MEMBER PROFILE

MADHESH

Alliance for Independent Madhesh
**Status:** Unrecognised Territory

**Population:** 13.3 million (2011)

**Area:** 23,068 km² constituting the Terai region in the south of Nepal

**Capital City:** Undeclared

**Language:** Madhyadeshiya (Awadhi, Bajjika, Bhojpuri, Hindi, Maithili, Rajbanshi, Santhali, Tharu, Urdu and others)

**Religion:** Hinduism (84.9%), Islam (8.3%), Buddhism (3.5%), Kirat (1.4%), Christian (1.0%)

**Ethnic Groups:** Madheshi (various groups and sub-groups indigenous to Madhesh including Tharus and Muslims) and Pahadi

**UNPO REPRESENTATION: Alliance for Independent Madhesh**

The Alliance for Independent Madhesh has been a Member of UNPO since 2017. It represents the inhabitants of the Terai region internationally.

**OVERVIEW**

The Madheshi are the inhabitants of the Terai region in the south of Nepal at the foothill of the Himalayas on the border to India. The region distinguishes itself from the rest of the country by its plain terrain with subtropical climate, in contrast to the high mountain lands inhabited by the hill people of Nepal (Miklian, 2008).

The region is inhabited by 50.3% of Nepal’s total population (National Population and Housing Census 2011) of different ethnicities, many of which share cultural, linguistic and social similarities with Northern Indians rather than with Nepalis. Those ethnic groups speaking Maithili, Bajjika, Bhojpuri, Awadhi or closely related dialects mainly refer to themselves as the Madheshi people and make up the majority of the region’s population. The Terai is home to several indigenous groups that lived in the region long before it became an agricultural center and attracted migrants from the mountain region, Pahadis, that now make up almost a third of the Madheshi population.

However, groups indigenous to Madhesh still make up large parts of the population of the Terai; for example, the Madheshi population in the current federal structure’s Province 2 (possibly to be renamed as “Madhesh”) is still 87% (Hachhethu, 2016). The largest indigenous group are the Tharus who make up 12.5% of the Terai population (National Population and Housing Census 2011). Hindi is the lingua franca of the region, and it is the language that was traditionally used in both administration and education prior to forceful imposition of Nepali language in 1950s.
The Terai region was given to Nepal by the East India Company in two parts, Eastern Terai in 1816 and Western Terai in 1860. Ever since the region has faced discrimination by the Nepalese government and there has been an increased call for more autonomy in the Terai. It has historically been seen as a distinct region for centuries and distances itself from Nepal in many ways. The region has fought against injustice by the Nepali government for long.

**UNPO PERSPECTIVE**

The Alliance for Independent Madhesh (AIM) promotes the rights of all Madhesis and is inclusive of all inhabitants of the Terai. It protests the governmental oppression of the people of Madhesh and claims the peoples’ rights to self-determination and freedom of expression. The AIM intends to end discrimination of the Madhesis and condemns the use of violence to suppress fundamental rights.

**HISTORICAL BACKGROUND**

Madhesh is etymologically derived from the Sanskrit word ‘Madhyadesh’ or equivalent Pali word ‘Majhimadesha’, (Acharya, 1982) which means ‘the middle country’ and refers to the strip of plain land lying on the foothills of the Nepalese mountains and on the border to India (Davids, 1904 and Manohar, 2017). This region is also referred to by the term Terai or Tarai, which refers to its terrain features and has geographical connotations (Raut, 2013 and Kumar, 2007). Madhesh, on the other hand, is usually used when referring to the inhabitants of the Terai region and includes connotations of culture and identity of the Madheshi people (Miklian, 2008). The term Terai is believed to be of Persian origin meaning ‘damp’ which refers to the often damp areas at the foothill of the mountains (Gaige, 1975).

The geographical boundary of the region has been well defined in ancient Hindu texts like Manusmirti (circa 1500 BC, 2/21) and Buddhist canon Vinaya Pitaka (Davids, 1904 and Warren, 2003). In 6th century BC, Vajji, Malla, Ramgram and Kapilvastu republics were situated within the present territory of Madhesh.

Madhesh, Lumbini, was the birth place of Buddha in 563 BC. In ancient and medieval times, it was ruled by several powerful dynasties and renowned kings, ranging from King Salhesh (6th century AD) from Mahisautha in current-day Siraha district to King Nanyadev (12th century AD) from Simraungarh in current-day Bara district of Madhesh. Until 1324 AD, Madhesh was ruled by the Karnata dynasty and is said to have been one of the most
developed South Asian civilisations. In 1324 AD, during the reign of Harisinghadev, Sultan Gayasuddin Tuglak attacked on the capital then at Simaraunagadh and destroyed it. Later, Madhesh became part of the Mughal Empire. In the 18th century, the region fell under the rule of the East India Company. At the later stage of the British Raj, the northern part of Madhesh was ruled by the Sen Dynasty as suzerainty states and it paid taxes to the Mughal Nawabs and the East India Company (Hamilton, 1819 and Kirkpatrick, 1811).

Through the treaty of 8th December 1816, the East India Company handed the region between west of the Koshi River and east to the Rapti River to Nepal in lieu of two hundred thousand rupees per year (Aitchinson, 1863). The region west of the Rapti River and east of the Mahakali River came through the treaty of 1st November 1860, as a reward to the Gurkhas for their support to the East India Company for suppressing the Sepoy Mutiny of 1857-59 in India (Aitchison, 1863). This region is still referred as Naya Muluk (literally "New Country").

In the Anglo-Gurkha war of 1814–16, the Madheshis had fought for the British leading to an eventual victory over the Gurkhas. But the British handed over the eastern part of Madhesh to Nepal in 1816. However, in the treaty of 8th December 1816, they put a condition to ensure the safety of the Madheshis, stating, “the Rajah of Nipal agrees to refrain from prosecuting any inhabitants of the Terai, after its revertance to his rule, on account of having favoured the cause of the British Government during the war.”

But the condition was never complied and Nepal started revenging on the Madheshis as soon as Madhesh was annexed to Nepal. As Madhesh had been fighting on the British side during the war they were discriminated against by the Nepalese straight after the annexation. The Madheshi army was dissolved and Madheshi were not allowed to participate in politics. Much like under colonialism, the Madheshi people did not receive Nepalese citizenship and were deprived of land rights as the Nepalese government sent people from hill origin to the Terai region to gain control over the agricultural centre of the country. Finally they were forced to mass-migrate or live as Kamaiyas and Kamalaris ("bonded labours" or slaves) (Hachethu, 2007).

**Modern History**

As a result of the suppression of Madhesh by the Nepalese government, a movement for an autonomous Madhesh started in the 1950s. In 1951 the Nepali Terai Congress was founded in an attempt to engage in Nepalese politics and defend the rights of the Madheshi asking for a fully autonomous Madhesh. The Congress' claims included the recognition of Hindi as an official language to guarantee more adequate representation in civil services and politics. Due to disputes with the government, the party failed to gain a significant number of seats in the following elections though (ICG, 2007). This led to the establishment of armed liberation movements in the following years that were systematically stopped by the
Nepalese government. The people from Madhesh required a visa to enter the Kathmandu Valley until 1958 (Gaige, 1975).

In an attempt to fully integrate Madhesh into Nepal, the government started programs of forced integration affecting all parts of the lives of the Madheshi people. Over 100 ethnicities in Nepal were forced into pan-Nepali identity including the use of foreign Nepali as their only official language, the enforcement of the hilly people's dress as the national dress, the teaching of Nepalese customs and traditions in schools and the implementation of laws promoting the systematic discrimination of Madheshi. Rights to political participation, citizenship and land ownership were taken away from the people in the Terai. Since 1950s, the government introduced a resettlement program that supported the migration of people from hill origin, Pahadis, to the Terai region to take over parts of the agricultural and industrial sectors (Government of Nepal, 1953).

In 2006, at the end of the civil war, a peace agreement was enacted between the Nepalese government and the Communist Party of Nepali-Maoists. Shortly after, in 2007, fighting erupted again in the Terai. Despite the peace agreement, the Madheshi felt their concerns were still neglected by both the Nepalese government and the Maoist party. Many Madheshi parties arose during the following years, asking for an autonomous State of Madhesh and an end to the discrimination of the Madheshi (Miklian, 2008). In this background, the Nepalese Prime Minister Girija Prasad Koirala promised the institution of federalism in Nepal and the establishment of more constituencies in the Terai to ensure political participation of the Madheshi. Moreover, 1.5 million people in the Terai were granted citizenship (Hachethu, 2007). Madheshi movements were promoting ethnic regionalism and issues such as social inequality and the marginalisation of the population gained popularity amongst the people of the Terai (Kabir, 2013). Violence broke out frequently during the time and after various attempts at discussing a peace agreement, finally an 8-point agreement was signed on 28th February 2008 between the Government of Nepal and the agitating parties, promising a federal republic with fully autonomous regions, one of which would be Madhesh and proportional representation of the Madheshis (Nepal Monitor, 2017). But as soon as the movement subdued, the Government of Nepal backed off from the agreement, and conspired to split and annex the region to several provinces and keep the power in the center rather than decentralising it.

The Alliance for Independent Madhesh (AIM) was officially announced on 21st May 2012, though its precursor appeared back in 2006. It advocates for a non-violent means to Madheshi self-determination (Alliance for Independent Madhesh, Manifesto).

The AIM also took great part in a large and new wave of protests that erupted after the new constitution of Nepal was presented in 2015. In the aftermath of the earthquake in April 2015 the Nepalese government decided that after several attempts at reaching an agreement, a fast track process would be initiated to pass a new constitution. Many of the marginalised groups including the Madheshi opposed this fast track constitution and claimed it was still missing the most crucial points to stop discrimination and promote the idea of ethnic
regionalism granting equal opportunities by proving sufficient autonomy to Madhesh. The constitution included aspects such as the unequal distribution of parliamentary constituencies, unacceptable delineation of federal provinces and nominal federal setup without devolution of power, leading to increased protests in August 2015 (Human Rights Watch, 2015). Accounts of police violence were made and despite the attempt of the government to invite protestors to Kathmandu to reach an agreement, it refused to pause the drafting process of the constitution and it was passed without further involvement of its agitating dissatisfied groups. The latest protests against the new constitution united many Madheshis in their claim for more autonomy of the region (Human Rights Watch, 2015).

CURRENT ISSUES

Internal Colonisation and Denial of Fundamental Rights

After Madhesh was handed to Nepal by their former colonisers, colonisation of the region continued (Whelpston, 2006 and Gaige, 1975). The Madheshi army was immediately dissolved and Madheshis were prohibited from joining the Nepalese army or political and civil service jobs. Army checkpoints were established throughout the region and Madheshis were required a visa to enter the capital city of Kathmandu. The government also seized large parts of land belonging to the indigenous population and executed planned migration of hill-origin Pahadis to gain control of the region from the 1950s (Gaige, 1975 and Regmi, 1963 - 68).

In many cases indigenous people were forcefully displaced or forced to work as "bonded labourers" on the very land that they previously owned. They worked under slave-like conditions and even faced sexual exploitation by their masters. The system, known as the kamaiya and kamlari, still causes suffering to the indigenous peoples, who lost their lands and were highly suppressed and never compensated for their loss (Lowe, 2002).

Another right the people of Madhesh had to perpetually fight for was the right to citizenship. Under the 1964 Citizenship Act and the 1990 constitution, many people of the Terai were not granted citizenship as they lacked sufficient documentation to prove their "Nepali origin". Birth certificates, land ownership certificates and fluency in Nepali language had to be proven which left around 3.5 million eligible people without citizenship in 1994. This discrimination had a direct impact due to the necessity of citizenship to own land, apply for government jobs, register births and marriages, get passports, be a candidate for elections and others. The law was first amended in 2006 but up until today many Madheshis struggle with citizenship requirements (International Crisis Group, 2007).

The strict "ek desh, ek bhes, ek bhasa" (one country, one dress, one language) policy imposed by the Nepalese government in the 1950s on all of ethnicities also has caused severe consequences that can still be witnessed in the Terai today. The absence of education and jobs in local languages adds to the suppression of the marginalised population (International Crisis Group, 2007). It also leads to the lack of information for many people in the Terai as national media are in Nepali and focus on hill-issues which
makes it hard for Madhesis to participate in the national discourse (Human Rights Watch, 2015).

Another factor that up until today shows the domination of the Pahadi is the division of Nepal into five development regions. It has often been criticised that this forces the hill and plain areas into a common region and thereby takes away autonomy from the Madhesis leaving them with less political influence (International Crisis Group, 2007).

Nepal has been ruled by hill-origin Pahadi for almost two centuries and even after a long-lasting civil war, the political power up until today is exercised by upper-class citizens from hill-origin (Human Rights Watch, 2015).

**Discrimination**

The discrimination that Madheshis have experienced for centuries continues until today. Until the early 2000s the heavy discrimination of the people of the Terai was not reported on by national or international media (International Crisis Group, 2007). Up until today people of Madheshi origin are discriminated against in the job market. Only 12% (2007) of the influential jobs in the executive, judiciary and legislative branches of Nepal as well as the civil society are occupied by Madheshis despite the fact that they make up more than half of Nepal's population. In the sector of international organisations and multilateral donor projects the involvement of Madheshis is even lower at as little as 5% of all Nepalese employees. The most extreme example remains, though, up until today the Nepalese army that does not include a single officer of Madheshi origin (International Crisis Group, 2007).

In the latest peaceful protests against the constitution a worrying amount of insulting and derogatory language was used by the police and could be found on social media. Moreover, police violence was reported including violence against civilians, elderly, women and children. Allegations were put forward on the police using racial insults and threatening people for their lives and the lives of their families. The violence used by authorities during the 2015 protests has up until now not been investigated properly and international agencies were not involved and not able to proceed on the investigations (Human Rights Watch, 2015).

**Political Representation**

Even though it was promised in 2008, the people of the Terai are still waiting and protesting for the implementation of a meaningful federal system in Nepal giving greater autonomy to the Madheshis. One important factor to ensure political representation is the proportional representation of ethnicities in the public sector. Moreover, changes to the electoral system are needed to end the underrepresentation of Madheshi communities in politics (Human Rights Watch, 2015). Currently, the number of parliamentary seats in the Terai does not reflect on its population and in national elections it is common for most Terai seats to be won by Pahadi candidates (International Crisis Group, 2007).
Economic Exploitation

The Terai region is not only the agricultural center of Nepal but also the hub for trading with India. The Madhesh region includes 60% of the country's agricultural production and contributes to Nepal's GDP with two thirds (International Crisis Group, 2007). To gain control of the resources of Madhesh, the Nepalese government has counted on the influence of Pahadis in the region and has repeatedly enforced migration programmes of hill-origin dwellers to the Terai. Despite the large contribution of the region to Nepal's economy, it is systematically underprivileged and does not benefit from its own advantages (Kabir, 2013).

The protests of 2015 led to a new wave of economic disadvantages caused by sanctions imposed by the government such as the introduction of curfews in several towns and severe issues on the border to India hindering the trade routes. This led to a fuel crisis in the whole country and limits to the import of goods needed in the aftermath of the 2015 earthquake (Human Rights Watch, 2015). Moreover, the border to India has a special meaning for many Madheshis due to family and cultural ties to India. The region has also always been treated under different laws and taxations than the rest of Nepal which results in protests due to inequality and unfair treatment.

Arbitrary Arrests and Extrajudicial Killings

The protests against the new constitution in 2015 have sadly shown the lack of freedom of expression in Nepal. Especially the case of Dr. C. K. Raut, who was repeatedly arrested and jailed for organising and speaking at peaceful protests, has gained international attention. Human rights organisations such as Amnesty International and Human Rights Watch as well as UN OHCHR and UNHRC and other European national governments including France as well as India have condemned the arbitrary arrests by the Nepalese government, called for the immediate release of Dr. C.K. Raut and pushed for the right to freedom of expression (Amnesty International, 2016/17).

In addition to the lack of freedom of expression, cases of extrajudicial killings have been reported repeatedly during Madhesh protests. In the past, the UN OHCHR has also investigated and reported dozens of cases of extra-judicial killings in the Terai (UN OHCHR, 2007). In August and September 2015 alone 45 have been killed by security forces during anti-constitution protests. These killings included civilians, bystanders, elderly and children, and it can be noted that protests were largely peaceful (Human Rights Watch, 2015).

Despite the large number of killings no investigations resulted in the prosecution of any perpetrators and no international investigations were initiated (Amnesty International, 2016/17). Regarding recent developments, the United Nations Mission in Nepal and Office of the High Commissioner for Human Rights report that their involvement was not requested by the Nepalese government and they were no longer present in the Terai region. Human rights violations are, therefore, not reported on adequately in Madhesh (International Crisis Group, 2007).
Lack of Development

All the above-mentioned causes contribute to the fact that Madhesh is until today underdeveloped compared to the rest of Nepal. The region has the lowest human development index in the country and suffers on many levels. Especially the lack of recognition of local languages causes a lack of education and decreases the amount of available jobs. It also limits the access to national media and discourse. The Terai region only has 29% of Nepal’s schools despite accounting for 50.3% of Nepal’s inhabitants (Kabir, 2013). The lack of education and health care leads to high unemployment rates, low literacy rates and high rates of child mortality, all of which have a comparative disadvantage to the hill region of Nepal (Government of Nepal, 2012).

The region has neo-natal child mortality rate of 35 per 1000, 50.2% of children and 42.0% of women are anaemic, and 29.5% of children have wasting status (Government of Nepal 2012). Despite hailed as "the breadbasket and agricultural backbone of Nepal", 18.6% of families in Terai face acute food shortage, compared to 11.8% in the hills (Government of Nepal, 2012). The Terai region also faces a lack of infrastructure and is not connected to the other areas of Nepal well enough to use trading routes efficiently. The lack of development is a problem that only recently gained attention and up until 2002 even human rights organisations and international development agencies took little notice of Madhesh and focused on Nepal’s hill-origin groups (International Crisis Group, 2007).

CULTURE

Madhesh has a very diverse culture with a large number of ethnicities, languages and religions. Hinduism and Islam are both dominant religions in Terai and from east to the west, Hindus celebrate festivals like Holi, Diwali, Chhaith, Judhshital (New Year), Sama· Chakewa and Jitiya whereas Muslims celebrate Eid and Muharram. Their traditional attire is dhoti-kurta-gamancha for men and sari-blouse for women.

The art of Maithili gives Madhesh a colourful touch in almost all of its cities. Rice is the basis of most Madhesi dishes, as the region used to be one of the largest producers of rice worldwide. The region is rich in history and culture and especially known for Lumbini, the birthplace of Siddhartha Gautam (Buddha). It is also known for the Hindu pilgrimage site
Janakpur, believed to be the capital of King Janak and birthplace of Sita, the consort of Rama. Many temples and pilgrimage sites can be found in Madhesh, as well as vast landscapes and national parks.
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Research, layout and editing: UNPO Secretariat and UNPO USA (Washington, DC)

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