

**Draft**  
**Human Rights Situation in Nepal**

**I. Introduction:**

Following the restoration of multi-party democracy, Nepal promulgated a new Constitution in the year 1990. The fundamental pillars of the Constitution are Constitutional monarchy and multi-party democracy through adult franchise, guarantee of basic human rights and the establishment of an independent and competent system of justice. These principles are explicitly incorporated in the Constitution and are not subject to any amendments or change whatsoever and are the permanent features of Nepalese Constitution.

The Constitution is the fundamental law of the land and all laws inconsistent with it become automatically void. This Constitutional provision further guarantees the fundamental rights of the people. If any law is inconsistent with the Constitution, because it imposes an unreasonable restrictions on the fundamental rights, or on any other ground, the Supreme Court, by exercising its extraordinary jurisdiction (Judicial Review) under Article 88(1) of the Constitution, may declare such law as void either *ab initio* or from the date of its decision, if it appears that the law in question is inconsistent with the Constitution. The Constitution also provides for effective remedy and enforcement of all the rights conferred by it. The Supreme Court is empowered under its extraordinary jurisdiction to protect fundamental rights of the citizens guaranteed by the Constitution by issuing various forms of orders including, *habeas corpus, mandamus, certiorari, prohibition and quo-warranto*.

**II. Commitment to International Human Rights Instruments:**

Respect for and adherence to the fundamental principles of human rights are unreservedly codified under Part-3 of the Constitution, which guarantee the basic human rights and fundamental freedoms recognized by the international community in the forms of various human rights instruments.

To date, Nepal has ratified 16 international instruments/conventions and signed three other conventions concerning human rights. Being a state party to various international human rights conventions, Nepal has demonstrated full commitment to its international obligations for the protection and promotion of human rights of its people. The list of international human rights instruments Nepal has ratified/signed is at *Annex- I*.

Nepal's total commitment to the international human rights instruments is also reflected in the form of various domestic legislations needed to implement such international instruments. The Treaty Act, 1990 explicitly provides guarantee for implementation of the Convention or Treaty to which Nepal is a party. The Act provides that "in case of provision of a treaty to which the Kingdom of Nepal has become a party following its ratification, accession, acceptance or approval by the Parliament, conflicts with the provisions of current laws, the latter shall be held invalid to the extent of such conflict for the purpose of that treaty, and the provisions of the treaty shall be applicable in that connection as law of Nepal."

In compliance with its reporting obligations, Nepal has periodically submitted its reports on the status and progresses made on various UN human rights conventions, notably Convention on the Elimination of Discrimination Against women (CEDAW), Convention against Torture (CAT), Convention against Racial Discrimination (CERD), Convention on the Rights of Child (CRC), International Covenant on Civil and Political Rights (ICCPR), and International Covenant on Economic and Social and Cultural Rights (ICESCR). Nepal recently submitted its second and third combined periodic reports to CEDAW Committee, which was widely deliberated at the CEDAW Committee meeting held in New York on 14 January 2004. That Nepal participated in the CEDAW Committee meeting at the ministerial level amply demonstrates Nepal's unwavering commitment to the Convention. Nepal has taken note of the remarks and concerns shown by the Committee and is committed to incorporate those elements in domestic legal system with a view to empowering women and fully integrating them in the national development process.

Similarly, Nepal has submitted its fifteenth and sixteenth combined reports to the CERD Committee. Nepal is participating in the

deliberation of the Committee to be held in Geneva in March 2004 for which preparatory works are now complete.

It has been more than a decade since Nepal ratified the UN Convention on the Rights of the Child in 1990. Nepal submitted its initial report to the UN Committee on Rights of the Child in 1995 followed by an additional Report in 1996 in response to the questions raised by the Committee. Nepal has also submitted the first periodic report on CRC covering the period from 1996 to 2003.

Nepal is the first country in the South Asian Region to ratify the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment in 1991. Nepal submitted its initial report on CAT in 1993 and has recently submitted its first and second combined periodic reports covering the period from 1994 to 2003 to the CAT Committee. Nepal is also in the final stage of the preparation and submission of its first and second combined periodic reports to the Committee on the International Covenant on Civil and Political Rights. Its initial report was submitted and deliberated in 1994. Details of reporting status can be found in **Annex-2**.

## **II. Long-term Policy Strategy on Human Rights:**

### **HMG's Concept of Forward Looking Reforms in the State System:**

In accordance with the constitutional guidelines, HMG has pursued a policy to preserve and promote all religions, ethnic groups, communities, languages and their beliefs in the country. HMG commits itself to reinforcing the rights to freedom of expression and organization according to one's faith and beliefs and the rule of law in all aspects of national life as guaranteed by the Constitution. In order to realize these objectives, the local bodies should be given the option to use of their national languages as their second working language.

HMG recognizes the difficulties for an immediate end to the situation of ethnic and gender discrimination, exploitation and inequalities prevailing in the societies for centuries. The Government is, therefore, contemplating a system of reservation for a certain period of time for the indigenous, ethnic and Dalit people in the representative institutions, education, health, administrative services and other

employment sectors to bring this section of disadvantaged groups at par with the national average on the basis of human development index.

**National Human Rights Action Plan:** In accordance with the Declaration of the United Nations Convention on Human Rights held in Vienna in 1993, His Majesty's Government, in cooperation with the United Nations Development Programme (UNDP) Office, and with the support of the UK and Swiss Governments has already completed the draft National Human Rights Action Plan (NHRAP). The action plan has identified the needs of Nepali people relating to human rights consistent with the provisions of the Universal Declaration of Human Rights and other international human rights instruments to which Nepal is party. The plan has been the product of the participatory process of all the stakeholders including the representatives from the NGOs, human rights groups, civil society and other legal, social, media and professional organizations. The action plan seeks to act as a credible means to translate all the provisions of various instruments on human rights in the Nepalese context with the involvement of the relevant agencies of the government and the civil society. The draft action plan addresses various aspects of the human rights from education and culture, health, environment and sustainable development, rights of Dalits, indigenous people, people of special ability, and senior citizens, women's empowerment, gender equality and equity, and women's rights, child rights and development, legal reforms, judicial administration and management, prison management, labor and employment, to conflict management and institutional strengthening.

#### **IV. Measures undertaken for HR Protection and Promotion:**

**1. Legal measures:** The Constitution states unequivocally that all citizens are equal and prohibits discrimination on the basis of sex, religion, caste and ethnicity and political ideology. It further guarantees rights to life and liberty, and ensures that the State will not make laws prescribing death penalty. Other rights guaranteed to the citizens of Nepal include, freedom of opinion and expression, the right to peaceful assembly without bearing arms, freedom to move throughout or any part of the Kingdom and reside in any part thereof, and the freedom to practice any profession and engage in any occupation, industry or trade. The right to equality, freedom to form unions and associations, rights regarding criminal justice, cultural and education rights, right to religion,

as well as the right against exploitation and right against exile are non-derogable rights, and, therefore, these rights can not be suspended even during a state of emergency.

While several acts are already in place to safeguard the fundamental rights, HMG has been striving to enact other necessary enabling legislations for the effective implementation of these rights guaranteed by the Constitution. For example, HMG has enacted laws like the State Cases Act, the Torture Compensation Act, the Legal Aid Act and the 11th amendments to the Civil Code Act, which are indispensable for the effective enforcement of the fundamental rights of citizens. HMG is also working for the enactment/amendment of necessary legislations relating to existing property laws, laws concerning preventive detention, laws concerning the right to information and privacy, and laws in relation to the prevention of exploitation and discrimination.

### **HR Policy in the Tenth Plan**

**Objective:** The objective of the Tenth Plan relating to human rights is to contribute to poverty reduction through the integration of human rights components into the national development programmes by guaranteeing the fundamental human rights of Nepali people consistent with the Constitution of the Kingdom of Nepal 1990 and the commitments expressed in various international forums and international human rights instruments to which Nepal is party.

To attain the above objective, the plan seeks to develop human rights culture through effective promotion and protection and respect for fundamental human rights, and formulating and amending national laws in a transparent, up to date and standardized way. In this regard, emphasis would be laid on the institutional reform of the judiciary.

**Working Policy:** The Plan envisages that the human rights related programs will be integrated into national development programmes within the context of available resources. Emphasis will also be laid to the strengthening of basic services, institutional capacity and human resource development to enhance the quality of formulation and amendments of laws so as to make them compatible to the international human rights instruments. Priority will be given for the improvement of

physical infrastructure, institutional capacity and human resource development of the Courts.

**Programs/ Activities** : The following activities will be carried out for the protection and promotion of human rights during the Tenth Plan period.

- National Human Rights Action Plan will be prepared and implemented.
- Human rights programmes on women, children, indigenous people, ethnic groups, minorities and Dalit, and on the issues of labour, education and culture, environment and development, health, prison reform, justice administration, laws and statutes and conflict management would be undertaken in an coordinated fashion within the limit of available resources.
- Various awareness generating programs will be carried out with the involvement of stakeholders for the effective implementation of the national human rights action plan and the provisions of international human rights instruments.
- Existing laws will be amended to make them compatible with the international standards on human rights.
- Institutional capacity of all institutions on human rights including the National Human Commission, Women Commission, Dalit Commission and Academy for the development of indigenous people will be enhanced.
- Human rights education will be included in the curricula of educational institutions and government training institutes for fostering a culture of respect for human rights.
- Programs will be prepared and implemented for strengthening institutional and human resource capability of the Ministry of Law, Justice and Parliamentary Affairs in order to enhance the quality of formulation and amendments of the laws.
- Human resource development and physical reform of the Courts will be carried out to render justice efficient, impartial, easily accessible and transparent. Modern information technology will be introduced for the efficient management of the record system of the Courts.
- Institutional capacity of the Judicial Academy will be enhanced to promote the competence of the manpower involved in the field of law and justice.

## **2. Institutional Mechanisms:**

**National Human Rights Commission:** The Commission was established in 2000 under the Human Rights Commission Act of 1997. It is a landmark statute for promoting and protecting the human rights in Nepal. NHRC is an autonomous statutory body and its fundamental responsibility is to protect and promote human rights in the country. It has the authority to probe incidents of human rights violation or any attempt to violate human rights, or negligence or recklessness committed by any person, institution or organization relating to human rights. With regard to procedural matter, the Commission has powers similar to that of the court for the purpose of taking action on petitions, complaints and conducting fact-finding missions.

NHRC routinely conducts observation and fact-finding studies in various parts of the nation and prepares and disseminates reports of its findings. It is active in raising awareness on rights violations and training and sensitization on human rights. It regularly presents recommendations and guidelines to the government as well as conducts public hearings so that the government will act to alleviate the suffering of the victims of human rights violation.

**National Women's Commission:** The Commission was formed in 2002. It is an impartial and autonomous body to promote women's empowerment, gender equity, social justice, and peace and women participation in the mainstream of development of the nation by preserving and enhancing women's rights and well-being. To achieve these objectives, the commission coordinates with the government, I/NGOs, intellectuals, legal experts and human rights activists. NWC has identified gender inequality provisions in the Constitution and discussing to make gender friendly Constitution.

**Independent National Dalit Commission:** The Commission was formed in 2002 to improve the situation of the large section of people who continues to face extreme poverty, deprivation and exclusion. The objectives of the Commission are to promote the rights of the Dalits and improve their social, economical, political and health conditions as well as to bring Dalits into the mainstream of development process by addressing the problems of unequal and non-access to productive

resources. The specific scope of work of the Commission include: performance of necessary functions for creating environment that ensures unhindered exercise by Dalits of their rights and privileges; recommendation of necessary amendments to the prevailing laws and policies of the government that facilitates the smooth performance of the said functions; formulation of necessary strategies and working policies for implementation by the government of the provisions of international human rights instrument including the conventions for the elimination of racial discrimination to which Nepal is party; coordination and supervision of the activities of the NGOs involved in the upliftment and development Dalits; implementation through the participation of NGOs of social awareness programmes for eliminating social discrimination, untouchability and other evils of the society that impede their development; examination of complaints on the discriminatory illegal treatment meted out to the Dalits in the society and the formulation of necessary legislation for the functioning of National Dalit Commission.

**National Committee for the Development of Nationalities of Nepal (NCDN) :** The Committee was set up in 1998 with the objectives to carry out programmes for the benefit of backward and disadvantaged classes living in remote areas and bringing them into political, economic, social mainstreams. Towards this end, the Committee arranges for scholarships for higher education, skill and income generating programmes and weekly radio programmes with a view to generating awareness.

In addition, the Committee has been undertaking various activities like research on different ethnic groups of Nepal, capacity building of ethnic organizations, awareness generation activities, dissemination of the rights of indigenous people, cultural promotion and advocacy. HMG is committed to strengthen the institutional development of NCDN for social, economic and cultural development of the Nationalities in Nepal.

For the development and upliftment of various ethnic groups with low social strata, the Parliament passed a bill for the establishment of an independent National Academy for the Social, Economic and Cultural Upliftment and Development of Nationalities. The Academy has been constituted and operational for the advancement of the cause of various nationalities of Nepal.

**Human Rights Committee in Parliament:** Among the nine committees of the House of Representatives, Foreign Relations and Human Rights Committee has made a significant contribution on human rights issues. The work of HRC is to formulate policy guidelines and provide directives to the government on the human rights issues.

**Human Rights Promotion Centre (HRPC) :** HMG has recently set up HRPC under the Prime Minister and Council of Minister's Office in 2003. The main objectives of the Centre are to inform general public about the works undertaken by HMG/N regarding human rights promotion and to coordinate and facilitate between various entities relating to the fulfillment of commitment of various international human rights instruments to which Nepal is a party.

**Formation of Human Rights Cells (HRC):**

**HRC in the Ministry of Home Affairs (MOHA):**

The human rights cell, set up in the Ministry in 2003, is headed by the joint secretary which monitors any reported cases of HR violations by Nepal police, Arm Police, National Investigation Department and other HMG organs. It also coordinates with other HR cells established in the security agencies in order to protect the human rights and shares information with them.

**HRC in the royal Nepalese Army:**

The Royal Nepalese Army set up HRC at its headquarters on July 8, 2002. The cell mainly investigates the reported cases of violation of human rights by RNA personnel. The cell also imparts training to RNA officers on human rights, humanitarian laws and law of war.

**HRC in Police:**

HRC was established in Nepal Police headquarters on 16 January 2003. The functions of the cell are mainly provide training to police personnel on human rights issues, to investigate complaints of reported HR violation by police personnel and to create awareness among police staff about the HR. It also coordinates with other agencies including ICRC

and NHRC on the human rights issues. The cell is headed by the D.I.G. of police.

#### **V. Present Status of Human Rights and HR programmes undertaken by HMG**

HMG has been according high priority to human rights agenda and has been formulating and implementing numerous programmes aimed at human rights promotion and welfare of people, which include, among others :

**Women's rights:** With the objective to mainstreaming the women in development process, the current Tenth Plan has focused on (1) Elimination of legal discrimination against women by revising existing discriminatory laws; providing legal assistance to women to enforce the provision of the newly revised Civil Code. (2) Affirmative action to increase women's role in public office, administration and community level participation and management, all of which contribute to women's empowerment and (3) Introduction of legal and other changes to prevent disorder against women, including social education process, involving information campaigns and public discussion about the role of women. The Plan aims to mainstream women into the planning process through training, education, income generation and employment creation. The Plan also focuses on employment creation, skill promotion and income generation.

It may be mentioned that with concerted efforts of the government and the civil society, the participation of women in public service and in various facets of society has seen steady growth in recent years. The Ministry of Women, Children and Social Welfare has been organizing special training programmes for women for the preparation of Civil Service Examination. HMG has also made mandatory provision for Primary schools to have at least one female teacher. Similarly, Local Self-Governance Act 1999 has secured at least 20 per cent of seats for women in local bodies: VDC, DDC and Municipalities. These measures are expected to contribute for the greater participation of women in the social development process and enhance their social status.

The government has also accorded priority to improve the condition of women in rural areas by providing micro credit service, enhancing capacities in developing planning, creating opportunities in agriculture and widening range of social services.

**Children's rights:** The Tenth Plan lays emphasis on child development and child rights. It has stipulated various policies and strategies for the protection of children and child health and nutrition programmes. For the development of Children, the government and nearly 240 non-governmental bodies, and several hundred community organizations, educational institutions, and media are engaged. While the bonded labour affecting the children has been declared illegal, juvenile benches have been established in all the districts. Similarly, day care centres have been opened in some places for the children of workers and informal education programme has been expanded.

**Rights of the Dalits:** The establishment of National Dalit Commission in 2002 is a major step forward to promote and protect the rights and welfare of the Dalits. The Commission has been given the mandate to propose activities, duties and responsibilities, and authority to carry them out. The establishment of National Academy for the Upliftment and Development of Nationalities is another milestone in mainstreaming the various ethnic groups into the development process and in providing their access to the productive resources.

HMG has also introduced special programmes for the Dalits, especially for poverty reduction. The current Tenth plan has various targeted programmes for the Dalits, which include: providing access to suitable agriculture technologies and products, forming distinct Dalit groups after identifying them, conducting proper training by forming women's groups from ultra-poor Dalits, reservation of at least 25 per cent of the total participants' seats in various rural trainings for Dalits, providing vocational education and providing scholarships for poor and bright Dalits, provision of health, sanitation and awareness programmes. The government policies and strategies to empower the Dalits also include redesigning school curriculum to raise the awareness of the evils of untouchability and monitoring the programmes conducted by INGOs and NGOs.

**Liberty to Kamaiya:** HMG made a landmark decision in 2000 to outlaw the Kamaiya System of bonded labour. A total of 1,01,522 Kamaiyas were liberated from the decision. "Kamaiya" system was prevailing in Dang, Kailali, Kanchanpur, Bardia and Banke districts of western Nepal where the debt-ridden rural farmers had been working as bonded labourers to pay off debts drawn by their ancestors. To give effect to the government decision, Kamaiya Labour (Prohibited) Act, 2002 has been enacted. Immediately after declaration of liberty for the bonded labourers, a high level committee was formed under the chairmanship of the then Deputy Prime Minister for the rehabilitation of Kamaiyas. Each liberated Kamaiya family has been provided with a plot of land and housing support from the government. Several other activities covering education, health, training and other awareness programmes are being carried out by the NGOs for their development.

## **VI. Challenges and Constraints:**

Despite the commitment and various policy measures undertaken by the government and despite significant progress made in the promotion of human rights front over the years, the Nepal still faces serious challenges to meet the growing expectation of the people and for effective implementation of human rights agenda. The unabated terrorist atrocities perpetrated by the Maoist insurgency has seriously undermined the human rights situation and the worsening of law and order situation in the country in the past seven years. In the meantime, resources constraints have impeded capacity building and have hampered for the effective implementation of human rights related plans and programmes. Also lack of enabling legislations has resulted in the slow progress of the implementation of many international treaties and conventions. Socio-economic malaise, coupled with structural problems deeply rooted in the society, has also been stumbling blocs to bring about desired progress in human rights situation in Nepal. These are some of the major challenges the country is facing today with detrimental effects in almost all facets of human rights , including:

**Women:** Despite the legally recognized equality, the female status is comparatively lower than its male partner. The women are suffering from economic, social and political discrimination and also discrimination in property rights, citizenship rights, reproductive rights, family relationship rights. Women remain under-represented in the

political parties. They hold mere six to nine per cent of the total seats in their respective central committees and very few make their way into the policy making position in the four major political parties of the country. Their representation in the top civil service position is also negligible.

**Children:** Notwithstanding various initiatives taken for the protection and promotion of child rights from both the government and the civil society and significant achievements made in the areas of children's basic health, education and awareness on child rights, effective programmes are needed to protect the rights of the children, especially those who work in risk condition and also to abolish exploitation and abuse of children and discrimination against girl child which continues to exist in the society and is deeply entrenched. Moreover, the country is facing with fresh problems of children of families affected by the Maoist violence. Protection of rights of such children rendered homeless due to the mounting violence, including their care, rehabilitation and development, poses another serious challenge to the government, which is already in severe financial straits owing to the necessity to allocate additional resources to restore the security and peace by controlling the Maoist terrorist activities.

**Dalits, Minorities and Disadvantaged class:** Despite the good intention of the government and the necessary laws and programmes, the existence of caste based discrimination at the societal level has been a bitter truth even though it is prohibited by the Constitution and the Country Code, 1964. Resource constraints both human and financial have resulted in the low capacity for the effective implementation of the programmes and activities aimed at raising the standard of living of the Dalits, minorities and the disadvantaged classes in the society. Lack of access to resources has been another impediment for the upliftment of these people.

**Maoist insurgency:** The colossal loss of life and the threat to the security of the people by the Maoist terrorists continue to present a serious challenge to HMG in protecting and promoting their fundamental rights. Since the Maoist unleashed insurgency in 1996, they have resorted to heinous terrorist activities such as kidnapping, injuring, maiming and incapacitating, and killing thousands of innocent civilians while thousands of others have been rendered homeless and displaced. The Maoist terrorists are indiscriminately violating even basic norms

and principles of human rights through intimidation, extortion, looting, rape and killing the people brutally. There have also been credible reports of the forceful recruitment of children and young girls in the Maoist outfits.

It is well-known that while HMG has shown every flexibility to resolve the Maoist problem and left the door open for the peaceful solution of problem, through negotiation, the government is equally serious to protect the lives and properties of its people by strengthening the law and order situation. As peace, security, human rights and development are inextricably interlinked, HMG's current preoccupation and major concern have, therefore, been to provide security to the people and to deliver the much needed services to the people and to carry out developmental activities much more effectively. It was to this end that the Code of Conduct signed between HMG and CPN(Maoist) in March last year had also sought to address various aspects of human rights.

Moreover, His Majesty's Government is alive to the concerns raised by the Human Rights Commission and other international organizations engaged in the protection and promotion of human rights in the world. Every effort has been made to respond immediately to the specific cases/concerns raised by such organizations including the Amnesty International with a sense of urgency and commitment.

## **V. The Importance of Donor Assistance:**

These are some of the daunting challenges the country is facing today in the human rights front. Despite the well intention of the government and the unequivocal commitment Nepal has made internationally, the progress has not been up to the satisfaction mainly owing to the wide gap between the plans and their actual implementation owing to the resources constraints, both physical and financial and also low capacity building. The unabated Maoist terrorist atrocities have further aggravated the problem. While the government is working in close partnership with the donor community and the civil society to overcome these daunting challenges, the donors' assistance in the following areas of human rights, could go a long way to address the issue of human rights the country is facing today:

**Strengthening the Human Rights Institutions:** The implementing, monitoring and coordinating activities of the various human rights institutions in Nepal have not been up to the expectation despite sound objectives and programmes. This is mainly due to inadequate resources. The donor community could extend invaluable support for their capacity building by providing assistance in their programmes and for human resources development.

**Supporting the Planned Target:** The current Tenth Plan has envisaged specific human rights related programmes, besides overall objective of poverty reduction. Besides domestic resources mobilization, sizeable resources are required to meet the planned target. The external assistance is therefore, vital, to help achieve the these goals, the central objectives of which is to uplift the Nepalese people from the abject poverty and provide them with basic education, health services and employment opportunities.

**Helping for the Reporting Obligations:** While significant progresses have been made in the human rights fronts in Nepal through appropriate domestic legislations and various programmes, they have not been adequately reflected to the international community due to slow progress in its reporting obligations to the various international human rights instruments. The donor community could provide their expertise for the preparation of such reports, which would help promote to put Nepal before the international community in the proper perspective.

**Annex-I**

**International Human Rights Instruments to which Nepal is Party**

<b>Name of Instruments</b>	<b>Signature</b>	<b>Ratification Accession (a) Succession (d)</b>
1. Slavery Convention of 1926, 25 September 1926 as amended (23 October 1953)		7 Jan 1963 a
2. Amendments to the Slavery Convention (1926), 1953		7 Jan 1963 a
3. Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, 7 September 1956.		7 Jan 1963 a
4. Convention on the Political Rights of Women, 20 December 1952		26 Apr 1966 a
5. Convention on the Prevention and Punishment of the Crime of the Genocide, New York, 9 December 1948.		17 Jan. 1969 a
6. International Convention on the Elimination of All Forms of Racial Discrimination, New York, 7 March 1966.		30 Jan. 1971 a
7. International Convention on the Suppression and Punishment of the Crime of Apartheid, 30 November 1973.		12 July 1977 a
8. Convention on the Rights of the Child, New York, 20 November 1989.	26 Jan. 1990	14 Sep. 1990
9. Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979.	5 Feb1991	22 April 1991
10. International Covenant on Civil and Political Rights, 16 December 1966.		14 May 1991 a
11. International Covenant on Economic, Social and Cultural Rights, 16 December 1966.		14 May 1991 a
12. Optional Protocol to the International Covenant on Civil and Political Rights, 16 December 1966.		14 May 1991 a
13. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, New York, 10 December 1984.		14 May 1991a
14. International Convention against Apartheid in Sports, 10 December 1985.	24 June 1986	14 May 1991 a
15. Second Optional Protocol to the International Covenant on Civil and Political Rights, Aiming at the Abolition of the Death Penalty, New York, 15 December 1989.		4 Mar. 1998 a
16. Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others including Final Protocol, 1950		10 Dec. 2002 a
17. Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, 25 May 2000.	8 Sept. 2000	
18. Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, 25 may 2000.	8 Sept. 2000	
19. Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women, 6 October 1999.	18 Dec. 2001	

Nepal's Position on the Six core International Human Rights Instruments.

Name of Treaties	Date of receipt of the instrument of ratification or accession by the UN	Entry into force for Nepal	Date on which the report was due	Date on which the report was submitted	Authority to submit the report	Remarks
1. International Convention on the Elimination of All Forms of Racial Discrimination <b>came into force on 4/1/1969</b>	30/01/1971 a	1 March 1971	1st report (01/03/1972) 2nd report (01/03/1974) 3rd report (01/03/1976) 4th and 5th report (01/03/1978) 6th to 8th report (01/03/1982) 9th to 13th report (01/03/1988) 14th report (01/03/1998) 15th report (01/03/2000) 16 <sup>th</sup> report (01/03/2002) 17 <sup>th</sup> report (01/03/2004)	1st report (18/05/1972) 2nd report (19/06/1974) 3rd report (06/07/1977) 4th and 5th report (25/06/1981) 6th to 8th report (12/02/1987) 9th to 13th report (05/05/1997) 14th report (18/03/1999) 15th and 16th report (29/04/2003)	CERD through the Secretary General of the UN {as per art 9 (1)}	Overdue requested to submit within 2003  <i>Examination of the 15<sup>th</sup> and 16<sup>th</sup> Reports will be held from 4 to 5 March 2004 in Geneva.</i>
2. International Convention against Torture and Other Cruel, inhuman or Degrading Treatment or Punishment <b>came into force on 26/6/1987</b>	14/05/1991-a	13 June 1991	1 <sup>st</sup> report (2/6/1992) 2nd report (2/6/1996) 3rd report (2/6/2000) 4 <sup>th</sup> report (2/6/2004)		CAT through the Secretary General of the UN {as per art 19 (1)}	<i>The 2<sup>nd</sup>, 3rd and 4th combined periodic reports are in the final stage of preparation.</i>
3. International Covenant on Economic, Social and Cultural and Political Rights <b>came into force</b>	15/05/1991-a	14 Aug. 1991	1st (30/06/1993) 2nd (30/06/2006)	1st (25/10/1999)	Secretary-General of the UN {as per art 16. 2 (a)}	

<b>on 3/1/1976</b>					<i>for consideration by the ECOSOC</i>	
4. International Covenant on Civil and Political Rights <b>came into force on 23/3/1976</b>	15/05/1991-a	14 Aug. 1991	1st periodic (13/08/1992) 2nd periodic (13/08/1997) 3rd periodic- (13/08/2000) 4th periodic (13/8/2003) 5 <sup>th</sup> periodic (13/8/2006)	1 <sup>st</sup> periodic March, 1994.	Human Rights Committee through the Secretary-General of the UN {as per art 40 (2)}	<i>The 2<sup>N</sup>. 3<sup>rd</sup> and 4<sup>th</sup> combined periodic reports are in the final stage of preparation.</i>
5. Convention on the Elimination of all Forms of Discrimination Against Women <b>came into force on 03/09/1981</b>	22/04/1991	23 May 1991	1st periodic (22/05/1992) 2nd periodic- (22/05/1996) 3rd periodic (22/05/2000) 4th periodic- (22/05/2004)	1st periodic (16/11/1998) 2nd periodic- (26/11/2002) 3rd periodic (26/11/2002)	CEDAW through the SG of the UN {as per art 18}	2nd and 3rd combined reports were submitted and deliberated in Jan. 2004 in New York.
6. Convention on the Rights of the Child <b>came into force on 02/09/1990</b>	04/10/1990	14 Oct. 1990	1st periodic- (13/10/1992) 2nd periodic- (13/10/1997) 3rd periodic- (13/10/2002) 4 <sup>th</sup> periodic (13/10/2007)	1st periodic- (10/04/1995), followed by an additional report in 1996. 2nd periodic- (04/03/2003)	CRC through SG of the UN {as per art 44 (1)}	