



Home Office

# Country Background Note Nepal

Version 1.0  
August 2018

# Preface

## Purpose

This note provides a summary of and links to country of origin information (COI) for use by Home Office decision makers handling particular types of protection and human rights claims. It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) general background to the country concerned, including demography and geography; and (2) issues which may be relevant to protection claims. Unlike country policy and information notes, they do **not** contain an analysis of the COI.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

## Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date in the country information section. Any event taking place or report/article published after this date is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion.

Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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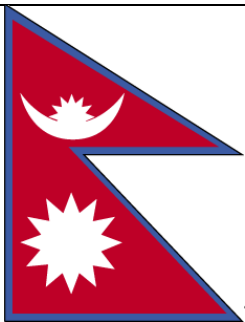
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# Country information

Updated: 16 August 2018

## 1. Geography and demography

### 1.1.1 Key geographic and demographic points

<b>Full Country Name:</b>	Federal Democratic Republic of Nepal <sup>1</sup>
<b>Area:</b>	total: 147,181 sq km (56,827 sq miles <sup>2</sup> ) land: 143,351 sq km water: 3,830 sq km <sup>3</sup>
<b>Flag(s):</b>	 <sup>4</sup>
<b>Population:</b>	29,384,297 (July 2017 est.) <sup>5</sup> – 31 million <sup>6</sup>
<b>Capital City:</b>	Kathmandu <sup>7,8</sup>
<b>Other key places:</b>	See <a href="#">Main population centres</a> .
<b>Position:</b>	Landlocked between India (east/south/west) and China (north) <sup>9</sup>
<b>Languages:</b>	Nepali (official) 44.6%, Maithali 11.7%, Bhojpuri 6%, Tharu 5.8%, Tamang 5.1%, Newar 3.2%, Magar 3%, Bajjika 3%, Urdu 2.6%, Avadhi 1.9%, Limbu 1.3%, Gurung 1.2%, other 10.4%, unspecified 0.2% <sup>10</sup>  There were 123 languages as mother tongue <sup>11</sup> reported in the 2011 national census.  For more information see: <a href="#">Ethnologue's languages of Nepal</a>

<sup>1</sup> BBC, Nepal Country Profile, updated 19 February 2018, [url](#)

<sup>2</sup> BBC, Nepal Country Profile, updated 19 February 2018, [url](#)

<sup>3</sup> CIA World Fact Book, 'Geography, Area', updated 12 July 2018, [url](#)

<sup>4</sup> CIA World Fact Book, updated 12 July 2018, [url](#)

<sup>5</sup> CIA World Fact Book, 'People and Society, Population', updated 12 July 2018, [url](#)

<sup>6</sup> BBC, Nepal Country Profile, updated 19 February 2018, [url](#)

<sup>7</sup> CIA World Fact Book, 'People and Society, Major urban areas - population', updated 12 July 2018, [url](#)

<sup>8</sup> BBC, Nepal Country Profile, updated 19 February 2018, [url](#)

<sup>9</sup> Encyclopaedia Britannica, Nepal: the land, updated 6 April 2018 [url](#)

<sup>10</sup> CIA World Fact Book, 'People and Society, Languages', updated 12 July 2018, [url](#)

<sup>11</sup> CIA World Fact Book, 'People and Society, Languages', updated 12 July 2018, [url](#)

<b>Ethnic Groups:</b>	Chhettri 16.6%, Brahman-Hill 12.2%, Magar 7.1%, Tharu 6.6%, Tamang 5.8%, Newar 5%, Kami 4.8%, Muslim 4.4%, Yadav 4%, Rai 2.3%, Gurung 2%, Damai/Dholii 1.8%, Thakuri 1.6%, Limbu 1.5%, Sarki 1.4%, Teli 1.4%, Chamar/Harijan/Ram 1.3%, Koiri/Kushwaha 1.2%, other 19% <sup>12</sup>  There were 125 caste/ethnic groups <sup>13</sup> reported in the 2011 national census.
<b>Religion(s):</b>	Hindu 81.3%, Buddhist 9%, Muslim 4.4%, Kirant 3.1%, Christian 1.4%, other 0.5%, unspecified 0.2% <sup>14</sup>

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## 1.2 Maps

### 1.2.1 [UN map Nepal \(2007\)](#)

### 1.2.2 [Perry-Castañeda Library Map Collection: Nepal Maps](#)

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## 1.3 Physical geography

### 1.3.1 Other notable points:

- 75% covered in mountains<sup>15</sup>
- Four belts across country (east to west): Tarai low fertile plain, Churia forested foothills, Mahabharat mid mountain range, Great Himalayas<sup>16</sup>

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## 1.4 Main population centres

### 1.4.1 The main towns and cities in Nepal, with their population, are<sup>17</sup>:

Kathmandu 1,442,271	Dharan 108,600	Mahendranagar 88,381
Pokhara 200,000	Bharatpur 107,157	Hetauda 84,775
Patan 183,310	Janakpur 93,767	Madhyapur Thimi 83,036
Biratnagar 182,324	Dhangarhi 92,294	Triyuga 71,405
Birganj 133,238	Butwal 91,733	Inaruwa 70,093

### 1.4.2 In 2011, there were 180 persons per sq. km nationally<sup>18</sup>. By 2018, the figure was 201.28<sup>19</sup>.

<sup>12</sup> CIA World Fact Book, 'People and Society, Ethnic Groups', updated 12 July 2018, [url](#)

<sup>13</sup> CIA World Fact Book, 'People and Society, Ethnic Groups', updated 12 July 2018, [url](#)

<sup>14</sup> CIA World Fact Book, 'People and Society, Religions', updated 12 July, [url](#)

<sup>15</sup> Encyclopaedia Britannica, Nepal: the land, updated 20 July 2018 [url](#)

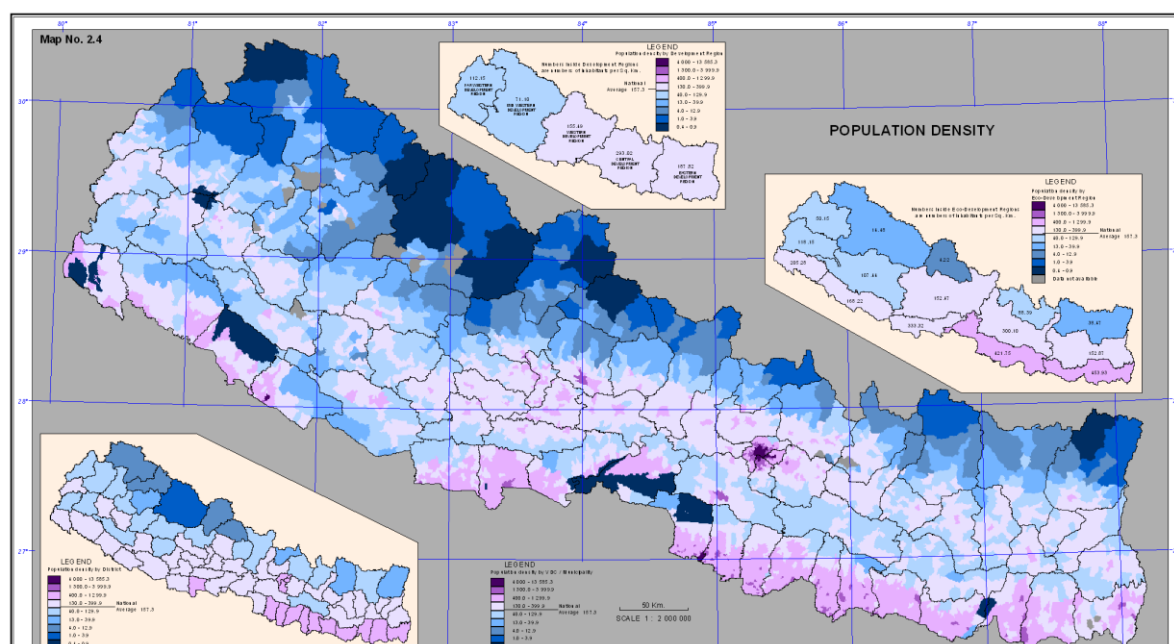
<sup>16</sup> Encyclopaedia Britannica, Nepal: the land, updated 20 July 2018 [url](#)

<sup>17</sup> World Population Review, Population of Cities in Nepal (2018), updated 23 January 2018, [url](#)

<sup>18</sup> Nepal CBS, 2011 Census Dashboard, undated, [url](#)

<sup>19</sup> World Population Review, Population of Cities in Nepal (2018), updated 23 January 2018, [url](#)

1.4.3 The following map<sup>20</sup> shows the population density by region (pink/purple showing more, blue showing less densely populated).



1.4.4 Other notable points:

- overall density is quite low<sup>21</sup>.
- most of the population is divided nearly equally between a concentration in the southern-most plains of the Tarai region and the central hilly region<sup>22</sup>.

1.4.5 For more information see:

- the Nepal Central Bureau for Statistics' [Census Info Dashboard](#).

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## 1.5 Transport links

1.5.1 Little road mileage; mainly network of footpaths through mountains and valleys with trade trails following river systems<sup>23</sup>

1.5.2 Two narrow gauge railways running from Amlekhganj to Raxaul (India) and from Janakpūr to Jaynagar (India)<sup>24</sup>

1.5.3 Royal Nepal Airline plus India Airlines operate flights from Kathmandu to India and other nearby countries<sup>25</sup>

<sup>20</sup> Nepal CBS, Population Density Map, undated, [url](#)

<sup>21</sup> CIA World Fact Book, 'Geography, Population – distribution', updated 12 July 2018, [url](#)

<sup>22</sup> CIA World Fact Book, 'Geography, Population – distribution', updated 12 July 2018, [url](#)

<sup>23</sup> Encyclopaedia Britannica, Nepal: the land, updated 20 July 2018 [url](#)

<sup>24</sup> Encyclopaedia Britannica, Nepal: the land, updated 20 July 2018 [url](#)

<sup>25</sup> Encyclopaedia Britannica, Nepal: the land, updated 20 July 2018 [url](#)

- 1.5.4 There are [43 domestic airports](#) although not all are open<sup>26</sup> and the country has a poor air safety record<sup>27</sup>.

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## 2. Economy

### 2.1.1 Key economic points

<b>Currency:</b>	Nepalese rupee <sup>28,29</sup>
<b>Exchange rate:</b>	1 GBP = 143.53 NPR <sup>30</sup> (July 2018)
<b>GDP per capita:</b>	US\$724.5 (2017) <sup>31</sup> – US\$824.2 (2017) <sup>32</sup>

### 2.1.2 Other notable points:

- Heavily dependent on imports of basic materials and on foreign markets for its forest and agricultural products<sup>33</sup>
- Ranked 145 out of 187 countries in the [2017 index produced by the UN Human Development Programme](#)
- 25% live below the poverty line<sup>34</sup>
- Ranked 122 out of 180 countries in the [2017 Corruption Perceptions Index produced by Transparency International](#)

### 2.1.3 For more information see:

- Encyclopaedia Britannica: [The economy](#)
- Asian Development Bank: [Nepal Economy](#)
- CIA World Factbook: [The Economy](#)

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## 3. History

### 3.1.1 Key Timeline

<b>1769</b>	Established as an independent monarchy <sup>35</sup>
<b>1996-2006</b>	Civil war <sup>36</sup>
<b>2008</b>	Became a republic <sup>37</sup>
<b>2015</b>	Landmark constitution passed and defined as secular country <sup>38</sup>

<sup>26</sup> Tourism Mail.com Ramechhap Airport out of service since nine months, 22 April 2017 [url](#)

<sup>27</sup> Gov.uk. Foreign travel advice: Nepal, undated, [url](#)

<sup>28</sup> BBC, Nepal Country Profile, updated 19 February 2018, [url](#)

<sup>29</sup> DFAT, Country Factsheet, undated, [url](#)

<sup>30</sup> HMRC, Exchange rates for 2018, July 2018, [url](#)

<sup>31</sup> UN Data, Economic indicators, undated, [url](#)

<sup>32</sup> DFAT, Country Factsheet, undated, [url](#)

<sup>33</sup> Encyclopaedia Britannica, Nepal: the land, updated 20 July 2018 [url](#)

<sup>34</sup> CIA World Fact Book, 'Economy', updated 12 July 2018, [url](#)

<sup>35</sup> DFAT, Country Information Report (section 2.1), 21 April 2016, [url](#)

<sup>36</sup> DFAT, Country Information Report (section 2.2), 21 April 2016, [url](#)

<sup>37</sup> DFAT, Country Information Report (section 2.3), 21 April 2016, [url](#)

<sup>38</sup> BBC, Nepal Country Profile, updated 19 February 2018, [url](#)



3.1.2 For more information see:

- BBC's [Nepal profile - Timeline](#)
- Encyclopaedia Britannica: [History](#)

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## 4. Media and telecommunications

4.1.1 Key media/telecommunications points

<b>International dialling code:</b>	+977 <sup>39</sup>
<b>Internet domain:</b>	.np <sup>40</sup>
<b>Broadcast media:</b>	Three state TV stations, plus national and regional radio stations; 25 independent TV channels in regular operation and 588 FM radio stations <sup>41</sup> .

4.1.2 Other notable points:

- The constitution and the law provide for freedom of speech and press, and the government generally respected these rights<sup>42</sup>.
- The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority<sup>43</sup>.
- 111 mobile phone subscription per 100 inhabitants<sup>44</sup>
- Mobile phone coverage is across all 75 districts<sup>45</sup>
- The independent media were active and expressed a wide variety of views without restriction, with a few exceptions<sup>46</sup>.

4.1.3 For more information see:

- [United States Department of State Country Report on Human Rights Practices for 2017, Nepal](#), 20 April 2018 (Section 2).
- List of newspapers and magazines: W3newspapers, [Nepali newspapers and new sites](#) and Nepal tourism, [Nepal publications](#).

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<sup>39</sup> Countrycode.org, Nepal Country Code, [url](#)

<sup>40</sup> 101 Domain.com, Nepal, [url](#)

<sup>41</sup> CIA World Fact Book, 'Communications', updated 12 July 2018, [url](#)

<sup>42</sup> USSD, Human Rights Report for 2017 (Section 2), 20 April 2018, [url](#)

<sup>43</sup> USSD, Human Rights Report for 2017 (Section 2), 20 April 2018, [url](#)

<sup>44</sup> CIA World Fact Book, 'Communications', updated 12 July 2018, [url](#)

<sup>45</sup> CIA World Fact Book, 'Communications', updated 12 July 2018, [url](#)

<sup>46</sup> USSD, Human Rights Report for 2017 (Section 2), 20 April 2018, [url](#)

## 5. Citizenship and nationality

- 5.1.1 UNHCR reported ‘In Nepal, children born to Nepalese fathers acquire Nepalese citizenship in all circumstances. Children born in Nepal to Nepali mothers and foreign citizen fathers can apply to acquire citizenship through naturalization, provided they have permanent domicile in Nepal and have not acquired the foreign citizenship of their fathers’<sup>47</sup>. However, they added that, as at March 2018, there are no known cases of children acquiring citizenship through this naturalization process<sup>48</sup>.
- 5.1.2 The 2015 Constitution allows that children’s citizenship can now be conferred through a mother or father, although there are some limitations to this provision<sup>49,50</sup>.
- 5.1.3 For more information see:
- [Nepal citizenship Act 2063 \(2006\)](#)
  - [Constitution of Nepal \(2015\)](#) (part 2: Citizenship)
  - CEDAW 20 February 2018: [Joint report on discrimination against women, submitted by the NGOs Global Campaign for Equal Nationality Rights, Forum for Women, Law and Development and others.](#)
  - [CEDAW – Nepal 71<sup>st</sup> pre-sessional working group \(12-16 March 2018\) thematic submission on Article 9.](#) (This looks at the limitation to the provisions for women to defer their citizenship on their children).
  - United States Department of State [Country Report on Human Rights Practices for 2017, Nepal](#), 20 April 2018 (Section 2).

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## 6. Official documents

- 6.1.1 Citizenship certificates are required by Nepalis to purchase or transfer land; register births, marriages, and deaths; open bank accounts, obtain micro credit loans, and register businesses; attend higher education institutions; acquire travel documents; receive state benefits for the disabled, widowed, or elderly; run for public office; and to enlist in the army, the armed police, and the civil police force. Certificates are also required in order to access formal sector employment opportunities, such as full-time permanent jobs that provide sick leave and pensions<sup>51</sup>.
- 6.1.2 For more information see:
- The Immigration and Refugee Board of Canada’s (‘Canadian IRB’) August 2016 Response to Information Request on the [Prevalence and availability of fraudulent documents.](#)
  - [DFAT’s April 2016 Country Information Report](#) (page 23) Includes information oif birth certificates, passports and fraudulent documents.

<sup>47</sup> UNHCR, Background Note (p10), 8 March 2018, [url](#)

<sup>48</sup> UNHCR, Background Note (p10), 8 March 2018, [url](#)

<sup>49</sup> DFAT, Country Information Report (section 3.56), 21 April 2016, [url](#)

<sup>50</sup> USSD, Human Rights Report for 2017 (Section 2), 20 April 2018, [url](#)

<sup>51</sup> DFAT, Country Information Report (section 3.56), 21 April 2016, [url](#)

- US Department of State, [Nepal Reciprocity Schedule](#)

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## 7. Healthcare

7.1.1 The government provided basic health care free to children and adults <sup>52</sup>.

7.1.2 For further information see:

- World Health Organisation – [Nepal Country Health Profile](#), updated January 2015, [National List of Essential Medicines – Nepal](#) 2009 and [Medicines in Health Care Delivery, Nepal, Situational Analysis](#), Jan 2015
- The Official Portal of Government of Nepal, [The List of Hospitals and Nursing Homes in Nepal](#), undated
- Health For All: The Journey of Universal Health Coverage. Medcalf A, Bhattacharya S, Momen H, et al., editors, 2015. Chapter 5 [Nepal: Primary Health Care, Universal Health Coverage and Foreign Aid](#)
- Journal of Nursing Education and Practice, [Healthcare in Nepal: An observational perspective](#), 5 September 2016
- National Centre for Biotechnology Information (US), [National health insurance policy in Nepal: challenges for implementation](#), 21 August 2015

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<sup>52</sup> USSD, Human Rights Report for 2017 (Section 6 – Children - medical care), 20 April 2018, [url](#)

# Key issues relevant to protection claims

The issues below are not meant to be exhaustive; rather the key topics which may be relevant to protection claims. They are listed in alphabetical order.

## 8. Children

8.1.1 Forty-two percent of the population is under 18 years of age<sup>53</sup>. The country is on track to meet its Millennium Development Goals on drastically reducing under-5 and maternal mortality<sup>54</sup>.

8.1.2 More than 90 percent of children (including girls) are enrolled in primary school but only seventy percent in grade 1 reach grade 5, and more than half of them drop out of the school before reaching the lower secondary level<sup>55</sup>. Basic education (grades 1-8), is free and compulsory and secondary education (grades 9-12), is neither free nor compulsory<sup>56</sup>.

8.1.3 Children face barriers to accessing education, including the lack of secondary schools in some rural villages and fees associated with schooling, such as for books and uniforms. Children with disabilities face additional barriers<sup>57</sup>.

8.1.4 Statistics on child labour and education<sup>58</sup>:

Children	Age	Percent (%)
Working	5 to 14	33.7
Attending school	5 to 14	91.7
Combining school and work	7 to 14	39.1

8.1.5 Nepal has ratified the following international conventions on child labour:

- ILO [International Labour Laws] C. 138, Minimum Age
- ILO C. 182, Worst Forms of Child Labour
- UN CRC [Convention on the Rights of the Child]
- UN CRC Optional Protocol on Armed Conflict
- UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography
- Palermo Protocol on Trafficking in Persons<sup>59</sup>

<sup>53</sup> UNICEF, Women and Children in Nepal, undated, [url](#)

<sup>54</sup> UNICEF, Women and Children in Nepal, undated, [url](#)

<sup>55</sup> UNICEF, Women and Children in Nepal, undated, [url](#)

<sup>56</sup> USSD, Human Rights Report for 2017 (Section 6, children), 20 April 2018, [url](#)

<sup>57</sup> United States DoL, 2016 Findings on the Worst Forms of Child Labor - Nepal, 30 September 2017 [url](#)

<sup>58</sup> United States DoL, 2016 Findings on the Worst Forms of Child Labor - Nepal, 30 September 2017 [url](#)

<sup>59</sup> United States DoL, 2016 Findings on the Worst Forms of Child Labor - Nepal, 30 September 2017 [url](#)

- 8.1.6 The Government has established laws and regulations related to child labour, including its worst forms. However, gaps exist in Nepal's legal framework to adequately protect children from child labour<sup>60</sup>.
- 8.1.7 Many children in Nepal are engaged in the production of bricks, which exposes them to hazardous working conditions, including carrying heaving loads, using dangerous machinery, and working in extreme heat<sup>61</sup>.
- 8.1.8 Violence against children, including sexual abuse, was reportedly widespread. NGOs stated that such reports have increased in part due to increased awareness, but no reliable estimates of its incidence exist. The government has some mechanisms to respond to child abuse and violence against children, such as special hotlines and the Central Child Welfare Board (CCWB), which has representation in all 75 districts<sup>62</sup>.
- 8.1.9 Children are trafficked for commercial sexual exploitation both within Nepal and outside Nepal, including to India, the Middle East, Asia, and Sub-Saharan Africa<sup>63</sup>. See [Trafficking](#).
- 8.1.10 The minimum age for consensual sex is 16<sup>64</sup>. The Civil Code prevents forced marriage and requires parental consent for marriage between 18 and 20 years of age. Marriage from 21 years of age is legal without parental consent. However, despite these provisions, early or forced marriage has continued, particularly in rural areas, and girls are often simply looked at as a commodity to be traded for a dowry<sup>65</sup>.
- 8.1.11 There were reports of boys and girls surviving on the streets in prostitution and of underage girls employed in dance bars, massage parlors, and cabin restaurants (a type of brothel)<sup>66</sup>.
- 8.1.12 For more information see:
- Section 13 of this Country Background Note: [Trafficking](#) and Section 14 [Women](#).
  - United States Department of Labor, [2016 Findings on the Worst Forms of Child Labor - Nepal](#), 30 September 2017.
  - United States Department of State [Country Report on Human Rights Practices for 2017, Nepal](#), 20 April 2018 (Section 6: Children).
  - Australian Department of Foreign Affairs and Trade, [Country Information Report – Nepal](#), 21 April 2016 (girl children, education).
  - Human Rights Watch, [Nepal: New Government Needs to Prioritise Rights](#), 19 April 2018.

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<sup>60</sup> United States DoL, 2016 Findings on the Worst Forms of Child Labor - Nepal, 30 September 2017 [url](#)

<sup>61</sup> United States DoL, 2016 Findings on the Worst Forms of Child Labor - Nepal, 30 September 2017 [url](#)

<sup>62</sup> USSD, Human Rights Report for 2017 (Section 6, children), 20 April 2018, [url](#)

<sup>63</sup> United States DoL, 2016 Findings on the Worst Forms of Child Labor - Nepal, 30 September 2017 [url](#)

<sup>64</sup> USSD, Human Rights Report for 2017 (Section 2), 20 April 2018, [url](#)

<sup>65</sup> DFAT, Country Information Report (women, girl children), 21 April 2016, [url](#)

<sup>66</sup> USSD, Human Rights Report for 2016 (Section 6), 3 March 2017, [url](#)

## 9. Ethnicity

- 9.1.1 On 23 August 2017, the draft constitution (with the seven-province model) was tabled in the Assembly for approval by the House as the members of parliament representing the marginalized groups walked out in protest. Violent demonstrations and communal violence erupted across the Terai, leading to the death of security forces and protesters in Kailali, the imposition of a curfew, and the deployment of the Nepal Army<sup>67</sup>. There were reports that the security forces used unnecessary or excessive force in response to the protests<sup>68</sup>. This volatile situation was in turn exacerbated by an unofficial Indian trade blockade that lasted until February 2016 causing significant shortages of fuel, medicines and other goods of primary necessity in earthquake-struck Nepal<sup>69</sup>.
- 9.1.2 Hindu castes, Buddhist and animist ethnic groups form a single caste hierarchy but ethnic divisions remain sensitive in Nepal and discussion of ethnic difference was an offence until 1991. There is no clear legislation criminalising hate speech, although provisions related to social justice and inclusion, including of minority communities, exist in the 2015 Constitution, and recognition of the rights of ethnic minorities have improved since the end of the civil war<sup>70</sup>.
- 9.1.3 Despite prohibition of caste-based segregation, it persists in practice preventing marginalized castes, including Dalits, from safely marrying members of other castes, and from accessing places of worship, public spaces, public sources of food and water, educational facilities and housing facilities occupied by members of other castes<sup>71</sup>.
- 9.1.4 There are also reports of severe harassment of indigenous leaders, including members of the Tharu people, by State agents. The criminalization of cow slaughter compromises the rights of indigenous peoples for whom eating beef holds cultural significance<sup>72</sup>.
- 9.1.5 For more information see:
- Nepal's Civil Society Report to the UN Committee on the Elimination of All Forms of Racial Discrimination in addition to the Government of Nepal periodic reports 17 to 23, to be reviewed at the 95th session, 23 April - 11 May 2018: [Caste-Based Discrimination and Untouchability against Dalit in Nepal](#).
  - United States Department of State [Country Report on Human Rights Practices for 2017, Nepal](#), 20 April 2018 (Section 6: National/Racial/Minorities and Indigenous People).
  - International Journal of Interdisciplinary Studies: [Ethnicity, Stereotypes and Ethnic Movements in Nepal](#), 15 December 2013

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<sup>67</sup> BTI 2018 Country Report, [url](#)

<sup>68</sup> Amnesty International, Report 2017/2018, 22 February, 2018, [url](#)

<sup>69</sup> BTI 2018 Country Report, [url](#)

<sup>70</sup> DFAT, 'Australia's response to the Nepal earthquakes', undated, [url](#)

<sup>71</sup> UN Committee on the Elimination of Racial Discrimination, 'Concluding Observations', 29 May 2018, [url](#)

<sup>72</sup> UN Committee on the Elimination of Racial Discrimination, 'Concluding Observations', 29 May 2018, [url](#)

- Australian Department of Foreign Affairs and Trade, [Country Information Report – Nepal](#), 21 April 2016 (Race/Nationality/Ethnicity and Groups of Interest – members of castes)
- [Amnesty International – The State of the World’s Human Rights – Nepal 2017/18](#), 22 February 2018
- CERD – UN Committee on the Elimination of Racial Discrimination: [Concluding observations on the combined seventeenth to twenty-third periodic reports of Nepal \[CERD/C/NPL/CO/17-23\]](#), 29 May 2018

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## 10. Humanitarian situation (linked to 2015 earthquake and 2017 flooding)

- 10.1.1 On 25 April 2015, a 7.8-magnitude earthquake struck Nepal near Lamjung north-west of Kathmandu, followed by a 7.3 earthquake on 12 May between Sindhupalchowk and Dolakha districts north-east of Kathmandu<sup>73,74</sup>.
- 10.1.2 Both earthquakes were followed by multiple aftershocks and landslides with Kathmandu, Gorkha, Lamjung, Sindhupalchowk, Langtang and Everest Base Camp amongst the worst affected areas<sup>75</sup>.
- 10.1.3 In total, more than 8,000<sup>76</sup> or almost 9,000 people were killed<sup>77</sup> and about 20,000 were injured<sup>78</sup>. Critical infrastructure was damaged and destroyed, including schools, hospitals and roads<sup>79</sup>. Around 409,000 homes were destroyed, 265,000 damaged<sup>80</sup> and millions were left homeless<sup>81</sup>.
- 10.1.4 It has been claimed that the government is favouring the wealthy in the reconstruction programme, in that to receive a government rebuilding grant, a survivor must provide land ownership documents. Marginalised communities are often unable to prove they own the land on which they were living, or to have their landlords formally acknowledge their residence, and they have been denied reconstruction support to rebuild their homes<sup>82</sup>.
- 10.1.5 The majority of effected people continue to live in recovery camps and villages<sup>83</sup>.
- 10.1.6 From June to August 2017, severe flooding during the monsoon season affected an estimated 1.7 million people, with 65,000 homes destroyed and 461,000 displaced<sup>84</sup>.
- 10.1.7 For more information see:

<sup>73</sup> DFAT, 'Australia's response to the Nepal earthquakes', undated, [url](#)

<sup>74</sup> BBC, Nepal profile – Timeline, updated 19 February 2018, [url](#)

<sup>75</sup> DFAT, 'Australia's response to the Nepal earthquakes', undated, [url](#)

<sup>76</sup> BBC, Nepal profile – Timeline, updated 19 February 2018, [url](#)

<sup>77</sup> DFAT, 'Australia's response to the Nepal earthquakes', undated, [url](#)

<sup>78</sup> DFAT, 'Australia's response to the Nepal earthquakes', undated, [url](#)

<sup>79</sup> DFAT, 'Australia's response to the Nepal earthquakes', undated, [url](#)

<sup>80</sup> DFAT, 'Australia's response to the Nepal earthquakes', undated, [url](#)

<sup>81</sup> BBC, Nepal profile – Timeline, updated 19 February 2018, [url](#)

<sup>82</sup> Amnesty International, 25 April 2017, [url](#)

<sup>83</sup> Presbyterian News Service, 8 March 2018, [url](#)

<sup>84</sup> Human Rights Watch World report 2018, 9 January 2018, [url](#)



- Amnesty International, '[Building Inequality](#)', published 2017.
- Human Rights Watch, '[Lessons for Nepal, three years after deadly earthquake](#)', published 25 April 2018

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## 11. Political opposition/activity

### 11.1.1 Key points about the political system

<b>Government:</b>	Federal democratic republic <sup>85</sup>
<b>Type</b>	Two house parliament, (House of Representatives and National Assembly) <sup>86</sup>
<b>Major Political Parties represented in parliament:</b>	Communist Party of Nepal (Maoist Centre) [CPN-MC] Communist Party of Nepal-Unified Marxist-Leninist [CPN-UML] Federal Socialist Forum Nepal [FSFN] Naya Shakti Party Nepali Congress [NC] Nepal Workers Peasants Party Rastriya Janamorchha [RJM] Rastriya Janata Party Nepal [RJPN] Rastriya Prajatantra Party <sup>87</sup>
<b>Main Political Figures:</b>	Head of State: President (largely ceremonial) elected by parliament <sup>88</sup> : Bidhya Devi Bandhari <sup>89</sup> Prime Minister: Khadga Prasad Oli [of CPN-UML] <sup>90</sup>

### 11.1.2 Other notable points:

- Political actors (from all major political parties and smaller identity-based groups) are key elements of Nepali society. Political affiliation, both at an organisational and individual level, is an important aspect of identity<sup>91</sup>.
- National elections were held in 2013 for the constituent assembly (composed to draft new constitution) which domestic and international observers deemed essentially credible, free and fair<sup>92</sup>.
- Representation of women and disadvantaged or minority groups are required in both houses<sup>93</sup>.

<sup>85</sup> USSD, Human Rights Report for 2017, 20 April 2018, [url](#)

<sup>86</sup> DFAT, Country Information Report (section 2.3), 21 April 2016, [url](#)

<sup>87</sup> CIA World Fact Book, 'Government', updated 12 July 2018, [url](#)

<sup>88</sup> DFAT, Country Information Report (section 2.3), 21 April 2016, [url](#)

<sup>89</sup> CIA World Fact Book, 'Government', updated 12 July 2018, [url](#)

<sup>90</sup> CIA World Fact Book, 'Government', updated 12 July 2018, [url](#)

<sup>91</sup> DFAT, Country Information Report (section 2.3), 21 April 2016, [url](#)

<sup>92</sup> USSD, Human Rights Report for 2017, 20 April 2018, [url](#)

<sup>93</sup> DFAT, Country Information Report (section 2.3), 21 April 2016, [url](#)



- First national general election held November 2017<sup>94 95</sup>.
  - Election results<sup>96 97</sup>.
- 11.1.3 In the country guidance case of [KG \(Review of current situation\) Nepal CG \[2006\] UKAIT 00076](#), heard on 14 August 2006 and promulgated 31 October 2006 – which replaced all previous country guidance cases in respect of Nepal, and which remains extant – the Tribunal held that:
- ‘[...] it would only be in the exceptional case that an appellant could show a continuing risk of persecution or serious harm or treatment contrary to Article 3 by virtue of being perceived by the authorities in Nepal as a Maoist.’ (headnote 2)
- ‘Similarly, it will only be in very limited cases that a person would be able to show he or she faces risk in his or her home area at the hands of the Maoists.’ (headnote 3)
- ‘However, even those able to show a risk (from Maoists) on return to their home area (such as businessmen, industrialists and entrepreneurs), will generally have a viable internal relocation alternative in Kathmandu. Only in an exceptional case would this not be so.’ (headnote 4)
- 11.1.4 There is a diverse and competitive array of political parties, though the system has faced considerable instability in recent years. Unlike the 1990 constitution, the 2015 Constitution has no limitation on parties formed along ethnic lines. Although prior to the 2013 elections the political environment had been unstable, the current lively political environment provides an opportunity for diverse political parties and views, and an individual’s membership of a political party, along with their ability to be identified as a member and to be politically active, is generally respected<sup>98</sup>.
- 11.1.5 The royalist party, the Rastriya Prajantantra Party, of which constitutional monarchy and Hinduism are central, won six percent of the popular vote in the 2013 elections which gives them 24 seats in the constituent assembly<sup>99</sup>.
- 11.1.6 For more information see:
- Freedom House, Freedom in the World 2018 – Nepal  
<https://freedomhouse.org/report/freedom-world/2018/nepal>
  - The Immigration and Refugee Board of Canada’s (‘Canadian IRB’) September 2016 Response to Information Request on the [Democratic Terai Liberation Front \(Janatantrik Terai Mukti Morcha, JTMM\), including origins, structure, and activities](#)
  - The Immigration and Refugee Board of Canada’s (Canadian IRB) August 2016 Response to Information Request on [Threat letters issued by the Communist Party of Nepal \(Maoist\) CPN-M, Unified Communist Party of Nepal \(UCPN\), and Young Communist League \(YCL\) groups](#)

<sup>94</sup> BBC, Nepal election: First poll since civil war ended, 26 November 2017, [url](#)

<sup>95</sup> Economist, Communists win Nepal’s first election under the new constitution, 16 December 2017, [url](#)

<sup>96</sup> Nagarik News (News portal), Results of Federal Parliamentary Election 2017 Nepal, [url](#)

<sup>97</sup> NDTV Nepal Election 2017, 12 December 2017, [url](#)

<sup>98</sup> DFAT, Country Information Report (section 2.3), 21 April 2016, [url](#)

<sup>99</sup> Reuters, Amid Nepal’s chaos, royalists spy chance for a comeback, 24 December 2013, [url](#)

- For the name and symbol of all political parties see [Electoral Commission Nepal, List of Parties](#).
- [Constitution of Nepal \(2015\)](#)
- United States Department of State [Country Report on Human Rights Practices for 2017, Nepal](#), 20 April 2018 (Elections and Political Participation)
- Australian Department of Foreign Affairs and Trade, [Country Information Report – Nepal](#), 21 April 2016 (political opinion – actual or imputed)

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## 12. Religious freedom

- 12.1.1 Historically, religious minority communities faced few governmental restrictions on freedom of religion or belief in Nepal, and societal harassment was rare<sup>100</sup>. The new constitution establishes Nepal as a ‘secular state’ but defines secularism as ‘protection of the age-old religion and culture and religious and cultural freedom.’ It provides for the right to profess and practice one’s own religion<sup>101</sup>.
- 12.1.2 The constitution prohibits converting persons from one religion to another, and bans religious behaviour disturbing public order or contrary to public health, decency, and morality. In August 2017 the parliament passed a new criminal code that reduces the punishments for conversion or for engaging in any act that undermines the religion, faith, or belief of others from six to five years’ imprisonment. The new criminal code (scheduled for full implementation in August 2018) also criminalizes the harming of the ‘religious sentiment’ of any caste, ethnic community, or class, either in speech or writing<sup>102</sup>.
- 12.1.3 The law does not provide for registration or official recognition of religious organizations as religious institutions, except for Buddhist monasteries. All other religious groups must register as nongovernmental organizations (NGOs) to own land or operate legally<sup>103</sup>.
- 12.1.4 The DFAT country report analysed that generally, religious diversity and places of worship are respected<sup>104</sup>.
- 12.1.5 For more information see:
- United States Commission on International Religious Freedom [Annual Report, Nepal Chapter](#) – 2017 Annual Report, published 26 April 2017
  - United States Department of State [2017 Report on International Religious Freedom – Nepal](#), published 29 May 2018
  - Australian Department of Foreign Affairs and Trade, [Country Information Report – Nepal](#), 21 April 2016 (religion)

<sup>100</sup> United States Commission on International Religious Freedom, Nepal Chapter, 2017, 26 April 2017, [url](#)

<sup>101</sup> USSD 2017 Report on International Religious Freedom – Nepal, 29 May 2018, [url](#)

<sup>102</sup> USSD 2017 Report on International Religious Freedom – Nepal, 29 May 2018, [url](#)

<sup>103</sup> USSD 2017 Report on International Religious Freedom – Nepal, 29 May 2018, [url](#)

<sup>104</sup> DFAT, Country Information Report (Religion), 21 April 2016, [url](#)

## 13. Sexual orientation and/or gender identity

- 13.1.1 No laws criminalise same-sex sexual activity<sup>105,106</sup> and the new constitution of September 2015 contains provisions outlining protections for LGBTI persons<sup>107,108</sup> – the first in Asia to specifically protect gay rights<sup>109</sup>.
- 13.1.2 A 2014 report by UNDP and USAID concluded that ‘Tolerance of diverse sexual orientations or gender identities (SOGI) [...] can be perceived to be high.’<sup>110</sup> Conversely, the same report claimed that ‘Nepal is a largely patriarchal society and does not easily accept people of diverse sexual orientations’.<sup>111</sup>
- 13.1.3 In May 2017, ILGA reported there had been no arrests within the previous three years<sup>112</sup>.
- 13.1.4 LGBTI persons actively advocated for their rights and LGBTI activists continued to press for further legislation to increase protections for gender and sexual minorities<sup>113</sup>.
- 13.1.5 According to local LGBTI advocacy groups, the government did not provide equal opportunity to LGBTI persons in education, health care, or employment and some LGBTI persons faced difficulties in registering for citizenship, particularly in rural areas<sup>114</sup>.
- 13.1.6 DFAT, in their April 2016 country report on Nepal, assessed that ‘LGBTI people can face harassment by the authorities and other citizens, particularly in rural areas. General community attitudes towards same sex relationships remain negative. Nonetheless, there are examples of LGBTI people being able to be open with their families, communities and employers and to live without discrimination, although their gender, caste and ethnicity can also play a role determining the extent to which this is possible.’<sup>115</sup>
- 13.1.7 Human Rights Watch, in a report of 11 August 2017, described Nepal as a ‘global LGBT rights beacon’ and went on to say that members of Nepal’s LGBT community were once openly derided as ‘social pollutants’, but now enjoy social and political rights—including legal recognition of a third gender. See [How Did Nepal Become a Global LGBT Rights Beacon?](#)<sup>116</sup>.
- 13.1.8 For more information see:
- CEDAW, 6 February 2018: [Brief report on genital mutilation, stigma and bullying in connection with intersex persons, submitted by the NGO StopIGM.org](#)

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<sup>105</sup> USSD, Human Rights Report for 2017, 20 April 2018, [url](#)

<sup>106</sup> ILGA, Sexual Orientation Laws in the World - Overview, May 2017, [url](#)

<sup>107</sup> USSD, Human Rights Report for 2017, 20 April 2018, [url](#)

<sup>108</sup> ILGA, Charts - Asia, May 2017, [url](#)

<sup>109</sup> BBC, Nepal Country Profile, updated 19 February 2018, [url](#)

<sup>110</sup> UNDP/USAID, ‘Being LGBT in Asia: Nepal Country Report’ (p3), 2014, [url](#)

<sup>111</sup> UNDP/USAID, ‘Being LGBT in Asia: Nepal Country Report’ (p3), 2014, [url](#)

<sup>112</sup> ILGA, Charts - Asia, May 2017, [url](#)

<sup>113</sup> USSD, Human Rights Report for 2017, (section 6) 20 April 2018, [url](#)

<sup>114</sup> USSD, Human Rights Report for 2017, (section 6) 20 April 2018, [url](#)

<sup>115</sup> DFAT, Country Information Report (section 3.41-3.50), 21 April 2016, [url](#)

<sup>116</sup> HRW, How did Nepal Become a Global LGBT Rights Beacon? 11 August 2017, [url](#)

- United States Department of State Country Report on [Human Rights Practices for 2016, Nepal](#), 7 March 2017 (Section 6: Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity).
- The Himalayan Times, 5 August 2017, [LGBT couple registers marriage, first in Nepal](#).

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## 14. Trafficking and modern slavery

- 14.1.1 The government does not meet the minimum standards for the elimination of trafficking, but it is making significant efforts to do so<sup>117</sup>.
- 14.1.2 Reports indicate that over 200,000 individuals in Nepal are enslaved, including for purposes of sexual exploitation, forced labour, bonded labour, domestic servitude and forced marriage<sup>118</sup>.
- 14.1.3 For more information see:
- USSD Trafficking in [Persons Report 2018](#) (Page 317)
  - Australian Department of Foreign Affairs and Trade, [Country Information Report – Nepal](#), 21 April 2016 (Bonded labour and trafficking of women and girls)
  - UN Committee on the Elimination of Racial Discrimination, [Concluding observations on the combined seventeenth to twenty-third periodic reports of Nepal](#), 29 May 2018

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## 15. Women

- 15.1.1 The 2015 Constitution prevents discrimination on the basis of gender and ensures women are represented in Parliament<sup>119</sup>. However patriarchal attitudes, deep-rooted traditional stereotypes and practices still exist and women rarely receive the same educational and employment opportunities as men<sup>120</sup>.
- 15.1.2 Women and girls across society, regardless of their economic, caste or ethnic status, are vulnerable to many forms of violence, including rape, sexual abuse and trafficking<sup>121</sup>.
- 15.1.3 Menstrual exclusion (requiring menstruating women to sleep outside in huts) is still common practice in remote villages, despite a supreme court ban. Women have reportedly died from this practice as the temperature falls to below freezing in winter and the huts are poorly insulated with no heating. A

<sup>117</sup> USSD Trafficking in Persons Report 2018, (Page 317), 28 June 2018, [url](#)

<sup>118</sup> UN Committee on the Elimination of Racial Discrimination, 'Concluding Observations', para 27, 29 May 18, [url](#)

<sup>119</sup> Government of Nepal, Constitution, 2015, [url](#)

<sup>120</sup> DFAT, Country Information Report (section 3.41-3.50), 21 April 2016, [url](#)

<sup>121</sup> DFAT, Country Information Report (section 3.41-3.50), 21 April 2016, [url](#)

new law introduced in August 2018 will punish anyone guilty of enforcing the custom<sup>122</sup>.

- 15.1.4 Nepal's laws contain a narrow definition of rape and the statutory limitations relating to the crime fall short of international standards<sup>123</sup>. Cases were often not investigated or prosecuted and police often divert cases to informal justice mechanisms<sup>124</sup>.
- 15.1.5 The 2009 Domestic Violence Act provides for compensation and psychological treatment for victims, but authorities generally do not prosecute domestic violence cases. A 2012 government survey found that 48 per cent of women had reported that they had experienced violence at some time in their lives, with the majority of perpetrators being those who were closest to them, particularly intimate partners<sup>125</sup>.
- 15.1.6 Violence against women and girls is believed to be one of the major factors responsible for women's relative poor health, livelihood insecurity, and inadequate social mobilization<sup>126</sup>.
- 15.1.7 Divorce is difficult to obtain and divorced women are likely to experience societal stigma<sup>127</sup>.
- 15.1.8 Eleven years after the signing of the Comprehensive Peace Agreement, survivors of conflict-era sexual violence continue to face barriers in gaining access to services, justice and reparations. Many keep silent for fear of stigmatization and rejection<sup>128</sup>.
- 15.1.9 For more information see:
- [Section 12: Trafficking](#)
  - [UN Women Nepal](#)
  - [Human Rights Watch World Report 2018](#)
  - CEDAW – [Nepal Combined fourth and fifth periodic report \(2010\)](#)
  - [Civil Society's Alternate Report On Cedaw Covention 2016](#)
  - [Civil Society's Shadow Report for Pre-session of 6<sup>th</sup> Periodic Report on CEDAW convention 2018](#)
  - CEDAW 20 February 2018: [Joint report on discrimination against women, submitted by the NGOs Global Campaign for Equal Nationality Rights, Forum for Women, Law and Development and others](#)
  - United States Department of State [Country Report on Human Rights Practices for 2017](#), Nepal, 20 April 2018 (Section 6: Women)
  - Australian Department of Foreign Affairs and Trade, [Country Information Report – Nepal](#), 21 April 2016 (women)

<sup>122</sup> The Guardian, Woman in Nepal dies after being exiled to outdoor hut during her period, 12 January 2018, [url](#)

<sup>123</sup> Amnesty International, Annual report 2017-18, 22 February 2018, [url](#)

<sup>124</sup> DFAT, Country Information Report (section 3.41-3.50), 21 April 2016, [url](#)

<sup>125</sup> DFAT, Country Information Report (section 3.41-3.50), 21 April 2016, [url](#)

<sup>126</sup> USSD, Human Rights Report for 2017, (section 6) 20 April 2018, [url](#)

<sup>127</sup> DFAT, Country Information Report (section 3.62), 21 April 2016, [url](#)

<sup>128</sup> UN Security Council, Report of the Secretary-General on conflict...sexual violence, para 87, 23 March 18 [url](#)

- UN Security Council, [Report of the Secretary-General on conflict-related sexual violence](#) (para 87), 23 March 2018
- IFRC – International Federation of Red Cross and Red Crescent Societies: [Effective Law and Policy on Gender Equality and Protection from SGBV in Disasters, Nepal Country Case Study](#), 10 July 2018

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# Terms of reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Country overview
  - Geography
  - Demography
    - Maps
    - Main population centres
  - Economy
  - History
  - Media and Telecommunications
  - Citizenship and nationality
  - Official documents
- Main issues relevant to protection claims (including, but not limited to)
  - Children
  - Ethnicity
  - Humanitarian situation (post-2015 earthquake)
  - Political
  - Religious freedom
  - Sexual orientation and gender identity
  - Trafficking
  - Women

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# Version control

## Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **16 August 2018**

## First version of this note

First version of country background note.

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