**Nepal Country Report**

**February 2024**

**By Sera Mishra**

The Nepalese Civil War (1996-2006) was a conflict between Maoist insurgents and the Nepalese government. Maoist rebels committedtorture, rape, and murder. Out of 286 individuals who should face legal action, [only 30 have been](https://www.hrw.org/report/2020/11/20/no-law-no-justice-no-state-victims/culture-impunity-post-conflict-nepal) tried. Since the conflict ended, security forces in Nepal have carried out extrajudicial killings while failing to investigate crimes against civilians.

[Corruption in the Nepalese government](https://freedomhouse.org/country/nepal/freedom-world/2023) is widespread and usually unpunished. The government has obstructed transitional justice for accountability related to the Civil War. In March 2023, the prime minister proposed a [transitional justice bill](https://www.hrw.org/world-report/2024/country-chapters/nepal) to the Nepalese parliament which allows pardons in certain cases of murder, beatings, and sexual violence. In July 2023, the [government proposed legislation](https://www.hrw.org/world-report/2024/country-chapters/nepal) that allows the government to withdraw criminal cases against political leaders if crimes were of “a political nature.”Systemic legal issues in Nepal include prolonged delays and absence of due process in [criminal cases.](https://freedomhouse.org/country/nepal/freedom-world/2024)

[Child labor](https://freedomhouse.org/country/nepal/freedom-world/2024) is widespread. Nepal has [high maternal mortality rates](https://www.unicef.org/media/108161/file/SOWC-2023-full-report-English.pdf). Child marriage is common. [33% of girls and 9% of boys are married before the age of 18](https://www.unicef.org/media/108161/file/SOWC-2023-full-report-English.pdf). The Nepalese government has cut its health budget. Children receive a [small portion of social protection spending](https://www.hrw.org/world-report/2024/country-chapters/nepal) though they are 40% of the population.

From birth, women are assigned a subservient position to men due to religious, cultural, and economic norms. [According to a 2022 report,](https://bmcpublichealth.biomedcentral.com/articles/10.1186/s12889-022-14389-x) one third of Nepali women have no education and are illiterate. Over half of Nepali women are unpaid and are dependent on their husband’s assets, so they cannot live sustainably on their own.

[22% of Nepali women](https://www.worecnepal.org/uploads/publication/document/1190717651Annual%20Factsheet%20on%20Gender%20Based%20Violence_2022%20%282%29.pdf%22%20%5Ct%20%22_blank) ages 15-49 have been physically abused, and [7%](https://www.worecnepal.org/uploads/publication/document/1190717651Annual%20Factsheet%20on%20Gender%20Based%20Violence_2022%20%282%29.pdf) have been sexually abused. Women face forced marriage following rape, [human trafficking](https://www.worecnepal.org/uploads/publication/document/1190717651Annual%20Factsheet%20on%20Gender%20Based%20Violence_2022%20%282%29.pdf), [few job and education opportunities](https://bmcpublichealth.biomedcentral.com/articles/10.1186/s12889-022-14389-x), and [difficulty acquiring property](https://www.womenepal.org/womens-and-childrens-issues-2/property-rights/#:~:text=In%20Nepal%2C%20only%2019.7%25%20of,registered%20under%20to%20women's%20name.). In agrarian communities, women are banished to menstruation huts or animal barns when they get their period every month, a practice known as [*chhaupadi*](https://foreignpolicy.com/2019/01/06/in-nepal-tradition-is-killing-women-chhaupadi-womens-rights-menstruation/)*.*

Caste hierarchy is central to Nepali Hinduism. It was officially established by the monarchy in Nepal in 1769 and legalized by the British in 1854. The Dalit undercaste is at the bottom of the social hierarchy and makes up [13% of Nepal’s population](https://www.theguardian.com/global-development/2023/sep/11/nepal-celebrated-dalit-activist-on-her-lifelong-battle-for-equality). Dalits have [few job opportunities](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9325665/), [little access to medical and legal services](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9325665/), and are [targeted for human trafficking and sexual slavery](https://www.theguardian.com/global-development/2023/sep/11/nepal-celebrated-dalit-activist-on-her-lifelong-battle-for-equality). Dalits are abused, socially excluded, [prohibited from entering temples](https://www.hrw.org/news/2004/02/09/discrimination-against-dalits-nepal%22%20/h%20HYPERLINK%20%22https%3A/www.hrw.org/news/2004/02/09/discrimination-against-dalits-nepal), unable to marry above their caste, and often forced to live in segregated neighborhoods.

[42% of the Dalit population](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9325665/) lives below the poverty line. During COVID-19, Dalits were blamed for the pandemic. [Violence against Dalits increased.](https://www.undp.org/nepal/speeches/battle-against-caste-discrimination) 2020 saw 753 reports of anti-Dalit violence, including 34 murders.

The Nepalese government fails to prosecute individuals who engage in [caste-based discrimination](https://www.hrw.org/news/2004/02/09/discrimination-against-dalits-nepal) and[gender-based violence.](https://freedomhouse.org/country/nepal/freedom-world/2024) [Police often refuse to register complaints](https://www.theilf.org/post/the-legacy-of-caste-discrimination-in-nepal-s-criminal-justice-system#:~:text=This%20discrimination%20has%20locked%20Dalits,systemic%20discrimination%20lives%20on%20today) from women and Dalits due to stigmas attached to their positions in society. Their persecutors incite violence against them with impunity.

Nepal’s treatment of women and Dalits demonstrates **Stage 3: Discrimination,** **Stage 4: Dehumanization**, and **Stage 8: Persecution.**

**Genocide Watch recommends:**

* Nepal should withdraw legislation that enables impunity for the crimes of political figures.
* Nepal should amend its transitional justice law, so it does not pardon murder and sexual violence.
* Nepal should create a special investigation unit for crimes against humanity and remove statutes of limitations for these crimes.
* Nepal should increase resources for victims of violence, including hotlines, shelters, mental health services, and prosecutions of perpetrators.
* The U.S. should impose Magnitsky sanctions on Nepalese leaders involved in crimes against humanity.