

2RP: Responses to Recommendations & Voluntary Pledges

NEPAL

Second Review Session 23

Review in the Working Group: 4 November 2015
Adoption in the Plenary: 16 March 2016

Nepal's responses to recommendations (as of 17.06.2016):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
147 recs accepted (115 of which are considered as implemented or in the process of implementation), 18 recs noted 30 left pending	Out of the 30 recs left pending, 5 were accepted (of which 1 was considered as already implemented or in the process of implementation) and 25 were noted.	No additional information provided	Accepted: 152 Noted: 43 Total: 195

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/25/9:

121. The recommendations formulated during the interactive dialogue/listed below have been examined by Nepal and enjoy the support of Nepal:

A - 121.1 Continue to ensure the implementation of ratified human rights treaties (Pakistan);

A - 121.2 Advance in the comprehensive implementation of the new Constitution, consistent with the protection of human rights (Colombia);

A - 121.3 Introduce legislation providing appropriate criminal penalties for acts of torture; establish independent procedures to ensure that all allegations of torture are investigated promptly, thoroughly,



impartially and independently; that any officials responsible for torture are held accountable; and that any victims of torture have the right to remedy and reparations (Germany);

A - 121.4 Explicitly prohibit torture and enforced disappearances as criminal offences under Nepali law (Norway);

A - 121.5 Intensify efforts to adopt a revised Children's Act that complies with international standards, including provisions on prohibition of all forms of violence against children, and to ensure sufficient budgetary resources to its implementation (Slovakia);

A - 121.6 Amend the existing Child Labour Act to include child labour in the informal sector within the purview of the law (Slovakia);

A - 121.7 Adopt a bill criminalizing harmful cultural practices, and abolish child, early and enforced marriage (Sierra Leone);

A - 121.8 Finalise the revision of child act in order to set up coordination mechanism related to cases of child victims trafficking (Timor-Leste);

A - 121.9 Strengthen the legislative and institutional framework for the promotion and protection of rights of indigenous peoples, in particular to ensure their full participation in society (Mexico);

A - 121.10 Continue efforts to improve national mechanisms for the promotion and protection of human rights (Myanmar);

A - 121.11 Amend its National Human Rights Commission Act in order to guarantee the independence and financial autonomy of this Commission (Portugal);

A - 121.12 Enact relevant legislation to provide for necessary autonomy and independence of the National Human Rights Commission in accordance with the decision of the Supreme Court of Nepal (Uganda);

A - 121.13 Ensure the effective functioning of the National Human Rights Commission of Nepal, including a representative approach to appointments (Australia);

A - 121.14 Submit its overdue reports on the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women (Portugal);

A - 121.15 Further promote cooperation with the Human Rights Council special procedures, including facilitating the visits of the mandates holders to the country (Ukraine);

A - 121.16 Take the necessary steps to ensure that the new constitution is implemented while protecting human rights and thus ensuring its provisions on gender equality, lesbian, gay, bisexual and transgender persons, and minorities (Sweden);

A - 121.17 Strengthen its efforts to effectively implement existing laws and policies to eliminate all forms of discrimination (Thailand);

A - 121.18 Make increased efforts to truly bring an end to discrimination (Japan);

A - 121.19 Increase efforts to protect women from violence and discrimination, in particular in areas affected by the earthquakes (Norway);

A - 121.20 Step up efforts to eliminate gender inequity and implement the national strategy on ending child marriages (Botswana);

A - 121.21 Guarantee the necessary personal and material resources to protect victims of gender-based violence, especially in emergency situations and as it pertains to the effectiveness of protection orders (Spain);

A - 121.22 Put emphasis on suicide prevention and support to these people and their families, taking into account the despair generated by such act (Haiti);

A - 121.23 Make further efforts to ensure safety in prisons for both men and women (Sweden);

A - 121.24 Maintain its resolve to eliminate harmful practices against women and children (Egypt);

A - 121.25 Make increased efforts to introduce and effectively carry out new measures to deal with human trafficking of women and children (Japan);

A - 121.26 Promptly investigate all allegations of torture, arbitrary detention, extra-judicial and summary executions and punish perpetrators (New Zealand);

A - 121.27 Investigate allegations of extrajudicial killings and deaths in custody as well as of trafficking in human organs (Sierra Leone);

A - 121.28 Take steps to ensure that the Truth and Reconciliation Commission and the Commission on Disappearances function in accordance with international standards, and bring the perpetrators of serious human rights violations to justice (Canada);

A - 121.29 Strictly uphold and respect the international law prohibiting refoulement (Germany);

A - 121.30 Further strengthen the capacity in implementing the environmental strategies and plan to combat natural disasters (Myanmar);

A - 121.31 Ensure that its climate change-related policies are informed by its human rights commitments and obligations (Philippines);¹

A - 121.32 Continue its efforts in adopting development policies which meet the needs of the people and improve the standard of living of the citizens in order to protect and promote human rights (Yemen).

122. The following recommendations enjoy the support of Nepal, which considers that they are already implemented or in the process of implementation:

A - 122.1 Consolidate the constitution building and democratization process by accommodating all sections of Nepal to enable broad-based ownership and participation (India);

A - 122.2 Take necessary measures to ensure the guarantee in the Nepal's Constitution of full equality between men and women with respect to the nationality of their children and in accordance with article 9 (2) of the Convention on the Elimination of All Forms of Discrimination against Women, which Nepal has ratified (Canada);

A - 122.3 Ensure equality between men and women in its new Constitution as well as the right of all to be free from discrimination (Nicaragua);



A - 122.4 Implement the decision of the Supreme Court of 26 February 2015 [with regard to the incompatibility of the Truth and Reconciliation Commission and the Commission on Disappearances with Nepal's international obligations], as soon as possible (Switzerland);

A - 122.5 Bring the 2014 Act on the Commission on Investigation of Enforced Disappeared Persons, Truth and Reconciliation into compliance with international norms, particularly with regard to the definition of amnesty, witness protection and the delays in processing complaints (Belgium);

A - 122.6 Amend the Domestic Violence Act, in particular to clarify the definition of sexual harm and broaden the definition of domestic violence to also include threats of violence, as well as include all types of physical harm (Norway);

A - 122.7 Amend legislation on domestic violence to encompass all forms of sexual violence, including between partners and outside marriage, in addition to threats (Spain);

A - 122.8 Develop a national action plan to end gender-based violence and to bring rape laws in line with international standards (Australia);

A - 122.9 Bring the laws on rape into compliance with international norms, particularly with regard to the legal definition of rape and the timeframe to file complaints (Belgium);

A - 122.10 Effectively enforce its legislation on domestic violence and expedite the adoption of the Bill on Gender Equality and Violence against Women (Slovenia);

A - 122.11 Enact the draft law on sexual harassment in the workplace (Algeria);

A - 122.12 Consider adopting a national legislation on combating sexual harassment (Egypt);

A - 122.13 Bring rape laws in line with international standards and remove the 35-day limitation on lodging a complaint of rape with the police (Republic of Korea);

A - 122.14 Remove, or at least extend, the 35-day statute of limitations of reporting rape cases (United Kingdom of Great Britain and Northern Ireland);

A - 122.15 Ensure the effective functioning of the National Human Rights Commission in accordance with the Paris Principles, in particular by providing the Commission with required and adequate levels of funding as well as sufficient autonomy (Republic of Korea);

A - 122.16 Ensure the independence and financial autonomy of the National Human Rights Commission (India);

A - 122.17 Strengthen its National Commissions, namely the National Women Commission, in order to implement the adopted policies (Portugal);

A - 122.18 Continue making progress in the protection of women rights, consolidating existing institutional mechanisms (Bolivarian Republic of Venezuela);

A - 122.19 Establish a special mechanism responsible for independent child rights monitoring (Estonia);

A - 122.20 Continue its implementation of the national plan of action on the provision of education for all, including for economically disadvantaged social groups (United Arab Emirates);

- A - 122.21 Implement fully the Fourth 5-Year National Human Rights Action Plan for 2014-2019, to collective ownership of human rights (Cuba);
- A - 122.22 Enhance measures on protecting the rights of children, women and other vulnerable groups (Lao People's Democratic Republic);
- A - 122.23 Increase awareness-raising campaigns on women's rights and the negative effects of gender-based violence (Slovenia);
- A - 122.24 Implement human rights education programmes for law enforcement officials (Paraguay);
- A - 122.25 Train the public force on human rights principles, in particular on prevention of torture and ill treatment (Djibouti);
- A - 122.26 Mobilise the efforts of the international community to provide effective assistance to Nepal in accordance with national priorities (Qatar);
- A - 122.27 Study the possibility of creating a national system for the follow-up of international recommendations (Paraguay);
- A - 122.28 Consider establishing a permanent inter-ministerial committee responsible for the implementation of its international human rights obligations, inter alia, for coordinating the drafting of the national reports to the treaty bodies (Portugal);
- A - 122.29 Partner with States and organizations which have experience working with children affected by armed conflict to develop programmes designed to their need for rehabilitation and integration (Namibia);
- A - 122.30 Seek enhanced international support for economic development and reconstruction of infrastructure destroyed due to the conflict and the devastating earthquakes (Bhutan);
- A - 122.31 Continue cooperation with the United Nations system (Ghana);
- A - 122.32 Continue efforts to sanction discrimination and violence against women and ensure that there are adequate mechanisms for the provision of assistance and protection to women victims of crime (Mexico);
- A - 122.33 Develop public policies for the effective implementation of the Law on discrimination based on caste and untouchability (Paraguay);
- A - 122.34 Promote gender equality including through an awareness-raising programme to combat negative stereotyping against women (Malaysia);
- A - 122.35 Ensures full and effective implementation of the 2011 Caste-based Discrimination and Untouchability Act (Denmark);
- A - 122.36 Put in place a concrete strategy for the comprehensive implementation of the 2011 Law on Discrimination Based on Caste and Untouchability (Switzerland);
- A - 122.37 Put in place an effective mechanism for addressing the reported multiple forms of discrimination against indigenous women in Nepal (Uganda);

A - 122.38 Ensure an inclusive dialogue with all Nepalese minority groups (Ukraine);

A - 122.39 Assess the implementation and effectiveness of laws aimed at ending and preventing all forms of discrimination, in particular against women and Dalits, and take concrete steps to translate anti-discrimination efforts into effective practice on the ground (Czech Republic);

A - 122.40 Work actively to abolish legal and factual discrimination based on ethnicity, gender and caste, inter alia, by developing effective and independent mechanisms for the implementation of the Caste-based Discrimination and Untouchability Act (Germany);

A - 122.41 Take all necessary measures to ensure effective implementation of the Caste-based Discrimination and Untouchability Act of 2011 and to eliminate all forms of discrimination against women (Namibia);

A - 122.42 Establish specific mechanisms for the investigation and punishment of possible cases of discrimination against lesbian, gay, bisexual, transgender and intersex persons, particularly with regard to issues in relation to the administration (Spain);

A - 122.43 Strengthen the protection of lesbian, gay, bisexual, transgender and intersex people and work towards the full implementation of the current laws (Israel);

A - 122.44 Guarantee respect of the principles of proportionality and necessity in all cases of use of force in conformity with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (Switzerland);

A - 122.45 Combat violence against women and guarantee equality of rights (France);

A - 122.46 Ensure that the police provide a safe and confidential environment for women and girls to report incidents of violence, including sexual violence and incidents of trafficking, and that all complaints are recorded and effectively investigated (Netherlands);

A - 122.47 Strengthen measures to combat violence against children, particularly with regard to the prevention of early and forced child marriages and child trafficking and in particular through awareness-raising campaigns among families (Belgium);

A - 122.48 Take measures to enforce legislation prohibiting child labour and to facilitate access to education for all children, particularly the poor and disadvantaged (Brazil);

A - 122.49 Enforce legislation prohibiting child labour, facilitate access to education for poor and disadvantaged children and reinforce labour inspections (Slovenia);

A - 122.50 Reinforce and protect the rights of children, in particular by eliminating child labour and facilitating access of poor children to education (Djibouti);

A - 122.51 Give specific attention to the implementation of the plan aimed at eliminating worst form of child labour by 2016 and all forms of child labour by 2020, including prohibiting child labour in the informal sector (Russian Federation);

A - 122.52 Ensure the independence and impartiality of the judicial system, in particular through efforts to guarantee that the Judicial Council operates without interference from the Executive Branch of government (Canada);

A - 122.53 Take measures to guarantee that all outstanding allegations of crimes are investigated and to ensure that perpetrators of human rights violations are brought to justice in proceedings which meet with international standards (Netherlands);

A - 122.54 End the impunity of law enforcement authorities (France);

A - 122.55 Investigate all acts of discrimination against the Dalit community (Argentina);

A - 122.56 Develop a redress mechanism to address all forms of discrimination and human rights violations in post-earthquake reconstruction efforts (Australia);

A - 122.57 Ensure that law enforcement thoroughly investigates all claims of domestic violence, and that perpetrators are prosecuted (Canada);

A - 122.58 Facilitate complaints from victims of gender-based violence and their access to justice, prosecute and punish the perpetrators and protect the victims (Slovenia);

A - 122.59 Adopt effective measures for the protection of and assistance to victims of gender-based violence and ensure that all cases of gender-based violence are duly investigated and perpetrators prosecuted (Czech Republic);

A - 122.60 Investigate all case of threat and attacks against human rights defenders (Botswana);

A - 122.61 Investigate and prosecute those who committed human rights violations on both sides of the country's civil war and provide reparations to victims in line with international, standards under the newly-formed Truth and Reconciliation Commission (New Zealand);

A - 122.62 Make necessary efforts to investigate crimes under international law or human rights violations that have occurred, protecting victims of such violations and guaranteeing them access to justice and full and effective reparations (Uruguay);

A - 122.63 Implement the Supreme Court rulings of 2013 and 2015 on the Truth, Reconciliation and Disappearance Act so that investigation into human rights violations committed during the civil war, compensation for victims and reconciliation efforts are undertaken in accordance with international standards on transitional justice (Czech Republic);

A - 122.64 Ensure the effective functioning of the Truth and Reconciliation Commission and full implementation of its recommendations, including prosecution of those responsible for violent insurgency (India);

A - 122.65 Adopt measures to ensure the participation of women in the peace process, including the truth commissions (Costa Rica);

A - 122.66 Implement special detention and internment centres for boys and girls, with a view to avoiding their future criminalization and to promote the reintegration into society (Chile);

A - 122.67 Amend the citizenship laws to allow citizenship through either parent (Hungary);

A - 122.68 Ensure that provisions in the revised Constitution guarantee the equal rights of women as well as their right to acquire, retain and transfer citizenship (Sierra Leone);

A - 122.69 Amend legislation on nationality in order to be able to grant Nepali nationality through either parent (Spain);



A - 122.70 Implement measures to ensure that the rights to acquire, transfer and retain citizenship are extended equally to all women and their children (New Zealand);

A - 122.71 Provide protection to the family as the natural and fundamental unit of the society (Egypt);

A - 122.72 Ensure the right to freedom of expression online/offline in law and in practice, including by decriminalizing defamation, and to investigate all cases of threats and attacks against journalists and human rights defenders (Estonia);

A - 122.73 Create and maintain, in law and practice, a safe and enabling environment in which journalists, media workers, human rights defenders and civil society can operate free from hindrance and insecurity, in accordance with Human Rights Council resolutions 22/6, 27/5 and 27/31 (Ireland);

A - 122.74 Ensure that freedom of assemblies are guaranteed and lift all restrictions on peaceful protests (Cyprus);

A - 122.75 Redouble efforts towards providing more opportunities for women's active involvement in the economic and political spheres (Mauritius);

A - 122.76 Continue to advocate for the principle of equality between men and women in the decision making (Timor-Leste);

A - 122.77 Speed up the process to promote more participation of women in public offices (Israel);

A - 122.78 Ensure equal opportunities for women in the labour market (South Africa);

A - 122.79 Continue to build on the successful programs for the creation of jobs and assistance to those most vulnerable, in the fight against poverty and social inequalities (Bolivarian Republic of Venezuela);

A - 122.80 Ensure implementation of legislation on the minimum wage in all sectors (South Africa);

A - 122.81 Ensure equal remuneration for men and women workers for the same work or similar work and for the prevention of discrimination on grounds of sex (South Africa);

A - 122.82 Ensure the freed bonded laborers' access to fertile land and their equal enjoyment of human rights, including the right to work and right to property, in line with the observations made by the Committee on Economic, Social and Cultural Rights (Finland);

A - 122.83 Continue its fight against poverty with the support and cooperation of the international community (Bangladesh);

A - 122.84 Continue to reduce poverty as a priority in the national development plan and improve the living standards of vulnerable groups (China);

A - 122.85 Apply in its periodic development plans a policy on poverty reduction aimed at social and economic justice (Cuba);

A - 122.86 Ensure effective implementation of its poverty alleviation policy as well as consider adopting a comprehensive national strategy to ensure food and nutrition security for its people (Malaysia);

- A - 122.87 Persevere in its efforts to combat poverty and facilitate access to water for rural populations (Morocco);
- A - 122.88 Adopt a comprehensive national strategy to ensure food and nutrition security for all in line with international standards (Ireland);
- A - 122.89 Pursue its efforts with a view to facilitating access to housing for marginalized and low-income groups (Morocco);
- A - 122.90 Continue to implement policy measures to ensure that quality healthcare is accessible to all, particularly women and children (Singapore);
- A - 122.91 Take measures to ensure universal vaccination coverage (Maldives);
- A - 122.92 Improve access to affordable healthcare for all through the effective implementation of its policies and directives (Thailand);
- A - 122.93 Further accelerate the efforts aiming at decreasing the infant, child and maternal mortality rates and increasing average life expectancy (Sri Lanka);
- A - 122.94 Continue taking action to reduce maternal and infant mortality (Israel);
- A - 122.95 Continue to implement measures to ensure all women and girls have equal access to quality sexual and reproductive healthcare (New Zealand);
- A - 122.96 Consider drafting a law that makes basic education mandatory and free (Qatar);
- A - 122.97 Consider expediting its work on the draft Bill to make basic education compulsory and free (Sri Lanka);
- A - 122.98 Continue to increase spending on education in order to improve coverage and quality of education with the special attention to the right to education of the vulnerable groups, including poor students, girls and children with disabilities (China);
- A - 122.99 Implement ongoing national policies to guarantee quality education to the multi-ethnic people (Lao People's Democratic Republic);
- A - 122.100 Accelerate the discussions regarding the bill to make basic education compulsory and free, currently under consideration (Israel);
- A - 122.101 Accelerate the process of considering the Education Bill currently under consideration at the Ministry of Education (Afghanistan);
- A - 122.102 Ensure equal access to education for all children (Namibia);
- A - 122.103 Continue its efforts to improve access to education for all, including by providing adequate resources (Indonesia);
- A - 122.104 Ensure equal educational opportunities for all children, including girls and Dalit children, in line with the observations made by the Committee on the Elimination of Discrimination against Women and the Committee on Economic, Social and Cultural Rights (Finland);

A - 122.105 Continue to pursue policies that will increase enrolment in schools of school-going aged children, in particular girls, and children from indigenous communities and minorities (Singapore);

A - 122.106 Continue strengthening successful social policies that promote access to education and health of the people, particularly for women and children (Bolivarian Republic of Venezuela);

A - 122.107 Amend current education policies to ensure an inclusive education system and implement concrete measures to increase the participation of children with disability (Norway);

A - 122.108 Take measures to ensure compulsory and free primary and quality education for all (Maldives);

A - 122.109 Design instruments for measuring and generating reliable and disaggregated data on persons with disabilities and remove any legal barrier and discriminatory practices towards persons with disabilities (Panama);

A - 122.110 Include defenders of human rights of persons with disabilities in the decision-making process on education policies (Spain);

A - 122.111 Ensure that earthquake relief engages and addresses the needs of members of vulnerable communities, including Dalits, and promotes decent work (United States of America);

A - 122.112 Collaborate with civil society, regional and global organisations to protect the rights of Nepalese migrant workers abroad (Australia);

A - 122.113 Continue making progress in the implementation of measures to offer assistance and rehabilitation to persons displaced due to natural disasters (Colombia);

A - 122.114 Continue to engage its partners with the view to build capacity and mobilize resources in support of its development efforts and in fulfilling its human rights obligations (Philippines);

A - 122.115 Continue to implement policies for women development under SDGs (Pakistan).

123. The following recommendations will be examined by Nepal, which will provide responses in due time, but no later than the thirty-first session of the Human Rights Council, in March 2016:

A - 123.1 Study the possibility of accepting the competence of the Committee against Torture (Panama);

A - 123.2 Study the possibility of the ratification of the Optional Protocol to the Convention against Torture (Panama);

N - 123.3 Accede to the Optional Protocol to the Convention against Torture (New Zealand) (Czech Republic);

N - 123.4 Ratify the Optional Protocol to the Convention against Torture (Montenegro) (Denmark) (Uruguay) (Ghana) (Germany);

N - 123.5 Sign and ratify the Optional Protocol to the Convention against Torture (Portugal);

N - 123.6 Sign the Optional Protocol to the Convention against Torture (Sweden);

N - 123.7 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Their Families (Timor-Leste) (Sierra Leone);

N - 123.8 Consider ratifying International Convention on the Protection of the Rights of All Migrant Workers and Their Families (Philippines) (Egypt);

N - 123.9 Continue its consideration to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Their Families (Indonesia);

N - 123.10 Ratify the International Covenant for the Protection of All Persons from Enforced Disappearance (Argentina) (Sierra Leone) (France) (Japan) (Ghana);

N - 123.11 Ratify and implement the International Convention for the Protection of All Persons from Enforced Disappearance (Paraguay);

N - 123.12 Consider ratifying the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Egypt);

N - 123.13 Ratify the Rome Statute of the International Criminal Court (Switzerland) (Portugal) (Germany) (Ghana);

N - 123.14 Ratify and implement the Rome Statute (Paraguay);

N - 123.15 Ratify the Rome Statute of the International Criminal Court and incorporate its provisions into national legislation; and accede to the Agreement on Privileges and Immunities of the Court (Estonia);

N - 123.16 Ratify and implement in the national legislation the Rome Statute of the International Criminal Court (Costa Rica);

N - 123.17 Ratify the Rome Statute of the International Criminal Court and implement it in its national legislation (Hungary);

N - 123.18 Accede to the Rome Statute of the International Criminal Court (Czech Republic);

N - 123.19 Accede to the Rome Statute of the International Criminal Court and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Uruguay);

N - 123.20 Accede to and fully align its national legislation with the Rome Statute of the International Criminal Court (Latvia);

A - 123.21 Take all necessary measures towards acceding to the Rome Statute of the International Criminal Court (Cyprus);

N - 123.22 Ratify International Labour Organization Convention No. 87 (Algeria);

N - 123.23 Consider amending the Constitution to allow women to convey their citizenship to their children and foreign spouses on an equal basis with men (United States of America);

N - 123.24 Enact consolidated laws addressing all types of sexual violence effectively, with provisions of no statutory limitation on rape and other sexual violence, adequate witness and victim protection mechanisms, compensation from state and measures to address special needs of girls below 16 (Norway);

A - 123.25 Decriminalize the act of attempted suicide (Haiti);²

N - 123.26 Accept the request of visit by the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, the Special Rapporteur on the situation of human rights defenders, the Working Group on Enforced or Involuntary Disappearances and cooperate fully with the mandate holders (Hungary);

N - 123.27 Accept the requests to visit the country made by some special procedures, including the request made by the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence (Uruguay);

A - 123.28 Amend the 2014 Commission on Investigation of Disappeared Persons, Truth and Reconciliation Act (TRC) in compliance with the Supreme Court ruling of 26 February, 2015 in order to uphold international standards relating to accountability for gross violations of international human rights and international humanitarian law (Denmark);

N - 123.29 Raise the age of criminal responsibility of children that currently stands at 10 years of age (Chile);

N - 123.30 Take measures to implement the Supreme Court's decision concerning same sex marriage (Brazil).

124. The recommendations below did not enjoy the support of Nepal and would thus be noted:

N - 124.1 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Uruguay);

N - 124.2 Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);

N - 124.3 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Slovakia) (Chile) (Montenegro);

N - 124.4 Consider ratifying International Labour Organization Convention No. 189 (Philippines);

N - 124.5 Ratify the conventions on refugees and stateless persons (Portugal);

N - 124.6 Ensure the protection of Tibetan refugees by ratifying and applying the 1951 Convention relating to the Status of Refugees and its 1967 Protocol (France);

N - 124.7 Consider amending the Constitution to strike provisions that appear to curtail religious freedoms (United States of America);

N - 124.8 Set up an independent Commission for children and women (India);

N - 124.9 Issue a standing invitation to the special procedures of the Human Rights Council (Switzerland);

N - 124.10 Issue a standing invitation to the special procedures of the Human Rights Council (Czech Republic);

N - 124.11 Extend a standing invitation to the special procedures mechanisms to visit the country (Costa Rica);

N - 124.12 Extend a standing invitation to all Special Procedure mandate holders (Latvia);

N - 124.13 Extend a standing invitation to special procedures (Uruguay);

N - 124.14 Consider extending a standing invitation to the mandate holders of all special procedures of the Human Rights Council (Republic of Korea);

N - 124.15 Strengthen the rule of law by establishing an independent complaints commission capable of investigating and prosecuting complaints against the security forces (United Kingdom of Great Britain and Northern Ireland);

N - 124.16 Eliminate the prohibition of conversion to another religion, which undermines freedom of religion (Spain);

N - 124.17 Provide refugees and their families with identification certificates making sure that all children of refugees have access to education, and repeal restrictions on refugees' rights to own property, to work, to establish and incorporate businesses and to travel freely (Germany);

N - 124.18 Register refugees and provide documentation so they are able to work, access education, and travel (United States of America).

125. With regard to the recommendations noted above in paragraphs 124.1 and 124.2, Nepal considers that the current priority of the Government of Nepal is to effectively fulfil its obligations created by the international instruments to which it is a party. The Government will make efforts to join more international instruments by considering our national interest and existing implementation capacity. More importantly, the supreme priority of the new government of Nepal is to implement the new constitution promulgated on 20 September 2015, which has guaranteed more than 32 human rights and created specific obligations to institutionalize substantive equality and egalitarian society. Moreover, the Government has pursued the policy to build requisite infrastructure before joining any international instruments.

126. With regard to the recommendations noted above in paragraph 124.3, Nepal considers that current priority of the Government of Nepal is to effectively fulfil the obligations created by the international instruments to which it is a party. The Government will make efforts to join more international instruments by considering our national interest and existing implementation capacity. More importantly, the supreme priority of the new government of Nepal is to implement the new constitution promulgated on 20 September 2015, which has guaranteed more than 32 human rights and created specific obligations to institutionalize substantive equality and egalitarian society. Moreover, the Government has pursued the policy to build requisite infrastructure before joining any international instruments.

127. With regard to the recommendation noted above in paragraphs 124.5 and 124.6, the Government of Nepal has no intention to join the refugee convention and its protocol because of its open border with neighbouring country, small size of the country and limited resources.

128. With regard to the recommendation noted above in paragraph 124.7, Nepal considers that the Constitution promulgated by the elected Constituent Assembly fully ensures religious freedom to all people, and prohibits discrimination of any forms on ground of religious faith and philosophy. Every person is free to choose, adopt, profess or practice religious belief.

129. With regard to the recommendation noted above in paragraph 124.8, Nepal considers that the National Human Rights Commission is empowered to undertake necessary actions for the protection, promotion and monitoring of child rights situation on the basis of the principle of the best interest of the child. The Government of Nepal views that the establishment of a separate Commission for children will create duplication and coordination problem between the mandates of National Human Rights Institutions. The new Constitution has upgraded National Women Commission as independent constitutional body.

130. With regard to the recommendations noted above in paragraphs 124.9 to 124.14, the Government of Nepal is committed to further strengthen its engagement with the Special Procedures and UN human rights mechanisms. As of now, ten Special Rapporteurs/Mandate holders have already visited on different occasions. Last year, Nepal had agreed the visit request of two Special Rapporteurs, namely, Special Rapporteur on Migrants and Special rapporteur's on rule of on independence of judges and lawyers. But it has not been taken place. We will consider the remaining request of country visit of the mandate holders and Special Procedures. In order to make the country visit more effective and fruitful, we will invite the mandate holders and Special Procedures on case to case basis.

131. With regard to the recommendation noted above in paragraph 124.15, Nepal considers that as per the prevailing laws of Nepal, no security personnel can enjoy immunity from criminal liability in case of human rights violation. In such case, the legislation of Nepal provides adequate mechanisms to investigate and prosecute the alleged perpetrators and bring them to justice. National Human Rights Commission, an independent constitutional body, is empowered to effectively monitor the situation of human rights violation.

132. With regard to the recommendation noted above in paragraph 124.16, Nepal considers that the constitution promulgated by the elected Constituent Assembly fully ensures religious freedom to all people, and prohibits discrimination of any forms on ground of religious faith and philosophy. Every person is free to choose, adopt, profess or practice religious belief. However, proselytism by force or undue influence or inducement is prohibited. This does not undermine freedom of religion.

133. With regard to the recommendation noted above in paragraphs 124.17 and 124.18, Nepal states it is not a party to the Refugee Convention and its protocol. However, it has provided temporary shelter to refugees on humanitarian ground. The refugees who enter into Nepal before 1990 had been provided refugee status who are free to enjoy the rights and liberty in accordance with the prevailing laws of Nepal. The Government of Nepal has pursued not to recognize foreigners as refugees. Nevertheless, the Government is effortful to update the records of such foreigners and their children in order to remove difficulties of their children to enjoy right to education

Endnotes

1 The recommendation as read during the interactive dialogue: Ensure that its climate action is informed by its human rights commitments and obligations (Philippines).

2 The recommendation as read during the interactive dialogue: Decriminalize suicide (Haiti).

Disclaimer: This classification was made by UPR Info based on United Nations documents and webcast. For more information about this document, consult the "Methodology" on our website: www.upr-info.org. For questions, comments and/or corrections, please write to info@upr-info.org