth registration is a fundamental human right, essential for the realization of other rights. Socio-economic rights, including access to healthcare and education, are particularly at risk when birth registration is not systematically enforced.² In some countries, children without legal identity documents may be denied access to essential health services. While unregistered children can often enroll in primary schools, they may later face barriers to taking national examinations or gaining admissions to universities. Furthermore, birth registration provides a pathway to citizenship, ensuring legal recognition and protection.

The absence of birth registration can create significant challenges, including restrictions on marriage, property ownership, inheritance, international travel requiring a passport and obtaining a driver’s license. Although legal alternatives, such as affidavits, may sometimes be available, these processes are often costly and time-consuming.³

With the adoption of the Sustainable Development Goals, countries worldwide have committed to ensuring universal birth and death registration.⁴ However, birth registration rates remain low in many regions.

1 Selim, L. (2019). What is birth registration and why does it matter? <https://www.unicef.org/stories/what-birth-registration-and-why-does-it-matter>

2 OHCHR. (n.d.). OHCHR | Birth registration. <https://www.ohchr.org/en/children/birth-registration>.

3 Mouravieff-Apostol, E. (n.d.). The Significance of Birth Registration in Today’s World. https://www.ifsw.org/wp-content/uploads/ifsw-cdn/assets/ifsw_103846-7.pdf.

4 Unicef.org. (2019). Status of Civil Registration and Vital Statistics in South Asia Countries. <https://www.unicef.org/rosa/reports/status-civil-registration-and-vital-statistics-south-asia-countries>

In South Asia, more than one in three infants (under one year old) have not had their births registered, and just over half lack a birth certificate. As the foundation of legal identity and a gateway to accessing human rights, birth registration is crucial in the global effort to ensure no one is left behind.⁵

The Government of Nepal has demonstrated its commitment to birth registration through international obligations, constitutional provisions and legislative frameworks. Nepal has ratified key international treaties, including the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Rights of the Child (CRC), and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), all of which emphasize and safeguard mandatory birth registration. As a member of the United Nations, Nepal is bound to fulfill these commitments. Additionally, Sustainable Development Goals (SDG) Target 16.9 aims to ensure legal identity for all, including universal birth registration, by 2030. At the national level, Article 39(1) of the Constitution of Nepal (2015) and Clause 4(1) of the Act Relating to Children explicitly guarantee every child's right to a birth certificate, reinforcing Nepal's obligation to uphold and implement birth registration as a fundamental right.

Legal Framework of Birth Registration in Nepal

This chapter analyzes Nepal's legal framework for birth registration, covering international obligations and national constitutional and statutory provisions.

International Obligations

Birth registration is a fundamental right recognized under key human rights treaties. Nepal, as a signatory to the ICCPR, CRC, and CEDAW, is committed to ensuring universal birth registration. The CRC (Articles 7 & 8) mandates immediate birth registration and protection of a child's identity. Additionally, Nepal has endorsed the UNESCAP Ministerial Declaration, which promotes universal civil registration and access to legal identity documentation.

National Commitments and Progress

Nepal aligns with SDG 16.9, which aims for universal birth registration by 2030. Progress has been made, with birth registration rates rising from 35% in 2006 to 77% in

⁵ United Nations ESCAP (2019). Chapter 1: Achieving universal birth registration <https://getinthepicture.org/midterm-report/chapter-1>.

2019, though challenges persist. The CRC (2005 & 2016) urged Nepal to improve birth registration through awareness campaigns and legal reforms. In response, Nepal enacted the National ID and Civil Registration Act (2019) to streamline the process.

Constitutional and Legal Provisions

- **The Constitution of Nepal (2015):**
 - Article 39(1) guarantees a child’s right to birth registration and identity.
 - Article 40 provides special provisions for Dalit communities, ensuring education, healthcare, and social security.
- **The Act Relating to Children (2018):**
 - Parents, guardians, or family members can register a child’s birth.
 - Special provisions exist for children born from rape or incest.
- **Statutory Regulations:**
 - National Civil Code (2017): Requires birth registration within three months.
 - Birth, Death, and Other Personal Events Registration Act (1976): Mandates registration within 35 days at local offices.

Contextual Background of Madhesh Province

Although Madhesh Province is the smallest among Nepal’s seven provinces in terms of land area, it is the most populous. It comprises eight of the 22 districts in the Terai region: Saptari, Siraha, Dhanusha, Mahottari, Sarlahi, Rautahat, Bara, and Parsa.⁶

Madhesh Province faces significant economic and social challenges. While Nepal’s overall economic poverty is 25.2 percent, Madhesh ranks third in economic poverty⁷ at 27.7 percent and second in multidimensional poverty. Many people in the province lack access to productive assets that could help break cycle of poverty. Additionally, they face unequal access to education, healthcare and opportunities for personal development. Restrictions on access to information, press freedom and political participation further exacerbate social inequalities. Women in Madhesh are disproportionately affected by poverty, with widespread gender-based violence and systemic barriers limiting their rights, by poverty.⁸

6 Jha, Hari Bansh., ‘The New Name of Madesh Province Surprises Nepal’, ORF Online, February 5, 2022, <https://shorturl.at/eJQX5>

7 Chaudhary, Randhir., ‘Measuring Poverty in Madesh: What Should be Done?’, Nepal Live Today, January 21, 2022, <https://www.nepallivetoday.com/2022/01/21/measuring-poverty-in-madhes-what-should-be-done/>

8 HURIGHTS OSAKA, ‘Freedom from Poverty: A Fundamental Human Right’, <https://shorturl.at/antX7>

Many Madheshi women are landless, lack citizenship certificates, and face challenges in accessing government-provided social security benefits.⁹ Additionally, many fall victim to “meter interest”¹⁰ (exploitative lending practices), trapping them in cycles of debt and economic hardship. Dalit women in Madhesh face even greater marginalization, with limited access to education and minimal influence in both domestic and political matters.¹¹ According to a report, 35 percent of the Dalit community lacks citizenship certificates¹², further restricting their rights and access to essential services.

Nepal’s social structure is rooted in a hierarchical caste system, where Dalits comprise 13.4% of the total population. However, researchers and Dalit organizations estimate that this number could be over 20 % – equivalent to nearly five million people¹³. Dalits have historically faced marginalization, discrimination and systematic restrictions, limiting their access to education, healthcare, employment, and other essential services. Madhesh Province has the largest Dalit population in Nepal, accounting for 18% of the province's total population. Districts such as Saptari (24.5%), Siraha (22.5%), and Dhanusha (17%) have particularly high concentrations of Dalits.¹⁴ However, Madheshi Dalits face even greater discrimination and exclusion compared to Hill Dalits, further compounding their socio-economic struggles.

Despite constitutional protections and international obligations guaranteeing their rights, Dalits continue to face barriers in securing fundamental rights, including birth registration and citizenship in particular.

- Article 24 of the Constitution of Nepal (2015) guarantees the Right against Untouchability and Discrimination.
- Article 40 ensures the Right of Dalits, including access to education, healthcare and land.

However, to exercise their rights, individuals need citizenship or birth registration certificates- documents that many Madheshi Dalits lack.

9 Dalit Civil Society Organization’s Coalition for UPR, Nepal and International Dalit Solidarity Network, <https://idsn.org/wp-content/uploads/2015/11/Nepal-UPR-2015-Dalit-Coalition-and-IDSN-report.pdf>

10 INSEC Online, ‘Parliament Passes Bill Addressing Meter Interest’, July 17, 2023, <https://shorturl.at/rDKN6>

11 Dalit Civil Society Organization’s Coalition for UPR, Nepal and International Dalit Solidarity Network, <https://idsn.org/wp-content/uploads/2015/11/Nepal-UPR-2015-Dalit-Coalition-and-IDSN-report.pdf>

12 Pokharel, Neetu. and Niroula, Som (2015). Think You’re Deserving of Human Rights? Prove It. <https://www.opensocietyfoundations.org/voices/how-legal-identity-leads-better-life>.

13 IDSN. (n.d.). Nepal. [online] International Dalit Solidarity Network. <https://idsn.org/countries/nepal/>.

14 Central Bureau of Statistics. (2012). National Population and Housing Census 2011 (National Report) Government of Nepal National Planning Commission Secretariat Central Bureau of Statistics. <https://unstats.un.org/unsd/demographic-social/census/documents/Nepal/Nepal-Census-2011-Vol1.pdf>.

An International Labour Organisation (ILO) report states that Musahars rank third-to-last in the Terai Dalit social hierarchy, followed by Halkhor and Dom communities¹⁵. In Mahadeva Rural Municipality, Saptari District, most Musahar children had not been enrolled in school due to the absence of birth certificates, as their parents lacked citizenship certificates or were trapped in extreme poverty.¹⁶ The lack of education and legal identity perpetuates a vicious cycle of poverty within the Madheshi Dalit community. Without citizenship, many are excluded from government benefits, including social security allowances. The percentage of unregistered children in key districts of Madhesh Province is alarmingly high, with Dhanusha, Saptari and Siraha having 28%, 24% and 19.2% respectively.¹⁷

Provision 8.1 of the National Child Policy designates the birth registration certificate as a mandatory document for school enrollment. While this provision did not explicitly bar children without birth certificates from entering schools, however, misinterpretation by school authorities has resulted in many children being denied admission, simply because they lacked birth certificates.¹⁸ This reflects a broader issue where policies meant to facilitate access to rights are instead misinterpreted in ways that restrict marginalized children from receiving basic education. Similarly, the Social Security Act (2018) mandates that vulnerable children must submit a birth registration certificate to receive a nutrition allowance under Section 9. This requirement creates another barrier for Dalit children, excluding them from essential social security benefits.

The Constitution of Nepal (2015) explicitly guarantees protections for Dalits:

- Article 40(2): Ensures free education with scholarships for Dalit students from primary school to higher education, including special provisions for Dalits pursuing technical and professional studies.
- Article 40(3): Requires special legal provisions for ensuring healthcare and social security for the Dalit community.

¹⁵ ILO Nepal, 'Dalits and Labour in Nepal: Discrimination and Forced Labour', <https://shorturl.at/hwGZ7>

¹⁶ Jha, Abdhesh Kumar, 'Musahar Children in Saptari Village are Still Deprived of Education', *The Kathmandu Post*, March 2, 2023, <https://shorturl.at/zTW19>

¹⁷ National Statistics Office. (2023). National Population and and Housing Census 2021 Results. <https://censusnepal.cbs.gov.np/results>.

¹⁸ Senchurey, Rajendra., and Kafle, Smriti. (2022). Marginalized since birth - The Record. <https://www.recordnepal.com/marginalized-since-birth>

Despite these constitutional guarantees, Dalit children and families remain excluded from education, healthcare and social security benefits due to absence of birth registration and citizenship documents. Addressing this issue requires clarifying policy implementation, increasing awareness among local officials, and ensuring that Dalit families can access essential documents without bureaucratic hurdles.

Objective of the Study

The primary objective of this study is to systematically examine the accessibility of birth registration services for Dalit families in the districts of Dhanusha, Saptari, and Siraha. Recognizing the critical role of birth registration in securing citizenship, assessing social services, and ensuring fundamental rights, this study aims to identify the key structural and systemic barriers that hinder Dalit communities from obtaining legal identity documentation.

Through a rigorous research design, the study seeks to assess the physical, financial, and administrative and informational barriers that contribute to the exclusion of Dalit families from birth registration services. This requires an in-depth exploration of their lived experiences, shedding light on the difficulties they encounter in navigating the registration process.

To achieve these objectives, the study employed qualitative research methods, including in-depth interviews and focus group discussions, to analyze:

- Bureaucratic hurdles encountered at local administrative offices.
- Socio-cultural factors that may influence registration access.
- Misinformation and lack of awareness among both community members and government officials.

Methodology

This chapter presents the methodological framework adopted for this qualitative study, which aims to analyze the status of birth registration within the Dalit community in Madhesh Province, with a particular focus on the districts of Dhanusha, Saptari and Siraha. Given the socio-political complexities surrounding birth registration, a qualitative research approach was chosen to capture the lived experiences of Dalit families, their interactions with registration system, and the systemic barriers they face.

The study employs a combination of primary and secondary data sources to ensure a holistic understanding of the issue. The methodology was structured into three key components: desk review, focus group discussions and key informant interviews. These methods were designed to triangulate data and provide a comprehensive analysis of both community experiences and institutional challenges related to birth registration.

Desk Review

A preliminary desk review was conducted to gather secondary data on birth registration trends, policies and existing challenges in Madhesh Province. This review provided a foundational understanding of the legal, policy and administrative framework governing birth registration, as well as statistical trends related to registration rates.

The desk review involved an analysis of the following sources:

- Project reports prepared by the NPI on birth registration activities in Dhanusha, Saptari and Siraha.
- Data from the Central Bureau of Statistics (CBS) to understand birth registration rates, demographic trends and disparities in the target districts.
- Legal frameworks and policy documents related to birth registration in Nepal, including municipal-level policies and directives.
- Relevant studies and publications from civil society organizations, research institutions and international bodies on birth registration challenges, particularly in marginalized communities.

Findings from the desk review were instrumental in identifying key knowledge gaps, refining research questions, and guiding the selection of key informants and focus group discussion participants.

Focus Group Discussions

Focus Group Discussions (FGDs) were conducted to facilitate community interactions and capture collective experiences, perceptions, and challenges related to birth registration. FGDs provided a platform for Dalit community members to articulate their concerns and discuss systemic barriers they face in the registration process.

Key Aspects of the FGDs:

- Number of FGDs conducted: nine (three in each district)
- Total participants: 90 (10 participants per FGD)
- Participant profile: Members of Dalit communities, Dalit human right activists, community leaders, and representatives from municipalities / rural municipalities in Dhanusha, Saptari and Siraha.
- Discussion themes:
 - Social and cultural factors influencing birth registration, including caste-based discrimination.
 - Awareness levels and misconceptions surrounding the registration process.
 - Role of local governance in facilitating or hindering access to registration services.
 - Bureaucratic and procedural barriers to birth registration.

Key Informant Interviews

To gain a deeper understanding of the structural and systemic factors affecting birth registration among the Dalit community, KIIs were conducted with a diverse set of stakeholders. These interviews aimed to capture institutional perspectives on the registration process, existing policy gaps and potential areas for reform.

Key Informants Included:

- Community leaders and Dalit activists engaged in birth registration advocacy.
- Elected local government representatives responsible for overseeing registration processes.
- Local government officials, including Ward Secretaries and officials at the District Administrative Office (DAO), who directly handle birth registration applications.
- Members of Parliament representing constituencies in Madhesh Province, particularly those working on legal identity and social inclusion issues.
- Representatives of Constitutional Bodies involved in monitoring the implementation of registration policies.
- Journalists covering citizenship and birth registration issues in Madhesh Province.

KIIs allowed for a deeper exploration of policy-related challenges, administrative bottlenecks, and institutional biases affecting Dalit communities. These interviews complemented the findings from FGDs, ensuring a multi-perspective understanding of birth registration accessibility.

Study Area and Timeframe

The study was conducted in three districts of the Madhesh Province - Dhanusha, Saptari and Siraha – which were purposefully selected based on:

- Their significant Dalit population facing systemic challenges in birth registration.
- The diverse socio-economic landscape, covering both rural and urban settings to capture a broad spectrum of experiences.

The research was carried out in March and November 2023, allowing for a comprehensive exploration of birth registration challenges over an extended period. This timeframe enabled the study to account for contextual changes that may have influenced birth registration practices, including shifts in policy implementation, administrative processes and community awareness levels.

Findings and Discussion

According to the 2021 National Census, 23.4% of the children in Madhesh Province have yet to receive birth registration. The issue is particularly pronounced in the study districts, with Dhanusha (28%), Saptari(24%) and Siraha(19.2%)¹⁹ lacking official registration. Birth registration serves as the foundational step in securing legal identity, providing access to essential rights and services such as education, healthcare and social protection. However, the process remains highly inaccessible for many marginalized and vulnerable communities, particularly Dalits, leading to long-term exclusion and systemic discrimination.

Factors Affecting Birth Registration

A study conducted in India highlights the significant impact of socio-economic determinants on birth registration rates. The research found that children whose mothers have no formal education, lack media exposure, belong to the poorest wealth quintile are far less likely to be registered. Additionally, caste and religious identity further influence birth registration access, with children from marginalized communities such as Other Backward Classes (OBCs) and Muslim communities experiencing greater difficulties. Rural populations also face substantial barriers, as birth registration rates in rural areas tend to be lower than those in urban centers due to administrative inefficiencies, lack of awareness and physical distance from registration offices.²⁰

Similar trends are observed in Nepal, where birth registration is deeply intertwined with issues of citizenship, social hierarchy and power dynamics. The entrenched structures of patriarchy and historical discrimination further exacerbate disparities in access to essential services, including legal documentation. The stratification of Nepali society along caste, ethnicity, and economic status creates additional layers of exclusion, making it particularly difficult for Dalit communities to secure formal recognition of their children's births.

19 National Statistics Office. (2023). National Population and and Housing Census 2021 Results. <https://censusnepal.cbs.gov.np/results>.

20 Kumar, K. and Saikia, N. (2021). Determinants of birth registration in India: Evidence from NFHS 2015–16. PLOS ONE, 16(9), p.e0257014. doi:<https://doi.org/10.1371/journal.pone.0257014>.

Challenges Faced by Marginalized Communities

FGDs in Dhanusha, Saptari and Siraha reveals that Dalit communities, particularly the Musahar community, face severe challenges in obtaining legal identity documents such as birth registration and citizenship certificates. Many members of these communities live in extreme poverty and social isolation, which further restricts their access to government services. The administrative hurdles they encounter are not merely bureaucratic inefficiencies but also stem from deeply rooted discriminatory practices that perpetuate their marginalization.

Discussions with elected local government representatives indicated a troubling perception of the Dalit community, particularly Musahars. Some officials attributed the low birth registration rates among Musahars to what they described as a culture of negligence within the community, often linking it to alcoholism. These prejudiced narratives ignore the structural and systemic barriers that Dalit families face, shifting blame on to the victims of institutional exclusion rather than addressing the inequities in the registration process. Additionally, there is a widespread lack of awareness about the importance and benefits of birth registration among many Dalit families, which further contributes to their exclusion from legal identity documentation.

Implications for Policy and Practice

The findings from this study underscore the deep-rooted structural inequalities that hinder Dalit communities from accessing birth registration services. Addressing these issues requires a multi-pronged approach that includes policy reforms, capacity building for local governments, increased community awareness, and the adoption of technology-based solutions to streamline registration processes.

At the policy level, simplifying birth registration procedures and waiving registration fees for low-income families would significantly enhance access. Current requirements, such as the mandatory physical presence of both parents, disproportionately disadvantage families with migrant workers and should be revised to allow alternative verification mechanisms. Additionally, targeted interventions to improve the capacity of local government officials are necessary to eliminate discriminatory practices and ensure that registration services are delivered in an inclusive and equitable manner.

Raising awareness within marginalized communities is equally critical, as many Dalit families remain unaware of the legal importance of birth registration and the benefits it provides in accessing education, healthcare and government services. Community-based awareness campaigns, facilitated by civil society organizations and local leaders, can help bridge this knowledge gap and encourage more families to register their children's births.

The adoption of technology-based solutions, such as digital birth registration systems, could also play a transformative role in addressing barriers to access. Implementing mobile registration units in remote and underserved areas would make the process more accessible to marginalized communities, reducing the reliance on local offices that may be difficult to reach. Digitizing records and enabling remote registration would improve efficiency and enhance transparency within local administrative offices.

Barriers to Birth Registration for Dalit Children

Structural and Institutional Discrimination

During FGDs with members of Dalit communities, participants frequently highlighted that discriminatory practices by government officials discourage them from applying for birth registration. Many Dalit individuals encounter social stigma and bias when interacting with local government offices, where officials either delay the registration process or impose unnecessary bureaucratic hurdles.

For instance, some participants mentioned that discrimination by government officials demotivates Dalit community members from attempting to apply for legal identities. The requirements for acquiring birth registration certificates and citizenship are often confusing, time-consuming, costly and discriminatory, further discouraging Dalit individuals from even starting the process.



In the KIIs with the Ward Secretaries, they

shared that local elected officials acknowledge Dalit members as residents – and therefore citizens – of their respective localities. They also recognize that all children should have access to birth registration certificates. However, Ward Secretaries are frequently contacted by the DAO for clarification regarding the issuance of these certificates. The process is further complicated by gaps in understanding and information among officials at the DAO, including the Chief District Officer, making it challenging to facilitate birth registration for the general public.

Individuals without legal identity- those who cannot prove their identity- are often excluded from opportunities and remain highly vulnerable in society. The chances of securing employment in the formal economy are exceedingly low for such individuals. The likelihood of being integrated into the country's social protection system or benefitting from essential services like healthcare during pandemics, conflicts or climate emergencies is virtually nonexistent. Furthermore, the absence of legal identity can affect access to insurance, pensions, and even basic utility services such as water and electricity.

During a FGD in Saptari district, members of the Musahar community shared that they have no access to education, health, formal employment or banking services. As a result, their livelihoods depend on daily wages, and they lack opportunities for savings or investment. This financial insecurity often leads to spending on alcohol, with some Musahars working in the informal sector receiving partial payment in the form of alcohol. It is believed that the alcohol consumption helps them work harder, so those who hire them often provide alcohol as part of the payment, further fostering dependency.

One of the Ward Chairs of Golbazar Municipality successfully facilitated the birth registration of 75 children from the Musahar community and supported their enrollment in schools. In some cases, both parents lacked the citizenship certificates, while in others, only the mother did. Despite obtaining birth registration certificates, many of these children were still unable to access the child grant (allowance), as it is mandatory for the mother to have a citizenship certificate to open a bank account for receiving the funds.

In Madhesh Province, child grants are theoretically accessible to all communities, yet Dalit groups- Musahars, Doms and Halkhor communities- face significant hurdles in

obtaining these benefits. Currently, the government provides a child grant of Rs 532 per month for children under five years old in 25 selected districts, as well as to Dalit children under five across all 77 districts. However, despite this targeted policy, many children from the Madheshi Dalit community remain excluded due to systemic barriers, further exacerbating their economic and social marginalization.

Legal identity provides individuals with the opportunity to break the cycle of poverty, while being undocumented means being denied access to essential opportunities and the ability to exercise civil and social rights. Without the necessary documentation for legal



identification, basic rights and services such as social allowances, healthcare, school enrolment, the right to vote, a driver's license, a bank account, mobile phone services and the ability to move freely within or outside the country are often inaccessible.

This lack of legal identity leaves marginalized groups more vulnerable to crimes like human trafficking, which is now the third most profitable criminal enterprise and in such a context, children without birth registration certificates are particularly at risk of human trafficking. The districts in Madhesh Province share an open border with India. In such a context, children without birth registration certificates are particularly vulnerable to human trafficking.

The study identifies six key factors that restrict Dalit children from accessing birth registration certificates. Each of these factors is outlined in the table below and is analyzed in detail in the following sections.

1	Institutional Factors	1.1. Failure of the State Mechanism.
		1.2. Weak Dalit Development Committee.
2	Lack of Awareness and Access, and the Vicious Circle	2.1. Impact of Birth Certificates on Education and Employment Opportunities
3	Citizenship of Parents Mandatory for Child’s Birth Registration	
4	Limited Awareness and Understanding of the Birth Registration Process Among Local Government Officials	4.1. Inadequate Training and Knowledge Gaps
		4.2. Impact of Child Marriage and Social Stigma
		4.3. Bureaucratic Complexity and Lack of Clear Guidelines
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6	Birth Certificates and Citizenship: An Identity-Based Issue	

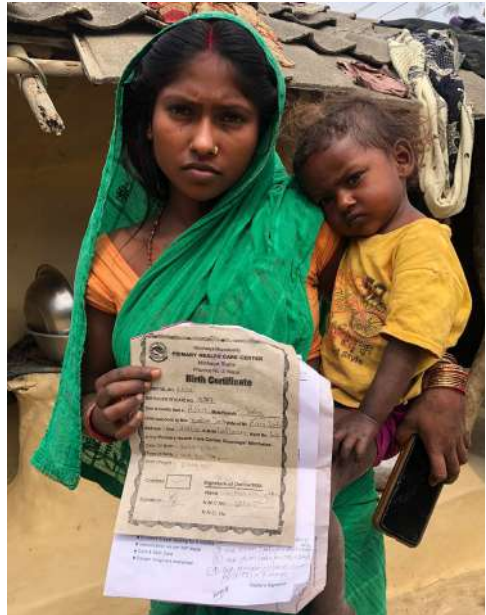
1. Institutional Factors

Issues faced by marginalized communities, particularly in accessing fundamental rights, can often be traced back to the inefficiencies and inconsistencies within state institutions. NPI’s in-depth examination of the issue, along with its engagement with key stakeholders, has highlighted systematic institutional shortcomings that have contributed to the low birth registration rates among Madheshi Dalits.

A major challenge observed is the lack of coordination among various state institutions. For instance, the DAO and the Department of National ID and Vital Registration hold

differing interpretations of birth registration policies, creating confusion and bureaucratic hurdles. Additionally, Ward Secretaries – who play a crucial role in facilitating birth registration at the local level – often operate under the influence of the DAO, which further hampers their ability to provide essential services to marginalized communities already struggling with multiple socio-economic challenges.

One of the Ward Chairs in Dhanusha district expressed the view that birth registration for children should only be granted if their parents' marriage is formally registered. The rationale behind this stance was that allowing birth registration, even if their parents' marriage is not formally recorded, could potentially undermine social norms and create complications in family structures. The Ward Chair argued that ensuring a formal marriage registration first would promote social accountability and stability within the community, helping to prevent future legal issues related to inheritance, custody, and their child's identity. However, this view was met with criticism from some community members, who highlighted that many families, particularly from marginalized groups, may face significant barriers to formal marriage registration, including financial constraints, lack of awareness, and bureaucratic hurdles.



Despite legal safeguards, many municipalities continue to require a marriage registration certificate before granting a child's birth certificate. Ward Secretaries often delay registering children until the parents reach the legally recognized marriageable age of 20. As a result, by the time the parents meet this age requirement, their child may already be three, five or even six years old, yet the birth registration certificate inaccurately records them as newborns. This discrepancy creates significant challenges later in life, particularly when accessing education, citizenship documents, and other essential services. Institutional inefficiencies and misinterpretations of legal provisions not only delay birth registration but also worsen the systemic marginalization of Madheshi Dalit communities. Addressing these issues requires improved coordination between

government agencies, capacity-building for local officials and stronger advocacy efforts to ensure the proper implementation of birth registration policies without discrimination.

1.1. Failure of State Mechanism

In a workshop organized by the NPI, government representatives underscored the crucial link between access to state mechanisms and the degree of marginalization experienced by different communities. They highlighted that state’s responsibility extends to ensuring that all eligible individuals receive essential legal documents, such as citizenship and vital registration papers, without discrimination. However, they pointed out stark inconsistencies in the implementation of these policies. They also stated, “The state has the responsibility to issue citizenship and other vital registration documents to all those who are eligible. However, there are cases where individuals coming from the Indian border were granted citizenship, while those born on the Nepali side of the border were denied this right. This clearly illustrates how political and social connections determine who benefits from state mechanisms”. This disparity, they argued, reflects systemic biases within governance structures that often favor those with political and social influence while excluding marginalized populations. Such discriminatory practices not only undermine the principles of justice and equality but also exacerbate the vulnerabilities of already disadvantaged groups. The discussions emphasized the urgent need for policy reforms and greater transparency in the administration of citizenship and legal documentation processes to prevent further disenfranchisement.

NPI’s interactions with various stakeholders have revealed that the process of obtaining citizenship in Nepal is often arbitrary, relying more on the discretion of individual government officers than on a standardized, transparent system. For instance, if a Chief District Officer (CDO) is well-informed and empathetic toward the complexities surrounding citizenship, they may use their discretion to facilitate approvals. However, this inconsistent and subjective approach underscores a fundamental flaw in the state mechanism—Madheshi Dalits and other marginalized groups remain dependent on the goodwill of individual officials rather than on an institutional framework that guarantees their rights. This discretionary power creates an environment where bias, personal prejudices, and political influence can significantly impact who gains access to legal identity and state services.

Furthermore, insights from NPI’s Community Outreach Program in the districts revealed

a significant trust deficit between Madheshi Dalits and state institutions. When asked about their experiences with government agencies, many community members recounted instances of neglect, procedural hurdles, and discriminatory practices that deterred them from seeking essential legal documentation. Some described repeated rejections, excessive bureaucratic delays, or demands for unofficial payments, reinforcing their perception that the state does not recognize or protect their rights. This widespread distrust highlights the state's failure to provide adequate assurance and security to Madheshi Dalits, further alienating them from formal legal and administrative processes.

The consequences of these institutional failures extend beyond citizenship, affecting access to basic services and socio-economic opportunities. For example, the *Janata Awas Yojana*, a government initiative aimed at providing housing for low-income groups, has remained largely inaccessible to Dalits who lack citizenship documents. Without legal identity, they are excluded from key social welfare programs, banking services, and employment opportunities, perpetuating a vicious cycle of marginalization. The inability to obtain citizenship not only limits access to government assistance but also contributes to continued low birth registration rates among Dalit communities, further entrenching their systemic exclusion across generations.

Moreover, discussions with provincial government representatives revealed a lack of clarity regarding institutional roles in birth registration. Officials stated that they were unable to intervene, as birth registration falls under the jurisdiction of local governments. While Nepal's Constitution designates civil registration and vital statistics as a concurrent power shared by all levels of government, current legal frameworks assign birth registration solely to local governments, while citizenship and passport-related functions remain under the exclusive authority of the federal government. This legal ambiguity, coupled with bureaucratic inefficiencies and limited coordination among government tiers, creates additional barriers for marginalized communities attempting to secure their legal identity. As a result, individuals-especially those from historically excluded groups-are often trapped in a bureaucratic limbo, unable to exercise their fundamental rights and access critical state services.

1.2. Weak Dalit Development Committee

Through interactions with officials from the Dalit Development Committee (DDC), NPI has identified significant gaps in the committee's implementation, functioning and overall effectiveness. While the establishment of DDC represents an important institutional step toward amplifying the voices of the Dalit community, its impact has been severely undermined by structural and operational challenges. Committee members emphasized that if the DDC were adequately resourced and empowered to function effectively, it could play a crucial role in addressing key issues faced by the Dalit community-



including low birth registration rates, barriers to citizenship, and landlessness. Without sufficient financial resources, the committee struggles to design and implement programs that address the critical needs of Dalit communities. Moreover, inadequate staffing have further constrained its operational capacity, leaving it unable to function as a robust and proactive institution.

These structural weaknesses have led to the DDC remaining largely symbolic rather than serving as a transformative body capable of influencing policy and delivering tangible outcomes for Dalits. Given that the DDC was established under the *Dalit Empowerment Act*, it is imperative that it receives adequate financial and institutional support to function as intended. Strengthening the committee requires not only an increased budget but also greater political will to ensure its decisions are implemented. Additionally, mechanisms for transparency and accountability must be introduced to ensure that the committee actively works to protect and promote Dalit rights rather than existing merely as a token institution. Without such reforms, the DDC will continue to fall short of its mandate, leaving Dalit communities without the support and representation they urgently need.

2. Lack of Awareness and Access, and the Vicious Cycle

The study revealed a significantly low level of awareness among members of the Dalit community across the three districts. Multiple barriers contribute to this lack of awareness, reinforcing systemic exclusion. Economic constraints play a major role in impeding the Dalit community's engagement with the birth registration process. Limited financial means hinder their ability to navigate bureaucratic complexities, as travel expenses, documentation costs, and procedural fees create significant obstacles. Many registration procedures involve intricate requirements that can be intimidating, particularly for those with minimal financial resources. Additionally, Dalit families' often struggle to cover direct expenses such as birth registration and administrative fees. As a result, a substantial portion of the Dalit population remains excluded from the official registration process, perpetuating a cycle of invisibility and further marginalization for future generations. Moreover, the lengthy bureaucratic process forces economically disadvantaged individuals to forfeit daily wages, adding to their financial burden.

Geographic isolation further compounds the community's lack of awareness regarding legal identity and birth registration. Many Dalit families reside in remote, rural areas with underdeveloped infrastructure and minimal governmental outreach. This geographic dispersion exacerbates informational gaps, making it difficult for Dalits to understand and engage with legal systems. Limited accessibility to governmental and educational institutions due to the physical remoteness of Dalit settlements further reinforces these barriers. Additionally, low literacy levels within Dalit community make it challenging for individuals to independently seek out and comprehend information about their legal identity. Many hesitate to approach government officials due to entrenched hierarchies and a socialization process that discourages questioning authority.



The linguistic barrier within Dalit communities further complicates matters. Official communication is often conducted in Nepali, a language that many Madheshi Dalits

do not speak fluently. The absence of localized materials and communication strategies tailored to their native languages exacerbates the issue. A striking example emerged during field research: a Dalit respondent misunderstood the term *buwa* (father) in Nepali, interpreting it as paternal aunt in Maithili. Similarly, the term *dai* (elder brother) was mistakenly associated with grandmother in Maithali. Such linguist challenges create confusion and impede effective participation in legal processes.

Gender-based discrimination within the Dalit community further restricts women's access to legal identity and birth registration. Compared to Dalit men and boys, Dalit women and girls face greater barriers due to societal norms that seek to control them by limiting their access to legal documentation. These restrictions are exacerbated by disparities in education and limited access to information. The exclusion of women from decision-making processes and educational opportunities perpetuates a lack of awareness regarding the significance of legal documents.

A particularly concerning issue is the denial of citizenship documents to Dalit women by their parent's or in-laws, often driven by fears that citizenship would enable them to claim property rights. This deliberate withholding of legal identity serves as a means of control over daughters and daughters-in-laws. However, the consequences are severe – women without citizenship struggle to register their children's births, especially if their husbands are abroad. The lack of legal identity also restricts their access to education, employment and financial services such as opening a bank account.

2.1. Impact of Birth Certificate on Education and Employment Opportunities

The absence of a birth certificate poses a significant barrier to education for Dalit children, creating a vicious cycle where lack of education and lack of legal documentation reinforce each other. Education often requires proof of birth registration, yet many Dalit children remain undocumented, making it impossible for them to access formal schooling.

In one of the community outreach programs in Dhanusha District, our team observed a critical issue: the lack of birth certificates and citizenship documents was preventing many children from enrolling in school. This problem is further exacerbated by the continued practice of child marriage in the community. Since Nepal's legal marriage age is 20, children born to underage parents often go unregistered because their parents are



not legally recognized as married. As a result, these children are unable to obtain birth certificates, which in turn denies them access to education. Additionally, the absence of birth certificates has financial consequences. The government provides a child allowance of NPR 532 per month, intended to support children's welfare. However, many Dalit children are deprived of this benefit simply they lack the necessary documentation\.

The impact of missing legal documents extends beyond education into employment. Without birth certificates, individuals cannot obtain citizenship, which is a prerequisite for formal employment and economic mobility. In terms of foreign employment, only five families from the village had members who managed to migrate abroad for work, while the rest were unable to seize such opportunities due to their lack of citizenship.

The issue also affects higher education graduates. One of the women we interviewed shared that her son, who had completed a Civil Engineering degree in India, was unable to secure a job in Nepal because he lacked citizenship. His father's citizenship had been obtained by birth rather than by descent, and the authorities refused to grant the son his own citizenship based on this technicality. The consequences of lacking citizenship extend into old age as well. An elderly couple in the community, both without citizenship, were unable to receive senior citizen allowance, depriving them of financial support in their later years.

3. Citizenship of Parents Mandatory for Child's Birth Registration

The intricate relationship between citizenship and birth registration creates significant barriers for the Dalit community in Madhesh Province. While Nepal's laws guarantee every child the right to birth registration, in practice, the process remains fraught with obstacles –especially for Dalit families who often face systematic discrimination and

bureaucratic hurdles. One of the primary challenges is the unofficial requirement for both parents to have citizenship certificates in order to register their child's birth. Although the



legal framework states that any family member over the age of 18 can serve as a suchak (informer) to register a child's birth, local authorities – particularly Ward Secretaries and district administration offices – frequently demand proof of both parents's citizenship. This practice disproportionately affects marginalized communities, such as Madheshi Dalits, who often struggle to obtain citizenship themselves due to historical systematic exclusions.

The stringent documentation requirements in Madhesh Province appear to stem out from its geographic proximity to India and concerns about cross-border citizenship claims. Authorities have likely imposed these restrictions as a safeguard against potential misuse by non-Nepali citizens. However, while these measures are intended to ensure accuracy in citizenship records, they inadvertently creates significant barriers for Dalit families, making birth registration nearly impossible for many children.

In an event with civil society organisations, media personnel, lawyers, and political party representatives, a participant highlighted an additional complication: the requirement for a marriage registration certificate to process a child's birth registration. Many Dalit and Madheshi couples lack official marriage registration, leading to situations where children are registered under the names of other family members who do possess marriage certificates. This practice creates legal ambiguities regarding parent-child relationships and complicates inheritance, citizenship, and identity rights in the future.

However, some local governments have taken proactive steps to address these challenges. For example, in the participant's ward office, birth certificates are issued to children whose fathers are missing but whose birth in Nepal can be verified through other forms of evidence. Similarly, birth certificates are granted to children whose mothers are Nepali citizens, even when details about the father are unavailable. In such cases, missing parental information is left blank, ensuring that children are not deprived of legal recognition simply because of administrative shortcomings.

4. Limited Awareness and Understanding of the Birth Registration Process Among Local Government Officials

At the local level, Ward Secretaries play a crucial role as representatives of the local government, overseeing various administrative responsibilities, including birth registration. Their duties involve maintaining records, ensuring accuracy, and assisting community members in navigating the registration process. However, a significant gap in their understanding of birth registration procedures and their legal implications has created barriers for marginalized communities, particularly the Dalit population. Several factors contribute to this lack of awareness and inefficiency among Ward Secretaries in handling birth registration:

4.1. Inadequate Training and Knowledge Gaps



One of the primary reasons for the ineffective implementation of birth registration policies at the local level is the lack of structured training for Ward Secretaries. Many of them have not received comprehensive training on the legal framework, procedural requirements, and best practices related to birth registration. In the absence of well-designed capacity-building programs, many local officials struggle to guide community members effectively, leading to delays and confusion in the registration process.

4.2. Impact of Child Marriage and Social Stigma

Child marriage remains prevalent in marginalized communities, particularly among Dalits, and has a direct impact on birth registration. Parents who married before reaching the legal age of 20 years often have low awareness of birth registration requirements. Even when they are aware, they may hesitate to register their child's birth due to fear of legal repercussions or social stigma associated with child marriage. Furthermore, Ward Secretaries and officials at the DAO often misinterpret the law, believing that a child cannot legally be born to parents who have not reached the legal age of marriage. This misinterpretation results in unjust refusals to register the births of children born to young parents, further marginalizing these families.

4.3. Bureaucratic Complexity and Lack of Clear Guidelines

The complexity of the current birth registration process poses another significant challenge for Ward Secretaries. The National ID and Vital Registration Department has not developed clear operational guidelines that would help local officials standardize and streamline the registration process. Instead, information is disseminated through circulars, which are often unclear, inconsistent or difficult to implement in practice. Without a comprehensive and structured guideline, Ward Secretaries lack the necessary reference materials to properly execute their responsibilities.



5. Fear of Legal Prosecution Among the Local Officials

A significant factor influencing birth registration practices among Ward Secretaries in Madhesh Province is the fear of legal consequences associated with potential errors or misjudgments in the process. This apprehension stems from uncertainties regarding the interpretation of legal provisions and the oversight role played by the DAO. As a result, many local officials hesitate to actively facilitate birth registrations, fearing potential disciplinary action for perceived wrongdoing.

5.1. Erroneous Interpretation of Legal Consequences

A major source of concern is the misinterpretation of punitive measures outlined in the Birth, Death, and Other Personal Events Registration Act 1976. The Act specifies penalties for wrongful registration, but these primarily apply to the “*suchak*” (informer) – the individual who provides false information for registration. However, Ward Secretaries and the DAO mistakenly interpret these provisions as punitive measures against local government officials themselves. This misunderstanding erodes the confidence of Ward Secretaries, making them hesitant to approve registrations, particularly in cases that might be deemed complex, such as:

- Children born to parents without marriage registration
- Cases involving missing or deceased fathers
- Birth registrations without both parents’ citizenship certificates

The fear of potential legal repercussions compels Ward Secretaries to adopt overly cautious approaches, often leading to unjustified delays or outright refusals in registering births.

5.2. Overreach of the District Administration Office

The DAO, based on KIIs with Ward Chairs and Ward Secretaries, exercises significant influence over birth registration procedures, further exacerbating local officials’ fears. Even when all legal requirements for birth registration are met, the DAO often summons Ward Secretaries for verification. If any doubts arise, Ward Secretaries are required to personally visit the CDO and provide justifications for the registrations they have approved.

This bureaucratic burden discourages Ward Secretaries from proactively facilitating birth registrations, particularly in marginalized communities where documentation gaps are common. Instead of supporting local officials in ensuring the right to legal identity, the DAO’s excessive scrutiny acts as a deterrent, leading to delays, inaction and a lack of initiative.

5.3. Absence of Support Mechanisms for Local Officials

Ward Secretaries also face a lack of institutional support when engaging with the DAO and other government bodies. Several challenges contribute to their reluctance in handling birth registrations:

- **Lack of clear legal guidance:** There are no comprehensive guidelines or directives explaining the specific roles and responsibilities of Ward Secretaries regarding birth registration.
- **Inadequate training:** Many ward officials have not received formal training on the nuances of birth registration laws, administrative procedures, or legal protections available to them.
- **Poor communication channels:** There is a disconnect between the National ID and Vital Registration Department at the central level and local ward offices, making it difficult for Ward Secretaries to seek clarification or receive timely support.

6. Birth Certificates and Citizenship: An Identity-Based Issue

From NPI's engagement with various intersectional layers of the Madheshi community, it is evident that the challenges surrounding birth certificates and citizenship extend far beyond institutional inefficiencies and a lack of awareness among Dalits. These issues are deeply entrenched in socio-political structures and reflect systematic discrimination against marginalized identity groups. While being a Madheshi Dalit alone presents significant hurdles in navigating Nepal's bureaucratic processes to obtain official documents, the barriers are even more severe for Madheshi Dalits who are women or belong to the LGBTQI community.

Despite the Supreme Court's Mandamus directing authorities to issue citizenship certificates in the name of mother, implementation remains inconsistent and inadequate. Dalit women, already marginalized due to their caste and gender, face compounded discrimination. Cases of sexual violence against Dalit girls are rising, leading to an increasing number of children born out of rape. In such cases, these children often face insurmountable barriers to obtaining birth certificates, as the absence of a father becomes a bureaucratic obstacle.

Similarly, unmarried Dalit women without recognized paternal or spousal lineage

struggle to secure their own citizenship, perpetuating a cycle of exclusion. Additionally, the practice of inter-caste marriage between Dalit women and non-Dalit men has led to a growing number of abandoned women. Many of these women are rejected by their husbands and in-laws due to entrenched caste-based discrimination, leaving them without legal documentation or social security. This not only strips them of their rights but also affects their children, who, in the absence of legal recognition, face an uncertain future.

For Dalits within the LGBTQI community, the process of registering a birth becomes even more complex when a child is identified as third gender. This leads to further complications in acquiring citizenship later in life. Although the Supreme Court has ruled in favor of providing citizenship based on self-identified gender, legal and administrative loopholes continue to create barriers. The current legal framework does not recognize the diverse identities within the third-gender spectrum, forcing individuals into rigid categories that do not fully represent their lived experiences. As a result, the inability to specify a more accurate gender identity on citizenship documents remains a significant concern for LGBTQI rights advocates.

Conclusion

The lack of birth registration among Dalit children in Madhesh Province has severe and far-reaching consequences, exacerbating their vulnerability and reinforcing cycles of poverty and marginalisation. According to the 2021 census, a significant 23.4% of children in the Madhesh Province remain unregistered, with the issue being particularly acute among the marginalized Dalit community. The absence of legal identity denies these children access to fundamental services such as education, healthcare, and government assistance, leaving them on the periphery of society with limited opportunities for upward mobility.

Beyond immediate social exclusion, the lack of birth registration affects long-term economic prospects, as individuals without proper documentation face considerable barriers in securing formal employment. Furthermore, the absence of legal identity restricts access to essential services such as insurance, pension schemes, and basic utilities like water and electricity, further deepening their marginalization. In times of crisis, such as the COVID-19 pandemic or conflict situations, unregistered individuals are often face excluded from social protection systems, emergency relief programs, and even basic healthcare services.

This study has identified multiple systemic barriers that restrict the birth registration of Madheshi Dalit children. These include institutional weaknesses, a lack of awareness among Ward Secretaries and insufficient training on birth registration procedures. Additionally, fear of punitive consequences – often stemming from misinterpretations of legal provisions- deters local officials from actively facilitating birth registration. The bureaucratic complexity linking birth registration to parental citizenship adds another significant challenge, as the requirement for both parents' citizenship imposes an undue burden on Dalit families, many of whom struggle to obtain legal identity themselves.

In conclusion, the lack of birth registration among Dalit children in Madhesh Province is a multi-faceted issue that affects their access to fundamental rights, services, and opportunities. The root causes stem from the socio-economic vulnerabilities of the Dalit community, combined with institutional inefficiencies and the reluctance of local authorities to prioritize birth registration. Addressing these challenges requires a multi-pronged approach: comprehensive awareness campaigns targeting the Madheshi

Dalit community, structured training programs for local representatives and officials, simplified and decentralized registration procedures, and collaborative efforts between government agencies and community stakeholders. Only through such concerted efforts can Dalit children gain legal recognition, access vital services, and ultimately break free from the cycle of poverty and systematic exclusion.

Recommendations

1. Policy Review and Reform

- The National Child Policy 2012 mandates compulsory birth registration for all children born in Nepal, making it a prerequisite school admission. However, if such policies inadvertently marginalize already vulnerable communities, they must be revised through a Do No Harm approach. Policies affecting citizenship rights should undergo periodic review to assess their social impact, particularly on marginalized communities like the Dalits.

2. Strengthening Institutional Coordination

- A clear and effective communication framework should be established between local government offices, such as ward office and DAO, to streamline the birth registration process.
- The National ID and Vital Registration Department should organize programs to bring together the CDOs and Ward Secretaries from Madhesh Province to ensure uniform understanding of birth registration procedures and improve service delivery mechanisms.

3. Resource Allocation for Advocacy and Implementation

- Sufficient resources and budget should be allocated to the DDC to strengthen its capacity to advocate for Dalit rights, including birth registration.
- Regular inter-agency meetings should be mandated to ensure ongoing dialogue, accountability, and responsiveness to challenges faced in the registration process.

4. Community-level Awareness and Outreach

- Targeted awareness campaigns should be organized to educate Madheshi Dalit families on the importance of birth registration and the necessary steps to complete the process.
- Local governments should implement digital record-keeping systems to track birth registration and other vital events systematically, which would support more effective policy planning and service delivery.

5. Mobile Birth Registration Units

- Mobile registration units should be deployed to marginalized communities, reducing the financial and logistical burden of travelling to government offices.
- Since many Dalit communities, such as the Musahar, depend on daily wage labor, missing even one day of work to go to complete bureaucratic processes can be economically devastating. Mobile units would alleviate this challenge and ensure wider coverage.
- Financial assistance or fee waivers should be introduced for marginalized families to mitigate economic barriers to birth registration.

6. Legal Aid and Support Services

- Legal counseling should be provided to individuals facing difficulties in obtaining birth registration and citizenship.
- Local-level legal aid services should be established to help marginalized communities navigate bureaucratic procedures and exercise their legal rights.

7. Addressing Gender-Specific Challenges

- Policies should be developed to tackle gender-based disparities in legal identity registration, ensuring women – especially daughters and daughters-in-law-have equal access to birth registration services.
- Awareness programs should specifically focus on improving access to citizenship for women, reducing discriminatory practices that hinder their legal recognition.

8. Eliminating Discriminatory Practices in Registration

- Concrete measures must be introduced to prevent discrimination by government officials during the birth registration process.
- Sensitivity and inclusivity training should be made mandatory for all officials involved in vital registration to ensure that marginalized communities receive equitable treatment and services.

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Beyond project implementation, he is actively engaged in policy dialogues and innovative peacebuilding approaches that address Nepal's evolving socio-political landscape. He has also authored numerous articles on peacebuilding, social cohesion and climate change issues, contributing to critical discourse in these fields. Subindra was awarded the FCO Chevening Fellowship in 2009 at the University of Birmingham, UK. He holds a master's degree in international relations from London Metropolitan University, UK.





Mirchaya Municipality
PRIMARY HEALTH CARE CENTER
Mirchaya
District: ...

Birth Certificate

HOSPITAL NO. 1100
BIRTH CERTIFICATE NO. 521

This is certify that a Male/Female child was born to Mrs. ... Wife of Mr. ...
Address: Dist. ... W.M. ... Ward No. ...
at the Primary Health Care Center, ... Mirchaya.
Date of Birth - 2073 B.S.
Time of Birth - ...
Sex Weight - ...

Checked Signature of Doctor/SBA
Name ...
N.M.C.No. ...
N.N.C. No. ...

• Evidence breast feeding for 6 months
• Immunization as per NIP Nepal
• Cord & Skin Care
• Danger signs are explained

Doctor's Signature