

Possible human rights restrictions

HR may be restricted by

- culture and tradition
- constitution and laws
- politics
- crimes

Women and patriarchy : discriminations in family life

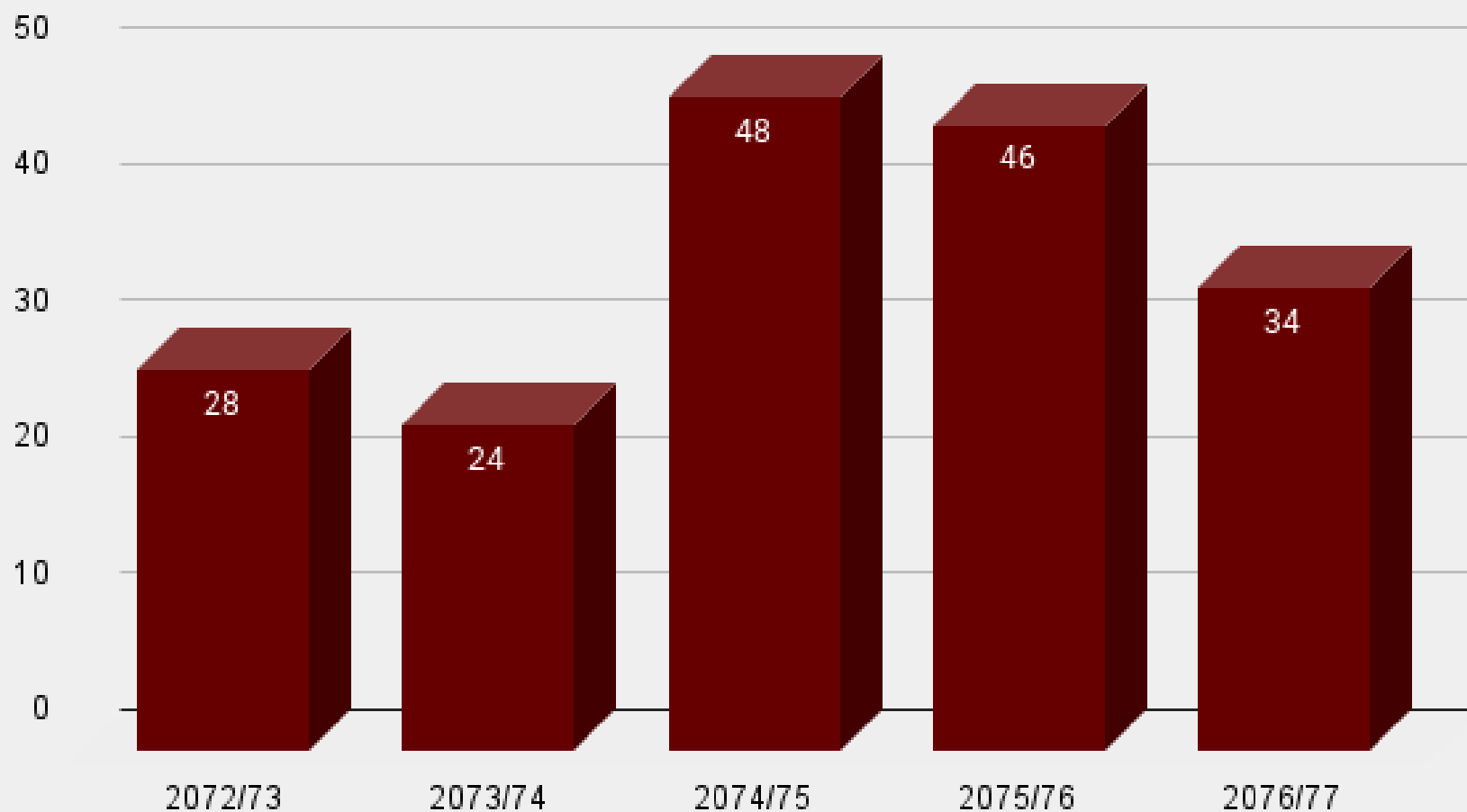
- abortion of female foeti
- discrimination in terms of nutrition, healthcare and education
- early marriages
- multiple burdens: housework, agriculture, childcare
- suppression by mother-in-law

Violence against women (VAW)

- sexual harassment
- beating and abuse
- rape (also in marriage)
- murder and acid attacks
- mistreatment (including murder) for superstitious reasons

Witchcraft accusations against women (VAW) (police reports)

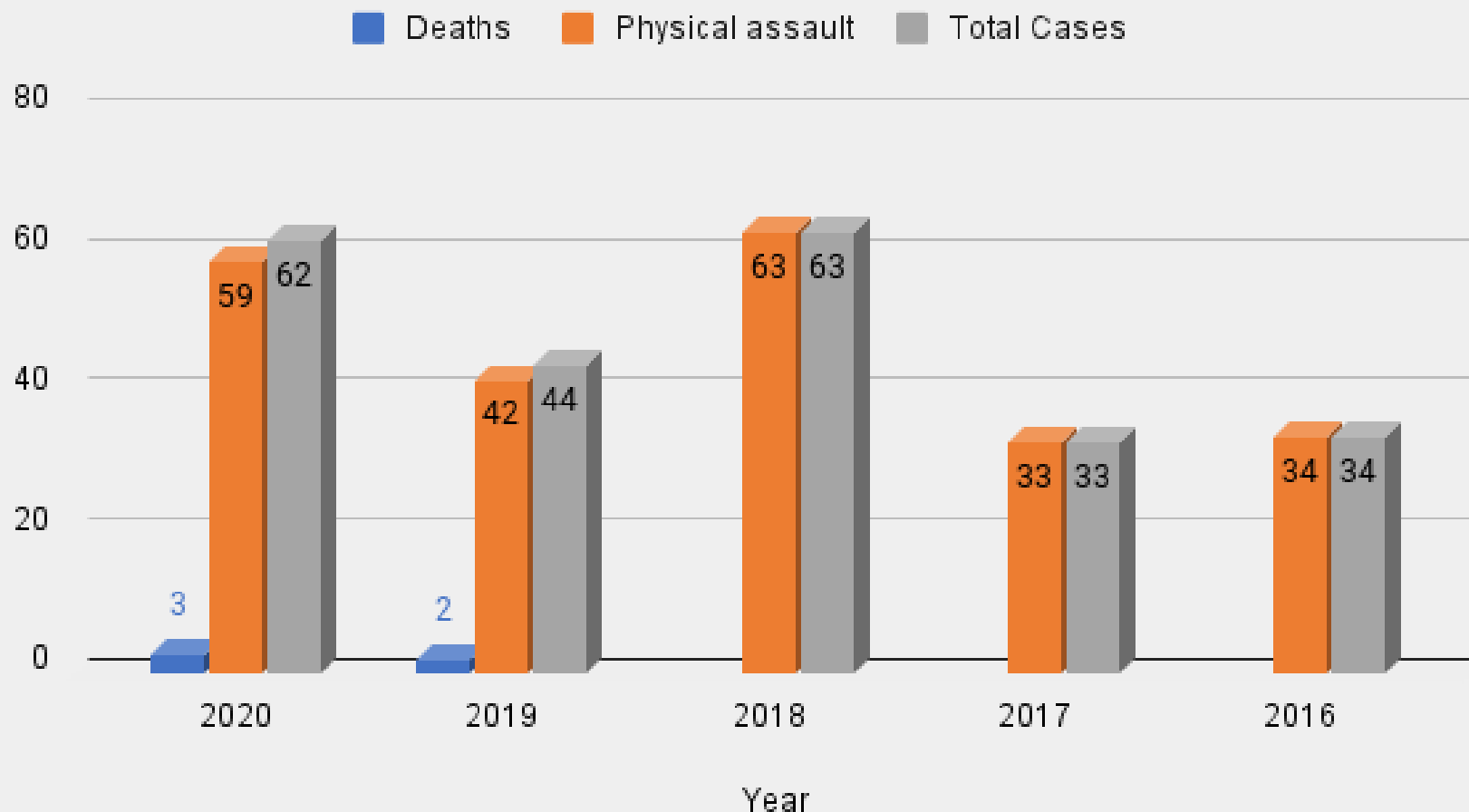
Number of cases of violence based on witchcraft accusations over the last 5 years



Source: Nepal Police

Witchcraft accusations against women (VAW) (INSEC reports)

Number of cases related to witchcraft accusations over the last 5 years



Source: INSEC

Constitutional and legal discrimination of women

- patriarchal system of thought and action
- constitutional contradictions
- no equal citizenship rights for men and women
- denial of citizenship to women married to foreigners as well as their children
- disadvantages in inheritance and property rights (partly based on patriarchal thinking)
- no legal claim of a woman to children born by her
- no or insufficient prosecution of VAW or trafficking in human beings (women, children)

Political and administrative disadvantages

- all political parties and institutions controlled by men
- incomplete registration of women in the electoral rolls
- general disregard of laws and agreements on appropriate participation of women
- dependence on father (husband, brother, son) in all administrative procedures

Economic discrimination of women

- limitation of vocational choice
- exclusion from special kinds of labour
- restriction of women's rights in labour migration
- unequal payment

Cultural discrimination of women

- low position of women in traditional religious texts
- exclusion from cultural events (e.g. priesthood, death ceremony)
- only inactive participation of women in cultural events
- unequal treatment of women partly also in Buddhist society
- only hesitant action against the Chhaupadi system

Child rights

- prohibition of child marriage, but hardly enforced on practice
- insufficient prevention of child labour
- lack of enforcement of compulsory schooling (especially for girls)
- exclusion of children from school due to missing birth certificates [example: 18% of all children in Saptari district]
- discrimination against pupils in remote rural areas due to extremely late provision of textbooks

Citizenship rights



Child rights : Lost children

Year	Total lost children	Boys	Girls	Search ongoing	Found
2017-18	2,330	923	1,407	1,018	43.7%
2018-19	3,422	1,051	2,371	882	74.23%
2019-20	2,729	690	1529	510	81.31%

Ethnic and cultural rights

- discrimination of people with mother tongue other than Nepali (56%)
- limited secularism in a multi-ethnic, multicultural and multi-religious state
- national identity exclusively geared to the culture, language and religion of the ruling elite
- denial of citizenship on grounds of ethnicity (e.g. Chepang, Madheshi)
- unclear or contradictory nationality regulations (6.3 million stateless persons)
- as a consequence, lack of political, administrative and social rights
- persistent hierarchical thinking (caste system), especially towards Dalits
- criminal assaults on the grounds of caste thinking or superstitious beliefs

Media rights and the freedom of opinion

- enforcement of restricted press law
- threat of criminal offences against journalists despite guaranteed freedom of the press
- control of social media

Disregard of social and political rights

- no voting rights for nomadic groups (e.g. Raute)
- no possibility for millions of migrant workers to vote in the elections (despite existing constitutional rights)
- no right to participate in elections for security and administrative staff on duty
- refusal or delay in provision of aid to people affected by the earthquakes and other natural disasters despite large international aid commitments on hand
- extremely delayed reconstruction of schools and health facilities destroyed by the earthquakes of 2015
- violation of personal liberties by *bandhs* and related criminal activities
- mostly unpunished attacks by the security forces (brutal use of truncheons, torture, killing)
- preventive detention (for example with non-militant demands of the Madhesi, but not with threats of violence by Hindu fundamentalists)

State default and refusal

- often disregard of constitution, laws and court decisions by government and politicians
- denied justice for victims of the Maoist insurgency, impunity and promotion of perpetrators
- violation of the right to food
- inadequate legal assistance; mediation to the detriment of victims and impunity of perpetrators
- lack of and insufficient social assistance
- encouraging labour migration instead of creating jobs at home

Violations by the state during the Corona pandemic

- months of hard lockdown without consideration of economic and social consequences
- deprivation of the right to work, especially for day labourers
- preventing Nepalese citizens from entering their own country, especially labour migrants
- months of disinterest in labour migrants who had lost work and income in the host countries
- preventing day labourers and migrants from returning to their home villages
- lack of transfer of returned migrants to adequately equipped quarantine centres
- permitted agriculture, but no possibility of transporting the products to markets and consumers; instead imports from India
- Educational institutions closed since March 2020; online teaching only in cities and for children better off

Map of Nepal

(Political and Administrative)

