

Joint UN submission for the UN compilation report: United Nations Country Team (UNCT) Nepal report for the Universal Periodic Review- Nepal- Tenth Session, 24 January – 4 February 2011

Introduction

1. This report was drafted by United Nations Country Team (UNCT) Nepal¹. This report highlights major human rights issues in Nepal and also provides information the work of UNCT in area of human rights protection and promotion.

I. Background and framework

A. Scope of international obligations

2. Nepal is a party to most of the human rights instruments including seven core Conventions (with recent ratification Convention on Rights of the Persons with Disabilities). However, Nepal has not acceded to either the 1951 Refugee Convention or its 1967 Protocol, and has no domestic asylum legislation. Nonetheless, Nepal has generously hosted thousands of refugees for several decades. In 2007, Nepal's Supreme Court issued a decision recommending that Nepal accede to the 1951 Convention and adopt national asylum legislation, but no action has been taken to date.
3. Nepal is not party to either of the international conventions relating to statelessness. However, it has certain obligations to prevent statelessness under the human rights treaties it has ratified, including the CRC, CERD, CEDAW and ICCPR.

B. Constitutional and legislative framework

4. Nepal is undergoing a new Constitution writing process. Following the Constituent Assembly Election in April 2008, a body of 601 representative was given a two years mandate to write a Constitution of Nepal. The time-frame to write the new Constitution is extended by a year on 28 May 2010.
5. Drafting of two major legislations establishing transitional justice mechanisms- Truth and Reconciliation Commission (TRC), and Commission of Inquiry on Disappearances- are underway. OHCHR provided advisory support to the government in drafting these legislations. The Government conducted series of geographic and thematic consultations with different actors in relation to TRC legislation which is currently with the Legislative-Parliament for deliberation.

C. Institutional and human rights structure

6. The key national institutions with specific mandates to promote and protect human rights — the National Human Rights Commission, the National Women's Commission and National Dalit Commission — each face considerable challenges in realising their respective responsibilities. Though in principle each has been given considerable scope to engage in the defence of human rights, in practice each institution has had to overcome serious challenges, including lack of resources, insufficient legal basis, lack of cooperation from Government.

¹ UNDP, UNESCO, UNHCR, UNIFEM, UNFPA, ILO and OHCHR took part in the drafting of this report.

II. Promotion and protection of human rights on the ground

A. Cooperation with human rights mechanisms

B. Implementation of international human rights obligations

Equality and non-discrimination

7. Long-standing discrimination and social exclusion remain deeply rooted in Nepal. Wide disparities in the enjoyment of economic, social and cultural rights were one of the factors giving rise to the armed conflict, and remedying them will be crucial for a successful post-conflict transition. Discrimination associated with gender, caste, class, ethnicity, disability and geography, continues to be among the major barriers to the effective realization of economic, social and cultural rights.
8. Marginalised and disadvantaged groups such as the haliyas (bonded labourers working as land tillers), formally freed from bondage by a Government declaration in September 2008, continue to live in often deplorable conditions, while their access to food, health, education and fair conditions of employment remains a major challenge. In the midwestern Tarai, the practice of kamalari, by which girls (generally between the ages of 8 and 14) from poor Tharu families are sent to work for years at a time in the private homes of wealthy or privileged families, remains prevalent, and puts them at risk of severe exploitation, including sexual exploitation. The practice continues despite a Supreme Court decision on 10 September 2006 ordering effective implementation of existing laws that prohibit child exploitation.
9. Article 13 (4) of the Interim Constitution provides that there shall be no discrimination with regard to remuneration and social security between men and women for the same work. However, according to the comments by the ILO Supervisory Body, this provision is not in full conformity with ILO Equal Remuneration Convention, 1951 (No.100), which has been ratified by the Government of Nepal. The Supervisory Body has considered that Convention No.100 requires equal remuneration for men and women for work of equal value. The concept of "work of equal value" includes, but goes beyond equal remuneration for the same work, because it also requires equal remuneration for work that is different, but that is nevertheless of equal value.

Right to health

10. The Government continued to make progress with regard to ensuring the right to health, including the provision of free maternity care to all Nepalese women since 2009 and treatment of uterine prolapse. An outbreak of diarrhea occurred in the hill districts of mid and far western regions from mid-April to mid-October 2009. The outbreak reportedly claimed the lives of 367 people. Though Dalits constitute roughly 15 per cent of the population in the affected districts, they accounted for 39 per cent of the deceased.

Right to food

11. The effective enjoyment of the right to food remains a serious problem throughout the country. Natural calamities, including drought, landslides and floods, contributed to a significant decline in local food production in both 2008 and 2009, resulting in severe food shortages in several hill and mountain districts. Lack of infrastructure in the remote hill districts and frequent enforced general strikes (bandhs) imposed by

political actors have further complicated food distribution, leaving the local population more vulnerable to hunger.

12. Although food insecurity persists throughout the country, certain groups have been affected more than others. They include marginalised and vulnerable groups such as Dalits, indigenous peoples, former bonded labourers, persons with disabilities and people living with or affected by HIV/AIDS. In its proposed budget for the fiscal year 2009/10, the Government announced special programmes to address food shortage in 23 affected districts in the hill regions, but a delay in approval of the budget until the end of November 2009 meant that many of these communities continued to remain at high risk of severe food shortages.

Violence against women

13. Reports of violence against women have been increasing, with a surge in cases of dowry deaths and abuse of women accused of practicing witchcraft. In many communities, legislative weakness and inadequate policing continue to make prosecutions for domestic and sexual violence extremely difficult.
14. In response to increasing reports of violence against women, OHCHR and the Office of Prime Minister and the Council of Ministers conducted a joint field mission to the five most affected districts in the eastern region in July 2009. Following the visit and other expressions of concern, the Prime Minister announced a year-long campaign to combat violence against women which was launched on 25 November.

Right to Education

15. The Education Act of 1991 (7th amendment 2001) underpinned the right of every child to free primary education with the choice of learning in mother tongue. It is expected that the forth coming new Constitution will enshrine the right to basic education and free education for secondary level. The Education for All (EFA) National Plan of Action 2001-2015 includes basic education as fundamental right and highlights the need to restructure comprehensive school education. The Three Year Interim Plan (2007-2010) emphasizes to make basic education free, easily accessible and compulsory in a gradual way and to establish the rights of all citizens to free education up to the secondary level.
16. However, the realization of the right of education remains a great challenge: Huge challenges remain in reaching almost all of the Education for All goals across the geographical regions and social stratifications; The efficiency of primary school education is extremely low and not all children, who are enrolled in grade one complete primary education. Moreover, the quality of education as reflected by poor learning achievements in all subject areas is still a matter of great concern; Despite the fact that GoN has launched a national literacy campaign on a mass scale in 2008/09 for ensuring literacy for all by 2015, challenges to achieving universal literacy by providing literacy opportunities for all, particularly the poorest and disadvantaged groups, remain massive.
17. In this context, UNESCO's assistance is focused on supporting GoN in strengthening national capacity and building a supportive policy environment with a view to achieving the right to education and ensuring literacy for all. Special attention is given to advocacy for increased and better targeted funding for education and more focused interventions, especially for women and disadvantaged population groups.

18. UNESCO has worked since 2006 with its partners to combat violence against students and teachers in Nepal. For example, it has cooperated with USAID in three districts to help create a stable, violence free learning environment for internally displaced young people who are particularly prone to attacks. More recently, UNESCO has worked with UNICEF, Save the Children, the Nepal Human Rights Commission and the Curriculum Development Center for inclusion of peace, human rights and civic education elements in curricula from grade 1-10. And UNESCO joins hands with UNICEF in promoting schools as zones of peace.

Cultural rights

19. The Tenth Five Year Plan (2002-2007) and the three-Year Interim Plan (2007-2010) are characterized by the absence of a clear provisions and policies for establishing a national cultural policy including measures to identify and protect traditional skills, technical knowledge, language and capabilities
20. Nepal has ratified three of UNESCO's seven international Conventions that provide a comprehensive framework for the realization of the rights to ensure heritage preservation and the protection of cultural life. UNESCO is discussing with the Government to step up its effort in Nepal's accession to the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols (1954 and 1999) and advocates for Nepal to ratify the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expression in a context, in which the concept of "cultural diversity" is understood mainly in political terms.
21. UNESCO has consistently stressed that only the full realization of the spirits of UNESCO's 2003 and 2005 will ensure the right to practice and continue shared traditions/ activities (specifically of marginalized and minorities) and to protect creativity covering the cultural, scientific, literary and artistic pursuits of society.

Intellectual Property Rights

22. Although Nepal is a state party to several Treaties/Conventions related to the protection of intellectual property rights and a signatory of a variety of international copyright acts and anti-piracy and copyright enforcement provisions, there are many challenges to address copyright infringement and anti-piracy issues in the country.
23. Nepal Copyright Registrar's Office is the organization responsible to hold copyright registration in Nepal. However, registration of a work is not mandatory to claim protection in the country and there are no established specialized intellectual property right units within the enforcement bodies (police, customs etc). The existing situation is inconsistent for the development of a sound and self-sustained publishing sector.

Public Security, Right to life, liberty and security of the person

24. Nepal continues to experience serious challenges to law and order, particularly in the southern Tarai plains where armed groups engage in threats, extortion and abductions for ransom. In addition, the UCPN-M affiliated Young Communist League and other youth wings associated with political parties continue to engage in criminal activities, with little fear of being held accountable for their actions. In response to the deteriorating public security situation, the Government announced a new special security plan in July 2009 which includes an expansion of the Armed Police Force and an overall increase in police presence in troubled districts. The Government has indicated that violent criminal activity in some parts of the country has decreased since the Government began implementation of the plan.

25. In this context of poor public security and weak rule of law institutions, allegations of extra-judicial killings during “encounters” between police and members of armed groups continue to be reported. Though the Government is reluctant to acknowledge that extrajudicial killings may have been committed by members of the security forces, OHCHR has documented over 30 credible allegations of extra-judicial killings attributed to the police in 2008 and 2009. To date no one has been held criminally responsible for any of these alleged extra-judicial killings.
26. In regard to asylum seekers and refugees in Nepal, UNHCR continues to advocate with the Government on the importance of respect for the principle of non-refoulement, which is a principle of customary international law, and the corner-stone of the international refugee protection regime.

The right to freedom of expression and the right to information

27. In 2007, the “Right to Information Act” was enacted, which provides every citizen the right to information and to access to information held by public agencies. The Act includes also provision of an independent “National Information Commission” for the protection and promotion of right to information. However, the exercise of both the right to freedom of expression and the right to information is seriously impeded through various factors including: threats to press freedom from state and non-state actors, including political parties and their youth wings and members of armed/criminal groups; threats to the personal safety and professional and institutional security of journalists and media; self-censorship by journalists; lack of a system of regulation conducive to freedom of expression, pluralism and diversity of the media; lack of professional capacity; lack of statutes and functioning state institutions to ensure the right to information including an efficient and transparent records and archives management system.

Statelessness

28. The CERD Committee called on all State parties to reduce statelessness among children specifically by ensuring they are permitted to access citizenship from either their mother or father. (General Recommendation No. 30, Discrimination Against Non-Citizens, 2004). Furthermore, in 2004 CEDAW Committee expressed concern that the Constitution, in contradiction to article 9 of the Convention, precludes Nepalese women from passing their nationality on to their children or to a spouse of foreign nationality’. (A/59/38, Para 198)
29. Although Nepalis lacking citizenship certificates are not officially regarded by the Government as non-citizens, persons without this document are prevented from enjoying many of their basic rights as nationals of the country leaving them in a situation of de facto statelessness. For example, they are not able to open bank accounts, own or transfer property, or to acquire travel documentation.
30. Furthermore, access to citizenship certificates remains particularly elusive for marginalized communities who have faced historical discrimination in Nepal. Impoverished and landless persons, for instance, may have particular difficulty in obtaining and furnishing the necessary documents required to apply for a citizenship certificate. Persons from rural communities often may not be able to access citizenship certificates due to their geographical isolation. In addition, there are several requirements for married women to obtain citizenship - official consent from their husband’s families, a copy of their marriage certificate and the citizenship certificate of their husband or father in law, and a citizenship certificate from a

member of their natal family - which are difficult for some women to obtain.

31. Significant obstacles are posed by Nepal's domestic laws regulating citizenship. At present, men who are Nepali nationals can convey citizenship to foreign wives and the children of mixed marriages, but Nepali women do not enjoy the same rights. Children born to Nepali women married to foreign husbands are barred from obtaining citizenship unless they can establish that they were born in Nepal; are residing permanently in Nepal; and have not acquired a foreign nationality through the father. In practice these requirements may be difficult to satisfy.

30. The draft citizenship provisions proposed as part of the new Constitution would further restrict access to citizenship, thereby raising the prospect of widespread de jure statelessness. Although the new provisions are technically more gender-neutral, this has not been achieved by bolstering the rights of women—but by vastly reducing the rights of Nepali men to convey citizenship to others. The draft provisions provide that Nepali children will not enjoy citizenship by descent until and unless both parents can legally establish that they are nationals of Nepal. Furthermore, under the proposed provisions, citizenship by marriage to a Nepali national will only be available to foreign spouses after 15 years of legal residence in Nepal. This provision – coupled with the above requirement that both parents must be Nepali citizens before their children may apply for citizenship – ensure that children of mixed marriages will remain completely ineligible for Nepali citizenship for a protracted period. Even after 15 years of residency, citizenship by marriage is not assured as a matter of right, but must be applied for and remains at the government's discretion to withhold.

31. In cases of unknown paternity, the proposed provision provide that children born to Nepali women in cases where the father is unknown may apply for “naturalized citizenship”—but do not qualify for citizenship by descent. Preventing single mothers, or women who cannot identify the father of the child, from directly conveying citizenship to their children by descent may also lead to statelessness.

32. UNHCR continues its legal advocacy efforts in coordination with other UN agencies, academics, legislators, and civil society to promote the adoption of appropriate citizenship laws and policies and ensure that the new Constitution meets international standards and Nepal's obligations under international human rights treaties regarding equal, non-discriminatory and effective access to citizenship

Refugees, repatriated and expelled persons

33. The third country resettlement programme for the refugees from Bhutan continues successfully with the strong support of the Government and the Core group of resettlement countries. More than 33,000 refugees have departed on resettlement to Australia, Canada, Denmark, the Netherlands, New Zealand, Norway and the United States of America. A few are expected to depart to the United Kingdom soon. With this, as of July 1 2010, some 78,700 refugees from Bhutan remain in seven camps in eastern Nepal, of whom 56,207 have declared an interest in resettlement. Third country resettlement will continue with approximately 18,000 refugees being resettled each year.

34. There are also approximately 20,000 Tibetan refugees who arrived in Nepal before 1990 who have been recognized as refugees on a prima facie basis by the Government. Although they have a right of legal residence and religious freedom, their enjoyment of civil, political or economic rights is limited. Many lack access to

documentation, which has negatively impacted on their protection situation. In particular, Tibetans who arrived before 1990 are in principle entitled to Refugee Cards attesting their right to reside in the country. In practice however the issuance/renewal of such documents has been inconsistent. Accordingly, UNHCR has advocated with the GoN at all levels for the issuance of documentation to all persons of concern in the long staying population of Tibetans in Nepal. Tibetans who arrived in Nepal after 1990 in search of international protection have, to date, been allowed access to Nepal's territory as a means of obtaining a solution in a third country (India). UNHCR provides protection and assistance while in Nepal and facilitates their safe transit. UNHCR works closely with the GoN to preserve this arrangement which enables Tibetans to enter Nepal on a temporary basis and to access a solution in a third country.

35. There are also approximately 300 refugees and asylum-seekers that reside in Kathmandu who are considered by the GoN as illegal migrants. As a result, they are at risk of the imposition of large fines and detention under Nepal's immigration law. Some urban refugees report that they face discrimination in shops, hospitals, schools and by their landlords. Although, the GoN still does not permit UNHCR to issue refugee and asylum seeker certificates, it largely respects UNHCR's assessments.
36. Lack of registration by the GoN of vital events, including birth, marriage, and death, is a problem for all groups of asylum seekers and refugees.

III. Achievement, best practices, challenges and constraints

37. UNSCR 1325 are incorporated in policies, guidelines strategies of the Ministry of Women, Children and Social Welfare (MWCSW) and the Ministry of Peace and Reconstruction (MoPR). The Government declared 2010 as the year against gender based violence and developed National Plan of Action which is coordinated and monitored by a high level inter ministerial committee.
38. The progress in formulation of policies on reproductive health and rights includes the equality in marriage, divorce and adoption, criminalization of sex selective abortion and sexual harassment, broadening the definition of rape and additional punishment based on the age, physical and mental condition of the victims. Supreme Court of Nepal directed the government to address the problem of segregation of women during menstruation and delivery. Domestic violence (Crime and Punishment) Act, 2009 has been enacted, however, it is weak and reinforces the practice of resorting to non-criminal mediation and the regulations to this Act yet to be enacted. The government is geared towards the implementation of laws and regulation against human trafficking.
39. UNIFEM's lobbying and advocacy efforts in providing visibility to the issue of women migrant workers and addressing their concerns by bringing the rights holders and duty bearers on board has been considered as good practice.
40. However, in terms of challenges elimination of the harmful practices remains a challenge due to deep-rooted stereo typical practices hindering socio economic transformation of women for them to enjoy their reproductive health and rights. In spite of the initiative of the government for 33% representation of women in all state

bodies, meaningful participation of women especially from marginalized groups is a challenge. Gender discriminatory laws and policies and institutional structures is a challenge for women to enjoy their reproductive health and rights.

41. Advocacy on ILO convention 169 and its ratification carried out through UNDP funded Capacity Development of the National Human Rights Commission (CDNRC) Project. As a result of constant lobby and advocacy the Convention has been ratified.
42. In spite of the political instability, the Government of Nepal endeavours to promote the ratification of and implement the ratified labour rights Conventions through policy formulation, legal reform and establishment of institutions. The Government of Nepal has ratified seven out of eight ILO Fundamental Conventions. The only core Convention which needs to be ratified is the Freedom of Association and Protection of the Right to Organize Convention, 1948(No.87).
43. The tripartite constituents of the ILO have been actively promoting the ratification of Convention No. 87. The Government has set up a Ministerial Task Force to speed up the ratification process. Recommendations for the ratification have been submitted to the Cabinet for final consideration.
44. The Interim Constitution of Nepal 2007 provides for the right to equality and the right to employment. The inclusion of non-discrimination and equality provisions into the labour or other relevant legislation may be required to ensure that all men and women, in the private and public sectors, are effectively protected from discrimination in employment and occupation on all the grounds. It is also important to adopt legislation prohibiting sexual harassment at work.
45. In 2007, Nepal ratified ILO Indigenous and Tribal peoples Convention, 1989 (No. 169), which has become the only second country in Asia and Pacific Region. Since then the Government has taken an active role in formulating a National Action Plan for the implementation of Convention 169. However, the Government of Nepal needs to endorse the National Action Plan and allocate sufficient resources to implement this Plan.
46. In 2006, the Government, working together with UNHCR, carried out a registration exercise for refugees from Bhutan in camps in eastern Nepal. Following this, from December 2007 to end 2009, the Government and UNHCR jointly distributed identity cards to all refugees from Bhutan over age 16. The comprehensive database assembled during the registration exercises has allowed GoN and UNHCR to strengthen its protection and assistance efforts.
47. Resettlement as a durable solution began in November 2007 and is continuing successfully with the strong cooperation between the GoN, UNHCR, the International Organisation for Migration (IOM) and resettlement countries. Third country resettlement is currently the only available option for refugees in the camps and over 33,000 refugees have started their new lives in their resettlement countries. However, despite several rounds of bilateral discussions as of today not a single refugee has been able to voluntarily repatriate to Bhutan. More efforts are required to achieve comprehensive and lasting solutions to the plight of refugees from Bhutan, including voluntary repatriation.

IV. Key national priorities, initiative and commitments

48. Nepal has reached several major milestones in the past three years, including the signing of the Comprehensive Peace Agreement, the declaration of a republic, and the holding of Constituent Assembly elections, while political actors have maintained dialogue across party lines and displayed flexibility on some key issues.
49. One of the key national priorities is promulgation of the new Constitution of Nepal with guarantee for protection and promotion of human rights.
50. Ending culture of impunity and establishing accountability is a major human rights challenge and should be key national priority. Similarly, the Government should aim at addressing long-standing discrimination and the lack of implementation of economic, social and cultural rights.
51. Addressing past violations and abuses by establishing functional transitional justice mechanisms is also crucial. Key national actors are today well aware of the criteria which must be in place for a successful and just transitional justice process. Until the rights of victims are protected and accountability for past and present violations is ensured the peace process could be jeopardised.
52. The national human rights institutions established in recent years can, with adequate support, make considerable progress in the protection and promotion of human rights in Nepal. There are many civil society organizations engaged in human rights work and human rights defenders are active throughout the country, in spite of the multiple challenges and dangers they face. Concerted efforts to empower further these national actors are of paramount importance.

V. Capacity- building and technical assistance

53. Drafting Nepal's new Constitution is a key element of the peace process, and a key national priority. The UNCT has been closely following and supporting this national process through a broad range of activities and programs. In their efforts, agencies have been following a coordinated approach, so as not to duplicate and overlap, while at the same time seeking synergies for joint action and advocacy. The support ranged from technical assistance to the Constituent Assembly (CA), its Secretariat and special interest CA groups; technical advice on drafting provisions; advocacy to respect and incorporate UN standards in the new Constitution; and significant efforts to enhance public information and the participation of a wide range of society in the process, in particular from marginalized communities.
54. Some intermediary noteworthy results were: advocacy and other support contributed to the formation of a Women's Caucus in the CA, bringing together 144 women CA members. A wide range of trainings, interactions, and awareness raising activities by different agencies, in close cooperation with civil society, reached out across the nation – including to the most vulnerable communities - and contributed to at least 494,645 submissions being made and processed by the CA Secretariat and Committees. A space for dialogue among stakeholders in the form of the Centre for Constitutional Dialogue (CCD), supported by UNDP, was established in January 2009, which has provided technical advice to CA members and to members of civil society. UNICEF, together with a network of child rights organizations, trained 191 CA members on child rights. This resulted in the identification of a number of women CA members committed to proposing key legislative actions for children and to the

incorporation of child rights in the new constitution. UNFPA partnered with a CSO supported a gender-sensitive constitution writing process, resulting in eight of the ten concept papers developed by different CA thematic committees being analysed from a gender perspective. OHCHR analysed the thematic papers of the CA committees including Committee on Fundamental Rights and Directive Principles and the Committee on Rights of Minorities from human rights perspectives. OHCHR also provided technical assistance to the national stakeholders including the CA members and civil society organizations on how to address a range of human rights issues pertaining to transitional justice, Independence of Judiciary, Indigenous issues, Economic Social and Cultural Rights, Equality, Status of International Law, limitations and Derogation of Rights, National Human Rights Institutions, Right to Remedy and Reparation, and Minority rights in the new Constitution.

55. In 2009, UNHCR developed comprehensive legal analyses of all existing laws and regulations which govern access to citizenship in Nepal (including the 2007 Constitution, 2006 Citizenship Act, 2006 Citizenship Certificate Distribution Procedure Directives, and 2006 Nepal Citizenship Regulations). In October 2009, UNHCR gave a presentation to the Fundamental Rights Committee of the Constituent Assembly on the issue of preventing statelessness, emphasizing the need for bringing Nepal's citizenship laws and policies into harmony with the international human rights treaties Nepal has ratified. UNHCR also developed a technical paper analyzing the new draft citizenship provisions circulated in November 2009. In 2010, UNHCR conducted extensive advocacy efforts to promote appropriate citizenship policies in meetings with leading domestic NGOs, the UN community, domestic political parties, and Nepal's legislature.
56. Strengthening capacity of national actors to protect and promote human rights has been one of the key capacity building efforts. The UNDP- Capacity Development of the National Human Rights Commission project (first phase) was implemented during a challenging period, beginning in 2002 at the height of the conflict, supporting the Commission to address a wide range of human rights issues. In the second phase, collaborative efforts of UNDP, OHCHR (and Donors) are working on to strengthening Capacity of National Human Rights Commissions.
57. UNHCR worked closely with the National Unit for Coordination of Refugee Affairs, Ministry of Home to develop modalities for conducting a Verification/Registration exercise for a limited number of pending asylum seekers and census absentees from Bhutan in Nepal which is expected to take place within 2010. A series of training and joint meetings will be held with GoN to support effective implementation of this important activity. UNHCR will also be providing the GoN with equipment, requisite training and software to support electronic data sharing.
58. General and specific human rights training to state actors, including law enforcement agencies, civil society and national institutions (National Human Rights Commission, National Dalit Commission and National Women Commission) has been one of the key activities of OHCHR. Key training include: use of force training; torture prevention and rights of detainees training for law enforcement agencies; strategies and skills to monitor and protect human rights training for national institutions and civil society, human rights investigation training for National Human Rights Commission, follow up of emblematic cases, treaty body reporting training for

government ministries, monitoring ESC rights training for government, national institutions and civil society.

59. UNDP, through “Access to Justice Project” has supported drafting of civil and criminal codes, with an objective of ensuring adherence to international human rights standards in the domestic legal system. A draft of criminal code has been submitted to the Government, OHCHR highlighted major human rights concerns in the code and would provide advisory support in revision of the criminal code.
60. UNFP, UNIFEM and OHCHR through their own programs providing capacity building to Government, Constituent Assembly members and Civil Society actors in realization of women’s rights including implementation of CEDAW,; UNSCRs 1325 and 1820.
61. UNIFEM has also been providing technical assistance to the Central Bureau of Statistics for engendering the Population and Housing Census 2011, addressing invisibility of women’s work, women’s extended work including other gender issues. With the technical assistance from UNIFEM, the Gender Responsive Budget Committee at the Ministry of Finance has prepared and implemented guidelines for the implementation of GRB approach linking with aid effectiveness agenda in government plans, programmes and budget.
62. In order to monitor the implementation of UNSCR 1325, UNFPA supported the establishment of a National Women's Rights Monitoring Network led by the National Women's Commission. The Network has developed a checklist to monitor implementation of UNSCR 1325 in different sectors of the government's implementation.
63. UNFPA in collaboration with women development offices and local level NGOs is empowering Nepalese women to realize their rights through gender and reproductive health awareness programmes through mothers groups and female health volunteers and women’s federations. In collaboration with Women Development Department, young girls are mobilized to learn about reproductive health and consider their options in regard to education, work, legal rights, marriage, childbearing, family relations and community involvement through “Choose a Future” programme.