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resolution 16/21**

Nepal

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.



I. Background and framework

A. Scope of international obligations¹

International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1971)		OP-CAT
	ICESCR (1991)		ICRMW
	ICCPR (1991)		ICPPED
	ICCPR-OP 2 (1998)		
	CEDAW (1991)		
	CAT (1991)		
	CRC (1990)		
	OP-CRC-AC (2007)		
	OP-CRC-SC (2006)		
	CRPD (2010)		
<i>Reservations and/or declarations</i>	ICERD (interpretative declarations, arts. 4 and 6/reservation, art. 22, 1971)		
	OP-CRC-AC (declaration, art. 3 (2), age of recruitment at 18 years, 2007)		
<i>Complaints procedures, inquiries and urgent action³</i>	ICCPR-OP 1 (1991)		ICERD, art. 14
	OP-CEDAW, art. 8 (2007)		OP-ICESCR
	CAT, art. 20 (1991)		ICCPR, art. 41
	OP-CRPD, art. 6 (2010)		CAT, arts. 21 and 22 OP-CRC-IC ICRMW ICPPED

Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide		Palermo Protocol
	Geneva Conventions of 12 August 1949 and Additional Protocols I and II ⁴		Conventions on refugees and stateless persons ⁷
	ILO fundamental conventions except No. 87 ⁵		Rome Statute of the International Criminal Court

<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
ILO Convention No. 169 ⁶		ILO Convention No. 87 ⁸ ILO Convention No. 189 ⁹ Additional Protocol III to the 1949 Geneva Conventions (signature only, 14 March 2006) ¹⁰ Convention against Discrimination in Education

1. The Committee against Torture recommended that Nepal consider accepting the Committee's competence to consider individual communications¹¹ and ratifying OP-CAT.¹² The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment reiterated the appeal for Nepal to become party to OP-CAT and designate a national preventive mechanism.¹³ The United Nations country team in Nepal also recommended the ratification of OP-CAT.¹⁴

2. The Working Group on Enforced or Involuntary Disappearances noted that Nepal would not accept the universal periodic review recommendation that it ratify ICPED.¹⁵ It called on Nepal to ratify ICPED and to accept the competence of the Committee under articles 31 and 32.¹⁶ It also encouraged Nepal to ratify ICPED.¹⁷

3. The Committee on Economic, Social and Cultural Rights¹⁸ and the country team¹⁹ encouraged Nepal to ratify OP-ICESCR and ICRMW.

4. The country team recommended that Nepal ratify OP-CRC-IC.²⁰

5. The Committee on the Elimination of Discrimination against Women and the country team recommended ratifying ILO Convention No. 189.²¹ The country team also recommended ratifying ILO Convention No. 87 and the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102).²²

6. In 2011, Nepal informed the Committee against Torture that it remained engaged in developing the requisite infrastructures to accede to the Rome Statute of the International Criminal Court.²³

7. The Committee on the Rights of the Child urged Nepal to ratify the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.²⁴

8. The Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child urged Nepal to ratify the Palermo Protocol.²⁵

9. In line with recommendations from the first cycle,²⁶ the Office of the United Nations High Commissioner for Refugees (UNHCR),²⁷ the country team,²⁸ the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women²⁹ either recommended or strongly urged accession to the conventions on refugees and stateless persons.

10. The United Nations Educational, Scientific and Cultural Organization (UNESCO) strongly encouraged Nepal to ratify the Convention against Discrimination in Education.³⁰

B. Constitutional and legislative framework

11. In 2013, under its early warning procedure, the Committee on the Elimination of Racial Discrimination noted that Nepal had expressed its commitment to ensure the meaningful participation of all communities in drafting a new constitution.³¹ In 2014, the Committee on Economic, Social and Cultural Rights was concerned that the constitution had still not been finalized.³²

12. The Committee on the Elimination of Discrimination against Women recommended that Nepal include in the new Constitution the principle of equality between women and men.³³

13. In 2012, the Special Rapporteur on torture called upon Nepal to ensure that torture is defined in the draft Penal Code and the corresponding Sentencing Bill as a criminal offence punishable in a manner proportionate to the gravity of the crime and that the statute of limitations for the crime is abolished. The Special Rapporteur strongly encouraged the Government to ensure that no person convicted for the crime of torture would be entitled to benefit from an act of amnesty.³⁴ The Human Rights Committee³⁵ and the Committee against Torture³⁶ made similar recommendations. The Committee against Torture also recommended amending the Compensation relating to Torture Act of 1996 to bring it into compliance with the Convention.³⁷

14. In 2012, the Working Group on Enforced or Involuntary Disappearances regretted that Nepal still had not amended its criminal code to include enforced disappearances. It noted with satisfaction that the Supreme Court had ordered the Government to draft such legislation, but the draft law under discussion did not meet international best practice and standards.³⁸

15. The Human Rights Committee was concerned at the narrow definition of rape and the disproportionately low penalties for marital rape.³⁹ The Committee on the Elimination of Discrimination against Women urged Nepal to enact the draft law that significantly increased the punishment for marital rape,⁴⁰ and recommended abolishing the statute of limitations on the registration of sexual violence cases.⁴¹

16. The country team recommended bringing the criminal and civil codes and the Children's Bill into full compliance with international human rights law.⁴²

17. The Committee on the Rights of the Child urged Nepal to speed up the revision of the Children's Act,⁴³ and set clear procedures for the identification, reporting, referral, investigation, treatment and coordination of cases of child victims of sale of children, child prostitution and child pornography.⁴⁴

18. UNHCR recommended that Nepal ensure that citizenship provisions in the new constitution are in line with international standards.⁴⁵

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions⁴⁶

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle⁴⁷</i>
National Human Rights Commission	A (2008)	A (confirmed in 2014 after undergoing a special review)

19. The Human Rights Committee noted that a 2013 Supreme Court decision had declared various provisions of the National Human Rights Act of 2012 null and void, and

regretted the inadequate implementation of the recommendations of the National Human Rights Commission (NHRC), despite their being binding under domestic law.⁴⁸ The Working Group on Enforced or Involuntary Disappearances was concerned about the status and functioning of NHRC.⁴⁹ The country team noted that, while NHRC had retained its “A” status in 2014,⁵⁰ adequate staffing remained a concern.⁵¹ The Committee on Economic, Social and Cultural Rights recommended that Nepal amend the Act to guarantee the independence, mandate and financial autonomy of the Commission, in compliance with the Supreme Court decision and the Paris Principles.⁵²

20. The Special Rapporteur on torture encouraged Nepal to strengthen the capacity of NHRC as the agency entrusted with investigating torture allegations and monitoring places of detention, carry out systematic visits to such places and give priority to the investigation of torture allegations.⁵³

21. The country team indicated that the National Women Commission, the National Dalit Commission and the Muslim and Minority Commission faced inadequate capacities and outreach and had no guarantees of independence. While the National Women Commission was governed by an act, albeit one that did not provide adequate independence, the other two commissions did not have enabling laws, and were governed by a Government ministry.⁵⁴

22. The country team indicated that there was no specialized mechanism responsible for independent child rights monitoring.⁵⁵

23. It also indicated that, while the 2014-2018 National Human Rights Action Plan incorporated many universal periodic review and treaty body recommendations, it was generic and did not prioritize key interventions, and the oversight mechanism (apart from NHRC) was too big to be effectively functional.⁵⁶

24. UNESCO recommended encouraging Nepal to further provide human rights education, especially for its military and law enforcement officers.⁵⁷

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
Committee on the Elimination of Racial Discrimination	March 2004	-	-	Combined seventeenth to nineteenth reports overdue since 2008
Committee on Economic, Social and Cultural Rights	May 2007	2011	November 2014	Fourth report due in 2019
Human Rights Committee	October 1994	2012	March 2014	Third report due in 2018
Committee on the Elimination	January 2004	2009	July 2011	Sixth report overdue since July 2015

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
of Discrimination against Women				
Committee against Torture	November 2005	-	-	Third to fifth reports due in 2016; initially due in 2008
Committee on the Rights of the Child	June 2005	2009 (on OP-CRC- SC)/2012 (on CRC and on OP- CRC-AC)	June 2012 (on OP-CRC-SC)	Third to fifth reports pending consideration; initial report on OP- CRC-AC pending consideration
Committee on the Rights of Persons with Disabilities	-	2014	-	Initial report pending consideration

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
Human Rights Committee	2015	Impunity for gross violations committed during the conflict; National Human Rights Commission; extrajudicial killings, torture and ill-treatment ⁵⁸	2015; ⁵⁹ follow-up dialogue ongoing ⁶⁰
Committee on the Elimination of Discrimination against Women	2013	Nationality; women affected by the armed conflict ⁶¹	2015; ⁶² follow-up report pending consideration
Committee against Torture	2006	Use of torture; detention; impunity; gender-based violence; compensation to torture victims ⁶³	2007; ⁶⁴ follow-up clarifications still pending ⁶⁵

Views

<i>Treaty body</i>	<i>Number of views</i>	<i>Status</i>
Human Rights Committee	6 ⁶⁶	Information requested and dialogue ongoing.

Country visits and/or inquiries by treaty bodies

<i>Treaty body</i>	<i>Date</i>	<i>Subject matter</i>
Committee against Torture	2011 ⁶⁷	Examination of information that torture is systematically practised in Nepal. ⁶⁸

25. The Human Rights Committee urged Nepal to give full effect to all its Views on individual communications, particularly by conducting prompt, thorough and independent investigations, prosecuting those responsible, and providing remedies and reparation to victims.⁶⁹

26. In 2010, the Committee against Torture proceeded with a confidential inquiry on Nepal without a visit; in 2011, it adopted its report under article 20 of the Convention.⁷⁰ In 2011, Nepal submitted its comments and observations⁷¹ and agreed to the publication of the report, together with its comments and observations.⁷²

B. Cooperation with special procedures⁷³

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	No
<i>Visits undertaken</i>	Disappearances (2004) Internally displaced persons (2005)	-

	<i>Status during previous cycle</i>	<i>Current status</i>
	Torture (2005)	
	Indigenous peoples (2008)	
<i>Visits agreed to in principle</i>	-	Independence of judges and lawyers Migrants
<i>Visits requested</i>	Summary executions Racism Minority issues Disappearances Human rights defenders Food Slavery Extreme poverty Sale of children	Human rights defenders Racism Disappearances Minority issues Violence against women Slavery Extreme poverty Cultural rights Truth, justice and reparation Freedom of peaceful assembly and of association
<i>Responses to letters of allegation and urgent appeals</i>	During the period under review, 20 communications were sent. The Government replied to four communications.	
<i>Follow-up reports and missions</i>	Torture; ⁷⁴ disappearances ⁷⁵	

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

27. Following the decision of Nepal not to renew the mandate of the Office of the United Nations High Commissioner for Human Rights (OHCHR) country office in Nepal, the field presence of OHCHR formally ceased operations on 31 March 2012.⁷⁶

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

28. The country team recommended introducing measures to eliminate all forms of discrimination.⁷⁷

29. The Human Rights Committee recommended enforcing existing legal and policy frameworks on gender equality and non-discrimination.⁷⁸ While the Committee on the Elimination of Discrimination against Women noted with satisfaction several policies and programmes to promote gender equality,⁷⁹ it was concerned, along with the Human Rights

Committee and the Committee on Economic, Social and Cultural Rights, that patriarchal attitudes and deep-rooted stereotypes that perpetrated discrimination against women remained entrenched,⁸⁰ and about multiple forms of discrimination against disadvantaged women.⁸¹

30. Several treaty bodies welcomed the 2011 Caste-Based Discrimination and Untouchability Act.⁸² In 2014, the Human Rights Committee remained concerned, however, at persistent de facto discrimination against the Dalit community.⁸³ The Committee on Economic, Social and Cultural Rights urged Nepal to investigate and prosecute discrimination against Dalits, conduct awareness-raising campaigns, reinforce the National Dalit Commission and ensure Dalits access to justice for discriminatory acts.⁸⁴

31. The Human Rights Committee recommended that citizenship provisions of the new constitution guarantee the equal right of women to acquire, transfer and retain citizenship.⁸⁵ The Committee on the Elimination of Discrimination against Women,⁸⁶ UNHCR⁸⁷ and the country team also referred to that issue.⁸⁸

B. Right to life, liberty and security of person

32. The Human Rights Committee was concerned at reported unlawful killings in the Terai region and deaths in custody.⁸⁹ It recommended preventing the excessive use of force by law enforcement officials and providing victims and their families with remedies.⁹⁰

33. The Committee against Torture recommended that all allegations of extrajudicial killings and deaths in custody be promptly investigated and prosecuted, and perpetrators punished.⁹¹

34. The Committee stated that torture remained widespread and had seen a resurgence since 2009;⁹² in 2005, the Special Rapporteur on torture expressed deep concern about the prevailing culture of impunity for torture.⁹³ The Human Rights Committee recommended that Nepal effectively investigate allegations, prosecute alleged perpetrators and train law enforcement personnel on preventing and investigating torture and ill-treatment.⁹⁴

35. The Committee against Torture noted that juveniles continued to be detained in adult facilities⁹⁵ and to report torture in detention.⁹⁶

36. It also noted that, while not confirmed, frequent allegations from victims that clandestine places of detention existed had been received.⁹⁷ The Human Rights Committee recommended that Nepal explicitly forbid the use of unofficial places for detention.⁹⁸ In 2011, the Special Rapporteur on torture regretted that no steps had been taken to make incommunicado and secret detention illegal and called upon Nepal to release detainees reported to be held at unknown locations.⁹⁹

37. The Human Rights Committee recommended establishing a system of independent monitoring of places of detention,¹⁰⁰ reducing overcrowding in prisons and improving detention conditions.¹⁰¹

38. The Committee on Economic, Social and Cultural Rights and other treaty bodies were concerned about prevalent gender-based violence, particularly among the Dalit.¹⁰² The Human Rights Committee regretted the trend of settlement of rape cases through informal justice mechanisms.¹⁰³ The Committee on the Rights of the Child was concerned at inadequate protection of victims under the 2009 Domestic Violence Control and Punishment Act.¹⁰⁴ The Committee on Economic, Social and Cultural Rights recommended enforcing legislation, investigating cases of gender-based violence and prosecuting the perpetrators, facilitating access to justice for victims and increasing awareness-raising campaigns.¹⁰⁵ The Human Rights Committee recommended ensuring access to remedies

and protection for victims.¹⁰⁶ The country team recommended developing a nationwide data collection system and initiating a fast-track court system.¹⁰⁷

39. The Committee on the Elimination of Discrimination against Women recommended enacting the draft law on sexual harassment in the workplace.¹⁰⁸

40. The Committee on Economic, Social and Cultural Rights was concerned that women and girls, particularly those of Dalit origin, suffered from harmful traditional practices such as *boxi* (witchcraft), *deuki* (offering girls to deities to fulfil religious obligations), *jhumas* (offering young girls to Buddhist monasteries to perform religious functions), *kamlari* (offering girls to landlord families for domestic work), *chapaudi* (isolating menstruating girls) and *badi* (widespread practice of prostitution).¹⁰⁹ It urged Nepal to investigate cases involving such practices and punish those responsible, provide protection and rehabilitation to victims and expedite the adoption of the bill to criminalize harmful practices.¹¹⁰ The Committee on the Elimination of Discrimination against Women was concerned about the dowry system, son preference and polygamy, and recommended strengthening awareness-raising.¹¹¹

41. The Committee on the Rights of the Child was concerned about prevalent early and forced marriage, which in the case of *dhan khaane*, which involved parents receiving money for the solemnization of the marriage of their children, amounted to the sale of children.¹¹² The Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child urged implementation of laws prohibiting child marriage.¹¹³ The Committee on Economic, Social and Cultural Rights¹¹⁴ and the country team recommended implementing the national strategy on ending child marriage.¹¹⁵

42. Although the traditional bonded labour system has been formally eradicated,¹¹⁶ the Human Rights Committee and the Committee on the Elimination of Discrimination against Women were concerned that such practices were still prevalent in some regions¹¹⁷ and among the indigenous Tharu community.¹¹⁸ The Committee on the Elimination of Discrimination against Women recommended eradicating bonded labour,¹¹⁹ and the Human Rights Committee recommended preventing and punishing it.¹²⁰ The Committee on Economic, Social and Cultural Rights recommended that Nepal ensure full rehabilitation and integration for freed bonded labourers.¹²¹ The country team recommended enacting new legislation covering all forms of bonded labour.¹²²

43. The Human Rights Committee expressed concern at the persistence of trafficking for sexual exploitation, forced labour, bonded labour, domestic servitude and marriage; trafficking in human organs; and the alleged involvement of State officials in trafficking-related crimes.¹²³ It recommended that Nepal implement the 2007 Human Trafficking and Transportation (Control) Act.¹²⁴ The Committee on Economic, Social and Cultural Rights expressed concern at the high number of children being trafficked,¹²⁵ and urged Nepal to investigate cases, prosecute traffickers and provide rehabilitation and reparation to victims.¹²⁶ The Committee on the Elimination of Discrimination against Women was concerned about the persistence of sexual exploitation, particularly among the Dalit community.¹²⁷

44. The Committee on the Rights of the Child was concerned about the high incidence of child sexual abuse in the home and in educational facilities;¹²⁸ numerous cases of children being sexually exploited by foreign paedophiles;¹²⁹ that child victims of sexual exploitation risked being arrested;¹³⁰ limited measures taken to rescue children from prostitution places;¹³¹ and that existing laws, policies and programmes were insufficient to address the root causes of and contributing factors to the sale of children, child prostitution and child pornography.¹³² It urged Nepal to eliminate child sex tourism¹³³ and address child sexual abuse.¹³⁴ While welcoming the establishment of the Emergency Children Rescue

Fund,¹³⁵ the Committee also urged Nepal to take measures for the recovery and social reintegration of child victims.¹³⁶

45. The Committee was also concerned about the trafficking and smuggling of babies, and children abused by foreign paedophiles, who ran so-called orphanages and street shelters. It urged Nepal to urgently review procedures for domestic and intercountry adoption.¹³⁷

46. The Human Rights Committee noted that corporal punishment remained a concern, especially in the home, where it was practised as a form of discipline by parents and guardians, and recommended that Nepal take steps to end corporal punishment in all settings.¹³⁸

47. The Committee on the Rights of the Child urged Nepal to provide children living on the street with adequate and secure shelter, health care, education and clothing.¹³⁹

48. The Committee indicated that Nepal had not adopted legislation prohibiting and criminalizing the recruitment and use of children in armed conflict.¹⁴⁰

C. Administration of justice, including impunity, and the rule of law

49. The Special Rapporteur on torture called upon the police to respect the maximum detention period of 24 hours, produce arrested individuals before the judicial authority and transfer them to a pretrial facility under a judicial authority, where no unsupervised contact with interrogators or investigators should be permitted.¹⁴¹ He called on Nepal to ensure prompt access to lawyers and independent medical examination to suspects.¹⁴² The Committee against Torture recommended affording all detainees with all fundamental legal safeguards from the outset of detention.¹⁴³

50. The Working Group on Enforced or Involuntary Disappearances was concerned by the Public Security Act, which allowed chief district officers to issue overbroad and vague detention or internment orders of up to 90 days.¹⁴⁴ The Special Rapporteur on torture welcomed the 2011 Supreme Court decision ordering the Government to review the laws granting quasi-judicial power to chief district officers within six months. He regretted that the Nepal Police Human Rights Unit and the Attorney General's Department, both set up to investigate allegations of torture, lacked independence.¹⁴⁵ The Human Rights Committee recommended that Nepal limit the judicial authority of chief district officers¹⁴⁶ and put an end to political interference in the criminal justice system.¹⁴⁷

51. The Committee was also concerned at the lack of legal clarity concerning the inadmissibility of evidence obtained as a result of coercion, and recommended that Nepal amend the Evidence Act.¹⁴⁸

52. The Committee further expressed concern at the low age of criminal responsibility (10 years) and the systematic failure to accord children the right to a fair trial with age-appropriate procedural guarantees. It recommended that Nepal establish an independent juvenile court.¹⁴⁹ The country team recommended increasing the minimum age of criminal responsibility, clearly defining and applying child-friendly procedures, introducing effective age verification measures and ensuring protection for victims of and witnesses to crime, particularly children.¹⁵⁰

53. The Working Group on Enforced or Involuntary Disappearances commended the Supreme Court for dealing with enforced disappearances and called on the Government to fully implement its orders and injunctions.¹⁵¹ The Working Group reiterated its recommendation that civilian courts ought to be dealing with enforced disappearances.¹⁵² It noted with concern that there had been no prosecutions of army officials and that the army had refused to cooperate with the police and civilian courts on enforced disappearances.¹⁵³

54. The Human Rights Committee was concerned at the prevailing culture of impunity for gross violations of human rights committed during the conflict era¹⁵⁴ and recommended prohibiting as criminal offences all gross violations of international human rights law, creating a transitional justice mechanism in compliance with international standards and providing all victims with effective remedy.¹⁵⁵ The Committee against Torture recommended that alleged human rights violations committed during the conflict era against civilians be investigated and prosecuted by ordinary civilian courts.¹⁵⁶ In 2014, a group of United Nations human rights experts called on Nepal to amend the new Act establishing the Commission on Investigation of Disappeared Persons, Truth and Reconciliation, which authorized it to recommend amnesties for mass violations. Experts urged authorities to bring the Act into line with international standards and the Supreme Court ruling.¹⁵⁷ The High Commissioner for Human Rights also urged Nepal to respect the prohibition in international law against amnesties for gross human rights violations.¹⁵⁸ The Committee on the Elimination of Discrimination against Women urged Nepal to ensure that the Truth and Reconciliation Commission and the Commission of Inquiry on Disappearances were gender-sensitive and independent, and that the Truth and Reconciliation Commission dealt with sexual violence.¹⁵⁹ The country team recommended adopting a holistic approach to transitional justice,¹⁶⁰ recognizing survivors of conflict-related sexual violence as conflict victims and fulfilling their rights to remedy.¹⁶¹

D. Right to privacy, marriage and family life

55. The Human Rights Committee recommended amending the Birth, Death and Other Personal Incidents Registration Act and establishing a free-of-charge registration system for all children born on its territory.¹⁶²

56. The Committee on the Elimination of Discrimination against Women was concerned about contradictory legal provisions that both recognized and criminalized bigamy, and recommended that Nepal adopt the draft law repealing the provision on bigamy.¹⁶³

57. The Committee recommended that women and men be granted equal rights, in law and in practice, to all marital property upon dissolution of marriage.¹⁶⁴

58. The country team reported that the civil and criminal codes did not recognize same-sex marriage despite a 2007 Supreme Court decision.¹⁶⁵

59. The country team recommended ensuring the right of a child to grow up in a family-like environment.¹⁶⁶

E. Freedom of religion or belief, expression, association and peaceful assembly, and the right to participate in public and political life

60. UNESCO recommended that Nepal decriminalize defamation.¹⁶⁷

61. The Human Rights Committee expressed concern at reports that journalists and human rights defenders were subjected to physical attacks, death threats, harassment and reprisals by security forces, police, armed groups and youth wings of political parties. It recommended guaranteeing, in law and in practice, the right to freedom of expression, and investigating all cases of threats and attacks against journalists and human rights defenders.¹⁶⁸ UNESCO stated that Nepal must ensure that journalists and media workers are able to practise their profession in a free and safe environment.¹⁶⁹

62. The Special Rapporteur on the situation of human rights defenders expressed concern about violent dispersal and arrests of protesters during a peaceful sit-in protest by police forces, including sexual assaults of female protesters. The Special Rapporteur was

also concerned about reports of threats and stigmatizing remarks against human rights defenders in the media. She was particularly concerned about allegations of calls for “people’s action”, which had led to violent physical attacks on those defenders.¹⁷⁰

63. The Working Group on Enforced or Involuntary Disappearances noted with concern the situation of human rights defenders, particularly those investigating cases of enforced disappearances. It expressed the hope that actions taken against various defenders would be investigated and security provided to them.¹⁷¹

64. The Special Rapporteur on human rights defenders expressed concern regarding reports of undue delays in renewing the registration of a non-governmental organization working to promote respect for the rights of lesbian, gay, bisexual and transgender persons, as well as regarding arbitrary arrests, harassment, intimidation by the police and ill-treatment in detention of its members.¹⁷²

65. The Committee on the Elimination of Discrimination against Women and the Human Rights Committee were concerned about the low representation of women, particularly Dalit and indigenous women, in high-level decision-making positions, public service, the judiciary and the diplomatic service.¹⁷³ The Committee on the Elimination of Discrimination against Women and the country team recommended adopting temporary special measures.¹⁷⁴

F. Right to work and to just and favourable conditions of work

66. The Committee on Economic, Social and Cultural Rights recommended the implementation of legislation on the minimum wage in all sectors.¹⁷⁵

67. The Committee was concerned that the majority of the population employed in the informal economy did not have guarantees, and recommended that such workers benefit from just and favourable working conditions and social security.¹⁷⁶

68. The Committee on the Elimination of Discrimination against Women was concerned about the high proportion of women in the informal sector, and recommended ensuring equal opportunities for women in the labour market.¹⁷⁷ The Committee on Economic, Social and Cultural Rights was concerned about the pay gap between men and women, and recommended that Nepal address obstacles to the career advancement of women.¹⁷⁸

69. The Committee on Economic, Social and Cultural Rights was concerned at reports that more than 50,000 women worked in the “entertainment” sector in the Kathmandu Valley and urged Nepal to ensure their labour and social security rights, and protect them from abuse.¹⁷⁹

70. The country team recommended that Nepal recognize, reduce and redistribute unpaid care and home-based labour of women through investments in infrastructure and social services, ensure that employment policies improve labour market conditions and advance decent work for women, and guarantee women’s equal right to inherit, access, control and own assets.¹⁸⁰

71. While welcoming the National Master Plan on the Elimination of Child Labour (2011),¹⁸¹ the Committee on Economic, Social and Cultural Rights was concerned about the high number of children under the minimum age working.¹⁸² It recommended that Nepal enforce legislation prohibiting child labour, facilitate access to education for poor and disadvantaged children and reinforce labour inspections.¹⁸³ The Committee on the Elimination of Discrimination against Women was concerned about the high rate of child labour among girls between the ages of 8 and 14.¹⁸⁴

72. The country team recommended amending the Child Labour Act and the draft Child Labour Elimination Policy to ensure the prohibition and clear definition of all forms of hazardous labour under 18 years of age, and increasing the number of inspectors covering the informal and domestic work sectors.¹⁸⁵

73. The country team recommended the adoption of the draft social security bill and the national employment policy.¹⁸⁶

G. Right to social security and to an adequate standard of living

74. The Committee on Economic, Social and Cultural Rights recommended reducing poverty, particularly among the most marginalized and disadvantaged groups, and facilitating access to and ownership of land, and access to income-generating activities for those groups.¹⁸⁷

75. The Committee was concerned at the lack of a comprehensive housing policy and reports of forced evictions. It recommended that Nepal facilitate access to housing for poor, marginalized and disadvantaged persons, enact legislation specifying the circumstances and safeguards under which evictions could take place and provide victims of forced evictions with alternative housing or adequate compensation.¹⁸⁸

76. The country team noted that the poor did not have access to safe drinking water and adequate sanitation facilities. The right of children to water, sanitation and hygiene, mainly in schools, remained a major challenge. The country team recommended removing barriers to accessing the water supply, with particular attention to girls and traditionally excluded groups.¹⁸⁹

77. The Committee on Economic, Social and Cultural Rights recommended that Nepal adopt a comprehensive human-rights-based strategy with a gender dimension to combat hunger and ensure food security.¹⁹⁰ The Committee on the Elimination of Discrimination against Women was concerned about discrimination against girls and women in food distribution within the household.¹⁹¹

H. Right to health

78. The Committee on the Elimination of Discrimination against Women was concerned about extremely high maternal mortality and morbidity and recommended prioritizing universal access to contraceptive methods, improving access to abortion services,¹⁹² and taking measures to combat uterine prolapse.¹⁹³ The country team recommended ensuring access to quality sexual and reproductive health services for every woman and girl.¹⁹⁴

79. The country team also recommended ensuring universal vaccination coverage, improving access to skilled attendance at births and accelerating progress in newborn care.¹⁹⁵

80. It further recommended scaling up services to prevent parent-to-child transmission of HIV through improved detection of women living with HIV and provision of antiretroviral therapy to those in need.¹⁹⁶

81. The Committee on Economic, Social and Cultural Rights recommended that older persons be entitled to universal health care.¹⁹⁷

I. Right to education

82. The Committee on Economic, Social and Cultural Rights called on Nepal to adopt legislation making primary school compulsory and secondary school free, as well as to provide mother-tongue-based multilingual education and ensure access to schooling in rural areas and for Dalit and indigenous children.¹⁹⁸

83. The country team recommended that Nepal revise the Education Act and implement the national education equity strategy.¹⁹⁹

84. The Committee on the Elimination of Discrimination against Women urged Nepal to achieve universal provision of quality education for girls and increase the recruitment of female teachers.²⁰⁰

J. Cultural rights

85. UNESCO encouraged Nepal to fully implement the relevant provisions that promoted access to and participation in cultural heritage and creative expression.²⁰¹

K. Persons with disabilities

86. The country team indicated that there was a lack of credible, disaggregated data on disability. It recommended removing legal and practical barriers (physical infrastructure, widespread stigma, inadequate registration, limited resource allocation and lack of access to inclusive services, including education and employment) for persons with disabilities.²⁰²

L. Minorities and indigenous peoples

87. In 2013, the Special Rapporteur on indigenous peoples reiterated recommendations made in 2009 noting the importance of providing special mechanisms to ensure effective participation by indigenous people, through their own representative institutions, in developing a new constitution. The Special Rapporteur noted that the United Nations Declaration on the Rights of Indigenous Peoples and ILO Convention No. 169 should function as benchmarks to address the many human rights challenges faced by indigenous peoples in Nepal.²⁰³

88. The country team recommended endorsing the national action plan to implement ILO Convention No. 169.²⁰⁴

89. The Committee on Economic, Social and Cultural Rights recommended that Nepal complete the process of recognizing indigenous peoples whose claims were under consideration; guarantee their right to own, use and develop their ancestral lands; seek their free, prior and informed consent before any development project;²⁰⁵ and ensure their full enjoyment of cultural rights.²⁰⁶

90. In 2012, under its early warning procedure, the Committee on the Elimination of Racial Discrimination expressed concern about allegations that indigenous leaders and the Pallo Kirant Limbuwan Rastriya Manch continued to be harassed by the State under criminal charges, including sedition and treason, and allegations suggesting that most of the indigenous leaders of Limbuwan had fled Nepal to escape persecution.²⁰⁷ In 2013, after receiving a response from Nepal, the Committee requested further information on measures taken to improve the situation of Limbuwan people and said that it would welcome information on measures taken to engage in a dialogue with them.²⁰⁸

M. Migrants, refugees and asylum seekers

91. The Committee on the Elimination of Discrimination against Women remained concerned about the situation of Nepalese women migrant workers.²⁰⁹ The country team recommended that the Government develop and enforce guidelines to ensure that recruitment processes corresponded to international ethical principles, including gender-responsive migration and social protection.²¹⁰

92. The Human Rights Committee commended Nepal for hosting large numbers of refugees and asylum seekers.²¹¹ UNHCR noted that Nepal continued to generously host large numbers of refugees, and permit new arrivals safe transit.²¹²

93. The Committee on Economic, Social and Cultural Rights was concerned at the lack of an appropriate refugee status determination procedure, and recommended the adoption of a refugee law.²¹³ The Human Rights Committee was concerned about the lack of legislation protecting against refoulement.²¹⁴ The Committee on the Elimination of Discrimination against Women recommended paying particular attention to the vulnerability of asylum-seeking and refugee women.²¹⁵

94. In relation to a 2011 universal periodic review recommendation,²¹⁶ UNHCR, and the Human Rights Committee, recommended that Nepal carry out a comprehensive census and registration exercise of long-staying Tibetans to issue identity documents to Tibetans residing in Nepal.²¹⁷

95. UNHCR recommended that Nepal pursue efforts to find durable solutions for refugees.²¹⁸

96. In line with recommendations from the first cycle,²¹⁹ UNHCR recommended that Nepal give priority to the adoption of legislation and policy in line with international standards, ensure respect of the principle of non-refoulement and exempt, in a timely manner, refugees and asylum seekers from penalties imposed on foreigners for irregular entry or presence in Nepal.²²⁰

97. The Committee on the Elimination of Discrimination against Women strongly urged that children born in the territory of Nepal who would otherwise be stateless be granted citizenship.²²¹

N. Right to development, and environmental issues

98. The country team recommended incorporating issues related to preparedness for and impact of disasters into the development agenda.²²²

99. On 25 April 2015, an earthquake struck Nepal, causing widespread destruction and loss of life. The initial earthquake was followed by aftershocks and another powerful quake on 12 May. As at 25 May, the earthquakes had caused 8,659 deaths and injured over 100,000 people; 384 people were missing and 95,100 people displaced. Fifty-five per cent of those who died were female; early data showed that women and girls were disproportionately affected, depending on their social roles and locations. Many people affected by the disaster are highly vulnerable, based on socioeconomic, language, religious, caste, ethnic and geographic factors. Protection principles and promotion of access, safety and dignity in humanitarian aid are imperative in humanitarian action.²²³

Notes

¹ Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Nepal from the previous cycle (A/HRC/WG.6/10/NPL/2).

² The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

⁴ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/IHL.

⁵ International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).

⁶ ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169).

⁷ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.

- ⁸ ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).
- ⁹ ILO Domestic Workers Convention, 2011 (No. 189).
- ¹⁰ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, at www.icrc.org/IHL.
- ¹¹ See A/67/44, annex XIII, para. 110 (p).
- ¹² *Ibid.*, para. 110 (o); see also CAT/C/NPL/Q/3-5, para. 45.
- ¹³ See A/HRC/19/61/Add.3, para. 84.
- ¹⁴ See United Nations country team submission for the universal periodic review of Nepal, para. 1.
- ¹⁵ See A/HRC/17/5, para. 109; and recommendations in paras. 109.2 (Chile), 109.4 (Spain) and 109.5 (Sweden).
- ¹⁶ See A/HRC/19/58/Add.4, para. 28. See also CEDAW/C/NPL/CO/4-5, para. 48.
- ¹⁷ See country team submission, para. 1.
- ¹⁸ See E/C.12/NPL/CO/3, para. 30. See also CEDAW/C/NPL/CO/4-5, para. 48.
- ¹⁹ See country team submission, para. 1.
- ²⁰ *Ibid.*, para. 1.
- ²¹ See CEDAW/C/NPL/CO/4-5, para. 30. See also country team submission, para. 1.
- ²² See country team submission, para. 1.
- ²³ See A/67/44, annex XIII, para. 122. See also CAT/C/NPL/Q/3-5, para. 45.
- ²⁴ See CRC/C/OPSC/NPL/CO/1, para. 24.
- ²⁵ See CEDAW/C/NPL/CO/4-5, para. 22; and CRC/C/OPSC/NPL/CO/1, para. 24.
- ²⁶ See A/HRC/17/5, paras. 109.7 (Algeria) (Republic of Moldova) (Slovenia) (Switzerland) (Netherlands) and 109.10 (Japan).
- ²⁷ See Office of the United Nations High Commissioner for Refugees (UNHCR) submission for the universal periodic review of Nepal, p. 6.
- ²⁸ See country team submission, para. 1.
- ²⁹ See E/C.12/NPL/CO/3, para. 10; and CEDAW/C/NPL/CO/4-5, para. 26. See also CAT/C/NPL/Q/3-5, para. 17.
- ³⁰ See United Nations Educational, Scientific and Cultural Organization (UNESCO) submission for the universal periodic review of Nepal, para. 44.
- ³¹ See letter dated 30 August 2013 from the Committee on the Elimination of Racial Discrimination to the Permanent Representative of Nepal to the United Nations Office at Geneva, p. 1. Available from http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/NPL/INT_CERD_ALE_NPL_7100_E.pdf.
- ³² See E/C.12/NPL/CO/3, para. 5.
- ³³ See CEDAW/C/NPL/CO/4-5, para. 10.
- ³⁴ See A/HRC/19/61/Add.3, para. 78.
- ³⁵ See CCPR/C/NPL/CO/2, para. 10.
- ³⁶ See A/67/44, annex XIII, para. 109 (b).
- ³⁷ *Ibid.* See also A/67/44, annex XIII, paras. 3, 6, 80-81 and 94.
- ³⁸ See A/HRC/19/58/Add.4, para. 15. See also A/67/44, annex XIII, para. 95.
- ³⁹ See CCPR/C/NPL/CO/2, para. 13. See also CEDAW/C/NPL/CO/4-5, para. 19.
- ⁴⁰ See CEDAW/C/NPL/CO/4-5, para. 20.
- ⁴¹ *Ibid.* See also CRC/C/NPL/Q/3-5, para. 8; www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-NPL-CO-4-5.pdf; and country team submission, para. 16.
- ⁴² See country team submission, para. 5.
- ⁴³ See CRC/C/OPSC/NPL/CO/1, para. 10.
- ⁴⁴ *Ibid.*, para. 38.
- ⁴⁵ See UNHCR submission, p. 6. See also country team submission, para. 3.
- ⁴⁶ According to article 5 of the rules of procedure of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).

- ⁴⁷ For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, see A/HRC/27/40, annex.
- ⁴⁸ See CCPR/C/NPL/CO/2, para. 7.
- ⁴⁹ See A/HRC/19/58/Add.4, para. 26.
- ⁵⁰ See International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, “Report and recommendations of the session of the Sub-Committee on Accreditation”, sect. 4.1.
- ⁵¹ See country team submission, para. 6.
- ⁵² See E/C.12/NPL/CO/3, para. 8. See also CCPR/C/NPL/CO/2, para. 7; CAT/C/NPL/Q/3-5, para. 10; CEDAW/C/NPL/CO/4-5, para. 45; and letter dated 5 June 2015 from the Permanent Mission of Nepal to the United Nations Office and other international organizations in Geneva to the secretariat of the Human Rights Committee (available from http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fAFR%2fNPL%2f20815&Lang=en), pp. 7-8.
- ⁵³ See A/HRC/19/61/Add.3, para. 81.
- ⁵⁴ See country team submission, para. 6.
- ⁵⁵ Ibid., para. 8.
- ⁵⁶ Ibid., para. 7.
- ⁵⁷ See UNESCO submission, para. 44.
- ⁵⁸ See CCPR/C/NPL/CO/2, para. 21.
- ⁵⁹ See letter dated 5 June 2015 from the Permanent Mission of Nepal to the United Nations Office and other international organizations in Geneva to the secretariat of the Human Rights Committee.
- ⁶⁰ See letter dated 9 June 2015 from the Human Rights Committee to the Permanent Mission of Nepal to the United Nations Office and other international organizations in Geneva.
- ⁶¹ See CEDAW/C/NPL/CO/4-5, para. 49.
- ⁶² See www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-NPL-CO-4-5.pdf.
- ⁶³ See CAT/C/NPL/CO/2, para. 38.
- ⁶⁴ See CAT/C/NPL/CO/2/Add.1.
- ⁶⁵ See letter dated 15 May 2008 from the Rapporteur for follow-up on conclusions and recommendations of the Committee against Torture to the Permanent Representative of Nepal to the United Nations Office at Geneva. Available from http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/NPL/INT_CAT_FUF_NPL_11791_E.pdf.
- ⁶⁶ See CCPR/C/99/D/1870/2009, CCPR/C/100/3, CCPR/C/101/3, CCPR/C/101/D/1761/2008, CCPR/C/105/D/1863/2009 and CCPR/C/108/D/1865/2009.
- ⁶⁷ See A/67/44, annex XIII, paras. 88-99.
- ⁶⁸ Ibid., para. 1. See also A/67/44, para. 89.
- ⁶⁹ See CCPR/C/NPL/CO/2, para. 6.
- ⁷⁰ See A/67/44, paras. 97 and 98; and A/67/44, annex XIII, para. 13.
- ⁷¹ See A/67/44, para. 98; and A/67/44, annex XIII, paras. 14, 18-40 and 111-130.
- ⁷² See A/67/44, para. 100.
- ⁷³ For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.
- ⁷⁴ See A/HRC/19/61/Add.3 and www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A.HRC.16.52.Add.2_AV.pdf.
- ⁷⁵ See A/HRC/19/58/Add.4.
- ⁷⁶ See www.ohchr.org/EN/Countries/AsiaRegion/Pages/NPIndex.aspx.
- ⁷⁷ See country team submission, para. 13.
- ⁷⁸ See CCPR/C/NPL/CO/2, para. 8.
- ⁷⁹ See CEDAW/C/NPL/CO/4-5, para. 5. See also CEDAW/C/NPL/CO/4-5, para. 4; and E/C.12/NPL/CO/3, para. 4.
- ⁸⁰ See CEDAW/C/NPL/CO/4-5, para. 17; CCPR/C/NPL/CO/2, para. 8; and E/C.12/NPL/CO/3, para. 14.
- ⁸¹ See CEDAW/C/NPL/CO/4-5, para. 39.
- ⁸² See CCPR/C/NPL/CO/2, para. 9; E/C.12/NPL/CO/3, paras. 4 and 11; and CRC/C/OPSC/NPL/CO/1, para. 4.

- ⁸³ See CCPR/C/NPL/CO/2, para. 9. See also E/C.12/NPL/CO/3, para. 11; and CRC/C/OPSC/NPL/CO/1, para. 21.
- ⁸⁴ See E/C.12/NPL/CO/3, para. 11.
- ⁸⁵ See CCPR/C/NPL/CO/2, para. 20. See also CEDAW/C/NPL/CO/4-5, para. 26.
- ⁸⁶ See CEDAW/C/NPL/CO/4-5, para. 25. See also E/C.12/NPL/CO/3, para. 12; and www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-NPL-CO-4-5.pdf.
- ⁸⁷ See UNHCR submission, p. 6.
- ⁸⁸ See country team submission, para. 52.
- ⁸⁹ See CCPR/C/NPL/CO/2, para. 10. See also A/67/44, annex XIII, paras. 5, 47-48, 62 and 64; and CAT/C/NPL/Q/3-5, para. 34.
- ⁹⁰ See CCPR/C/NPL/CO/2, para. 10. See also letter dated 5 June 2015 from the Permanent Mission of Nepal to the United Nations Office and other international organizations in Geneva to the secretariat of the Human Rights Committee, p. 8.
- ⁹¹ See A/67/44, annex XIII, para. 109 (c). See also CCPR/C/NPL/CO/2, para. 10.
- ⁹² See A/67/44, annex XIII, para. 54. See also A/67/44, annex XIII, paras. 56, 102 and 103.
- ⁹³ See A/67/44, annex XIII, paras. 80 and 85.
- ⁹⁴ See CCPR/C/NPL/CO/2, para. 10. See also A/67/44, annex XIII, paras. 109 (a) and 110 (b) and CAT/C/NPL/Q/3-5, para. 9.
- ⁹⁵ See A/67/44, annex XIII, paras. 99 and 110 (j). See also CAT/C/NPL/Q/3-5, para. 25; and CRC/C/NPL/Q/3-5, para. 18.
- ⁹⁶ See A/67/44, annex XIII, para. 99. See also A/67/44, annex XIII, para. 59; CAT/C/NPL/Q/3-5, para. 35; and CRC/C/NPL/Q/3-5, para. 7.
- ⁹⁷ See A/67/44, annex XIII, para. 61. See also A/67/44, annex XIII, paras. 45-46 and 105; and cases before the Human Rights Committee (CCPR/C/101/D/1761/2008 and CCPR/C/105/D/1863/2009).
- ⁹⁸ See CCPR/C/NPL/CO/2, para. 11.
- ⁹⁹ See A/67/44, annex XIII, para. 46.
- ¹⁰⁰ See CCPR/C/NPL/CO/2, para. 12. See also A/67/44, annex XIII, paras. 56 and 110 (e); and CAT/C/NPL/Q/3-5, para. 11.
- ¹⁰¹ See CCPR/C/NPL/CO/2, para. 12. See also CAT/C/NPL/Q/3-5, paras. 40-41; and cases before the Human Rights Committee (CCPR/C/99/D/1870/2009, CCPR/C/105/D/1863/2009 and CCPR/C/108/D/1865/2009), as well as CCPR/C/101/3.
- ¹⁰² See E/C.12/NPL/CO/3, para. 20. See also CCPR/C/NPL/CO/2, para. 13; CAT/C/NPL/Q/3-5, para. 15; and CEDAW/C/NPL/CO/4-5, para. 19.
- ¹⁰³ See CCPR/C/NPL/CO/2, para. 13.
- ¹⁰⁴ See CRC/C/OPSC/NPL/CO/1, para. 21.
- ¹⁰⁵ See E/C.12/NPL/CO/3, para. 20. See also CEDAW/C/NPL/CO/4-5, para. 20; and CCPR/C/NPL/CO/2, para. 13.
- ¹⁰⁶ See CCPR/C/NPL/CO/2, para. 13.
- ¹⁰⁷ See country team submission, para. 16.
- ¹⁰⁸ See CEDAW/C/NPL/CO/4-5, para. 30.
- ¹⁰⁹ See E/C.12/NPL/CO/3, para. 14. See also CEDAW/C/NPL/CO/4-5, para. 17; CRC/C/OPSC/NPL/CO/1, para. 27; CRC/C/NPL/Q/3-5, para. 9; and CCPR/C/NPL/CO/2, para. 8.
- ¹¹⁰ See E/C.12/NPL/CO/3, para. 14. See also CRC/C/OPSC/NPL/CO/1, para. 28; CRC/C/NPL/Q/3-5, para. 9; CEDAW/C/NPL/CO/4-5, paras. 18 and 32 (d); and CCPR/C/NPL/CO/2, para. 8.
- ¹¹¹ See CEDAW/C/NPL/CO/4-5, paras. 17 and 18. See also CCPR/C/NPL/CO/2, para. 8; and CRC/C/NPL/Q/3-5, para. 9.
- ¹¹² See CRC/C/OPSC/NPL/CO/1, para. 27. See also CRC/C/NPL/Q/3-5, para. 9; CEDAW/C/NPL/CO/4-5, paras. 17 and 43; E/C.12/NPL/CO/3, para. 14.; and CCPR/C/NPL/CO/2, para. 8.
- ¹¹³ See CRC/C/OPSC/NPL/CO/1, para. 28; and CEDAW/C/NPL/CO/4-5, para. 28. See also CEDAW/C/NPL/CO/4-5, para. 44; and CRC/C/OPSC/NPL/CO/1, para. 4.
- ¹¹⁴ See E/C.12/NPL/CO/3, para. 14.
- ¹¹⁵ See country team submission, para. 25.
- ¹¹⁶ See E/C.12/NPL/CO/3, para. 18.
- ¹¹⁷ See CCPR/C/NPL/CO/2, para. 18.
- ¹¹⁸ See CEDAW/C/NPL/CO/4-5, para. 29.
- ¹¹⁹ *Ibid.*, para. 30.

- ¹²⁰ See CCPR/C/NPL/CO/2, para. 18.
- ¹²¹ See E/C.12/NPL/CO/3, para. 18.
- ¹²² See country team submission, para. 18.
- ¹²³ See CCPR/C/NPL/CO/2, para. 18. See also CRC/C/OPSC/NPL/CO/1, para. 33.
- ¹²⁴ See CCPR/C/NPL/CO/2, para. 18. See also CEDAW/C/NPL/CO/4-5, para. 22; and E/C.12/NPL/CO/3, para. 22.
- ¹²⁵ See E/C.12/NPL/CO/3, para. 22. See also CRC/C/OPSC/NPL/CO/1, para. 33.
- ¹²⁶ See E/C.12/NPL/CO/3, para. 22. See also CEDAW/C/NPL/CO/4-5, para. 22.
- ¹²⁷ See CEDAW/C/NPL/CO/4-5, para. 21.
- ¹²⁸ See CRC/C/OPSC/NPL/CO/1, para. 21.
- ¹²⁹ *Ibid.*, para. 25.
- ¹³⁰ *Ibid.*, para. 31.
- ¹³¹ *Ibid.*, para. 37.
- ¹³² *Ibid.*, para. 21.
- ¹³³ *Ibid.*, para. 26. See also CRC/C/OPSC/NPL/CO/1, para. 34; and CRC/C/NPL/Q/3-5, para. 16.
- ¹³⁴ See CRC/C/OPSC/NPL/CO/1, paras. 21-22.
- ¹³⁵ *Ibid.*, para. 6.
- ¹³⁶ *Ibid.*, para. 42.
- ¹³⁷ *Ibid.*, paras. 23-24. See also CRC/C/NPL/Q/3-5, para. 11.
- ¹³⁸ See CCPR/C/NPL/CO/2, para. 15.
- ¹³⁹ See CRC/C/OPSC/NPL/CO/1, para. 22.
- ¹⁴⁰ See CRC/C/OPAC/NPL/Q/1, para. 7.
- ¹⁴¹ See A/HRC/19/61/Add.3, para. 82.
- ¹⁴² *Ibid.*, para. 83.
- ¹⁴³ See A/67/44, annex XIII, para. 110 (d). See also CCPR/C/NPL/CO/2, para. 11; CAT/C/NPL/Q/3-5, paras. 8 and 9; A/67/44, annex XIII, paras. 49-50, 66-70 and 105; and cases before the Human Rights Committee (CCPR/C/99/D/1870/2009 and CCPR/C/101/3).
- ¹⁴⁴ See A/HRC/19/58/Add.4, para. 24.
- ¹⁴⁵ See A/HRC/19/61/Add.3, para. 81. See also CCPR/C/NPL/CO/2, para. 16.
- ¹⁴⁶ See CCPR/C/NPL/CO/2, para. 16.
- ¹⁴⁷ See CCPR/C/NPL/CO/2, para. 5. See also letter dated 5 June 2015 from the Permanent Mission of Nepal to the United Nations Office and other international organizations in Geneva to the secretariat of the Human Rights Committee, p. 3.
- ¹⁴⁸ See CCPR/C/NPL/CO/2, para. 16. See also A/67/44, annex XIII, paras. 51, 70 and 105.
- ¹⁴⁹ See CCPR/C/NPL/CO/2, para. 17. See also CRC/C/NPL/Q/3-5, para. 18.
- ¹⁵⁰ See country team submission, para. 21.
- ¹⁵¹ See A/HRC/19/58/Add.4, para. 22.
- ¹⁵² *Ibid.*, para. 16.
- ¹⁵³ *Ibid.*, para. 18.
- ¹⁵⁴ See CCPR/C/NPL/CO/2, para. 5. See also A/67/44, annex XIII, paras. 72, 80, 82 and 103; and CAT/C/NPL/Q/3-5, para. 26.
- ¹⁵⁵ See CCPR/C/NPL/CO/2, para. 5. See also CCPR/C/NPL/CO/2, para. 10; A/67/44, annex XIII, paras. 72, 74, 82, 86 and 105; and letter dated 5 June 2015 from the Permanent Mission of Nepal to the United Nations Office and other international organizations in Geneva to the secretariat of the Human Rights Committee, p. 4.
- ¹⁵⁶ See A/67/44, annex XIII, para. 110 (h). See also CEDAW/C/NPL/CO/4-5, para. 36.
- ¹⁵⁷ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14824&LangID=E. See also A/HRC/28/85, p. 25.
- ¹⁵⁸ See www.ohchr.org/EN/NewsEvents/Pages/NepalPeace.aspx#sthash.SGK81LS.dpuf.
- ¹⁵⁹ See CEDAW/C/NPL/CO/4-5, para. 36. See also www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-NPL-CO-4-5.pdf, para. 36.
- ¹⁶⁰ See country team submission, para. 24.
- ¹⁶¹ *Ibid.* See also CEDAW/C/NPL/CO/4-5, paras. 35-36.
- ¹⁶² See CCPR/C/NPL/CO/2, para. 20. See also CRC/C/OPSC/NPL/CO/1, paras. 21-22; and CRC/C/NPL/Q/3-5, para. 5.
- ¹⁶³ See CEDAW/C/NPL/CO/4-5, paras. 43-44.

- ¹⁶⁴ Ibid., para. 44. See also E/C.12/NPL/CO/3, para. 12.
- ¹⁶⁵ See country team submission, para. 26.
- ¹⁶⁶ Ibid., para. 27.
- ¹⁶⁷ See UNESCO submission, para. 46.
- ¹⁶⁸ See CCPR/C/NPL/CO/2, para. 19. See also CAT/C/NPL/Q/3-5, para. 42.
- ¹⁶⁹ See UNESCO submission, para. 45.
- ¹⁷⁰ See A/HRC/25/55/Add.3, paras. 310-311.
- ¹⁷¹ See A/HRC/19/58/Add.4, para. 25.
- ¹⁷² See A/HRC/25/55/Add.3, para. 312.
- ¹⁷³ See CEDAW/C/NPL/CO/4-5, para. 23; and CCPR/C/NPL/CO/2, para. 8. See also E/C.12/NPL/CO/3, para. 13.
- ¹⁷⁴ See CEDAW/C/NPL/CO/4-5, para. 24. See also country team submission, para. 28.
- ¹⁷⁵ See E/C.12/NPL/CO/3, para. 17.
- ¹⁷⁶ Ibid., para. 15. See also CEDAW/C/NPL/CO/4-5, para. 30.
- ¹⁷⁷ See CEDAW/C/NPL/CO/4-5, para. 29.
- ¹⁷⁸ See E/C.12/NPL/CO/3, para. 13.
- ¹⁷⁹ Ibid., para. 16.
- ¹⁸⁰ See country team submission, para. 29.
- ¹⁸¹ See E/C.12/NPL/CO/3, para. 4; and CRC/C/OPSC/NPL/CO/1, para. 11.
- ¹⁸² See E/C.12/NPL/CO/3, para. 21. See also CCPR/C/NPL/CO/2, para. 18.
- ¹⁸³ See E/C.12/NPL/CO/3, para. 21. See also CEDAW/C/NPL/CO/4-5, para. 30; and CRC/C/NPL/Q/3-5, para. 15.
- ¹⁸⁴ See CEDAW/C/NPL/CO/4-5, para. 29.
- ¹⁸⁵ See country team submission, para. 17.
- ¹⁸⁶ Ibid., para. 32.
- ¹⁸⁷ See E/C.12/NPL/CO/3, para. 23. See also CEDAW/C/NPL/CO/4-5, paras. 37-38.
- ¹⁸⁸ See E/C.12/NPL/CO/3, para. 24.
- ¹⁸⁹ See country team submission, para. 34.
- ¹⁹⁰ See E/C.12/NPL/CO/3, para. 25.
- ¹⁹¹ See CEDAW/C/NPL/CO/4-5, para. 37.
- ¹⁹² Ibid., paras. 31-32. See also E/C.12/NPL/CO/3, para. 26.
- ¹⁹³ See CEDAW/C/NPL/CO/4-5, para. 32.
- ¹⁹⁴ See country team submission, para. 37.
- ¹⁹⁵ Ibid., para. 36.
- ¹⁹⁶ Ibid.
- ¹⁹⁷ See E/C.12/NPL/CO/3, para. 27.
- ¹⁹⁸ Ibid., para. 28.
- ¹⁹⁹ See country team submission, para. 40.
- ²⁰⁰ See CEDAW/C/NPL/CO/4-5, paras. 27-28. See also E/C.12/NPL/CO/3, para. 28.
- ²⁰¹ See UNESCO submission, para. 48.
- ²⁰² See country team submission, paras. 41-43.
- ²⁰³ See A/HRC/24/41/Add.4, para. 120.
- ²⁰⁴ See country team submission, para. 44.
- ²⁰⁵ See E/C.12/NPL/CO/3, para. 9.
- ²⁰⁶ Ibid., para. 29.
- ²⁰⁷ See letter dated 31 August 2012 from the Committee on the Elimination of Racial Discrimination to the Permanent Representative of Nepal to the United Nations Office at Geneva, p. 1. Available from www2.ohchr.org/english/bodies/cehd/docs/early_warning/Nepal31082012.pdf.
- ²⁰⁸ See letter dated 30 August 2013 from the Committee on the Elimination of Racial Discrimination to the Permanent Representative of Nepal to the United Nations Office at Geneva, p. 1.
- ²⁰⁹ See CEDAW/C/NPL/CO/4-5, para. 33. See also E/C.12/NPL/CO/3, para. 19.
- ²¹⁰ See country team submission, paras. 45-47.
- ²¹¹ See CCPR/C/NPL/CO/2, p. 14.
- ²¹² See UNHCR submission, pp. 2 and 4. See also country team submission, paras. 48-51.
- ²¹³ See E/C.12/NPL/CO/3, para. 10.

- ²¹⁴ See CCPR/C/NPL/CO/2, para. 14. See also E/C.12/NPL/CO/3, para. 10; and CAT/C/NPL/Q/3-5, para. 17.
- ²¹⁵ See CEDAW/C/NPL/CO/4-5, para. 42.
- ²¹⁶ See A/HRC/17/5, para. 109.8 (United States of America).
- ²¹⁷ See UNHCR submission, p. 4; and CCPR/C/NPL/CO/2, para. 14. See also country team submission, paras. 48-51; E/C.12/NPL/CO/3, para. 10; and CRC/C/NPL/Q/3-5, para. 6.
- ²¹⁸ See UNHCR submission, p. 4. See also country team submission, paras. 48-51.
- ²¹⁹ See A/HRC/17/5, paras. 109.7 (Algeria) (Republic of Moldova) (Japan) (Slovenia) (Switzerland) (Netherlands) and 109.10 (Japan).
- ²²⁰ See UNHCR submission, p. 5. See also country team submission, paras. 48-51.
- ²²¹ See CEDAW/C/NPL/CO/4-5, para. 26. See also CRC/C/NPL/Q/3-5, para. 6.
- ²²² See country team submission, para. 53.
- ²²³ "Nepal: Flash Appeal Revision — Nepal Earthquake (April to September 2015)". Available from http://un.org.np/sites/default/files/flash_appeal_revised_11_june.pdf.
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