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ORAL STATEMENT

Item 6:

Consideration of UPR reports: Nepal

UN Human Rights Council

47th session

21 June to 13 July 2021

Madam President,

Amnesty International welcomes Nepal's engagement in the UPR process and its acceptance¹ of 195 out of 233 recommendations, including on the right to freedom of expression, assembly, association and privacy;² addressing impunity for human rights violations under international law;³ investigations on alleged excessive use of force and extrajudicial executions, of torture and other ill-treatment;⁴ addressing gender and caste based discrimination and violence;⁵ and protection of migrant workers from abuses.⁶

The implementation of these recommendations is critical for improving the human rights situation in the country. We therefore urge the Nepali authorities to take urgent and

¹ UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Nepal*, UN Doc. A/HRC/47/10/Add.1, Addendum, 28 April 2021, para. 6.

² UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Nepal*, UN Doc. A/HRC/47/10, 30 March 2021, paras. 159.77 (Estonia), 159.78 (France), 159.79 (Greece), 159.81 (Iceland), 159.82-83 (Latvia), 159.14 (Canada).

³ UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Nepal*, UN Doc. A/HRC/47/10, 30 March 2021, paras. 159.62-72 (Belgium, Canada, Germany, Ireland, Italy, Norway, Republic of Korea, Australia, State of Palestine, Switzerland, United Kingdom of Great Britain and Northern Ireland).

⁴ UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Nepal*, UN Doc. A/HRC/47/10, 30 March 2021, paras. 159.59 (France), 159.220 (Portugal), 159.206 (Liechtenstein).

⁵ UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Nepal*, UN Doc. A/HRC/47/10, 30 March 2021, paras. 159.32 (Bahamas), 159.33 (Croatia), 159.34 (El Salvador), 159.35 (Germany), 159.39 (Italy), 159.41 (Lebanon), 159.42 (Argentina).

⁶ UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Nepal*, UN Doc. A/HRC/47/10, 30 March 2021, para. 159.228 (Canada).

concrete steps to implement all accepted recommendations.

We note with concern that no tangible progress on truth, justice and reparations for the victims of conflict has been made by the government⁷ despite similar commitments made by Nepal in the 2015 review. We urge Nepal to immediately amend the transitional justice laws in line with international standards and Nepal's Supreme Court rulings.

The Government of Nepal has also proposed a series of laws with provisions that would infringe on freedom of expression and right to privacy—such as the Media Council Bill, the Information Technology Bill, and the Nepal Special Service Bill.⁸ We call on Nepal to bring all laws, including the criminal code, in line with international human rights standards, by removing provisions that criminalize libel or defamation and eliminating provisions that restrict freedom of expression.

Madam President,

Regrettably, Nepal did not support other important recommendations like acceding to the Optional Protocol on Convention against Torture;⁹ ratifying the Migrant Workers' Convention;¹⁰ amending legislation that discriminates on the grounds of sexual orientation or gender identity;¹¹ revising the draft Anti-Torture Bill;¹² and removing the statute of limitations on rape and sexual violence.¹³ We urge Nepal to reconsider its position and to implement these recommendations without delay.

Thank you.

⁷ Amnesty International, *Nepal: Justice Stalled For Conflict Victims*, Amnesty International Submission For The UN Universal Periodic Review, 37th Session Of The UPR Working Group, 23 October 2020, <https://www.amnesty.org/en/documents/asa31/3217/2020/en/>.

⁸ Amnesty International, *Nepal: Justice Stalled For Conflict Victims*, Amnesty International Submission For The UN Universal Periodic Review, 37th Session Of The UPR Working Group, 23 October 2020, <https://www.amnesty.org/en/documents/asa31/3217/2020/en/>.

⁹ UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Nepal*, UN Doc. A/HRC/47/10/Add.1, Addendum, 28 April 2021, paras. 159.4, 159.11, 159.12, 159.13, 159.14.

¹⁰ UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Nepal*, UN Doc. A/HRC/47/10/Add.1, Addendum, 28 April 2021, para. 159.20.

¹¹ UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Nepal*, UN Doc. A/HRC/47/10/Add.1, Addendum, 28 April 2021, para. 159.31.

¹² UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Nepal*, UN Doc. A/HRC/47/10/Add.1, Addendum, 28 April 2021, para. 159.57.

¹³ UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Nepal*, UN Doc. A/HRC/47/10/Add.1, Addendum, 28 April 2021, paras. 159.157, 159.158, 159.170, 159.175.