

NEPAL

Nepal NGO Coalition Submission to the United Nations Universal Periodic Review
Tenth session of the UPR Working Group of the Human Rights Council
July 2010

I. METHODOLOGY:

This joint submission has been prepared by three coalitions namely Nepal NGO Coalition for UPR ('NNC-UPR), National Women Coalition and Durban Review Conference Follow-up Committee Nepal comprising of 238 civil society organizations all together (Annex 1). This report is the outcome of a series of regional, national and thematic consultations with relevant stakeholders including the government and national institutions. This submission also includes two different thematic submissions of DRC Follow-up Committee (Annex- 2) and Women Coalition as annex (Annex- 3). The government has not yet started consultation process as of the submission of this report. This report follows the guidelines adopted by the Human Rights Council.

II. BACKGROUND AND FRAMEWORK

A. Scope of International Obligation

As Nepal is on a journey to peace, democracy and stability, a number of human rights treaties are particularly important for this transition to be successful and better protection and promotion of human rights to occur. Therefore, the Government should:

- Immediately ratify the Disappearance Convention, Convention on Right to Development, Convention on Migrant Workers, Refugee Convention and Convention against Transnational Organized Crime and its Protocols.
- Access the statute of ICC (Rome Statute) as per the directives of the parliament.
- Ratify the Optional Protocol to ICESCR; the Optional Protocol to CAT and Additional Protocols to Geneva Conventions.
- Accept the individual complain procedure under Internal Convention on the Elimination of Racial Discrimination and Convention against Torture.

B. Constitutional and legislative framework.

Constitution drafting process: The Constituent Assembly has failed to adopt a new Constitution on stipulated time. Its mandate has been extended by one year. The timely drafting of the constitution has been given little priority by the political parties and the peace process remains deadlocked. The government should:

- Ensure that the constitution is adopted within extended time with full consultation with the people of Nepal

Domestication of international law: It is alarming that crimes under international law including war crimes, crimes against humanity, disappearance and torture are yet to be criminalized. The Interim Constitution provides a long list of human rights as the fundamental rights. However, in the absence of right to effective remedy these rights are yet to be realized in practice. The parliament is yet to enact a number of pending laws. In addition, a number of national legislation is still in place which directly contradict with the treaties Nepal is party to.¹ There is no comprehensive human rights protection legislation providing effective remedies for human rights violations. The Government of Nepal should:

- Fully incorporate international law obligation into Nepali law through the adoption of a Human Rights Act and amend national legislation that contradict with the treaties that Nepal is party to.
- Take all necessary measures to ensure that war crimes, crimes against humanity, genocide, and other international crimes such as disappearance, torture, extrajudicial killing and violence against women, recruitments of children are crimes under domestic law and that the Constitution guarantees the right to effective remedy.

C. Institutional and Human Rights Infrastructure

Despite the establishment of National Human Rights Commission (NHRC) National Women's Commission and National Dalit Commission, the government has failed to implement the recommendations of these commissions. Neither the budgetary and human resource support is sufficient. The government should:

- Take all possible measures to ensure the independence and autonomy of the all National Human Rights Institutions (NHRIs) are guaranteed by the constitution and legislation, and strengthen their capacity and performance by allocating adequate resources and continue to consider implementing the recommendation made by the NHRIs.

III. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

1. Equality and non- discrimination

There is widespread discrimination against Dalits, Women, Madhesi, indigenous peoples, persons with disabilities, Muslim and other religious minorities, sexual and gender minorities and other marginalized groups. Grounds for discrimination include caste, ethnicity, gender, and, geographic region. Further these groups continue to be severely underrepresented in most of the public sector including decision making bodies, civil service, judiciary, law enforcement agencies, and local authorities.

A. Rights of Dalit Community

Dalits are the *de facto* 'untouchables' of contemporary Nepal. They are frequently denied access to public places and the right to drink water from public wells. They are the victims of violence to prevent participation in inter-caste marriage and endure an estimated 205 forms of discriminatory practice in their daily lives.² Dalits refers to a group of people who are religiously, culturally, socially, economically and historically oppressed, excluded and treated as untouchables and they belong to different geographical region, religion, language, culture and castes.³ The government has significantly failed to take necessary measures to eliminate caste-based discrimination and untouchability by enacting a special law. Still, there are many discriminatory provisions existed in different laws of the country incompatible with international human rights instruments. The study carried out by National Dalits Commission has revealed that there more than 23 discriminatory provisions.⁴ In addition to this, the government has made little effort to implement the recommendation of UN mechanism, in particular proportional representation in the Government, legislative bodies and the judiciary.⁵ Similarly there has not been made adequate effort by the government to ensure the participation of the Dalit community at the decision-making bodies at all levels⁶, neither the issue of *ex-Haliyas* (a type of bounded labour) form Dalits community⁷ are well addressed. Despite of the recommendation of UN mechanism⁸ the government has not made National Dalits Commission as a statutory body. The government should:

- Immediately enact a separate law to eliminate the caste-based discrimination and untouchability practices to make provision both for prosecuting the culprits and compensating the victims.
- Ensure 'proportional representation' with compensation of Dalit including Dalit Women in the public sector.
- Repel all discriminatory laws, regulations, rules, directives, policies and programs based on caste, occupation/work and descent.
- Adopt the administrative, legal and institutional measures for effective implementation of all international and national obligations, policies, programs, and agreements with Dalits.
- Address the issue of ex-Haliyas and the arrangement policy, laws and programs to ensure suitable areas of land which will provide an adequate standard of living.
- Arrange policy, laws and programs to provide adequate areas of land for all landless Dalits family, prerogative rights for their indigenous knowledge and occupation and ensure the equal benefit sharing of natural resources.

B. Rights of Sexual and Gender Minority

Sexual and gender minorities in Nepal are being discriminated on the basis of sexual orientation and gender identity. They are denied citizenship and marriage, not recognising their real and exact identity, rejecting to access to usual socio-cultural affairs, daily ritualistic activities and public services. The government has made no effort to implement the directive of the Supreme Court which requires formation of a task force to study the problem and enact an appropriate legislation with regard to the right of sexual and gender minorities.⁹ According to research¹⁰ there are 280 unfriendly legal provisions in existence against sexual and gender minority members in Nepal. The government should:

- Ensure citizenship rights with identity of LGBTI.
- Ensure LGBTI's right to participate in socio-cultural activities including right to marry according to their choice.
- Ensure that sexual orientation and gender diversity are included as grounds for protection in the new constitution and in legislation.
- Amend all discriminatory and LGBTI unfriendly laws and legal provisions and adopt affirmative action to ensure proportional participation in public sector.

C. Rights of the Muslim community

Non-recognition and exclusion: The state has failed to recognize Muslims as a religious minority because of the state's tendency to define Muslims as *Islamists* rather than as a community.¹¹ As a result, Muslim people have been excluded from the public sector and they continuously suffer from various form of discrimination with regard to participation and economic, social and cultural rights.¹² The government should:

- Recognize the existence of the Muslim people as a community and ensure concrete and active efforts are made to promote the participation of Muslims in the public sector.
- Intensify existing efforts to protect religious freedom. Establish a Muslim Commission to monitor the implementation of programs to protect and promote the full enjoyment of their human rights.

Right to education: Only a few *Madarsa* schools are recognized as formal education institutions and these are only up to Primary Level. This has affected mostly Muslim girls, who generally do not attend other public school and only go to *Madarsa* for their basic education. The government should:

- Adopt measures to recognize Madarsa as per the international human rights standards education as accepted formal educational institutions up to higher level.

D. Rights of Terai-Madhese People

The Madhese community is discriminated on the basis of color, region, language and socio-cultural identity.¹³ This community comprises multi-ethnic, multi-castes, multi-lingual and multi-cultural diversity. Despite, the principle of proportionate representation in all decision-making bodies and at all levels of state structure, the representation of Madhese people is still very low. The equal right to development is also being violated due to unequal budget allocation for Terai-Madhese. The government should:

- Eliminate the discrimination based on color, region, religion, language and cultural identity by adopting a special legislation.
- Investigate the allegation of the extra judicial killing and torture in Terai-Madhese. Ensure that the national budget allocation is based on the proportional distribution.
- Ensure 'proportionate representation' in all level of public sector.

2. Right to life, liberty, and security of the persons

Impunity and transitional justice: The decade long armed conflict has witnessed serious human rights violation and breach of international humanitarian law. Victims of crime against humanity, war crime, extrajudicial killing, disappearance, kidnapping, torture, rape and sexual violence and human rights violation are still waiting for truth, justice and reparation. While impunity continues, state is not willing to carry out prompt and independent investigation in relation to ongoing violation.¹⁴

Unwilling to prosecute past human rights abuses: Prosecution of past human rights abuses, along with other transitional justice approaches (truth, reparation and institutional reform) has been included in the CPA. However, there is no political will to bring perpetrators to justice. The unwillingness of the government security agencies and the UCPN (Maoist) to allow prosecutions of those responsible for past abuses has been closely observed by the national and international monitoring bodies.¹⁵

Delay in adoption of transitional justice legislation/ mechanisms: Nepal has made slow progress to adopt transitional justice legislations as agreed in the CPA. The proposed bills on TRC and Disappearance are not fully in line with international standards and best practices.

Non-investigation of complaints (FIR) and Non-cooperation with the criminal justice system: Despite several orders¹⁶ from courts, the police continue to refuse to investigate cases of human rights violations even if an FIR has been registered as per the order of a court or other concerned authority. The military, police and UCPN (Maoist) have refused to cooperate with the criminal justice system by not surrendering the alleged perpetrators to the court and police.¹⁷

Non-cooperation with the criminal justice system: The military, police and UCPN (Maoist) have refused to cooperate with the criminal justice system by not surrendering the alleged perpetrators to the court and police.¹⁸

Lack of vetting approach to reform institution: Despite the provisions of the CPA and constitution to reform the institution, the transitional justice approach adopted in the Nepali peace process has not included a vetting process. This poses a threat to the peace process and victim's right to truth justice and reparation. The government should:

- Urgently enact the legislations promised by the CPA to establish Truth Commission and Commission on Disappearance and ensure the enabling legislation complies with the international standards.

- Ensure independent and prompt investigation of the cases of human rights violation and serious crime committed during the period armed conflict, also addressing the 35 days time limitation to prosecute rape cases.
- Secure the independency of judiciary by taking urgent action to implement court orders.
- Immediately provide reparation to the victim and introduce comprehensive institutional reform programme to prevent reoccurrence of such crimes.

Systematic practice of torture: Nepal's legal system does not criminalize torture and there is no provision of effective redress to victims. Torture is still systematically practiced by the police during criminal investigation. This puts additional hurdles and threats to women and women are subjected to torture at their home, workplace, public transportation and anywhere. The government should:

- Put legislation in place to criminalize torture and to provide reparation to the victim
- Ensure that complaints of torture are impartially investigated
- Take all possible efforts to eliminate any form of torture as required by CAT

Rule of law and public security: Nepal continues to experience serious challenges to law and order. Major causes for this is the government's failure to maintain law and order because of the emergence of armed groups and splinter groups of various political parties, political instability, cross-border criminality, establishment and violent activities of youth wings of political parties, and inadequate human and logistic resources to the security agencies and so on.¹⁹ The government should:

- Take all necessary measures to strengthen the law enforcement agencies, particularly the Nepal Police with adequate resources and training as well as accountability mechanisms, adopt new laws that can address organized crimes, establish accountability of state mechanisms

Rights of Persons deprived with their Liberty: There is an alarmingly low level of access to lawyers for prisoners in Nepal.²⁰ Accused and convicted person, young and elderly people, children and all type of prisoners are not separated. The government has paid little attention in the improvement of prisons hence the existing prison system does not comply with international standards. Prisons are overcrowded, where basic facilities such as bed, space, sanitation, water and lights are not adequate. The government should:

- Comply with international obligation on conditions of detention, including basic facilities to prisoners.
- Take necessary measure to ensure detained persons below 18 years are always separated from adults and ensure that deprivation of liberty of children in conflict with the law is in any case only used as a very last resort and for the shortest, appropriate time and in appropriate conditions

Freedom of expression, freedom of association, and peaceful assembly: Despite the Constitutional provision on press freedom, journalists have been facing serious problems while performing their job. This includes intimidation, threats, physical harm which encourages self-censorship. Freedom of association and peaceful assembly has been denied to Tibetan refugees because of the Nepalese government's One China policy. The government should:

- Take immediate actions to ensure full freedom of expression, association and peaceful assembly, to intensify its efforts to ensure the full and unhindered exercise of the freedom of expression.

- To take necessary measures to systemically investigate the intimidation, threat, physical harm, aggression against journalist

Human rights defenders: Human rights defenders continue to be frequently targeted in post-conflict Nepal. Journalists and teachers, lawyers and Women’s Human Rights Defenders (WHRDs) have been the most vulnerable.²¹ Human rights defenders who work in challenging impunity by taking up individual cases, raised concerns about the torture in detention and raise the issues of rights of the detainees and women face significant threats and intimidation from both the police and members of the community. The government should:

- Take all possible measures to fully ensure that all assault, attack, threat, intimidation against human rights defenders are prevented and if such incidents nevertheless happen, ensure that these are properly investigated, and perpetrators are brought to justice in accordance with EU Guidelines and Supreme Court Directives on Women Human Rights Defenders.

3. Economic Social and Cultural Rights

Right to Food: The effective enjoyment of the right to food remains a serious problem in Nepal. Natural calamities drought, landslides and floods, contributed to a significant decline in local food production in both 2008 and 2009, resulting in severe food shortages in several hill and mountain districts.²² Due to lack of just, faire and reasonable food distribution, food shortage has been one of the major violations of the right to food.²³ The government should:

- Adopt and implement strong development framework with affirmative policies and implementation commitments for food security, food right and food sovereignty to the marginalized population.
- Fulfill its human rights and constitutional obligation by allocating maximum resources to ensure the right to food.

Right to Land: Access to land is fundamental to numerous underlying rights, including the right to food, housing, water, tenancy security, and political participation. Despite obtaining consent several years ago from political parties and forest users groups to live there, the forest department continues to forcibly evict and destroy the homes of landless people.²⁴ Women living without land ownership are affected more by this. The government has failed to pass any law to protect tenancy rights for landless people. The government should:

- Enact tenancy law to protect tenancy rights of landless people and ensure adequate budget allocation to provide rehabilitation to landless people.
- Ensure that genuine land reform policy and programs are in place.

Right to Health: The government has made little progress with regard to ensuring right to health in Nepal. During the months of May through August 2009, over 400 people died of cholera or diarrhea-related deaths in the Mid- and Far-West of Nepal.²⁵ The Government has failed to bring a new plan and programs on Health Insurance and Health Social Security Services for all. The government should:

- Ensure that the resource allocation to the health service is proportionally distributed preparing a comprehensive plan to response diarrhea/cholera and epidemic.
- Recognize the special needs of marginalized groups such as women, children, Dalits, differently able persons, LGBTI and ensure that the general health service is improved and make accessible to everyone.

Rights to Education: Nepal is yet to ensure the right to education for everyone. The free education scheme has failed to attract the common people as there is no easy access to

schools in rural areas and the scheme only covers school fees and not other costs such as books, stationary, uniform and food. There is no compulsory education plan as required by the article 26 of the UDHR. Access to technical and professional education is beyond the reach of poor and marginalized people. The government should:

- Continue its efforts to strengthen the free education scheme, adopt measures to realize compulsory education at elementary and fundamental stage.
- Take further measure to improve the accessibility in particular for girls, right to education of all children to eliminating, the prevailing disparity between girls and boys, as well and between urban and rural area.

4. Rights of indigenous peoples

Implementation status of International Labour Organization Convention No.169 and United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP): Nepal has yet to implement the international standards applicable to indigenous peoples, as set out in the UNDRIP and Convention No. 169 and indigenous peoples rights to self determination.²⁶ The government needs to meet its obligations to indigenous peoples in line with observations and recommendations made by the Special Rapporteur.²⁷ The government should:

- Urgently implement Convention No.169 and the UNDRIP and change existing laws and policies to give due recognition to the indigenous peoples' traditions, customs and land tenure systems in line with standards set forth in the Convention No.169 and UNDRIP.
- Consider the implementation of the recommendations of the Special Rapporteur and the concluding observations of CERD Committee with urgency and priority.

Right to language, culture and religion: The government has recognized 59 groups of indigenous peoples officially but many other indigenous groups are still left out from the official schedule. The Constitution recognizes only Nepali language as the official language that has created obstacles to accessing education, government services and information.²⁸ Many other languages including indigenous languages are under threat.²⁹ According to Quadrapeds of the Country Code 1963, cow slaughter is an offence punishable by up to 12 years of imprisonment. But, some indigenous peoples and others practice the ritual sacrificing of bullocks in traditional rites.³⁰ The government should:

- Recognize all languages including indigenous languages for use in state affairs alongside Nepali and adopt a policy of multi-lingual Education.³¹
- Ensure the rights of indigenous peoples to maintain and develop their language, distinct cultures and religions.

Right to land and natural resources: As a result of numerous discriminatory laws and practices³², indigenous peoples are historically deprived of land and natural resources. The dominant groups have expropriated land, habitats, water and other natural resources³³ that were once communally owned known as *Kipat*³⁴ by the indigenous peoples. The most important characteristic of this form of land tenure is the inalienability of the land: as *Kipat* land was tied to the social group, it could not, given its nature, be sold to immigrants (Remgmi, 1978) According to the Land Evictions of the Country Code (1963), *Kipat* which lacks official documents, is equivalent to *Raikar*³⁵ lands on which taxes can be levied. This has led to the loss of indigenous based communal ownership i.e. transforming *Kipat* land into *Raikar* which can be used, transferred, and disposed of by anyone. Development projects, Leasehold and community forest³⁶, National Parks³⁷, and Hydro-projects³⁸ have displaced many indigenous peoples from their ancestral lands and territories thereby denying those people their rights to consultation, participation, benefit-sharing and natural resources³⁹ as recommended by the ESCR Committee.⁴⁰ Indigenous knowledge is not protected through

legal provision that includes the use of copyright, certification marks and design, collective trademarks, patent law, moral rights and equitable sharing of the benefit arising from the utilization of traditional knowledge in line with CBD Article 8 (j).⁴¹ The government should:

- Take tangible measures to recognize and protect the rights of indigenous peoples to own, control, develop and use their ancestral lands, territories and natural resources.
- Consider to adopt special measures to get Free Prior Informed Consent from indigenous peoples prior to executing any development project or undertaking any other activity which materially affects their lives.
- Take measures to protect indigenous knowledge and take legal action for patent right in line with CBD 8 (j), Article 27 of ICCPR, ILO 169 and UNDRIP.

Ongoing constitution making process: The government has yet to begin implementing the provisions of Free, Prior, and Informed Consent (FPIC) to ensure the participation of indigenous peoples through their own freely chosen representatives⁴² in the drafting processes of the new Constitution. Indigenous peoples have serious concern as the draft reports⁴³ of the thematic committees of the Constituent Assembly do not incorporate the fundamental rights of indigenous peoples in line with international standards.⁴⁴ The government should:

- Take steps to ensure the participation of indigenous peoples through their own freely chosen representatives with FPIC in the ongoing constitution-making process and in all decision-making processes.
- Recognize UNDRIP as the principal framework for drafting the New Constitution and recognize the right of self-determination of indigenous peoples in the New Constitution.

5. Rights of persons with disabilities (PWDs)

Representation, participation, education and Social security of PWDs: Nepal ratified the Convention on the Rights of PWDs and its Optional Protocol. The participation of PWDs in the Constitution- making process and in the public sector has yet to be realized. *De facto* discrimination against PWDs still occurs in the field of education, employment, health, housing, and many other areas. Altogether 68% of PWDs have no education (59.6% of male and 77.7% of females).⁴⁵ Nearly half of all children with disabilities have not been able to benefit from education services. The education system is not user-friendly towards PWDs. No provisions for personal assistance (PA) for PWDs, elderly people, orphans, homes where people with disabilities live, especially women and children, have been made. The government should:

- Urgently adopt the policy of providing reasonable accommodation for employment, transportation, sports, personal attendance and health services, in housing, transport, sports and cultural life, personal attendance services for PWDs.
- Take stricter measures to combat discrimination against PWDs in line with the DDPA.
- Implement the CRPD and its Optional Protocol and incorporate the provisions of this convention in the new Constitution of Nepal.
- Urgently adopt special measures to provide education including the use of Braille script and sign language, with reasonable accommodation for PWDs.
- Take steps to ensure the participation of PWDs in the ongoing Constitution-making process and ensure the participation and representation of PWDs in public sector.
- Ensure multi language policy for official use and mother language in curriculum and text books of school including brail script and tacdil language for person with disabilities.
- Enact and implement laws guaranteeing basic social security arrangements for PWDs.

6. Child rights

Children in Nepal are challenged by severe violations of their rights. There is an alarming rise in child prostitution and trafficking. It is estimated that over 20,000 children alone are working as prostitute in Kathmandu Valley; children are put at more risk as they have been trafficked by falsifying their age. In terms of juvenile justice, children are kept in detention, often together with adult inmates. There is only one child reform and rehabilitation facility in the country. The number of children involved in worst forms of child labour is increasing and Government monitoring and assistance doesn't exist. It is highly worrying that primary education is not yet completely free due to various fees charged to parents, such as for school supplies and uniforms. There are great disparities in enrolment in primary schools between girls and boys and between the Brahmin and other castes, ethnic or indigenous groups, the high repeat and dropout rate among pupils, and low quality of education in public schools. The government should

- Immediately implement appropriate policies and programs for the prevention, recovery and reintegration of child victims (trafficking, prostitution and child labour) and establish rehabilitation centers with prevention programs in all regions/districts.
- Take all necessary measures to ensure legislative and administrative mechanisms are in place to ensure that children are only detained as a very last resort and if detained are kept in rehabilitation centers. All necessary resources to be allocated for child correction and after care services in every district/region.
- Take all necessary measures to ensure accessible free education to children, and ensure that children with disability, Dalit children and HIV/AIDs infected/affected children are not discriminated in schools.
- Urgently implement measures to enforce children's rights to education, adequate food, health services and freedom from child labour, trafficking and sexual violation.

7. Women's rights (See Annex 3 for details)

Discrimination and unequal treatment: Despite constitutional guarantee of non discrimination and equality on the basis of sex, children from of Nepali women married to a foreigner father are denied right of citizenship as are foreign women married to Nepali man. There are 62 existing laws that have discriminatory provision against women. Another 49 laws contain degrading and prejudicial provisions against women.⁴⁶ Women do for example not have equal right to their ancestral property and face serious discriminations when attempting to join the army and police where they face requirements of being single (unmarried or widow). The government should:

- Review all existing laws to determine their compatibility with the international law in order to reform domestic legislation in line with international law standers.
- Ensure that women have equal rights to provide citizenship to their spouse as required by CEDAW.
- Immediately enact laws that are pending in parliament with regard to women, Dalits rights as well as their rights to equality and non-discrimination

Violence against women and domestic violence: Despite the constitutional guarantee and legislative reform⁴⁷ gender based violence in the form of domestic violence⁴⁸, trafficking⁴⁹, rape, sexual harassment remain largely unaddressed mainly due to lack of effective enforcement of existing legal provisions⁵⁰ and due to lack of comprehensive legal framework⁵¹ and enforcement. Despite the criminalization of domestic violence⁵², the government has made very little progress to adopt measure to prevent such crime. The government should:

- Establish, enforce and continuously monitor appropriate and immediate measures to end all kinds of unequal and unjust barriers and obstacles against women of all backgrounds pursuant to sections 2 (f), 5(b) and section 14 of CEDAW as identified and ordered by the Supreme Court of Nepal in its recent decisions in order to institute women friendly patterns and perceptions in the society against the patriarchic structure.
- Take all necessary measures to ensure that the violence against women and girls are prevented and the allegation of such violation be effectively investigated and perpetrator be brought to justice thereby providing reparation to the victim and adopt measures to discourage the defective value system, cultural practices, which violate women rights.
- Eliminate dowry (Dahej) practices and other atrocities towards Madhesi women.

Under Representation:

Human Development Report, 2009 of Nepal indicates that women's participation in political processes was only a fifth of the male rate till date. The government should:

- Ensure proportional participation of women in decision making process in accordance with the UN Security Council Resolution 1325 on Women, Peace and Security; and the UN Security Council Resolution 1820 on Women, Peace and Development and also considering the recent decisions of the Supreme Court of Nepal.

Citizenship

Despite the Constitutional and legislative arrangements on the right to citizenship, practice of providing citizenship in the name of mother embodies series of problems due to patriarchic structures in all administrative authorities; there is Constitutional discrimination as a woman who brings her foreign husband to Nepal after marriage, cannot provide citizenship to her spouse. Some of the people from Madhesi Dalit community have been denied their right to citizenship in their family name⁵³ even if it is conferred by law. The government should:

- Ensure citizenship to all women according to CEDAW and other international instruments.
- Ensure the rights of citizenship for the Terai-Madhes women and Dalits.

Rights of indigenous women: There is no disaggregated data for indigenous women which would reveal their true situation. Owing to relative differences in literacy rates, land ownership status, occupation, language, and educational status, the systematic practice of social exclusion of indigenous women is experienced at very different levels to those experienced by non-indigenous women.⁵⁴ Indigenous women are severely under-represented⁵⁵ in decision-making structures of the state. This is not yet addressed as required by the recommendation of ESCR Committee.⁵⁶ The government should:

- Ensure the proportional participation of indigenous women at all decision-making levels.
- Take steps to include disaggregated data for indigenous peoples and indigenous women in the forthcoming National Census 2011.

Rights of women with disabilities: There is still a considerable social stigma attached to disabled women and they suffer from gender based violence in the form of rape, domestic violence and sexual harassment. They are discriminated against in relation to education, employment, marriage and access to resources and mobility. The government should:

- Enact a separate law to eliminate discrimination against PWDs and ensure the participation and representation of women with disabilities in the public sector.
- Strengthen existing measures to investigate crime related to violence against women.

Muslim women's rights: Muslim women suffer from multiple forms of discrimination. They are- ill represented in all levels of governance. The government should:

- Ensure the participation and representation of Muslim women in state mechanisms on the basis of the principles of inclusion.

¹ Those laws include: Local Administration Act, 1971, Public Security Act, 1989, Forest Act, 1993, The National Parks and Wild Life Conservation Act, 1973, Arms and Ammunition Act, Offence Against State Act and Punishment Act 1989, Act of Some Public Offences and Penalties, 1970, Explosives Act 1961, Police Act 1955, Nepal Army Act, 2006, Armed Police Force Act, 2001, Torture Compensation Act, 1966, Prison Act, BS 2019, Prison Regulation BS 2020, Government (State) Cases Act, 1993, Vital Installation Act, 1995, Evidence Act, 1974, and Country Code 1963

² Bhattachan, KB. et. Al. 2003. *Existing Practices of Caste-based Untouchability in Nepal and Strategy for a Campaign for its Elimination*. Kathmandu: Action aid Nepal.

³ The Dalits community occupies 13 per cent of total population and comprised 21 castes; such as Badi, Damai, Gaine, Kami, Sarki, Bantar, Chamar, Chidimar, Dhobi (Hindu), Dom, Dusadh, Halkhor, Kakaihiya, Khatbe, Khatik, Kori, Tatma, Mushar, Pattharkatta, Pasi, and Sarvanga.

⁴ Still, there are many discriminatory provisions existed in different laws of the country incompatible with international human rights instruments. The study carried out by National Dalits Commission has revealed that there more than 23 discriminatory provisions, (NDC.2005. *Study of the discriminatory and amendable legal provision against Dalit community*. Kathmandu: National Dalit Commission)

⁵ CERD (2004) Concluding Observation No. 17

⁶ CESCR (2008) Concluding Observation No. 30

⁷ CESCR (2008) Concluding Observation No. 37

⁸ CERD (2004) Concluding Observation No. 11

⁹ *Sunil Babu Panta vs. The Government of Nepal, Writ No.917, December, 2007.*(www.supremecourt.gov.np)

¹⁰ The legal provision against sexual and gender minority. A Research by Blue Diamond Society carried out in 2010.

¹¹ Civil Society Report to Durban Review Conference 2009

¹² Id Chapter V

¹³ Madhesi is a region-based identity in favour of Terai-Madhesi; it covers 22 districts and around 48 per cent population of country.

¹⁴ For details see fact finding report on killing of three Dalit women by Nepal Army at Bardiya National Park on 28 March 2010, www.insec.org.np

¹⁵ *Nepal: Peace and Justice*, International Crisis Group, 14 January 2010

¹⁶ Maina Sunuwar V. District Police Office Kavre, Arjun Lama V. District Police Office Kavre, Sanjeev Kumar Karna V. District Police Office Dhanusha and others .For details Please see Supreme Court Reporter.

¹⁷ The military authority denied surrendering major Nirajan Basnet to the Kavre district court as required by arrest warrant issued by Kavre district court (For details see www.icj.org), "Nepal international commission of Jurist concerned that Nepal Army obstructing justice." Similarly, the Maoist party also denied to surrender Kali Bahadur Kham to the Chitwan district court as per the arrest warrant issued by Chitwan district court

¹⁸ The military authority denied surrendering major Nirvana Basinet to the Carve district court as required by arrest warrant issued by Carve district court (For details see www.icj.org), "Nepal international commission of Jurist concerned that Nepal Army obstructing justice." Similarly, the Maoist party also denied to surrender Kali Bahadur Kham to the Chitwan district court as per the arrest warrant issued by Chitwan district court

¹⁹ *Nepal in Transition: Strengthening Security and the Rule of Law*, USIP

²⁰ Access to lawyer of prisoners is ensured by Supreme Court in writ Advocate Shom Luitel Vs Prime Minister Office, Writ no: 3275, Decision date: 2064/10/23, but there has not been any effort to make such arrangements

²¹ STATE OF HUMAN RIGHTS DEFENDERS IN NEPAL, INSEC, (2007)

http://www.humansecuritygateway.com/documents/INSEC_stateofhumanrightsdefendersinNepal.pdf

²² UN Doc, A/HRC/13/73

²³ See Question of Accountability; A case of diarrhea outbreak of Mid and Far West, <http://www.insec.org.np/pics/1260950865.pdf>

²⁴ For example, in June 2009 the forest department burned down 60 homes in Gobindapur, Siraha where Dalit landless and poor people had been living for more than 15 years. On 4 December 2009, a conflict between police and landless people in Dudgehari, Kailali, left 6 people dead.

²⁵ INSEC monitored the developing situation and cited the figure of 464 diarrhea-related deaths:

<http://www.inseconline.org/pics/1257598337.pdf>

²⁶ The UNDRIP acknowledges that the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights¹ and the International Covenant on Civil and Political Rights affirm the fundamental importance of the right to self-determination of all peoples, by virtue of which they freely determine their

political status and freely pursue their economic, social and cultural development. Article 3 in particular of the UN-DRIP state that indigenous peoples have the right to self-determination and by virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development.

²⁷ The recommendations made by the Special Rapporteur on the situation of the human rights and fundamental freedom of indigenous people, the concluding observation of ESCR (Thirty-eighth session, 30 April – 18 May 2007) and the communication of the CERD Committee.

²⁸ Forum for Women, Law and Development 2009 (FWLD) *"Discriminatory Laws Against Women, Dalits, Ethnicity, Religious and Persons with Disability"*

²⁹ Subba et al (2008) *"Nepal Federation of Indigenous Nationalities (NETFIND)-Janajati Empowerment Project (JEP) Review of Achievements and Impacts (2002-2008)"*, p.47

³⁰ Kirat people of the eastern Nepal have commonly sacrifice bullocks in their ancestor worship ritual and consume beef meat.

³¹ A definition says as "Multilingual Education typically refers to "first-language-first" education that is, schooling which begins in the mother tongue and transitions to additional languages. Typically, MLE Programs are situated in developing countries where speakers of minority languages tend to be disadvantaged in the mainstream educations system." http://en.wikipedia.org/wiki/Multilingual_Education

³² Land Reformed Act 1964 that nationalized land and terminated traditional collective land tenure system, for instance, *Kipat*; Forest Act 1993 that displaced indigenous peoples from their traditional forests and transferred primarily to non-indigenous community forest user groups; The Pasture Land Nationalization Act 1975 nationalized pasture lands of indigenous peoples; The National Parks and Wildlife Conservation Act (20 per cent of total land) provides no recognition of indigenous peoples' right to consultation or to access their traditional lands and resources, while giving quasi-judicial powers to the park chief wardens and so on.

³³ Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples Report 2007-A/HRC/12/34/Add.3

³⁴ Traditional land tenure system. In this system, "A Kipat owner derives rights by virtue of his membership in a particular ethnic group, and/or its location in a particular area. In contradiction to the Raikar system of land tenure and its derivatives, therefore, Kipat represents a communal form of land tenure." (Regmi 1978:534).

³⁵ Raikar is a form under which the state functions as the landowner.

³⁶ A case study conducted very recently by Nepal Chepang Association (NCA) concluded that in the name of Leasehold forest programs Chepang, an indigenous group, are denied to practice their traditional way of livelihood known as Khoriya (slash and burn) as a result, they were found to have been suffering from acute food shortage.

³⁷ The Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples visited Nepal in 2008 and observed that "Protected areas, including National Parks have been created at the expense of indigenous lands or in the traditional lands. Such projects for instance, Chitwan National Park displaced Tharu, Bote, Darai and other indigenous communities and have not been provided alternative livelihood and proper compensation. Now these communities have become landless, they are prevented from gathering fuel wood, gathering food and medical herbs etc." p.11 para. 34-35

³⁸ A case study by LAHURNIP: Kulekhani hydro-project displaced thousand of Tamang indigenous community from their traditional lands without proper compensation; they are now living without electricity facilities. In that before the execution of this project, according to the case study, they were not consulted neither did they get a chance to have a voice in the decision-making process. A similar case is the Arun III hydro-project. Arun III is one of the mega projects of Nepal situated in Yamphu and Lohorong indigenous territories and it was much debated in the 1990s from an environmental perspective. Nepal government has recently signed a MoU with an Indian state-owned company Sutlej Vidhyut Nigum without free, prior, informed consent of affected indigenous communities.

³⁹ The Article 15.1 of the Convention 169 specifies that indigenous peoples have rights to the natural resources of their territories, including the right to participate in the use, management, protection and conservation of these resources and Article 15.2 stipulates that indigenous peoples have rights regarding consultation, participation in the benefits of resource exploitation.

⁴⁰ The general recommendation XXIII on the rights of indigenous peoples of the Committee No.3 states that "The Committee is conscious of the fact that in many regions of the world indigenous peoples have been, and are still being, discriminated against and deprived of their human rights and fundamental freedoms and in particular that they have lost their land and resources to colonists, commercial companies and State enterprises. Consequently, the preservation of their culture and their historical identity has been and still is jeopardized".

⁴¹ Article 8 (j) and related provisions is the main instrument that Parties to the Convention on Biological Diversity have given themselves to achieve the commitments in Article 8(j) to respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles

relevant for the conservation and sustainable use of biological diversity, to promote their wider application with the approval and involvement of the holders of such knowledge, and encourage the equitable sharing of the benefits arising from the utilization of traditional knowledge.

⁴² Article 18 and 19 of the UN Declaration on the Rights of Indigenous Peoples stipulate these rights. In addition, Convention No. 169 contains numerous reference Articles 2, 4, 6, 7, 15, 16, 20, 22, 23, 25, 27 and 33.

⁴³ The thematic reports of Constitution Assembly are Available at: URL: www.can.gov.np

⁴⁴ See the request submitted to the United Nations Committee on the Elimination of Racial Discrimination (Seventy-fifth Session 3-28 August 2009) by ten indigenous peoples' organizations and an International organization (FPP) 29 July 2009

⁴⁵ World Bank 2002: "*Country Profile Disabilities on Kingdom of Nepal* "

⁴⁶ Forum for Women, Law and Development 2009 (FWLD) "*Discriminatory Laws Against Women, Dalits, Ethnicity, Religious and Persons with Disability*"

⁴⁷ Human Trafficking Act (2007) and its Regulation (2008), Domestic Violence (Control and Punishment Act) 2009, Foreign Employment Act (20047) and Regulation (2008)

⁴⁸ Violence against women is rooted due to patriarchal norms, values and overwhelming discriminatory laws and policies of state. Violence against Women also occurs while travelling in public transportations, at workplaces, schools, sports, clubs, colleges and hospitals. Different forms of VAW prevalent at community level are rape, sexual harassment, verbal abuse such as terms like "husband eater" and "inauspicious" used against widows, trafficking, and accusation of witchcraft, forced prostitution and others

⁴⁹ Due to lack of comprehensive legal framework and appropriate enforcement of laws 5,000 to 12,000 girls between the ages of 10 to 20 years are reported to be trafficked outside the country for forced prostitution and in exploitative conditions (for details see Government of Nepal 2009 National Plan of Action on Gender Based Violence for 2010.)

⁵⁰ A 2008 UNIFEM and Saathi study on Sexual and Gender Based Violence during conflict and Post Conflict Period in two districts also reveals that a majority of (63%) of the total 464 respondents living with husbands since the past thirteen years, and or who became separated/ divorced/ widowed recently, faced sexual and gender based violence by their husbands during the conflict period. Among this 4% shared that the reason for such violence conflict induced problems such as financial crisis (37%) and alcohol/ drug abuse by husband (46%), not consenting for sex (21%).⁵⁰ Social and cultural practices such as witch-hunting, chaupadi, deuki, and badi, existent amongst various communities and in different parts of the country are other forms of gender discrimination and gender-based violence.

⁵¹ A Study on Discriminatory Laws against women, Dalit, Ethnic Community, Religious Minority and Person with Disabilities, Forum for Women, Law and Development(FWLD), 2009

⁵² Domestic violence is rampant because of intimate partner violence, marital rape, polygamy, alcohol abuse violence, incest, dowry related violence, female infanticide, as well as other harmful cultural and traditional practices such as, child marriage, son preference, restriction on women's rights to choice of marriage and various inhuman codes of conducts for widows as well as practices of Deuki (dedicating girls to a god and goddess), Jhuma (in some communities, second sisters remain unmarried and spend their life in monasteries) and Badi (ethnic practice of prostitution among young girls).

⁵³ For example, if any Dalits people use a certain surname which is commonly practiced by so called upper caste, they are denied to receive the citizenship with the surname.

⁵⁴ Nepalese indigenous women have been suffering from triple standard exploitation-patriarchy, state mechanism and policies and women within indigenous communities. Different studies show that 96% indigenous lower level of education. The literacy rate among indigenous women is 25% in average. 10% women get access to health services and 90% rely on traditional medicine. Only 0.76% indigenous women are represented in the major political parties.

⁵⁵ Gurung Jyoti (2008) "*Status of Indigenous Nationalities Women.*" In Nepal Indigenous Journal Vol.1; No.1

⁵⁶ The concluding observation of ESCR (Thirty-eighth session, 30 April – 18 May 2007) states "Ensure that, in the Constitutional process, disadvantaged and marginalized groups, particularly the Dalit, Madhesi and indigenous communities, and women within these groups, are represented in decision-making bodies at all levels."

Annex-1 List of civil society organizations

1. (SARCS, Nepal)
2. Aadhibasi Jana Jati Mahasangh
3. Aadhibasi Rastriya Utthan Prathisthan

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4. Adibashi Janajati Adhikar Manch (AJAM)
 5. Advocacy Forum (AF)
 6. Akhil Nepal Women's Association (ANWA)
 7. Alliance Against Trafficking in Women and Children (AATWIN)
 8. Association for Dalit Women Advancement of Nepal (ADWAN)
 9. Association of Kirat Chamling Language and Culture Development (AKCLCD)
 10. Association of Nepal Kirat Kulung Language Culture Development (ANKKLCD)
 11. Bahing Kirat Mulukhim (BKM)
 12. Beyond Beijing Committee (BBC)
 13. Blue Diamond Society (BDS)
 14. Bung Public Welfare Center (BPWC)
 15. CEDAW Writing Committee (CWC)
 16. Center for Agro-Ecology and Development (CAED)
 17. Centre for Ethnic Studies and Development (CESD)
 18. Centre for Himalayan Integrated Development and Social Welfare (CHIDSW)
 19. Centre for Human Rights and Democratic Studies (CEHURDES)
 20. Centre for Indigenous Ethnic Peoples' concern, Nepal (CIEPCON),
 21. Centre for Protection of Law and Environment (CPLE)
 22. Centre for Study on Gender and Development Study (CSGS)
 23. Centre of Victims of Torture (CVICT)
 24. Chamlang Creative Youth Society (CCYS)
 25. Child Nepal (CN)
 26. Child Rights Concern Nepal (CONCERN Nepal)
 27. Child Workers Concern Center Nepal (CWIN)
 28. Children and Women in Social Service and Human Rights (CWISH)
 29. Children as a Peace Zone (CZOP)
 30. Chulachuli UNESCO Club (CUC)
 31. Citizen's Task Force to Combat Impunity (CTCI)
 32. Civic Concern Nepal (CCN)
 33. Collective Campaign for Peace (COCAP)
 34. Community Action Center (CAC Nepal)
 35. Community Help Centre (CHC)
 36. Community Self-reliance (CSRC)
 37. Concern for Children and Environment Nepal (CONCERN)
 38. Conscious Society for Social Development (CSSD)
 39. Constitutional Lawyers' Forum (CLAF)
 40. Cooperative Society for National Development Nepal (COSFONAD-Nepal)
 41. Cruise AIDS Nepal
 42. CSGS (Centre for Studies on Gender, Society and Development Study)
 43. Dalit Human Rights Organisation (DHRO)
 44. Dalit Literature and Cultural Academy (DLCA)
 45. Dalit NGO Federation – Nepal DNF Nepal
 46. Dalit NGO Federation (DNF)
 47. Dalit Study and Development Center (DSDC)
 48. Dalit Welfare Association (DWA)
 49. Dalit Welfare Organization (DWO)
 50. Disability Human Rights Centre (DHRC-Nepal)
 51. Dynamic Group for Change (DGC), Nepal

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52. Educational Journalists' Group (EJG)
 53. Eighteen Magartant Magar Language Literature Culture Preservation, Research and Development Academy) (EMMLLCPRDA)
 54. Environment and child Development center
 55. Environment and Rural Development Centre (ERDC)
 56. Federation of Nepalese Journalist (FNJ)
 57. Feminist Dalit organization (FEDO)
 58. Forest resources Studies and Action Team (Forest Action)
 59. Forum for Indigenous Nationalities Concern (FINCO), Gorkha
 60. Forum for Indigenous Nationalities Development (FIND)
 61. Forum for Protection of People's Rights Nepal (PPR-Nepal)
 62. Forum for Public Awareness Rural Development and Environmental Conservation (FPARE)
 63. Forum for Women Law and Development (FWLD)
 64. Gandharba Culture and Art Organization (GCAO)
 65. Gandharba Samaj
 66. Gramin samaj utthan kendra
 67. Gramin Utthan Abhiyan
 68. Group for Human Rights and Socio-legal Research (GOHRAS)
 69. Help Nepal
 70. Hill Development & Conservation Group Nepal (HDCGN)
 71. Him Rights
 72. Himalaya Bhote Society (HBS)
 73. Himalayan Indigenous Society (HIS) Nepal
 74. Himalayan Natural Fiber Foundation (HNFF)
 75. Hospital and Rehabilitation Center for Disabled Children
 76. Human Rights Alliance Nepal
 77. Human Rights and community Development center
 78. Human Rights and Democratic Forum (FORHID)
 79. Human Rights Education Radio Listeners' Clubs Nepal (HRERLIC)
 80. Human Rights Protection and Promotion Center
 81. Human Rights Treaty Monitoring Coordination Committee (HRTMCC)
 82. Human Rights without Frontiers-Nepal (HRWF)
 83. Human Welfare Committee HWC – Nepal
 84. Hurhure Yuwa Club (HYC)
 85. Independent Living Centre
 86. Independent Living Centre (CIL)
 87. Indigenous Ethnic Lawyers Council-Nepal (IELCN)
 88. Indigenous Nationalities Development Forum (INDF), Nawalparashi
 89. Indigenous Non Governmental Organization district Coordination Forum (INGODCF)
 90. Indigenous Research and Resource Development Centre (IRRDC)
 91. Indigenous Rural Development Social Services Nepal (IRDSSN)
 92. Indigenous Women Legal Awareness Group (INWOLAG)
 93. Informal Sector Service Centre (INSEC)
 94. INHURED International
 95. Institute of Human Rights Communication Nepal (IHRICON)
 96. Jagaran Media Center (JMC)

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97. Jaghrit Nepal
 98. Jan Prerna Kendra , Janakpur
 99. Janajati Development Forum (JDF)
 100. Jana Utthan Pratisthan (JUP)
 101. JASEC Nepal, Nayabaneshor (Contact Office)
 102. Jero Kirat Radu Society (JKRS)
 103. Jimi Rai Utthan Samajh (JRUS)
 104. Kalimati Yuva Club (KYC)
 105. Kanchanjangha Women's Development Group (KWDG)
 106. Karani Cummunity development center (KCDC)
 107. Karmarong (Karani) Society Service Association (KSSA)
 108. Kathmandu School of Law (KSL)
 109. Kirat Community Development Centre (KCDC)Forum for Women Development (FORWOD)
 110. Kirat Khaling Rai Development Association (KKRDA)
 111. Kirat Rodu Nachhiring Sakham, Kathmandu (KRNS)
 112. Kirat Welfare Society (KWS)
 113. Kirat Yakthum Chumlung
 114. Kirat Youth Society (KYS)
 115. Lawyers Association fro Human Rights of Nepalese Indigenous People (LAHURNIP)
 116. Lawyers National Campaign Against Untouchability (LANCAU)
 117. Legal Aid Consultancy Centre (LACC)
 118. Limbu Language and Culture Development Centre (LILDA)
 119. Limbu Language Development Organization (LLDO)
 120. Lohorung Yakhkhama Yuyong (LYY)
 121. Lok Kalyan Nepal (LOK)
 122. Love Green Development Committee (LGDC)
 123. LUMANTI, Nepal
 124. Luzza Nepal
 125. Madheshi Dalit Sewa Samaj
 126. Madhesi Dalit Development Federation (MDDF)
 127. Madhesi Dalit Mahasangh
 128. Mahakulung Youth Council (MYC)
 129. Mahila Rastrya Sanjal
 130. Mahottari Magar Service Society (MMSS)
 131. MAHURI HOME
 132. Maiti Nepal
 133. Mitini Nepal
 134. MOP Nepal
 135. Multipurpose Development Service Institute
 136. Muslim Cultural Society MCS
 137. Nagarik Aawaz
 138. National Alliance for Women Human Rights Defenders (NAWHRD)
 139. National Association of Deaf Hard of Hearing (NADH)
 140. National Association of Physically Disabled (NAPD-Nepal)
 141. National Coalition Against Racial Discrimination (NCARD)
 142. National Federation of Disable-Nepal (NFDN)
 143. National Human Rights Foundation (HURFON)

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144. National Indigenous Women
 145. National Indigenous Women Federation (NIWF)
 146. National land Concern Group (NLRCG)
 147. National Muslim Federation (NMF)
 148. National Muslim Forum Nepal (NMFN)
 149. National Network of Indigenous Women (NNIW)
 150. National School of Research
 151. Nepal Association of the Blind
 152. Nepal Disable Association (NDA)
 153. Nepal Disabled Women Association (NDWA)
 154. Nepal Mahila Ekata Samaj (NMES)
 155. Nepal Muslim Women Welfare Society (NMWS)
 156. Nepal National Dalit Social Welfare Organization (NNDSWO)
 157. Nepal National Federation of the Deaf and Hard of Hearing (NFDH)
 158. Nepal Paralympic Committee
 159. Nepal Rajat Jankalyan Sametee
 160. Nepal Rana Tharu Society (NRTS)
 161. Nepal Rana Tharu Society (NRTS), District Committee
 162. Nepal Society of the Disabled (NSD)
 163. Nepal Stutters Association
 164. Nepal Tamang Ghedung (NTG)
 165. Nepal Tamang NGO-federation
 166. Nepal Tamang Women Association (NTWG)
 167. Nepal Wheel Chair Club (NWCC)
 168. NGO-Federation
 169. NGo-Federation of Indigenous Nationalities Nepal (Affiliated member organizations)
 170. NGO-FONIN District Committee, Dolakha
 171. Non Governmental Organization Coordination Committee (NGOCC)
 172. Pabitra Paldor Society (PPS)
 173. Parent Association of Intellectual Disability
 174. Parichaya Samaj
 175. Partnership Nepal
 176. PEWA Nepal
 177. Physician for Social Responsibility (PSRN)
 178. Population Watch (Pop-Watch)
 179. POURAKHI
 180. Pravashi Nepal
 181. Prayash Mahottari
 182. Prisoners Assistance Nepal (PAN)
 183. Professional Development and Research Center (PDRC)
 184. Pro-Public
 185. Public Health Concern Trust (PHECT Nepal)
 186. Rajak Janaklyan Samiti
 187. Rasthya Dalit Network –Nepal RDN -Nepal
 188. Rasuwa Nationalities Development Committee (RNDC)
 189. Rauta Community Welfare Centre (RCWC)
 190. Read Nepal

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191. Rehabilitation and Empowerment center on Disability
 192. Remote Area Women and Children Empowerment Centre (RAWCEC)
 193. Resource Centre for Primary Health Care (RECPHEC)
 194. Resource Centre for Rehabilitation and Development (RCRC)-Nepal
 195. Right to Food Network (RtFN)
 196. Rural Basic Service Organisation (RBSO)
 197. Rural Ethnic People's Development Forum (REPDF), Udayapur
 198. Rural Reconstruction Nepal (RRN)
 199. SAATHI Women Shelter
 200. SAATHI Women Shelter
 201. Samata Foundation
 202. Samudaik Sashaktikaran kendra
 203. Sancharika samuha
 204. Santal Utthan Manch
 205. SANTIMALIKA
 206. Shakti Samuha
 207. Shree Jana Utthan Sarokar Kendra,
 208. Shree Mirmire Bihani Club (SMBC), Ilam
 209. Silichong Club, Social Development Centre (SCSDC)
 210. Society for Indigenous Development Nepal (SID Nepal)
 211. Society For People In Needs (SPIN)
 212. Society for Upliftment of Disabled and Orphan
 213. Society for Women's Empowerment for Sustainability (SHRISTI)
 214. SOLID Nepal
 215. Sudhar Nepal (Reformation Nepal)
 216. Sungava (ID) Women Vocational Center
 217. Sustainable Agriculture for Rural Development Concern Society Nepal
 218. Sustainable Livelihood Forum (SLF) Nepal
 219. Tharu Youth Innovative Society Nepal (THYINS-Nepal)
 220. The East Foundation (TEF)
 221. Thulung Women Society
 222. Tilpung-Kathmandu Tamang Society (TKTS)
 223. UCEP -Nepal
 224. Voice of Mustang
 225. Voice of Children
 226. Women Awareness Centre Nepal (WACN)Women Coalition for UPR
 227. Women Development Self Empowerment Training Center (WDSETC)
 228. Women Federation
 229. Women Forum for Women in Nepal (WoFoWon)
 230. Women Human Rights Defender's Network
 231. Women Human Rights Defenders Network Kathmandu
 232. Women Human Rights Defenders Network Lalitpur
 233. Women's Rehabilitation Centre (WOREC)
 234. Women Security Pressure Group (WSPG)
 235. Women Welfare Society (WWS)
 236. Women's Reproductive Rights Program-Center for. Agro-Ecology and Development (WRRP/CAED)
 237. Yamphu Kirat Society

238. Youth Action