



Universal Periodic Review of Nepal

Nepal National Coalition for UPR (NNC-UPR)

(A coalition of 530 Nepali Civil Society Organizations)

This advocacy paper provides a snapshot of Nepal's human rights situation, highlighting key challenges and gaps in implementing constitutional guarantees, international obligations, and UPR recommendations.

1. Constitutional and Legislative Framework

The Constitution of Nepal commits to democratic values and human rights, guaranteeing civil, political, economic, social, and cultural rights to establish a public welfare system of governance. However, its implementation under federalism remains incomplete, with key laws and local structures still lacking, and significant gaps persist in translating the rights of marginalized groups into reality.

Recommendations: The government should guarantee equal rights for women in acquiring and transferring citizenship, and take concrete measures to ensure the effective implementation of constitutional rights for women, indigenous peoples, Dalits, Muslims, Madhesi, persons with disabilities, and sexual minorities.

2. Treaty Ratification

Across the past three UPR cycles, Nepal was urged to ratify several international treaties to strengthen human rights protections, yet many remain unratified.

Recommendations: Ratify the Convention against Enforced Disappearance, the Migrant Workers Convention, the three Additional Protocols to the Geneva Conventions, and accede to the Rome Statute of the ICC and ILO Convention 189. Nepal should also ratify the Optional Protocols to ICESCR, CAT, CRC (OP III), and the Protocol against Smuggling of Migrants by Land, Sea, and Air (2000).

3. Equality and Non-discrimination

3.1 Gender Equality and Violence against Women

Despite constitutional guarantees, women, particularly Dalit, indigenous, minority, single, and disabled women face persistent inequality, violence, and discrimination. Patriarchal norms discourage reporting, forcing many victims into out-of-court settlements. In 2023–24, a total of 20,534 crimes against women and children, including 2,507 rape cases, were recorded¹.

Recommendations: Ensure citizenship through the mother, fully implement gender equality laws, investigate and punish perpetrators, and protect victims. Eliminate harmful practices, such as dowry, son preference, and polygamy. Remove reconciliation provisions in the Domestic Violence Act (2008) and statutory limitations on rape cases.

3.2 Discrimination against Dalit and Madhesi People

Despite constitutional guarantees, caste-based discrimination and untouchability persist, limiting Dalits' access

1. Nepal Police, *Women, Children and Senior Citizen Service Directorate*, accessed September 5, 2025, <https://cid.nepalpolice.gov.np/cid-wings/women-children-and-senior-citizen-service-directorate/>

to education, health care, employment, water, and housing. Dalit men marrying non-Dalit women are falsely accused of human trafficking and rape, while Dalit children face malnutrition, limited schooling, child labor, trafficking, and sexual violence.

Madhesi Dalits face greater exclusion, marginalization, and landlessness, and are discriminated against even within Dalit and Madhesi communities. Madhesi Dalit women experience compounded discrimination based on region, class, caste, and gender, while Badi women face sexual exploitation.

Recommendations: Effectively implement constitutional rights against discrimination and strengthen investigation and prosecution mechanisms. Fully functionalize the National Dalit Commission, amend discriminatory laws, and protect inter-caste couples. Ensure Dalits, Madhesi Dalits, and women have equal access to opportunities, resources, and political participation. Address landlessness, guarantee citizenship rights, and promote mother tongue-based education for Dalit and marginalized children.

3.3 Indigenous Peoples (IPs)

Indigenous peoples, comprising 35.08% of Nepal's population, face displacement from lands and restricted access to natural resources due to large-scale projects and national parks, as illustrated by around 500 Tamang households in Bojheni, Nagarkot². Poverty is high among Hill IPs, and women survivors of human trafficking are disproportionately from indigenous communities. Structural inequality, discrimination, and exploitation further increase their vulnerability.

Recommendations: The government should secure indigenous peoples' rights to ancestral lands with free, prior informed consent. Fully implement the ILO Convention 169 Action Plan, adequately resource the Indigenous Nationalities Commission, and ensure inclusion and proportional representation of indigenous peoples—including women—in decision-making and state policies.

3.4 Persons with Disabilities

Many provisions of the Rights of Persons with Disabilities Act, 2017 related to education, employment, accessibility, healthcare, inclusion, and participation have not been properly implemented. Physical infrastructure and transportation remain largely inaccessible. Persons with psychosocial and severe disabilities often lack support systems and social security, leading to inhumane treatment such as chaining or confinement.

Recommendations: Ensure accessible infrastructure and transportation for persons with disabilities, and strengthen support systems to promote independent living. Generate livelihood opportunities for them.

3.5 Sexual and Gender Minorities

Over a decade after the Supreme Court verdict, same-sex marriage remains unrecognized, despite constitutional recognition of gender and sexual minorities as disadvantaged groups. LGBTI persons are subjected to discrimination, social stigma, harassment, and exclusion in families, schools, workplaces, and public services.

Recommendations: Fully implement constitutional provisions to ensure participation and representation of LGBTI people in public services and state mechanisms; revise discriminatory laws to guarantee their rights and identity, and take concrete steps to secure sexual and reproductive rights for the community.

4. Arbitrary Arrest and Detention, Conditions at Detention Centres, Torture, and Enforced Disappearance Arbitra

Despite legal safeguards, arbitrary arrests, police brutality, and excessive force persist in Nepal. Overcrowded prisons with violent hierarchies and custodial deaths highlight ongoing impunity. Conflict-era torture and enforced disappearances remain unaddressed. There is a lack of explicit legislation, OP CAT ratification, and unimplemented UN recommendations.

2. IWGIA, *Nepal: Stop State Brutality against the Tamang Indigenous Peoples and Locals*.

Recommendations: Nepal should end arbitrary arrests and police brutality, improve prison and juvenile home conditions, ensure accountability of security forces, investigate extrajudicial killings, provide rehabilitation and reparation for torture victims, and fully implement laws on torture and enforced disappearances.

5. Human Trafficking and Human Smuggling

Nepal supported all 14 UPR recommendations on human trafficking, but most remain only partially implemented. The Human Trafficking and Transportation (Control) Act 2007 (HTTCA) narrowly defines trafficking, and fails to align with the Foreign Employment Act, leaving migrant workers, especially women vulnerable due to migration bans, unethical recruitment, inadequate pre-departure training, and weak protections abroad.

Recommendations: Harmonize the HTTCA with the Foreign Employment Act and the Palermo Protocol, adopting a victim-centered approach. Enact Standard Operating Procedure (SOP)s for victim identification, rescue, and repatriation, and implement national plans for trafficking prevention, safe migration, and reintegration. Remove migration bans on women to uphold their right to work and freedom of movement.

6. Forced Labour, Slavery, Servitude and Slavery-like Practices

According to the 2023 Global Slavery Index, 3.3 in every thousand people in Nepal were in modern slavery in 2021. Despite legal provisions, bonded labour systems such as Kamaiya, Kamalari, Harawa, Charawa, and Haliya persist, along with forced labour in brick kilns, stone quarries, entertainment sectors, domestic work, restaurants, and textiles. Weak enforcement, impunity, and lack of economic opportunities perpetuate exploitation. Although 37,000 Kamaiyas were declared freed in 2000, two decades later, many remain without proper rehabilitation and are still compelled to work for former landlords.

Recommendations: Ensure full implementation of anti-slavery laws, including the Kamaiya (Prohibition) Act 2002, provide employment and housing for freed bonded labourers, and mobilize local authorities to eliminate slavery, servitude, and slavery-like practices in all communities.

7. Transitional Justice

Despite supporting all 12 UPR recommendations, Nepal has made no progress on transitional justice. Even after 19 years of the Comprehensive Peace Accord, victims have received only interim relief, while politically influenced appointments and lack of consultation undermine the commissions. Accused perpetrators hold senior positions, and survivors of conflict-related sexual violence lack privacy and protection.

Recommendations: Amend the Truth and Reconciliation Commission (TRC) Act to meet international standards and Supreme Court rulings, remove limitations on prosecuting conflict-era sexual violence, ensure confidentiality and security of survivors, and create an enabling environment for women and girls to participate in the process.

8. Right to Information, Opinion and Expression

Nepal guarantees the right to information, opinion, and expression, but challenges remain online. The Electronic Transactions Act (ETA), Social Media Bill, and IT and Cybersecurity Bill impose restrictive measures, while online abuse of women, children, and LGBTIQ people increases, highlighting gaps in protection and enforcement.

Recommendations: Amend Section 47 of the ETA and draft IT and Cybersecurity Bill to prevent misuse and undue restrictions on freedom of expression and association. Simplify Social Welfare Council procedures for NGOs and civil societies to eliminate bureaucratic hurdles and uphold the right to association under Article 22 of the ICCPR.

9. Economic, Social and Cultural Rights

9.1 Right to Work and Social Security

Most informal workers in Nepal lack fair working conditions, legal protection, and access to social security. Women working in households, restaurants, dance bars, massage parlours, and the hospitality sector face exploitation, low pay, harassment, violence, and arbitrary arrests. Vulnerable groups including informal workers, senior citizens, widows, children, Dalits, and marginalized ethnic communities often cannot access social security or allowances due to missing or incorrect citizenship records.

Recommendations: The government should improve working conditions, job security, and complaint mechanisms, recognize domestic work as decent work with social security, and ensure coverage and protection allowances for all vulnerable households.

9.2 Right to an Adequate Standard of Living, Health, and Education

Millions in Nepal lack clean water, sanitation, hygiene (WASH), and housing and food security, with rural communities hardest hit. Landless squatters face evictions without alternatives. Health care is costly, urban-centric, and constrained by high maternal mortality, limited safe abortion access, and workforce shortages. Education remains inequitable, with dropouts from poverty and early marriage, wide public–private disparities, and exclusion of children with disabilities.

Recommendations: Improve WASH, housing and food security for marginalized groups. Establish universal health insurance, expand reproductive health care, and reduce maternal mortality. Enforce free, compulsory education, ensure quality for disadvantaged groups, and curb dropouts by improving quality of education and resources in rural areas.

10. Child Rights

Despite supporting all UPR recommendations on child protection, Nepal has made limited progress. Only half of local levels have formed Child Rights Committees, no national database exists, and discrimination based on caste, gender, disability, and language persists. Child marriage, child labour, weak juvenile justice system, overcrowded rehabilitation centres, and barriers to birth registration remain major concerns. Children with disabilities lack adequate support, unnecessary institutionalization continues, and Nepal has not ratified the third Optional Protocol to the CRC yet.

Recommendations: Nepal should strengthen child rights laws at all levels, establish an independent child rights monitoring body, and fully implement CRC, CEDAW, and CRPD recommendations. It must ensure free and compulsory education, improve juvenile justice and rehabilitation, restrict institutionalization, and adopt strategies to end child labour and child marriage, supported by family-strengthening programmes and effective implementation of the Comprehensive School Child Protection Standard.

11. Climate Justice

Nepal's efforts to address climate risks remain inadequate due to limited financial resources, weak policy implementation, insufficient infrastructure, low community awareness, and fragmented institutional capacity, which hinder resilience and adaptation.

Recommendations: Integrate climate change adaptation (CCA) and disaster risk reduction (DRR) initiatives for community sustainability, and develop and effectively communicate policy documents on CCA and DRR to local communities.