



### 1. Are homosexuals mistreated in Nepal in general?

#### Legal reforms

The Nepalese government legalised homosexuality in 2007 following the abolition of the monarchy.<sup>1</sup> The US Department of State recently noted that Nepal “has no laws that specifically criminalize homosexuality”.<sup>2</sup> However, news reports from June 2011 suggest that new criminal and civil codes proposed by the government contain provisions to re-criminalise “unnatural sexual offences”, including homosexual marriages.<sup>3 4</sup> *The Huffington Post* reports that in June 2011, “the Ministry of Law and Justice submitted an updated penal code that specifically limited marriages to unions between a man and a woman and again defined homosexual acts as ‘unnatural sex offenses’”.<sup>5</sup>

A series of rulings by the Supreme Court in 2007 and 2008 provided rights and protections to lesbian, gay, bisexual, transgender and intersex (LGBTI) persons in Nepal, and directed the government to amend all sexually discriminatory laws.<sup>6 7 8</sup> Human Rights Watch reported in January 2011 that the government had made significant progress towards ensuring equality for LGBTI persons, including promising that the 2011 national census will enable citizens to identify themselves as transgender.<sup>9</sup>

Freedom House reported in July 2011 that although the government has not yet implemented all of the Supreme Court rulings, “citizens can now obtain third-gender identity documents”.<sup>10</sup>

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<sup>1</sup> ‘Nepal leads on gay rights with international parade’ 2010, *ABC News*, 30 August

<http://www.radioaustralia.net.au/connectasia/stories/201008/s2996937.htm> – Accessed 5 April 2011

<sup>2</sup> US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Nepal*, 8 April, Section 6

<sup>3</sup> ‘New law threatens to crush Nepal’s gays’ 2011, *The Times of India*, 9 June

[http://articles.timesofindia.indiatimes.com/2011-06-09/south-asia/29638154\\_1\\_sunil-babu-pant-gay-rights-gay-bar](http://articles.timesofindia.indiatimes.com/2011-06-09/south-asia/29638154_1_sunil-babu-pant-gay-rights-gay-bar) – Accessed 20 June 2011

<sup>4</sup> Sarkar, S. 2011, ‘New law threatens Nepal as gay rights haven’, *News One News*, 10 June

<http://www.inewsonline.com/2011/06/10/new-law-threatens-nepal-as-gay-rights-haven/55986> – Accessed 21 June 2011

<sup>5</sup> ‘Nepal, thanks to Maoist rebels, is emerging as Asia’s pioneer regarding rights for LGBT people’, *The Huffington Post*, 4 December [http://www.huffingtonpost.com/2011/11/09/nepal-asia-pioneer-lgbt-rights\\_n\\_1084188.html](http://www.huffingtonpost.com/2011/11/09/nepal-asia-pioneer-lgbt-rights_n_1084188.html) – Accessed 5 December 2011

<sup>6</sup> US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Nepal*, 8 April, Section 6

<sup>7</sup> Amnesty International 2009, *Annual Report 2009 – Nepal*, 28 May

<sup>8</sup> Freedom House 2010, *Countries at the Crossroads 2010 – Nepal*, 7 April, p.11

<sup>9</sup> Human Rights Watch 2011, *World Report 2011 – Nepal*, 24 January

<sup>10</sup> Freedom House 2011, *Freedom in the World 2011 – Nepal*, UNHCR Refworld website, 18 July <http://www.unhcr.org/refworld/docid/4e2450e3c.html> – Accessed 15 December 2011

However, in the same month, the Ministry of Foreign Affairs reportedly “refused to issue a passport to a transgender person, citing a limitation of their software system”.<sup>11</sup>

In January 2010, *The Advocate* reported that Nepal’s new constitution would “include antidiscrimination protections for lesbian, gay, bisexual, transgender, and intersex citizens”, making it “the first in Asia to guarantee equal rights to sexual minorities”.<sup>12</sup> *ABC News* reports that “the passages [in the draft constitution] relating to gay rights have gone largely unopposed”. As a result, Nepal has been described as “one of the most progressive countries in terms of gay rights in the region”.<sup>13</sup> However, the drafting of the new constitution has been repeatedly delayed.<sup>14</sup> The Constituent Assembly recently extended its tenure by a further six months from 1 December 2011.<sup>15 16</sup>

Additional positive actions highlighted in a 2009 article on the International Gay & Lesbian Human Rights Commission website include the appointment of openly gay Member of Parliament (MP) and founder of gay rights organisation the Blue Diamond Society (BDS), Sunil Pant, to the Constituent Assembly, and the instruction by Prime Minister Pushpa Dahal Prachandra of “both the Foreign Ministry and Nepal’s Ambassador to the United Nations (UN) to support a statement at the UN General Assembly recognizing human rights violations based on sexual orientation and gender identity”.<sup>17</sup>

## Discrimination

Homosexuals and other sexual minorities reportedly continue to experience discrimination and harassment by both the government and members of society.<sup>18 19</sup> *The Huffington Post* reported in December 2011 that “despite progressive court rulings and nascent social transformation, homosexuals and transgenders continue to face discrimination and harassment”.<sup>20</sup> Freedom House similarly noted in July 2011 that “[h]omosexuals reportedly face harassment by the authorities and other citizens, particularly in rural areas”.<sup>21</sup>

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<sup>11</sup> ‘Nepal, thanks to Maoist rebels, is emerging as Asia’s pioneer regarding rights for LGBT people’, *The Huffington Post*, 4 December [http://www.huffingtonpost.com/2011/11/09/nepal-asia-pioneer-lgbt-rights\\_n\\_1084188.html](http://www.huffingtonpost.com/2011/11/09/nepal-asia-pioneer-lgbt-rights_n_1084188.html) – Accessed 5 December 2011

<sup>12</sup> ‘Nepal to Protect Gays in Constitution’ 2010, *The Advocate*, 19 January [http://www.advocate.com/News/Daily\\_News/2010/01/19/Nepal\\_to\\_Protect\\_Gays\\_in\\_Constitution/](http://www.advocate.com/News/Daily_News/2010/01/19/Nepal_to_Protect_Gays_in_Constitution/) – Accessed 7 June 2011

<sup>13</sup> ‘Nepal leads on gay rights with international parade’ 2010, *ABC News*, 30 August <http://www.radioaustralia.net.au/connectasia/stories/201008/s2996937.htm> – Accessed 5 April 2011

<sup>14</sup> Chapagain, K. 2011, ‘Nepal Averts Crisis Over Constitution Deadline’, *The New York Times*, 29 May [http://www.nytimes.com/2011/05/30/world/asia/30nepal.html?\\_r=2&partner=rss&emc=rss](http://www.nytimes.com/2011/05/30/world/asia/30nepal.html?_r=2&partner=rss&emc=rss) – Accessed 7 June 2011

<sup>15</sup> South Asia Analysis Group 2011, ‘Nepal: Constitution Assembly Gives Itself Another Six months Of Extension – Analysis’, *Eurasia Review*, 11 December <http://www.eurasiareview.com/11122011-nepal-constitution-assembly-gives-itself-another-six-months-of-extension-analysis/> – Accessed 20 December 2011

<sup>16</sup> International Crisis Group 2011, ‘Nepal’s Peace Process: The Endgame Nears’, Asia Briefing N°131, 13 December <http://www.crisisgroup.org/en/regions/asia/south-asia/nepal/B131-nepals-peace-process-the-endgame-nears.aspx> – Accessed 20 December 2011

<sup>17</sup> ‘Nepal: Lesbian Visibility Increases After the Government Recognizes LGBT Rights’ 2009, International Gay & Lesbian Human Rights Commission website, 21 May <http://www.iglhrc.org/cgi-bin/iowa/article/takeaction/resourcecenter/906.html> – Accessed 7 June 2011

<sup>18</sup> ‘Nepal leads on gay rights with international parade’ 2010, *ABC News*, 30 August <http://www.radioaustralia.net.au/connectasia/stories/201008/s2996937.htm> – Accessed 5 April 2011

<sup>19</sup> US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Nepal*, 8 April, Section 6

<sup>20</sup> ‘Nepal, thanks to Maoist rebels, is emerging as Asia’s pioneer regarding rights for LGBT people’, *The Huffington Post*, 4 December [http://www.huffingtonpost.com/2011/11/09/nepal-asia-pioneer-lgbt-rights\\_n\\_1084188.html](http://www.huffingtonpost.com/2011/11/09/nepal-asia-pioneer-lgbt-rights_n_1084188.html) – Accessed 5 December 2011

<sup>21</sup> Freedom House 2011, *Freedom in the World 2011 – Nepal*, UNHCR Refworld website, 18 July <http://www.unhcr.org/refworld/docid/4e2450e3c.html> – Accessed 15 December 2011

According to the Australian Department of Foreign Affairs and Trade, “Nepal remains for the most part a conservative society and homosexuality is not widely tolerated or accepted”.<sup>22</sup> A February 2010 article in *The Kathmandu Post* also reported that “[d]espite legal rights, LGBTs in Nepal still are not socially accepted. Most are still unemployed, and some have difficulties enrolling at schools or colleges due to their sexual orientation”.<sup>23</sup>

Activist Subash Pokhrel stated in August 2010 that “it’s still not easy being gay in Nepal”. He added, however, that gay rights organisation BDS was “sensitising the people, government people, employers and other aspects like hospitals and other places”.<sup>24</sup> Pokhrel noted that while it was easy to “make the government and educated people understand about homosexuality”, with society it is more difficult. Religious influences and the cultural and ethnic diversity of Nepal reportedly make “the spreading of one message, one of tolerance, that much harder”.<sup>25</sup>

Much of the discrimination seems to emanate from gay men’s own families. Many gays and lesbians say the religious aspect of Nepal that dictates the country’s social life makes it difficult for them to come out to their families. One gay man interviewed in a January 2011 report stated that despite the “tremendous gains made by the gay community in Nepal”, he did not want his identity made public as “he doesn’t feel safe coming out to his own family, including his wife”.<sup>26</sup>

Nevertheless, founder of BDS and MP Sunil Pant states that Nepalese society is relatively tolerant of gays and lesbians compared to neighbouring countries such as India and Bangladesh, and that social acceptance is growing.<sup>27</sup> A December 2011 article in *The Huffington Post* highlights the positive change in societal attitudes towards homosexuality following its legalisation in 2007. Pant is quoted as stating that “Nepal is going through tremendous transformation -- politically, socially, economically, legally -- so a lot of communities who had no space or voice before have emerged”. The article also quotes a student activist, who states that “[p]reviously, people thought [homosexuality] was an unnatural condition... But after 2007, people are changing. Now they are able to accept people from the LGBTI community in their villages and even in their families”.<sup>28</sup>

Nepal hosted its first international gay pride parade in Kathmandu in 2010. At the parade “[a]t least 500 gay men, lesbians and transsexuals dressed up in colourful costumes sang and danced their way through the streets”. The parade was said to have been “cheered on” by locals, suggesting a tolerant attitude among at least some segments of the population. The

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<sup>22</sup> Department of Foreign Affairs and Trade 2011, ‘Travel Advice for Nepal’, Smartraveller website, 22 November <http://www.smartraveller.gov.au/zw-cgi/view/Advice/Nepal> – Accessed 21 December 2011

<sup>23</sup> ‘Nepal: Kathmandu to See First LGBT Centre in Region’ 2010, Gays Without Borders website, source: *The Kathmandu Post*, 2 February <http://gayswithoutborders.wordpress.com/2010/02/03/nepal-kathmandu-to-see-first-lgbt-centre-in-region/> – Accessed 21 December 2011

<sup>24</sup> ‘Nepal leads on gay rights with international parade’ 2010, *ABC News*, 30 August [http://www.radioaustralia.net.au/connectasia/s\\_tories/201008/s2996937.htm](http://www.radioaustralia.net.au/connectasia/s_tories/201008/s2996937.htm) – Accessed 5 April 2011

<sup>25</sup> ‘Society Lags Behind Progressive Laws on Homosexuality’ 2011, Pulitzer Center on Crisis Reporting, 3 January <http://pulitzercenter.org/blog/nepal-society-lags-behind-progressive-laws-homosexuality?format=print> – Accessed 5 April 2011

<sup>26</sup> ‘Society Lags Behind Progressive Laws on Homosexuality’ 2011, Pulitzer Center on Crisis Reporting, 3 January <http://pulitzercenter.org/blog/nepal-society-lags-behind-progressive-laws-homosexuality?format=print> – Accessed 5 April 2011

<sup>27</sup> ‘Nepal leads on gay rights with international parade’ 2010, *ABC News*, 30 August [http://www.radioaustralia.net.au/connectasia/s\\_tories/201008/s2996937.htm](http://www.radioaustralia.net.au/connectasia/s_tories/201008/s2996937.htm) – Accessed 5 April 2011

<sup>28</sup> ‘Nepal, thanks to Maoist rebels, is emerging as Asia’s pioneer regarding rights for LGBT people’, *The Huffington Post*, 4 December [http://www.huffingtonpost.com/2011/11/09/nepal-asia-pioneer-lgbt-rights\\_n\\_1084188.html](http://www.huffingtonpost.com/2011/11/09/nepal-asia-pioneer-lgbt-rights_n_1084188.html) – Accessed 5 December 2011

parade featured South Asia's only openly gay parliamentarian, Sunil Pant, leading the pack on the back of an elephant.<sup>29</sup> A September 2010 article adds that gay beauty contests are held in Nepal.<sup>30</sup> The Prime Minister was even said to have posed for a photo opportunity with a transgender beauty queen.<sup>31</sup>

Same-sex marriages are said to have taken place in public, although there are currently no laws recognising same-sex marriage. A travel agency run by homosexuals offers to organise same-sex weddings at Mount Everest in a move to promote the country as a gay-friendly tourist destination.<sup>32</sup> Additionally, Hindu priests have reportedly performed several gay weddings in Nepal, suggesting religious tolerance toward homosexuals by some priests. Despite the lack of legal recognition of gay marriage, religious sanction was said to be generally accepted as adequate by this society in which most people in rural areas do not register their marriages.<sup>33</sup>

## 2. How are homosexuals treated in Kathmandu?

Limited information was located to indicate that homosexuals in Kathmandu specifically are treated any differently to those in the rest of the country. Freedom House indicates, however, that harassment of homosexuals by the authorities and members of society is not as prevalent in urban areas as it is in rural areas.<sup>34</sup> As mentioned in the response to Question 1, Nepal's first international gay pride parade was held in Kathmandu in 2010. The parade was said to have been "cheered on" by locals, suggesting a tolerant attitude among at least some segments of the population.<sup>35</sup>

In February 2010 it was reported that gay rights organisation the Blue Diamond Society was establishing a South Asian Community Centre in Kathmandu, "with an aim to empower and foster a sense of unity among sexual minorities". The centre was initially planned to be completed within three years, and will offer shelter, temporary residence, social activities and health care to sexual minority groups.<sup>36</sup>

Nevertheless, according to a December 2011 article in *The Huffington Post*, there is no "real gay scene" in Nepal, even in Kathmandu, the country's "most cosmopolitan city".<sup>37</sup> A 2009

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<sup>29</sup> 'Nepal leads on gay rights with international parade' 2010, *ABC News*, 30 August

<http://www.radioaustralia.net.au/connectasia/stories/201008/s2996937.htm> – Accessed 5 April 2011

<sup>30</sup> 'Nepal detains gay activists' 2010, *ABC News*, source: *Reuters*, 15 September

<http://www.abc.net.au/news/stories/2010/09/15/3011864.htm> – Accessed 15 September 2010

<sup>31</sup> Nepal's gay scene 'will impress gap year travellers' 2010, I-to-I Volunteer and Adventure Travel website, 14 January <http://www.i-to-i.com/campfire/news/nepal-s-gay-scene-will-impress-gap-year-travellers.html> – Accessed 28 April 2011

<sup>32</sup> 'Nepal detains gay activists' 2010, *ABC News*, source: *Reuters*, 15 September

<http://www.abc.net.au/news/stories/2010/09/15/3011864.htm> – Accessed 15 September 2010

<sup>33</sup> 'British, Indian men have Nepal's first foreign gay wedding ceremony' 2010, *The Canadian Press*, 19 August <http://www.google.com/hostednews/canadianpress/article/ALeqM5iWe76iSGKQqASuagYL95wXqBVICO> – Accessed 25 August 2010

<sup>34</sup> Freedom House 2011, *Freedom in the World 2011 – Nepal*, UNHCR Refworld website, 18 July

<http://www.unhcr.org/refworld/docid/4e2450e3c.html> – Accessed 15 December 2011

<sup>35</sup> 'Nepal leads on gay rights with international parade' 2010, *ABC News*, 30 August

<http://www.radioaustralia.net.au/connectasia/stories/201008/s2996937.htm> – Accessed 5 April 2011

<sup>36</sup> 'Nepal: Kathmandu to See First LGBT Centre in Region' 2010, Gays Without Borders website, source: *The Kathmandu Post*, 2 February <http://gayswithoutborders.wordpress.com/2010/02/03/nepal-kathmandu-to-see-first-lgbt-centre-in-region/> – Accessed 21 December 2011

<sup>37</sup> 'Nepal, thanks to Maoist rebels, is emerging as Asia's pioneer regarding rights for LGBT people', *The Huffington Post*, 4 December [http://www.huffingtonpost.com/2011/11/09/nepal-asia-pioneer-lgbt-rights\\_n\\_1084188.html](http://www.huffingtonpost.com/2011/11/09/nepal-asia-pioneer-lgbt-rights_n_1084188.html) – Accessed 5 December 2011

article describing a business trip to Kathmandu by a US professor of international law similarly states that “gay social life in Kathmandu is somewhat muted. Notwithstanding recent surprising legal developments (including legalization of gay marriage), homosexuality remains a major social taboo. There are no gay bars in Kathmandu, at least not that identify themselves as such”.<sup>38</sup>

*The Huffington Post* further reports that homosexuals in Kathmandu who “cruise the local Ratna Park for sexual partners [are] vulnerable to police persecution. And though the police deny the charge, gay activists allege that the authorities have also recently begun ‘investigating’ young men staying together in local hotels”.<sup>39</sup> In September 2010, police in Kathmandu reportedly detained without charge 70 gay rights activists “in a crackdown on a rally to demand government identification papers for transgender people”.<sup>40</sup>

Prior to the legalisation of homosexuality, people in the lesbian, gay, bisexual and transgender (LGBT) community were subject to regular harassment by police officers in Kathmandu. In 2006, the director of the Lesbian, Gay, Bisexual, and Transgender Rights Program at HRW alleged that “[p]olice in Kathmandu are violently attacking and even sexually abusing transgender people to clear the streets of people they deem immoral”. Nepali human rights groups were calling this crackdown “sexual cleansing”.<sup>41</sup>

### **3. What is the likelihood the police would deny protection to homosexuals and whether the police are corrupt?**

No reports were found of the police specifically denying protection to homosexuals. The major progress on the part of the government and judiciary in recognition of homosexuals’ rights since 2007 suggests that authorities would have difficulty in denying equal protection to gay men. In recent years the High Court has declared that gays and lesbians have equal rights and that discrimination would “not be tolerated”.<sup>42</sup> A 2011 Human Rights Watch report, however, states that legal progress “remains tenuous”.<sup>43</sup> Furthermore, police officers reportedly fail to respond to most violent incidents.<sup>44</sup>

The US Department of State reports that in 2010, police harassment of homosexuals was evident throughout Nepal, particularly in rural areas.<sup>45</sup> In September 2010, police reportedly detained without charge 70 gay rights activists, who were protesting over the Home Minister’s refusal to issue transgender citizenship cards.<sup>46 47</sup> On the other hand, BDS member

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<sup>38</sup> Cerone, J. 2009, ‘Haze, with some colorful spots, in Kathmandu’, Boston.com Passport blog website, 25 May [http://www.boston.com/news/world/blog/2009/06/haze\\_with\\_some.html](http://www.boston.com/news/world/blog/2009/06/haze_with_some.html) – Accessed 21 December 2011

<sup>39</sup> ‘Nepal, thanks to Maoist rebels, is emerging as Asia’s pioneer regarding rights for LGBT people’, *The Huffington Post*, 4 December [http://www.huffingtonpost.com/2011/11/09/nepal-asia-pioneer-lgbt-rights\\_n\\_1084188.html](http://www.huffingtonpost.com/2011/11/09/nepal-asia-pioneer-lgbt-rights_n_1084188.html) – Accessed 5 December 2011

<sup>40</sup> ‘Nepal detains gay activists’ 2010, *ABC News*, source: *Reuters*, 15 September <http://www.abc.net.au/news/stories/2010/09/15/3011864.htm> – Accessed 15 September 2010

<sup>41</sup> Human Rights Watch 2006, ‘Police on ‘sexual cleansing’ drive’ 13 January <http://hrw.org/english/docs/2006/01/12/nepal12422.htm> – Accessed 17 January 2006

<sup>42</sup> ‘Society Lags Behind Progressive Laws on Homosexuality’ 2011, Pulitzer Center on Crisis Reporting, 3 January <http://pulitzercenter.org/blog/nepal-society-lags-behind-progressive-laws-homosexuality?format=print> – Accessed 5 April 2011

<sup>43</sup> Human Rights Watch 2011, *Nepal – World Report*, 24 January

<sup>44</sup> US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Nepal*, 8 April, Section 1d

<sup>45</sup> US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Nepal*, 8 April, Section 6

<sup>46</sup> Human Rights Watch 2011, *World Report – Nepal*, 24 January

<sup>47</sup> ‘Nepal detains gay activists’ 2010, *ABC News*, source: *Reuters*, 15 September <http://www.abc.net.au/news/stories/2010/09/15/3011864.htm> – Accessed 15 September 2010

Rajiv Gurung advised the International Gay & Lesbian Human Rights Commission in May 2009 that “gays are no longer the targets of police brutality and discrimination”.<sup>48</sup>

Prior to the legalisation of homosexuality, people in the lesbian, gay, bisexual and transgender (LGBT) community were also subject to regular harassment by police personnel. One transgender person stated in 2007 that “[w]hen we cross-dress and try to go somewhere in the evening, we are arrested and tortured as prostitutes”.<sup>49</sup> In 2006 the director of the Lesbian, Gay, Bisexual, and Transgender Rights Program at HRW alleged that “[p]olice in Kathmandu are violently attacking and even sexually abusing transgender people to clear the streets of people they deem immoral”. Nepali human rights groups were calling this crackdown “sexual cleansing”.<sup>50</sup>

## Corruption

The US Department of State reports that corruption and impunity are significant problems within the Nepal Police, and that there are “many reports of police abuse and bribery”. A shortage of senior level police officers at the district level has “resulted in untrained constables making policies and decisions outside of their authority and without supervision, creating space for bribery, corruption, misinterpretation, and abuse of authority”. Legislation against official corruption is reportedly not effectively implemented by the government.<sup>51</sup>

Freedom House similarly reported in July 2011 that “[c]orruption is endemic in Nepali politics and government”. Weak enforcement of anti-corruption regulations has been exacerbated by the continued deadlock in the Constituent Assembly. Bribery and corruption are reportedly particularly evident in the judiciary and “the police force, which has been accused of extensive involvement in organized crime. In 2010, disciplinary action was taken against 113 police officials for various abuses, and a Complaint Investigation Section (CIS) was set up to act on public complaints of police corruption”.<sup>52</sup>

Police officers have also been accused of torturing suspects and detainees, causing the deaths of suspects whilst in police custody, committing extrajudicial killings, and arresting suspects without proper procedure.<sup>53 54</sup> In February 2010, police officers in Panchthar District arrested four men on suspicion of theft and tortured them, resulting in the deaths of two of the men. The families of the deceased filed police reports; however, were reportedly pressured by police not to proceed with the cases.<sup>55</sup> According to Freedom House, the Nepalese

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<sup>48</sup> ‘Nepal: Lesbian Visibility Increases After the Government Recognizes LGBT Rights’ 2009, International Gay & Lesbian Human Rights Commission website, 21 May <http://www.iglhrc.org/cgi-bin/iowa/article/takeaction/resourcecenter/906.html> – Accessed 7 June 2011

<sup>49</sup> ‘After Maoists, gays up the ante in Nepal’ 2007, *Yahoo News*, 14 March <http://in.news.yahoo.com/070313/32/6da1o.html> – Accessed 14 March 2007

<sup>50</sup> Human Rights Watch 2006, ‘Police on ‘sexual cleansing’ drive’ 13 January <http://hrw.org/english/docs/2006/01/12/nepal12422.htm> – Accessed 17 January 2006

<sup>51</sup> US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Nepal*, 8 April, Sections 1d, 4

<sup>52</sup> Freedom House 2011, *Freedom in the World 2011 – Nepal*, UNHCR Refworld website, 18 July, p.4 <http://www.unhcr.org/refworld/docid/4e2450e3c.html> – Accessed 15 December 2011

<sup>53</sup> US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Nepal*, 8 April, Section 1a

<sup>54</sup> Freedom House 2011, *Freedom in the World 2011 – Nepal*, UNHCR Refworld website, 18 July, p.6 <http://www.unhcr.org/refworld/docid/4e2450e3c.html> – Accessed 15 December 2011

<sup>55</sup> US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Nepal*, 8 April, Section 1c

government has generally “refused to conduct thorough investigations or take serious disciplinary measures against officers accused of brutality”.<sup>56</sup>

Freedom House reported in 2010 that “the culture of impunity for human rights abusers”, including members of the police force, remains a serious problem in Nepal. The Police Act reportedly explicitly grants immunity to police officers, resulting in a lack of punishment for serious abuses. Additionally, low salaries and socioeconomic insecurity leads to high levels of petty corruption, while cultural practices such as favouring one’s family or close friends contributes to prejudice in the provision of public services.<sup>57</sup>

#### **4. Deleted.**

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<sup>56</sup> Freedom House 2011, *Freedom in the World 2011 – Nepal*, UNHCR Refworld website, 18 July, p.6  
<http://www.unhcr.org/refworld/docid/4e2450e3c.html> – Accessed 15 December 2011

<sup>57</sup> Freedom House 2010, *Countries at the Crossroads 2010 – Nepal*, 7 April, pp.13, 15

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