

47th session of the Human Rights Council

Item 6: UPR of Nepal

International Service for Human Rights

Human Rights Defenders Protection Status in Nepal

June, 2021

This is a joint statement.¹

We would like to share some concerns regarding the situation of human rights defenders (HRDs) in Nepal. As a member of the Human Rights Council, Nepal should ensure the development and implementation of genuine and substantial measures for the protection of HRDs, and enable their work.

INSEC has documented 280 cases of HRDs' rights being violated or abused in the recent two years. The State has violated 78 HRDs' rights including 17 HRDs beaten; 7 treated inhumanly; 7 discriminated against on the basis of their caste; and 8 threatened during the period of 2019 and 2020. 202 of these cases were in respect of violations by non-State actors.

HRDs in Nepal face risks because of their human rights work and the way others perceive their values and attitudes towards human rights issues and agendas. INSEC has documented cases of Police arresting teachers on allegations of their support to the then banned Nepal Communist Party, 'Biplab'. Similarly, health workers, journalists, civil society activists and human rights advocates were arrested, suffered inhuman treatment and threats, and were beaten by the police. Non-State actors have also been responsible for attacks against HRDs. Six HRDs were killed in 2020 by such underground and 'banned' non-State groups. The State's response to these killings has been incredibly weak. The lack of transparency that has continued since the negotiation and peace process by the Government and impunity associated with the 10 years long armed conflict, have contributed to this response as well as the increasing threats against HRDs.

Nepal has received UPR recommendations to protect the rights of HRDs and ensure an enabling environment for their work. We welcome calls made by recommending States for the promulgation and implementation of measures to protect the HRDs; however, the State has not yet taken action to implement such measures. We call on the Government of Nepal to:

1. Take steps to ensure an enabling environment for HRDs through the promulgation or amendment of laws which restrict rights to assembly and expression; and
2. Collaborate with civil society, take steps to develop a national law for the protection of HRDs.

¹ International Service for Human Rights and the Informal Sector Service Center (INSEC).

Thank you