

COUNTRY OF ORIGIN INFORMATION KEY DOCUMENTS

NEPAL

4 APRIL 2007

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2 This COI Key Documents contains the most up-to-date publicly available information as at 15 March 2007. Older source material has been included where it contains relevant information not available in more recent documents.

1. Preface

- i This Country of Origin Information (COI) Key Documents has been produced by Research, Development and Statistics (RDS), Home Office, for use by officials involved in the asylum/human rights determination process. It provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The COI Key Documents includes information available up to 15 March 2007.
- ii The COI Key Documents is an indexed list of key reports, papers and articles produced by a wide range of recognised external information sources. It does not contain any Home Office opinion or policy.
- iii For Home Office users, the COI Key Documents provides direct electronic access to each source referred to in the document, via a link on the source numbers in the index and list of sources. For the benefit of external users, the relevant web link has also been included, together with the date that the link was accessed.
- iv As noted above, the documents identified concentrate mainly on human rights issues. By way of introduction, brief background information on Nepal is also provided. Please note, this background material is not intended to provide a summary of the material contained in the key documents listed.
- v This COI Key Documents and the documents listed are publicly disclosable.
- vi Any comments regarding this COI Key Documents or suggestions for additional documents are very welcome and should be submitted to the Home Office as below.

Country of Origin Information Service

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Website: http://www.homeoffice.gov.uk/rds/country_reports.html

ADVISORY PANEL ON COUNTRY INFORMATION

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It is not the function of the Advisory Panel to endorse any Home Office material or procedures. In the course of its work, the Advisory Panel directly reviews the content of selected Home Office COI documents, but neither the

fact that such a review has been undertaken, nor any comments made, should be taken to imply endorsement of the material. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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2. Background information on Nepal

Full Country Name: Nepal

Area: Total area approximately 147,000 sq. km

Population: 28.2 million (2006 est)

Capital City: Kathmandu

People: Tribal groups include Gurung, Limbu, Newar, Rai, Sherpa, Tamang and Tharu with diverse smaller groups. Major caste groups are the Brahmans and Chhetris. Large numbers of Indians and some Tibetans make their home in the country.

Languages: Nepal has over 30 Languages and dozens of dialects. Nepali 58% (official language), Newari 3%, mainly in Kathmandu. Tibetan languages (20%) mainly in the hill areas and Indian languages (20%) mainly in the Terai areas bordering India.

Religion(s): Officially 90% Hindu, 8% Buddhist and 2% Islamic – but these figures are thought misleading. Hinduism and Buddhism overlap considerably in Nepal. Other estimates also suggest that there are some 400,000 Christians in the country.

Currency: Nepalese Rupee (NPR)

Major Political Parties: Nepali Congress Party (Girija Prasad Koirala, Party president), Nepali Congress Party Democratic (Sher Bahadur Deuba, Party president), Communist Party of Nepal/United Marxist-Leninist or CPN/UML (Party General Secretary Madhav Kumar Nepal) National Democratic Party or NDP (also called Rastriya Prajatantra Party or RPP), now split into RPP (Thapa) and RPP (Rana). Nepal Sadbhavana (Goodwill) Party or NSP, also split into factions Nepal Sadbhavana Party (Anandi Devi) and Nepal Workers and Peasants Party or NWPP.

Government: Constitutionally, Nepal is a parliamentary democracy. A multi-party Parliament was reinstated following the King's handover of executive powers to the political parties on 24 April 2006. Subsequently a new cabinet has been formed.

Head of State: King Gyanendra Bir Bikram Shah Dev. The King no longer holds any executive powers or ceremonial functions.

Prime Minister: Prasad Koirala. Sworn into office on 30 April 2006.

State Minister for Foreign Affairs: K P Oli (also Deputy Prime Minister)

Membership of International Groupings/Organisations: United Nations, South Asian Association for Regional Co-operation (SAARC), Council of Democracies. (FCO Country Profile, 8 January 2007) [4a]

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GEOGRAPHY

The Foreign and Commonwealth Office (FCO) Country Profile on Nepal, updated 8 January 2007, noted:

“Nepal covers approximately 147,000 sq km, stretching 800 km from east to west and 90 to 230 km from north to south. Nepal is land-locked between China (including the Chinese autonomous region of Tibet) and India. Nepal has three geographic regions; the mountainous Himalayan belt (including 8 of the 10 highest mountain peaks in the world), the hill region and the plains region. Nepal contains the greatest altitude variation on earth, from the lowland Terai, at almost sea-level to Mount Everest (Sagarmatha) at 8848 metres.” [4a] (Geography)

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RECENT HISTORY

Europa World Online, accessed 28 February 2007, stated that:

“Nepal is an hereditary monarchy, but for more than 100 years, until 1951, effective power was held by the Rana family, who created the post of hereditary Prime Minister. A popular revolution, led by the Nepali Congress Party (NCP), ousted the Ranas and restored King Tribhuvan to power. A limited constitutional monarchy was established in 1951. During most of the 1950s government was controlled by the monarchy, first under Tribhuvan and then, after his death in 1955, under his son, Mahendra. In February 1959 King Mahendra promulgated Nepal's first Constitution.” [1]

The BBC Country Profile on Nepal, updated 21 November 2006, reported:

“A brief experiment with multi-party politics in 1959 ended with King Mahendra suspending parliament and taking sole charge. Democratic politics was introduced in 1991 after popular protests, but it was extremely factionalised with frequent changes of government. The current monarch twice assumed executive powers - in 2002 and 2005. Meanwhile, Maoist rebels intent on setting up a communist republic waged a decade-long campaign against the constitutional monarchy. The rebellion left more than 12,000 people dead. The UN said 100,000 people were displaced. Its envoy said the use of torture by government forces and rebels was routine.” [7a]

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RECENT EVENTS AND POLITICAL DEVELOPMENT

The FCO Country Profile on Nepal, updated 8 January 2007, noted:

“On 1 February 2005 the King dismissed Prime Minister Deuba and his Government, putatively for failing in its mandate to hold elections by April, and took power directly himself. He immediately imprisoned the top party leaders and many civil society and political activists. The takeover was met with widespread international criticism from the India, the US, the EU and the UK. A State of Emergency was imposed, which included a number of measures including censorship of the press and suspension of many fundamental rights. Following condemnation of the King's actions by the international community the State of Emergency was lifted and many detainees were released. On 14 April the King announced his intention to restore democracy by holding municipal elections in February 2006 followed by national elections by April 2007.

“In September 2005 the Maoists announced a three-month unilateral ceasefire and in November 2005, the Maoists and seven of the political parties (the Seven Party Alliance - SPA) announced a 12 point understanding aimed at ending the King's autocratic rule and restoring democracy. Despite all the major political parties boycotting the elections and the majority of seats having no candidates, the municipal elections went ahead on 8 February 2006. Voter turnout was low.

“With widespread political discontent among the political forces and the population, the SPA and the Maoists announced a programme of nationwide strikes and mass street protests throughout from 6-9 April 2006. The Maoists organised nationwide blockades and announced an indefinite ceasefire in Kathmandu Valley. Despite bans and curfews, mass protests took place throughout the country during most of April 2006. At least 21 people were killed and over 4000 people were injured after violent clashes between protestors and security forces. The international community condemned the

excessive use of force by security forces who used live bullets, baton charges, and tear gas on protestors.

“Following weeks of nationwide civil unrest in April 2006, the King handed power to the political parties and reinstated Parliament.

“The reinstated Parliament convened on 28 April 2006. The new Prime Minister, G P Koirala was sworn in to [sic] office on 30 April 2006 and proposals to hold elections to a Constitutional Assembly and peace hold talks [sic] with the Maoists were passed.

“On 18 May 2006 the Parliament declared itself 'supreme' and voted unanimously to curtail the King's political powers. This included removing his powers as Supreme Commander-in-Chief of the Army. Nepal was declared a secular state.

“On 26 May 2006 the Government and Maoist rebels began peace talks, the first in nearly three years. They agreed a 25-point Code of Conduct to govern the ceasefire and prepare the way for elections to a Constituent Assembly.

“In August 2006 the Government of Nepal and the Maoists requested UN assistance in support of the peace process, including management of arms. In response, the UN Secretary-General appointed Ian Martin as his Personal Representative for Nepal in August 2006.

“A peace agreement between the Government of Nepal and the Maoists was signed in Kathmandu on 21 November 2006 thereby ending 11 years of conflict in Nepal. Under the terms of the agreement the Nepali Army and Maoist cadres will be confined to barracks and cantonments. Both sides agreed a permanent ceasefire and an arms management arrangement, which will be monitored by the UN. The agreement also provides for elections to a Constituent Assembly by June 2007 and for the Maoists to become part of the political mainstream as a legitimate political party. Subsequently an arms management agreement was signed on 28 November between the Maoists and the government under the auspices UN.

“On 16 December, the government and Maoists signed agreements on a draft interim constitution, this will not be ratified or promulgated until Maoist arms are locked away and their ex-combatants registered. When the interim constitution is ratified a new interim parliament will be formed.” [4a] (Political Developments)

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ECONOMY

GDP: US\$ 5.92 billion (2004 est)

GDP per head: US\$ 260

Annual Growth: 2.33% (2004/2005 – Asian Development Bank)

Inflation: 5.2% (2004/2005 est)

Major Industries: Tourism, carpet, textile, small rice, jute, sugar and oilseed mills; cigarettes; cement and brick production.

Major trading partners: India 59%, US & Germany (FCO Country Profile, 8 January 2007) [4a] (Economy)

Exchange rate: £1 = 138.345 NPR (as at 1 March 2007) (XE.com, accessed 1 March 2007) [42]

On the economy of Nepal, the FCO Country Profile dated 8 January 2007 further

stated:

“Nepal has a per capita income of US \$ 260 (2004). 31% of the population is estimated to be living below the poverty line. The economy is largely based on agriculture, which accounts for 80% of employment though only 39% of GNP. Manufacturing production grew rapidly in the 1980s, but its share of GDP is still only about 9%. Construction and the financial sector contribute about 10% of GDP each. The main foreign currency earners are remittances from migrant workers, carpet exports (mostly to Germany), garment exports (to the USA) and tourism. Around 334,600 tourists visited Nepal in 2003. About a quarter were Indian, most of the rest came from Western Europe and South East Asia.” [4a] (Economy)

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HUMAN RIGHTS

The USSD 2006 Country Report on Human Rights in Nepal stated:

“Members of the security forces and the Maoist insurgents committed numerous grave human rights abuses during the year [2006]. Arbitrary and unlawful use of lethal force, including torture, as well as disappearances, occurred frequently. In addition, arbitrary arrest and lengthy pretrial detention, restrictions on the right to assemble, obstruction of citizens' right to change the government, and impunity for security forces remained serious problems. The government also compromised independence of the judiciary, suspended news broadcasts, restricted the Tibetan community, restricted internal travel, and discriminated against persons with disabilities and lower castes. Violence against women and trafficking in women and girls continued. Maoist acts of violence, extortion and intimidation continued throughout the year. There has been some improvement in the human rights situation since the transition of power on April 27 [2006]. Government abuses decreased substantially, while Maoist abuses, such as abduction, extortion, and violence, continued relatively unabated.” [2a] In their 2006 Annual Report on Human Rights, the FCO noted in their overview of Nepal “While there has been progress in some areas of human rights, the situation has worsened in others, and the death toll from the conflict [with the Maoists] has continued to rise.” [4a]

Amnesty International's (AI) 2006 Annual Report, covering events from January – December 2005, expressed concern about the following issues:

- Political arrests
- Undermined rule of law
- “Village defence forces”
- Unlawful killings
- Torture and ill-treatment
- Human rights defenders
- Abuses by the CPN (Maoist)
- Violence against women and children
- Economic, social and cultural rights [11a]

Human Rights Watch World Report 2007 noted that after April 2006, Nepal's human rights situation improved considerably following the end of King Gyanendra's year long authoritarian rule, and the ceasefire between government forces and the Maoists. [5a]

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3. Index to key source documents

(KB users - click source number to access document directly)

KEY FACTS AND GEOGRAPHY	[1a]	Europa World Online, Location, Climate, Language, Religion, Flag, Capital (accessed on 28 February 2007) http://www.europaworld.com/pub/
	[1a]	Europa World Online, Country Statistics (accessed on 28 February 2007) http://www.europaworld.com/pub/
	[2a]	United States Department of State, Report on Human Rights Practices – 2006: Nepal http://www.state.gov/g/drl/rls/hrrpt/2006/78873.htm
	[2c]	United States Department of State, Background Note: Nepal, last updated October 2006 http://www.state.gov/r/pa/ei/bgn/5283.htm
	[4a]	Foreign and Commonwealth Office, Country Profile: Nepal, last updated on 8 January 2007 http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029394365&a=KCountryProfile&aid=1019041557693
	[7a]	BBC, Country Profile: Nepal, last updated on 21 November 2006 http://news.bbc.co.uk/1/hi/world/south_asia/country_profiles/1166502.stm
	[10a]	Central Intelligence Agency (CIA), The World Factbook Nepal, last updated on 8 February 2007 https://www.cia.gov/cia/publications/factbook/geos/np.html
	[17a]	Nepal Country Profile, UNDP (accessed on 28 February 2007) http://www.undp.org.np/countryinfo.php
[30a]	Department for International Development (DfID), Country Profile, Nepal, updated 26 June 2006 http://www.dfid.gov.uk/countries/asia/nepal.asp	
MAP	[19a]	United Nations Cartographic Section, Map of Nepal. http://www.un.org/Depts/Cartographic/map/profile/nepal.pdf
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	[2a]	United States Department of State, Report on Human Rights Practices – 2006: Nepal http://www.state.gov/g/drl/rls/hrrpt/2006/78873.htm
	[2c]	United States Department of State, Background Note: Nepal, last updated October 2006 http://www.state.gov/r/pa/ei/bgn/5283.htm
	[4a]	Foreign and Commonwealth Office, Country Profile: Nepal, last updated on 8 January 2007 http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029394365&a=KCountryProfile&aid=1019041557693

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	[7b]	BBC Timeline: Nepal, last updated on 16 January 2007 http://news.bbc.co.uk/1/hi/world/south_asia/country_profiles/166516.stm
	[26a]	Freedom House, Freedom in the World 2006: Nepal http://www.freedomhouse.org/template.cfm?page=22&year=2006&country=7025
	[26c]	Freedom House, Countries at the Crossroads 2006: Nepal http://www.freedomhouse.org/template.cfm?page=140&edition=7&ccrpage=31&ccrcountry=142
POLITICS AND RECENT DEVELOPMENTS	[1a]	Europa World Online, Government and Politics (accessed on 28 February 2007) http://www.europaworld.com/pub/
	[2a]	United States Department of State, Report on Human Rights Practices – 2006: Nepal http://www.state.gov/g/drl/rls/hrrpt/2006/78873.htm
	[2c]	United States Department of State, Background Note: Nepal, last updated October 2006 http://www.state.gov/r/pa/ei/bgn/5283.htm
	[4a]	Foreign and Commonwealth Office, Country Profile: Nepal, last updated on 8 January 2007 http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029394365&a=KCountryProfile&aid=1019041557693
	[5a]	Human Rights Watch (HRW), World Report 2007: Nepal http://hrw.org/englishwr2k7/docs/2007/01/11/nepal14706.htm
	[7a]	BBC, Country Profile: Nepal, last updated on 21 November 2006 http://news.bbc.co.uk/1/hi/world/south_asia/country_profiles/166502.stm
	[7b]	BBC Timeline: Nepal, last updated on 16 January 2007 http://news.bbc.co.uk/1/hi/world/south_asia/country_profiles/166516.stm
	[7e]	BBC News, Nepal changes into federal state, 9 March 2007 http://news.bbc.co.uk/1/hi/world/south_asia/6435901.stm
	[26a]	Freedom House, Freedom in the World 2006: Nepal http://www.freedomhouse.org/template.cfm?page=22&year=2006&country=7025
	[32a]	South Asia Terrorism Portal (SATP), Nepal Timeline Year 2007 http://www.satp.org/satporqtp/countries/nepal/timeline/index.html
	[32b]	South Asia Terrorism Portal (SATP), Nepal Timeline Year

<p>POLITICS AND RECENT DEVELOPMENTS CONT'D</p>	<p>[36a] [36b] [43a]</p>	<p>2006 http://www.satp.org/satporgtp/countries/nepal/timeline/2006.htm</p> <p>Relief Web, UN envoy in Nepal calls for security agreements for Maoists as first-phase report signed, 9 March 2007 http://www.reliefweb.int/rw/RWB.NSF/db900SID/YSAR-6Z5SWQ?OpenDocument&rc=3&emid=EVIU-6AKEJJ</p> <p>Relief Web, Nepal government renews calls for negotiations with rebel faction, 5 March 2007 http://www.reliefweb.int/rw/RWB.NSF/db900SID/JBRN-6YZGQ4?OpenDocument&rc=3&emid=EVIU-6AKEJJ</p> <p>Asian Centre for Human Rights, SAARC Human Rights Report 2006: Nepal http://www.achrweb.org/reports/saarcar2006/nepal.htm</p>
<p>HUMAN RIGHTS - GENERAL:</p>	<p>[2a] [3a] [4a] [4b] [5a] [5e] [11a] [20a] [25a] [25c]</p>	<p>United States Department of State, Report on Human Rights Practices – 2006: Nepal http://www.state.gov/g/drl/rls/hrrpt/2006/78873.htm</p> <p>Constitution of the Kingdom of Nepal 2047 (1990) http://inic.utexas.edu/asnic/countries/nepal/nepalconstitution.html</p> <p>Foreign and Commonwealth Office, Country Profile: Nepal, last updated on 8 January 2007 http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029394365&a=KCountryProfile&aid=1019041557693</p> <p>Foreign and Commonwealth Office, Human Rights Annual Report 2006 http://www.fco.gov.uk/Files/kfile/hr_report2006.pdf</p> <p>Human Rights Watch (HRW), World Report 2007: Nepal http://hrw.org/englishwr2k7/docs/2007/01/11/nepal14706.htm</p> <p>Human Rights Watch (HRW), Nepal, (accessed 1 March 2007) http://hrw.org/doc/?t=asia&c=nepal</p> <p>Amnesty International (AI) report 2006: Nepal, covering events from January to December 2005 http://web.amnesty.org/report2006/npl-summary-eng</p> <p>Asian Human Rights Commission (AHRC) Annual Report 2006 http://material.ahrchk.net/hrreport/2006/Nepal2006.pdf</p> <p>National Human Rights Commission, Nepal Press release, January 2006 - January 2007 http://www.nhrcnepal.org/press_release.php</p> <p>National Human Rights Commission, Nepal HR situation report during the ceasefire between Govt. of Nepal and CPN(M), 31 July 2006 http://www.nhrcnepal.org/publication/doc/reports/The%20report%20of%20Human%20RightsSituation%20during%20the%20period%20of%20cease%20fire.doc</p>

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	[26c]	Freedom House, Countries at the Crossroads 2006: Nepal http://www.freedomhouse.org/template.cfm?page=140&edition=7&ccrpage=31&ccrcountry=142
	[40a]	Nepalnews.com, HoR promulgates interim constitution, dissolves itself, 15 January 2007 http://www.nepalnews.com/archive/2007/jan/jan15/news14.php
	[43a]	Asian Centre for Human Rights, SAARC Human Rights Report 2006: Nepal http://www.achrweb.org/reports/saarcar2006/nepal.htm
	[43b]	Asian Centre for Human Rights, Nepal: One Year of Royal Anarchy, 30 January 2006 http://www.achrweb.org/reports/Nepal/Nepal0106.pdf
HUMAN RIGHTS – SPECIFIC ISSUES:		
(IN ADDITION TO GENERAL REPORTS ABOVE, INFORMATION ON THE FOLLOWING ISSUES IS PROVIDED IN THE DOCUMENTS LISTED BELOW)		
ABUSES BY NON-GOVERNMENTAL ARMED FORCES	[2a]	United States Department of State, Report on Human Rights Practices – 2006: Nepal http://www.state.gov/g/drl/rls/hrrpt/2006/78873.htm
	[31b]	United Nations Office of the High Commissioner for Human Rights (OHCHR) in Nepal, Human rights abuses by the CPN-M - Summary of concerns, September 2006 http://nepal.ohchr.org/resources/Documents/English/reports/InvestigationReports/2006_09_25_Human%20Rights%20Abuses%20by%20the%20CPN-M.pdf
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	[43b]	Asian Centre for Human Rights, Nepal: One Year of Royal Anarchy, 30 January 2006 http://www.achrweb.org/reports/Nepal/Nepal0106.pdf
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<p>ARREST AND DETENTION – LEGAL RIGHTS CONT'D</p>	<p>[40b]</p>	<p>Nepal.Report%20on%20The%20April%20Protests.pdf Nepalnews.com, Govt. decides to withdraw, not to file cases under TADO [Terrorist and Disruptive Activities (Control and Punishment) Ordinance], 12 June 2006 http://www.nepalnews.com/archive/2006/jun/jun12/news05.php</p>
	<p>[43b]</p>	<p>Asian Centre for Human Rights, Nepal: One Year of Royal Anarchy, 30 January 2006 http://www.achrweb.org/reports/Nepal/Nepal0106.pdf</p>
<p>CHILDREN</p>	<p>[1a]</p>	<p>Europa World Online, Education (accessed on 28 February 2007) http://www.europaworld.com/pub/</p>
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	<p>[2d]</p>	<p>United States Department of State, Trafficking in Persons Report, September 2006 http://www.state.gov/g/tip/rls/tiprpt/2006/65989.htm</p>
	<p>[5a]</p>	<p>Human Rights Watch (HRW), World Report 2007: Nepal http://hrw.org/englishhrw2k7/docs/2007/01/11/nepal14706.htm</p>
	<p>[5b]</p>	<p>Human Rights Watch (HRW), Children in the Ranks – The Maoists' use of child soldiers in Nepal, 1 February 2007 http://hrw.org/reports/2007/nepal0207/</p>
	<p>[5c]</p>	<p>Human Rights Watch (HRW) Stateless Refugee Children from Bhutan Living in Nepal, 15 February 2007 http://hrw.org/english/docs/2007/02/15/bhutan15344.htm</p>
	<p>[7c]</p>	<p>BBC News, Desperate plight of Nepal slave girls, 2 March 2007 http://news.bbc.co.uk/1/hi/world/south_asia/6405373.stm</p>
	<p>[11a]</p>	<p>Amnesty International (AI) report 2006: Nepal, covering events from January to December 2005 http://web.amnesty.org/report2006/npl-summary-eng</p>
	<p>[11d]</p>	<p>Amnesty International (AI) Nepal: Children caught in the conflict, 26 July 2005 http://web.amnesty.org/library/index/engASA310542005</p>
	<p>[15a]</p>	<p>Coalition to Stop the Use of Child Soldiers, Global Report 2004: Nepal http://www.child-soldiers.org/document_get.php?id=861</p>
	<p>[19b]</p>	<p>United Nations, Security Council - Report of the Secretary-General on children and armed conflict in Nepal, 20 December 2006 http://daccessdds.un.org/doc/UNDOC/GEN/N06/666/94/PDF/N0666694.pdf?OpenElement</p>
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	[43a]	Asian Centre for Human Rights, SAARC Human Rights Report 2006: Nepal http://www.achrweb.org/reports/saarc2006/nepal.htm
	[43b]	Asian Centre for Human Rights, Nepal: One Year of Royal Anarchy, 30 January 2006 http://www.achrweb.org/reports/Nepal/Nepal0106.pdf
CITIZENSHIP AND NATIONALITY	[39a]	The Kathmandu Post (ekantipur.com) Govt to cancel illegal citizenship certificates, 5 March 2007 http://www.kantipuronline.com/kolnews.php?nid=102570
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