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Chairperson INSEC

Dear Colleagues

Greetings from INSEC Nepal

At a critical juncture of political situation and ongoing human rights challenges, I am standing here on behalf of INSEC, the Secretariat of Nepal National Coalition for UPR (NNC-UPR). NNC-UPR is a national coalition of 530 human rights organization of Nepal working collectively to strengthen Nepal's UPR engagement.

In recent days, Nepal has witnessed human rights crisis with the tragic loss of lives, widespread destruction of critical state infrastructure including the judiciary, legislature, and executive offices, and threats to private citizenry and businesses. The nationwide protests of September 8 and 9, 2025, are believed to be triggered by growing public frustration over misgovernance, lack of accountability, and corruption. The peaceful Gen Z protest against corruption was met with excessive and unlawful force by Nepal Police, including the use of live ammunition, resulting in the killing of 36 young people and critically injuring many more.

These events expose Nepal's entrenched human rights challenges—unfinished transitional justice, continuing torture and enforced disappearances, persistent gender inequality, and pervasive impunity—all of which must be addressed holistically through the UPR process.

### **Transitional Justice**

Conflict Victims' groups have expressed dissatisfaction over the appointment of commissioners to the Truth and Reconciliation Commission (TRC) and the Commission on Investigation of Enforced Disappeared Person (CIEDP), citing lack of consultation and inadequate inclusion. After 19 years of the Comprehensive Peace Accord, victims have received only interim relief, no meaningful reparation.

Politically influenced appointment undermine the purpose of the commissions for truth-seeking, justice, reparation, and institutional reforms. Survivors of conflict-related sexual violence continue to lack adequate protection of their privacy. Both commissions have not produced any tangible results beyond complaints collection.

### **Recommendations:**

Remove statutory limitations on prosecuting cases of sexual violence and abuses committed during the conflict.

- Ensure confidentiality and security for survivors of conflict-related sexual violence.
- Create a safe and enabling environment for women and girls to participate in the transitional justice process and report conflict-related sexual and gender-based violence and abuses.

## **Torture and Enforced Disappearance**

Although the Commission of Investigation on Enforced Disappeared Persons and the Truth and Reconciliation Commissions were established nearly a decade ago, they are yet to deliver any tangible results in delivering justice to the victims of torture, enforced disappearances and extrajudicial executions committed during the conflict period.

While torture and enforced disappearance are criminalized under the Criminal Code (2017), the Bill to Control Torture, Inhuman, Brutal, and Disrespectful acts is pending in the parliament since 2016. Nepal is yet to ratify the Optional Protocol to the Convention Against Torture (OPCAT), and the views of the UN Human Rights Committee on individual communications regarding torture cases remain unimplemented.

### **Recommendations:**

- Initiate measures to adopt the Bill to Control Torture, Inhuman, Brutal, and Disrespectful acts
- Ensure an effective rehabilitation and reparation mechanism of torture survivors.
- Ensure accountability and improve the capability of security forces to prevent torture.
- Ratify the Optional Protocol to the Convention Against Torture (OPCAT) and the implement the views of the UN Human Rights Committee on individual communications.

## **Impunity**

In many cases, individuals involved in serious crimes or corruption are not arrested due to political protection. FIRs are often not registered, and even serious crimes like extrajudicial killings are not adequately investigated. Accused of the conflict-era crimes and serious human rights violations have been appointed, promoted, and deployed in the high-level policy-making institutions, and executive and security agencies.

The Judicial Inquiry Commission formed in September 2025 with a three-month mandate to investigate the extrajudicial killings and excessive use of force during the Gen Z protests is facing challenges such as political non-recognition and delays in processing its investigations.

### **Recommendations:**

- Design an approach to check impunity and ensure equality before the law, guaranteeing that all individuals regardless of political influence are held equally responsible for crimes and human rights violations.
- Carry out effective investigations on the allegations of extrajudicial killings and ensure justice for victims.
- Ensure the Judicial Inquiry Commission operates independently and impartially, free from political influence, with meaningful participation of victims' families, civil society, and human rights organizations in the investigation process.

### **Women's Rights (Equality and Non-discrimination)**

Despite Constitution guarantees to gender equality and non-discriminated women continue to face systemic discriminated and barriers in public, private, and political spheres. Women and girls from *Dalit*, indigenous people, religious minorities, single women, and women with disabilities experience gender-based and identity-based multiple forms of discrimination.

Violence against women remains pervasive, and patriarchal social structure discourages survivors of violence from filing complaints; instead, they are forced to seek out of court settlement. This shows weakness in implementing the interim protection measure guaranteed by the Domestic Violence (Offence and Punishment) Act (2008).

#### **Recommendations:**

- Ensure effective implementation of laws and policies on gender equality backed with sufficient resources.
- Implement laws and the Supreme Court decisions to make citizenship easily available based on the mother's citizenship.
- Eliminate harmful practices by raising awareness, conducting investigations, punishing perpetrators, and ensuring protection and rehabilitation for survivors, particularly in cases as witchcraft allegations, child marriage, dowry, son preference, and polygamy.
- Amend the Domestic Violence (Offence and Punishment) Act (2008) to assign the reconciliation authority in the Family Bench instead of police or local bodies.
- Remove the statutory limitation on the crime of rape.
- Guarantee women's equal rights to acquire and transfer citizenship without any discriminatory conditions.

To address these multifaceted human rights challenges, it is essential to strengthen Nepal's engagement with the Universal Periodic Review (UPR) mechanism. Active participation of state institutions, civil society, victim's groups, and human rights defenders is crucial to ensure that recommendations from the UPR process are effectively implemented. Moving forward, Nepal must adopt a holistic and inclusive approach that prioritizes accountability, justice and equality while institutionalizing mechanisms for monitoring and reporting human rights progress.