



Nepal

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**Submission by CIVICUS: World Alliance for Citizen Participation,
NGO in General Consultative Status with ECOSOC**

And

Asian Human Rights Commission (AHRC)

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1. Introduction

- 1.1 CIVICUS is a global alliance of civil society organisations (CSOs) and activists dedicated to strengthening citizen action and civil society around the world. Founded in 1993, CIVICUS has members in over 180 countries throughout the world.
- 1.2 The Asian Human Rights Commission (AHRC), founded in 1984 by a prominent group of jurists and human rights activists in Asia, is an independent, non-governmental body. The AHRC seeks to promote greater awareness and realisation of human rights in Asia.
- 1.3 In this submission, the two organisations examine the Government of Nepal's compliance with its international human rights obligations to create and maintain a safe and enabling environment for civil society. Specifically, we analyse Nepal's fulfilment of the rights to freedoms of association, expression and peaceful assembly and unwarranted restrictions on human rights defenders (HRDs) since its previous UPR examination in January 2021. To this end, we assess Nepal's implementation of recommendations received during the 3rd UPR cycle relating to these issues and provide follow-up recommendations.
- 1.4 During the 3rd UPR cycle, the Government of Nepal received 13 recommendations relating to the space for civil society (civic space). It accepted 11 of these recommendations and noted two. An evaluation of a range of legal sources and human rights documentation addressed in this submission demonstrates that the Government of Nepal has not implemented seven recommendations relating to civic space and has only partly implemented the other six recommendations.
- 1.5 The government has persistently failed to address unwarranted restrictions on civic space since its last UPR examination. Acute implementation gaps were found with regard to the right to freedom of expression and protection of civil society actors.
- 1.6 We are deeply concerned by increasing incidents of attacks and threats against journalists and media workers in retaliation to their work.
- 1.7 We are further alarmed by restrictions to the right to peaceful assembly and the use of excessive and disproportionate force against protesters, including the repeated use of teargas and water cannon.
- 1.8 As a result of these issues, civic space in Nepal is currently classified as 'obstructed' by the CIVICUS Monitor, indicating the existence of significant civic space restrictions.¹

¹ CIVICUS Monitor: Nepal, <https://monitor.civicus.org/country/nepal>.

- Section 2 of this submission examines Nepal's implementation of UPR recommendations and compliance with international human rights standards concerning freedom of association.
- Section 3 examines Nepal's implementation of UPR recommendations and compliance with international human rights standards related to the protection of civil society activists, HRDs and journalists.
- Section 4 examines Nepal's implementation of UPR recommendations and compliance with international human rights standards concerning freedom of expression and media freedom.
- Section 5 examines Nepal's implementation of UPR recommendations and compliance with international human rights standards related to freedom of peaceful assembly.
- Section 6 contains recommendations to address the concerns raised and advance implementation of recommendations under the 3rd cycle.
- Section 7 is an annex on the implementation of 3rd cycle UPR recommendations related to civic space.

2. Freedom of association

- 2.1** During Nepal's examination under the 3rd UPR cycle, the government received two recommendations on the right to freedom of association and creating an enabling environment for CSOs. Among other recommendations, the government committed to ensuring that 'NGOs are free to operate' and 'to relax the requirements for registering NGOs'. The government accepted the two recommendations. However, as evidenced below, the government has failed to take adequate measures to fully realise these recommendations and has only partly implemented them.
- 2.2** Article 19 of Nepal's 2015 Constitution guarantees the right to freedom of association. Article 22 of the International Covenant on Civil and Political Rights (ICCPR), to which Nepal is a state party, also guarantees freedom of association. However, despite these commitments, the government has not taken positive steps towards reducing practical difficulties in processes to register and operate CSOs.
- 2.3** The Association Registration Act 1977 is the primary framework law for CSOs in Nepal. An organisation is required to register under the Association Registration Act to function legally. Associations are required to renew their registration annually. The renewal process requires the association to submit a progress report, including an audit, minutes of its annual general meeting and its plans for the next year.²
- 2.4** The Social Welfare Act 1992 governs the provision of 'social welfare' and 'social service' activities of CSOs. To receive foreign funding and implement programmes with foreign support, CSOs must receive advance approval from the Social Welfare

² 'Civic Freedom Monitor Nepal', International Center for Not-for-Profit Law, 7 September 2024, <https://www.icnl.org/resources/civic-freedom-monitor/nepal>.

Council. The Company Act 2006 provides the legal basis for registration of not-for-profit business organisations and consultancy companies.³

- 2.5** Reports suggest that in recent years the number of newly registered NGOs under the Association Registration Act 1977 has reduced as the regulatory environment has become increasingly restrictive and politically risky, while company registration offers greater flexibility, access to finance and operational freedom.⁴

3. Harassment, intimidation and attacks against civil society activists, HRDs and journalists

- 3.1** During Nepal's previous UPR examination, the government received two recommendations on the protection of civil society activists, HRDs and journalists. The government was urged to 'guarantee a safe and enabling environment for journalists and human rights defenders' and 'investigate and prosecute attacks against HRDs'. The government accepted both recommendations. However, as examined in this section, the government has not implemented these recommendations, as attacks against journalists and media workers continue and a climate of impunity prevails as perpetrators are not held accountable.
- 3.2** Article 12 of the UN Declaration on Human Rights Defenders mandates states to take the necessary measures to ensure the protection of HRDs. The ICCPR further guarantees freedoms of association, expression and peaceful assembly. However, in spite of these protections, state and non-state actors have targeted HRDs and there have been continued attacks against journalists in Nepal.
- 3.3** Woman HRD Ruby Khan has been arrested several times for her activism. In 2021, police used trumped-up charges of polygamy to detain her for leading a protest. In January 2023, she was arrested again after staging a protest in Kathmandu seeking justice for two women: Nirmala Kurmi, who has been missing since 2010, and Nakunni Dhobi, who died in July 2021. Activists allege that both cases relate to attempts to forcibly acquire the victims' land. In September 2024, Ruby Khan and at least eight other protesters were again arrested for protesting on this issue.⁵
- 3.4** According to a 2023 study by the Informal Sector Service Centre for Human Rights and Social Justice, environmental rights defenders in Nepali continue to feel unsafe

³ Ibid.

⁴ 'Nepal's NGO sector at crossroads', Kathmandu Post, 7 April 2025, <https://kathmandupost.com/columns/2025/04/07/nepal-s-ngo-sector-at-a-crossroads>.

⁵ 'Nepal: Activists and online critics arrested to stifle dissent as journalists remain at risk', CIVICUS Monitor, 18 November 2024, <https://monitor.civicus.org/explore/nepal-activists-and-online-critics-arrested-to-stifle-dissent-as-journalists-remain-at-risk>.

due to the lack of government security mechanisms and fear of reprisals for their human rights work.⁶

- 3.5** In January 2025, police detained activist Phanindra Nepal as he staged a sit-in protest in the Singha Durbar area of Kathmandu on charges of attempting to breach a restricted area.⁷
- 3.6** Journalists have been killed or faced physical attacks from police, government officials and non-state actors due to their reporting.⁸ In October 2021, a mob attacked journalist Dinesh Gyawali in Lumbini Province while he reported on conflict between protesters and police.⁹ In June 2023, a group of assailants attacked journalist Sunil Sapkota over his reporting on a land issue.¹⁰ In August 2023, associates of Kalika municipality's former mayor attacked journalist Shishir Simkhada for reporting on corruption.¹¹ In January 2024, police officers attacked journalist Bijay Rana while he reported on police excess in Baglung, Gandaki Province.¹² In February 2025, a mob physically assaulted Kamal Bahadur Bohara, editor of an online news portal over a news story criticising Kathmandu Mayor Balendra Shah.¹³ Suresh Rajak, a camera operator with Avenues Television, died from an arson attack while covering a protest by pro-monarchy supporters in Kathmandu on 28 March 2025. Media groups called for a high-level investigation into his death.¹⁴
- 3.7** Journalists have also faced intimidation and harassment from police personnel and government officials due to their reporting. In April 2021, security forces raided the home and office of journalist Babin Sharma for having shared a news report critical of Prime Minister KP Sharma Oli. Reporters at Ujyaalo News Network were also

⁶ 'Climate of fear persists among Nepal's eco defenders as threats rise', Mongabay, 23 June 2023, <https://news.mongabay.com/2023/06/climate-of-fear-persists-among-nepals-eco-defenders-as-threats-rise>.

⁷ 'Greater Nepal' campaigner Phanindra Nepal detained for protesting in restricted area', Republica, 6 January 2025, <https://myrepublica.nagariknetwork.com/news/greater-nepal-campaigner-phanindra-nepal-detained-for-protesting-in-restrict...-677b881ac0267.html>.

⁸ 'South Asia Press Freedom Report 2024-2025', International Federation of Journalists, <https://samsn.ifj.org/SAPFR24-25/nepal-2>.

⁹ 'Reporter Gyawali attacked while covering a protest', Nepal Press Freedom, 11 October 2021, <http://nepalpressfreedom.org/main/issue-single/1309>.

¹⁰ 'Nepal: Journalists threatened, harassed, and detained', International Federation of Journalists, 30 June 2023, <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/nepal-journalists-threatened-harassed-and-detained>.

¹¹ 'Editor in chief Simkhada attacked', Nepal Press Freedom, 17 August 2022, <http://nepalpressfreedom.org/main/issue-single/1354>.

¹² 'Reporter injured in police attack', Nepal Press Freedom, 7 January 2024, <https://nepalpressfreedom.org/main/issue-single/1423>.

¹³ 'Media Action Nepal condemns attack on journalist Bohara', Media Action Nepal, <https://mediaactionnepal.org/media-action-nepal-condemns-attack-on-journalist-bohara>.

¹⁴ 'Nepal: Investigations into the deaths of journalists Suresh Rajak and Suresh Bhul are stalling', Reporters Without Borders, 6 May 2025, <https://rsf.org/en/nepal-investigations-deaths-journalists-suresh-rajak-and-suresh-bhul-are-stalling>.

harassed and threatened over the story.¹⁵ In May 2021, the Supreme Court summoned and interrogated two editors, Narayan Amrit and Rajan Kuikel, regarding a news report they published about a meeting between Prime Minister Oli and the Chief Justice. They were reportedly told to disclose their news sources.¹⁶ On 22 February 2022, officers from the police's Cyber Bureau summoned and threatened to arrest Umesh Shrestha, editor of Nepal Fact Check, after its publication of a report regarding the USA's Millenium Challenge Corporation fund to improve infrastructure.¹⁷ On 12 April 2025, freelance journalist Suresh Bidari was subjected to online bullying and harassment after writing a piece about violent protests during a religious procession.¹⁸

3.8 Some journalists have also received threats in relation to their reporting. Reporter Narajan Tamang and his family received abusive and threatening posts on social media in April 2022 for his reporting on a dispute among political parties in a local election in Chankheli Rural Municipality.¹⁹ In May 2023, journalist Lekhanath Pokharel received death threats for his reporting on the alleged involvement of a political leader in a financial fraud case.²⁰ In August 2024, investigative journalist Subhak Mahato received threats and warnings to stop his reporting on alleged corruption in airport construction.²¹ In January 2024, journalist Pradeep Pariyar was threatened for his reporting about a business leader.²²

3.9 Journalists have been subjected to arrest and detention as a result of their reporting. In June 2022, it was reported that journalist and right to information activist Kailash Majhi had been held in police custody for four days for his reporting in Saptari, Madhesh Province that alleged irregularities in local government work.²³ Kailash Sirohiya, chairperson and publisher of the Kantipur Media Group, was arrested on 21

¹⁵ 'Nepal: Freedom Forum condemns harassment of journalists over critical reports about the prime minister', IFEX, 20 April 2021, <https://ifex.org/nepal-freedom-forum-condemns-harassment-of-journalists-over-critical-reports-about-the-prime-ministe>.

¹⁶ 'Supreme Court summons editors over news reports. Not everyone is amused', Kathmandu Post, 26 May 2021, <https://kathmandupost.com/national/2021/05/26/supreme-court-summons-two-journalists-over-news-reports-not-everyone-is-amused>.

¹⁷ 'Nepal: Police harassed journalist over fact checking report', International Federation of Journalists, 1 March 2022, <https://www.ifj.org/media-centre/news/detail/article/nepal-police-accuse-journalist-of-spreading-misinformation>.

¹⁸ 'Journalists harassed, beaten and attacked', Media Action Nepal, 18 April 2025, <https://mediaactionnepal.org/journalists-harassed-beaten-and-attacked>.

¹⁹ 'Death threat issued to reporter for writing news', Nepal Press Freedom, 24 April 2022, <https://nepalpressfreedom.org/main/issue-single/1333>.

²⁰ 'Journalist issued death threat at media house', Nepal Press Freedom, 17 May 2023, <https://nepalpressfreedom.org/main/issue-single/1381>.

²¹ 'Nepal: Investigative journalist threatened', International Federation of Journalists, 22 August 2024, <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/nepal-investigative-journalist-threatened>.

²² 'Business entrepreneur threatens journalist in public', Nepal Press Freedom, 11 January 2024, <https://nepalpressfreedom.org/main/issue-single/1424>.

²³ 'Journo and RTI activist held in detention for reporting on irregularities', Nepal Press Freedom, 20 June 2022, <https://nepalpressfreedom.org/main/issue-single/1343>.

May 2024, allegedly over irregularities in the details on his citizenship card, and held in judicial custody for nine days. Rights groups condemned the arrest as an abuse of power and authority and said it was in response Kantipur's critical reporting about the Home Minister.²⁴

4. Freedom of expression and media freedom

- 4.1** Under the 3rd UPR cycle, the government received six recommendations relating to freedom of expression and media freedom. The government accepted four recommendations and noted two. Among those it accepted was a recommendation to support free and independent media, in line with international human rights standards. Among the two it noted, was a recommendation to reform the Electronic Transactions Act (ETA) 2008 to eliminate the criminalisation of speech. However, as discussed below, the government has only partly implemented two recommendations and has not implemented the other four. People continue to be criminalised under the ETA for social media posts.
- 4.2** ICCPR article 19 guarantees the rights to freedoms of expression and opinion. Article 17 of the Constitution of Nepal also guarantees the right to freedom of expression. However, some legal provisions relating to freedom of expression and the right to information are unduly restrictive.
- 4.3** In recent years, the government has introduced laws and regulations to control social media platforms. In February 2025, the Bill on the Operation, Use, and Regulation of Social Media, referred to as the Social Media Bill, was introduced in the National Assembly. Many of the bill's provisions, such as strict content moderation policies, have been identified as problematic for being overly vague and have been criticised for their potential for abuse by authorities and possible impacts on freedom of speech.²⁵
- 4.4** In May 2025, the Ministry of Communication and Information Technology issued a warning to social media platforms to register in Nepal under the Directives for Managing the Use of Social Networks, 2023. A coalition of civil society groups called for the regulation of digital platforms to be transparent, inclusive and rooted in democratic principles.²⁶
- 4.5** There are concerns about internet freedom and digital rights. In August 2023, the cabinet approved a new National Cyber Security Policy that introduced provisions that raise serious concern for internet freedom. Civil society groups have pointed out

²⁴ 'Nepal: Personal vendetta against the media', Asian Human Rights Commission, 26 May 2024, <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-005-2024>.

²⁵ 'Nepal: Restrictive social media legislation, targeting of journalists and excessive force at protests put freedoms at risk', CIVICUS Monitor, 22 May 2025, <https://monitor.civicus.org/explore/nepal-restrictive-social-media-legislation-targeting-of-journalists-and-excessive-force-at-protests-put-freedoms-at-risk>.

²⁶ Ibid.

that the new policy remains vague in critical areas such as surveillance and censorship and fails to acknowledge the protection of human rights and fundamental freedoms.²⁷

- 4.6** In November 2023, Nepal's Council of Ministers banned TikTok, citing negative effects on the country's 'social harmony'. The decision was widely criticised as an attack on freedom of expression. After nine months, Nepal lifted the ban in August 2024 following a decision by the Council of Ministers.²⁸
- 4.7** Authorities have targeted individuals under the ETA for their social media activity. The ETA contains vague and overly broad provisions that have been misused to stifle freedom of expression and target journalistic work and social media posts, resulting in legal actions against journalists and social media users. Ramesh Bahadur Rawal, who posted a Facebook status update calling Prime Minister Oli corrupt, was arrested on 16 August 2024 and charged with spreading public hatred. On 21 August 2024, police arrested Man Bahadur Karki in Kathmandu for posting content on Facebook deemed 'harmful to social harmony'. In August 2024, two young people were arrested for their critical comments online. On 2 October 2024, the District Court of Kathmandu issued an arrest warrant against Durga Prasain for violating the ETA.²⁹
- 4.8** There are several provisions in the Criminal Code of 2017 that could be used to criminalise media freedom. Particular provisions of concern include: section 293, which criminalises recording and listening to conversations between two or more people without consent of the people involved; section 294, which prohibits the disclosure of private information without permission, including private information on public figures; section 295, which prohibits taking a photograph of a person outside of a public space without their consent; section 298, which prohibits people from receiving, sending or publishing unauthorised information through an electronic medium; and section 306, which criminalises satire that disrespects an individual.³⁰
- 4.9** Press freedom also remains at risk. In an incident of censorship in October 2022, the Press Council Nepal (PCN), the former national media regulatory body, sent a letter to Nagarik Daily requesting an explanation behind the publication of a satirical

²⁷ 'Nepal: Revise cybersecurity policy to avoid further internet fragmentation', Article 19, 30 August 2023, <https://www.article19.org/resources/nepal-revise-cybersecurity-policy-to-avoid-further-internet-fragmentation>.

²⁸ 'Nepal: Civic freedoms at risk with Tik Tok ban, social media directive and targeting of journalists and protesters', CIVICUS Monitor, 2 February 2024, <https://monitor.civicus.org/explore/nepal-civic-freedoms-at-risk-with-tik-tok-ban-social-media-directive-and-targeting-of-journalists-and-protesters>.

²⁹ 'Nepal: Activists and online critics arrested to stifle dissent as journalists remain at risk', CIVICUS Monitor, 18 November 2024, <https://monitor.civicus.org/explore/nepal-activists-and-online-critics-arrested-to-stifle-dissent-as-journalists-remain-at-risk>.

³⁰ 'New Nepali Criminal Code Threatens Press Freedom', Committee to Protect Journalists, 20 August 2018, <https://cpj.org/2018/08/new-nepali-criminal-code-threatens-press-freedom>.

cartoon of Prime Minister Oli, which the PCN claimed violated journalistic and electoral codes of conduct.³¹

- 4.10** In November 2022, news portal Setopati published news that Nishan Kharel, son of former Law Minister and parliamentary candidate Agni Kharel, had retained Nepali citizenship and voting rights in Nepal despite active service in the US army. The Election Commission ordered the news portal to delete the article within 24 hours, deeming the story defamatory and in violation of the electoral code of conduct. It later rescinded its order.³² In May 2023, the PCN ordered the Telecommunications Authority to block National Dainik, an online news portal, following a news story about alleged involvement of women leaders in defrauding people.³³
- 4.11** The Media Council Bill, passed in February 2025, replaced the PCN with a new body, the Media Council Nepal. Concerns have been raised that this could threaten journalistic freedom as a provision in the bill states that the government will appoint a chairperson to lead the council. Media groups called on the government to amend the Media Council Bill to ensure the body has a balanced structure by including a chairperson with a judicial background and members from the media.³⁴
- 4.12** In March 2025, the offices of media houses Annapurna Post and Kantipur Television were attacked by protesters associated with pro-monarchy groups during a protest.³⁵

5. Freedom of peaceful assembly

- 5.1** During Nepal's examination under the 3rd UPR cycle, the government received three recommendations on the right to freedom of peaceful assembly. Among other recommendations, the government committed to ensuring that 'no person is arrested for peacefully exercising their right to freedom of assembly', and 'putting an end to the excessive use of force against demonstrators'. The government accepted all three recommendations. However, as evidenced below, the government only partly implemented two recommendations. Protests in Nepal often face excessive or disproportionate police force, and journalists and media workers covering the protests have faced violence.

³¹ 'Nepal: Attacks on press freedom rise ahead of election', International Federation of Journalists, 18 November 2022, <https://www.ifj.org/media-centre/news/detail/article/nepal-attacks-on-press-freedom-rise-ahead-of-election>.

³² 'Poll commission's order to remove news report comes under fire', Kathmandu Post, 5 November 2022, <https://kathmandupost.com/national/2022/11/05/election-commission-s-order-to-remove-news-from-portal-courts-controversy>.

³³ 'Nepal: Authorities continue to target journalists, stifle protests and seek to increase surveillance powers', CIVICUS Monitor, 5 June 2023, <https://monitor.civicus.org/explore/nepal-authorities-continue-to-target-journalists-stifle-protests-and-seek-to-increase-surveillance-powers>.

³⁴ 'Nepal's social media bill raises free speech concerns', DW News, 13 February 2025, <https://www.dw.com/en/nepals-social-media-bill-raises-free-speech-concerns/a-71595277>.

³⁵ CIVICUS Monitor, 22 May 2025, op. cit.

- 5.2** ICCPR article 21 guarantees the right to freedom of peaceful assembly. Article 17 of Nepal's Constitution also guarantees freedom of peaceful assembly. However, protests have been met with arbitrary arrests and excessive force, and the authorities have limited public space to prevent assemblies gathering to express dissent against government policies. Those targeted include activists, pro-monarchy protesters, teachers and local communities.
- 5.3** In January 2021, police used batons and water cannon to disperse hundreds of people marching towards the official residence of Prime Minister Oli to protest against the dissolution of parliament. The protest was organised by prominent activists. Police detained around two dozen activists and civil society members who had gathered, while dozens were injured. In June 2021, police arrested around 20 people, including civil society activists, at a protest site near the Prime Minister's residence in Baluwatar for violating a protest-ban order.³⁶
- 5.4** Four protesters were killed by police fire in Rupandehi district during an eviction drive in October 2021, with dozens injured. The incident highlighted excessive use of force by security forces against protests in the Tarai region.³⁷
- 5.5** In February 2022, hundreds of protesters demonstrated against a controversial US\$500 million grant from the USA that was up for parliamentary approval. Riot police responded by firing teargas and water cannon and beating protesters with bamboo batons. Police also reportedly fired rubber bullets and detained dozens of protesters.³⁸
- 5.6** In June 2022, police killed a woman when using excessive force against protesters who demanded greater state protection from wild animals. Police opened fire on protesters without any warning during the protest in Bardiya district.³⁹
- 5.7** In November 2023, officials in Kathmandu declared the Maitighar to Baneshwar road section as an area prohibited for protests for a month. The order prohibited gatherings in groups of over five people and the staging of protests, demonstrations, processions, hunger strikes and meetings in the area.⁴⁰ That same month, riot police used batons and teargas to halt tens of thousands of people protesting to demand the

³⁶ '20 civil society leaders including Narayan Wagle, Khagendra Sangraula arrested from Baluwatar', Republica, 11 June 2021, <https://myrepublica.nagariknetwork.com/news/20-civil-society-leaders-including-narayan-wagle-khagendra-sangraula-arrested-from-baluwatar>.

³⁷ 'Nepal: Crackdown on protests and suppression of dissent', CIVICUS, October 2024, <https://www.civicus.org/documents/nepal-october-2024.pdf>.

³⁸ Ibid.

³⁹ 'Nepali Police Kill Protester Demanding Protection from Tiger Attacks', Human Rights Watch, 8 June 2022, <https://www.hrw.org/news/2022/06/08/nepali-police-kill-protester-demanding-protection-tiger-attacks>.

⁴⁰ 'Police detain 28 civil society activists', Kathmandu Post, 15 December 2023, <https://kathmandupost.com/national/2023/12/15/police-detain-28-civil-society-leaders>.

restoration of the monarchy. The police reportedly arrested a total of 261 protesters, eventually releasing them by the end of the day.⁴¹

- 5.8** In April 2024, Nepali police fired teargas and water cannon as thousands marched in Kathmandu to demand the restoration of constitutional monarchy.⁴²
- 5.9** In March 2025, two people were killed and dozens injured after further protests in Kathmandu calling for the restoration of the monarchy, which ended in clashes with police. Police detained at least 100 protesters.⁴³
- 5.10** In April 2025, police used excessive force against teachers who were peacefully marching to parliament. The authorities dispersed the gathering using batons and water cannon, injuring over 60 teachers, a dozen of whom were critically injured and hospitalised.
- 5.11** Journalists have also faced attacks when covering protests. In April 2022, police assaulted reporters who were reporting on a protest in Butwal, Lumbini Province, seizing a journalist's phone and threatening to delete recordings.⁴⁴ In August 2022, police attacked journalists Arbin Paswan Gangajal and Chandradeep Thakur while they reported on a protest at a cement factory.⁴⁵
- 5.12** In April 2023, police officers obstructed three journalists from reporting in Koshi Province. Police barred them from reporting a protest in a hospital where a woman died while giving birth.⁴⁶
- 5.13** In April 2025, reporter Sabina Karki suffered serious eye injuries due to excessive use of police force during a protest in Kathmandu.⁴⁷

6. Recommendations to the Government of Nepal

CIVICUS and AHRC call on the Government of Nepal to create and maintain, in law and in practice, an enabling environment for civil society, in accordance with the rights enshrined in the ICCPR, the UN Declaration on Human Rights Defenders and Human Rights Council resolutions 22/6, 27/5 and 27/31.

⁴¹ 'Tens of Thousands of Protesters demand Restoration of Nepal's Monarchy Clash With Police', VoA News, 23 November 2023, <https://www.voanews.com/a/tens-of-thousands-of-protesters-demand-restoration-of-nepal-s-monarchy-clash-with-police/7367090.html>.

⁴² CIVICUS, October 2024, op. cit.

⁴³ CIVICUS Monitor, 22 May 2025, op. cit.

⁴⁴ CIVICUS, October 2024, op. cit.

⁴⁵ 'Reporters Attacked', Nepal Press Freedom, 9 August 2022, <http://nepalpressfreedom.org/main/issue-single/1351>.

⁴⁶ 'Journalists obstructed from reporting', Nepal Press Freedom, 21 April 2023, <https://nepalpressfreedom.org/main/issue-single/1376>.

⁴⁷ 'Media Action Nepal urges police accountability after journalist Karki injured', Media Action Nepal, 27 April 2025, <https://mediaactionnepal.org/media-action-nepal-urges-police-accountability-after-journalist-karki-injured>.

At a minimum, the following conditions should be guaranteed: freedoms of association, expression and peaceful assembly, the right to operate free from unwarranted state interference, the right to communicate and cooperate, the right to seek and secure funding and the state's duty to protect. In the light of this, the following specific recommendations are made:

6.1 Freedom of association

- Take measures to foster a safe, respectful and enabling environment for civil society, including by removing legal and policy measures that unwarrantedly limit freedom of association.
- Remove all undue restrictions on the ability of CSOs to receive international and domestic funding in line with best practices articulated by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association.
- Refrain from acts leading to the closure of CSOs or the suspension of their peaceful activities and instead promote a meaningful political dialogue that allows and embraces diverging views, including those of CSOs, HRDs, journalists, political activists and others.
- Review existing laws relating to registration and operation of CSOs to remove undue restrictions on freedom of association and bring laws into compliance with ICCPR articles 21 and 22.

6.2 Protection of human rights defenders

- Provide civil society members, HRDs and journalists with a safe and secure environment in which to carry out their work.
- Conduct impartial, thorough and effective investigations into all cases of attacks, harassment and intimidation against civil society members, HRDs and journalists and bring the perpetrators of such offences to justice.
- Ensure that HRDs are able to carry out their legitimate activities without fear or undue hindrance, obstruction, or legal and administrative harassment.

6.3 Freedom of expression and media freedom

- Ensure freedom of expression and media freedom by all bringing national legislation into line with international standards.
- Amend the Electronic Transactions Act to bring it into line with best practices and international standards on freedom of expression.

- Review the criminal code in order to ensure that legislation is in line with best practices and international standards on freedom of expression, looking particularly at sections 293, 294, 295, 298 and 306.
- Revise all laws and policies related to the regulation of social media and press freedom, including the Media Council Law, National Cyber Security Policy and Social Media Bill to ensure they are consistent with the ICCPR and Nepal's international human rights obligations.
- Ensure that journalists can work freely and without fear of retribution for expressing critical opinions or covering topics the government may deem sensitive.
- Take steps to adopt a framework for the protection of journalists from persecution, intimidation and harassment.
- Refrain from adopting any laws providing for censorship or undue control over social and conventional media content.

6.4 Freedom of peaceful assembly

- Adopt best practices on the freedom of peaceful assembly, as put forward by the 2012 report of the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, and by General Comment No. 37 on the right to peaceful assembly adopted by the UN Human Rights Committee in 2020.
- Unconditionally and immediately release all protesters, HRDs and journalists detained for exercising their right to freedom of peaceful assembly and review their cases to prevent further harassment.
- Immediately and impartially investigate all instances of extrajudicial killing and excessive force committed by security forces in the context of protests and bring the perpetrators to justice.
- Review and, if necessary, update human rights training for police and security forces, with the assistance of independent CSOs, to foster the more consistent application of international human rights standards, including the UN Basic Principles on the Use of Force and Firearms.
- Publicly condemn at the highest levels all instances of the use of excessive and brutal force by security forces in response to protests, launch formal investigations into such instances and bring the perpetrators to justice.
- Provide recourse to judicial review and effective remedy, including compensation, in cases of unlawful denial of the right to freedom of peaceful assembly by state authorities.

6.5 Access to UN Special Procedures mandate holders

- Extend a standing invitation to all UN Special Procedure mandate holders and prioritise official visits by the: 1) Special Rapporteur on the situation of human rights defenders; 2) Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression; and 3) Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association.

6.6 State engagement with civil society

- Implement transparent and inclusive mechanisms of public consultations with CSOs on all issues mentioned above and enable the more effective involvement of civil society in the preparation of law and policy.
- Include CSOs in the UPR process before finalising and submitting the national report.
- Systematically consult with civil society on the implementation of UPR recommendations, including by holding periodical comprehensive consultations with a diverse range of civil society.
- Incorporate the results of this UPR into action plans for the promotion and protection of all human rights, taking into account the proposals of civil society, and present a midterm evaluation report to the Human Rights Council on the implementation of the recommendations of this session.

7. Annex: Assessment of implementation of civic space recommendations under the 3rd cycle

Recommendation	Position	Assessment/Comments on level of implementation
<p>159.73 Consider revising the local legislation on media and information technology in order to guarantee the full respect of the right to freedom of opinion and expression (Brazil)</p> <p>Source of Position: A/HRC/47/10/Add.1 - Para.6</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p>159.74 Ensure that legislation on cybersecurity guarantees the rights of access to information and freedom of expression (Chile)</p> <p>Source of Position: A/HRC/47/10/Add.1 - Para.6</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p>159.75 Safeguard the freedom of expression and foster civil society participation; ensure that NGOs active in the field of human rights – including those receiving foreign grants – are free to operate (Czechia)</p> <p>Source of Position: A/HRC/47/10/Add.1 - Para.6</p>	Supported	<p>Status: Partially implemented</p> <p>Source: Section 2</p>
<p>159.77 Ensure the right to freedom of expression online and offline, in law and in practice, and guarantee a safe and enabling environment for journalists and human rights defenders (Estonia)</p> <p>Source of Position: A/HRC/47/10/Add.1 - Para.6</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 3</p>
<p>159.78 Guarantee freedom of expression, information and peaceful assembly by putting an end to the excessive use of force against demonstrators, human rights defenders and journalists, as well as by sanctioning the perpetrators of violations of their rights (France)</p> <p>Source of Position: A/HRC/47/10/Add.1 - Para.6</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 5</p>
<p>159.79 Ensure no person is arrested for peacefully exercising their right to freedom of expression, association or assembly and that all arrests are carried out in accordance with the law and in line with international human rights standards (Greece)</p> <p>Source of Position: A/HRC/47/10/Add.1 - Para.6</p>	Supported	<p>Status: Partially implemented</p> <p>Source: Section 5</p>

<p>159.81 Protect and uphold the freedom of expression and peaceful assembly, including by respecting and supporting the free and independent media, in line with international human rights standards (Iceland)</p> <p>Source of Position: A/HRC/47/10/Add.1 - Para.6</p>	Supported	<p>Status: Partially implemented</p> <p>Source: Section 4</p>
<p>159.82 Promote and protect the right to freedom of expression and peaceful assembly of all residents of Nepal (Latvia)</p> <p>Source of Position: A/HRC/47/10/Add.1 - Para.6</p>	Supported	<p>Status: Partially implemented</p> <p>Source: Section 5</p>
<p>159.85 Introduce and implement measures to protect lawyers and human rights defenders, including investigating and prosecuting all forms of attacks against them (Netherlands)</p> <p>Source of Position: A/HRC/47/10/Add.1 - Para.6</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 3</p>
<p>159.88 Ensure the right to freedom of expression and ensure all individuals are protected against threats, intimidation and violence when engaging in public discourse (Australia)</p> <p>Source of Position: A/HRC/47/10/Add.1 - Para.6</p>	Supported	<p>Status: Partially implemented</p> <p>Source: Section 4</p>
<p>159.83 Take measures to foster a safe, respectful and enabling environment for civil society and human rights defenders, especially women human rights defenders, free from persecution, intimidation and harassment, and to relax the requirements for registering NGOs (Latvia)</p> <p>Source of Position: A/HRC/47/10/Add.1 - Para.6</p>	Supported	<p>Status: Partially implemented</p> <p>Source: Section 2</p>
<p>159.84 Eliminate all provisions that restrict freedom of expression, through any means, such as criminal provisions relating to slander or defamation (Mexico)</p> <p>Source of Position: A/HRC/47/10/Add.1 - Para.28</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p>159.89 Reform the Electronic Transactions Act to eliminate the criminalization of speech (United States of America)</p> <p>Source of Position: A/HRC/47/10/Add.1 - Para.24</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 4</p>