

Mandates of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the human rights of internally displaced persons and the Special Rapporteur on extreme poverty and human rights

Ref.: AL NPL 2/2026
(Please use this reference in your reply)

14 July 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the human rights of internally displaced persons and Special Rapporteur on extreme poverty and human rights, pursuant to Human Rights Council resolutions 61/16, 61/22, 59/12 and 53/10.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **forced evictions and displacement of approximately 3,600 families from the riverside corridors of Kathmandu beginning in April 2026 and the arrest of members of the United National Squatter Front Nepal and of three GenZ activists on 11 July 2026.**

This communication is sent in follow-up to the joint communication [NPL 6/2022](#), dated 30 January 2023, that expressed concern about the threat of eviction of residents of riverbank settlements in Kathmandu and the recent press release issued on 11 May 2026 by the Special Rapporteurs on the rights of internally displaced persons, the right to adequate housing, and on extreme poverty.¹

The Special Rapporteur on the right to housing wishes to express his appreciation to have had the opportunity to meet H.E. Mr. Ram Prasad Subedi, Ambassador and Permanent Representative of Nepal to the United Nations and other international organizations, in May and June 2026. The Special Rapporteur wishes to thank you for the valuable information orally provided to him, and we would like to request with this communication more detailed information about the situation of the evicted and displaced families and the Government's future plans. We wish to support the Government's democratic mandate and its ambition to deliver change, including the establishment of a digital registry for landless persons to address their challenges and to improve housing conditions and flood protection, but wish to express the concern that any such efforts should be undertaken in conformity with international human rights standards.

¹ Communication [NPL 6/2022](#), from 30 January 2023, available at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27805>; Press release: <https://www.ohchr.org/en/press-releases/2026/05/un-experts-urge-nepal-halt-mass-forced-evictions-kathmandu>

According to the information received:

After the elections on 5 March 2026, the Government of Nepal published on 26 March 2026 an ambitious 100-point reform plan, which included under point 91 the establishment of a nationwide integrated digital registry of landless dalit, landless and informal settlers (known as Sukumbasi) within 60 days, and to address their challenges within 1,000 days by conducting household surveys and establishing clear eligibility criteria for phased land allocation or provision of alternative housing. It also announced under point 92 that public land will be protected against encroachment, that monitoring system will be strengthened and illegal occupation will be removed immediately.

The forced eviction of riverbank settlements in Kathmandu

On 22 April 2026, following a directive from the Prime Minister, a District Security Committee meeting was held in Kathmandu at the District Administration Office, deciding to remove all informal settlements of landless persons in the Kathmandu valley.

On the evening of 23 April 2026, teams from Nepal Police, Armed Police Force (APF), and Kathmandu Metropolitan Police moved through Sukumbasi settlement lanes in Thapathali, Sinamangal, Gairigaun, Shantinagar, and Manohara using loudspeakers to warn residents to vacate riverbed areas by 6 a.m. on 25 April 2026 — an effective notice period of less than 36 hours. Many families spent the night dismantling their homes and collecting their belongings.

On 24 April 2026, the Acting Chair of the United National Landless Front Nepal (Samyukta Rastriya Sukumbasi Morcha) its General Secretary and two of its senior members were allegedly arrested by Nepal Police without being charged for any crime while its Vice-Chair was arrested on banking related charges. Their arrests effectively neutralised community leadership on the eve of the operation. The United National Landless Front Nepal is an organisation engaged in the defense, protection and promotion of economic, social and cultural rights, specifically the right to adequate housing and land rights of landless and marginalised communities. Its members have been involved in sustained advocacy, legal mobilisation, negotiation with government authorities, and community organisation with the aim to protect the housing and land rights of Sukumbasi communities.

On the same day, residents filed an urgent writ petition before the Supreme Court of Nepal seeking a stay order on the evictions. No immediate stay order was granted.

On 24 April 2026, an 18-year-old died by suicide in the toilet of his home in the Manohara settlement. A few days later, on 1 May, a 61-year-old resident from the Balkhu informal settlement was recovered dead from the Bagmati river, suspected as well to have committed suicide. Both individuals appear to have taken their own lives out of desperation stemming from their forced eviction and loss of housing.

On the morning of 25 April 2026, hundreds of personnel from Nepal Police, APF, and Metropolitan Police deployed across the Thapathali, Sinamangal, Gairigaun, Shantinagar settlements. Journalists were restricted to designated external “Media Zones” and barred from entering settlements. Bulldozers demolished 788 homes. Displaced families were taken to Dasharath Stadium where their details were recorded, before being dispersed to hotels and designated holding centres including the Radha Swami Satsang Bhawan in Kirtipur.

On 26 April 2026, the operation expanded to Manohara and remaining sites. A further 766 homes were demolished. The total displacement reached approximately 3,600 families and 15,000 individuals. Many individuals were not able to save their belongings, necessities, or basic household goods before their homes were demolished by bulldozers. Five schools inside the informal settlements have been demolished.

The forced evictions were carried out without any consultation with the affected communities and before any compensation, alternative land or housing had been identified to which the concerned families could move.

Socioeconomic background of the affected communities

The affected communities are predominantly composed of internal migrants displaced by Nepal’s internal armed conflict (1996–2006), the 2015 earthquake, and climate-driven rural poverty, the majority being Dalit families, indigenous community members, and female-headed households who have never held an independent land title. The overwhelming majority are from the lowest economic strata, with women facing compounded exclusion on the dual axes of caste and gender, having historically been denied independent land title under Nepal’s patriarchal inheritance and registration system.

The Sukumbasi communities of Kathmandu Valley’s riverbanks are working urban poor who have sustained the City’s economy for decades through daily-wage labour in construction, domestic work, food delivery, and small trade. Despite holding no formal land title, they have actively engaged with Nepal’s successive Land Related Problems Resolution Commissions — with over one million applications registered nationally — seeking legal recognition of their landlessness and access to state land distribution processes.

Supreme Court Order of 8 May 2026

On 8 May 2026, the Supreme Court issued an interim order to halt the forced evictions and home demolitions.² The Supreme Court noted that the District Administration Office of Kathmandu, when initiating the evictions, did not provide any alternative housing, resettlement, compensation or any other proper arrangement, did not consult the affected families, nor did they carry out a

² Supreme Court of Nepal, Gopal Ran Pahel and others vs. Government of Nepal, Office of the Prime Minister and Council of Ministers and Majid Ansari and others vs Government of Nepal, Office of the Prime Minister and Council of Ministers Order 082-WO-1195 and 082-WO-1237, 8 May 2026.

survey or verification of those affected, before evicting the residents. The Supreme Court also expressed the concern that the evictions did not satisfy due process requirements and could cause irreparable damage and a humanitarian crisis.

The Court ordered:

- that no further forced evictions of landless squatters and unorganized settlers should be carried out without due legal process in order to avoid irreparable damage, the likelihood of a humanitarian crisis, and to respect the right to education, health and housing, until the Government has implemented the land or housing allocation procedure in point no. 91 of its list of governance reforms;
- and that the Government of Nepal and the Kathmandu Metropolitan City should carry out more effective actions to provide the basic needs, including housing, education, health and food to the displaced squatters and unorganized settlers, as efforts undertaken by the Government were considered insufficient by the affected residents and the National Human Rights Commission.

Situation in holding centres

Approximately 388 families comprising initially 738 persons were displaced to different holding centres in and around Kathmandu. On 27 April 2026, women human rights defenders documenting alleged violations in the defense, promotion and protection of the displaced communities' rights at the Kirtipur Holding Centre, reported a 9-month-pregnant woman suffering from pre-labour pain and discomfort, complete absence of hygiene supplies, surveillance by CCTV, restrictions on the freedom of movement and no alternative housing plan provided to the residents.

One month after the forced eviction drive began, thousands of displaced families continued to live in temporary holding centres, hotels, and makeshift shelters with almost no safety, security, privacy guarantees or any clear pathway to resettlement. Conditions in holding centres also remain alarming, with overcrowding, inadequate sanitation, lack of privacy, insufficient hygiene supplies, and limited psychosocial support. Most children have remained out of school after their displacement, while families live under constant uncertainty and distress. Residents have complained about a severe shortage of basic health services, medicine, and nutritious food, provided at the holding centres. On 4 June 2026, one person died due to lack of nutrition and lack of sufficiently timely medical treatment, while several sick children that had been transferred to undergo intensive care in the hospital.

A survey undertaken in holding centres in June by NGOs indicated that 93 percent of the families had lost access to work or livelihoods on which they had previously relied, making them now mainly dependent on humanitarian support and food provision.

Renewed eviction and displacement from holding centres

To date no resettlement plan for the evicted communities has been developed or published by the authorities. In June 2026, the High-Powered Committee for Integrated Development of Bagmati Civilization issued notices requiring all families and individuals living in the holding centres in Kathmandu, Bhaktapur and Kavrepalanchok districts to vacate these centres by 26 June or face renewed eviction. The deadline to vacate all holding centres was later extended to 3 July 2026, taking into consideration that it was not possible to complete the verification process and the provision of bank accounts.

As a temporary solution, a relief package was announced that would allow verified beneficiaries to receive a one-time payment of 25,000 Nepalese Rupees (ca. USD 165) and a monthly housing allowance of 15,000 Nepalese Rupees (ca. USD 100) for up to three months, which shall be directly transferred into their bank accounts. The relief package shall allow concerned households to find rental accommodation until a long-term solution for resettlement is found. The package does not take into consideration the size of the concerned families.

There is concern that the three-month rental support would be insufficient to cover housing costs and a high degree of insecurity about what would happen once the assistance expires. By early July, many families displaced to the holding centres had not yet received relief payments or were struggling to find landlords willing to rent to them. There are also concerns that other former residents of the riverbank settlements that left Kathmandu or found temporary accommodation with family members will be left out from the relief provided.

By 5 July 2026, food support and arrangements were stopped at all four holding centres housing displaced persons. On 6 July 2026, persons living in the Bode and Nagarkot holding centre were evicted. Reportedly the residents from the Nagarkot holding centre were picked up by bus and left on the road to Kathmandu, leaving them on the streets, telling them to make their own arrangements. On 8 July 2026, electricity and water supply at the holding centres was turned off, and any other basic services provided stopped, making survival for the displaced persons that have remained in the holding centres difficult. No suitable housing alternative has reportedly been offered to them, besides the above-mentioned relief package.

On 9 July the National Human Rights Commission of Nepal issued a statement raising concerns about the treatment of evicted families including threats to remove them from holding centres before alternative arrangements are made. The National Human Rights Commission pointed out that such treatment violates sections 2 and 5 of the Housing Rights Act and international human rights standards. The Commission also expressed concern that its earlier recommendations have so far been ignored and directed the Government of Nepal to refrain from any action that would jeopardize the human rights of the displaced persons and to respect their life, freedom, equality and dignity.

On 11 July 2026, floodwaters entered the Radha Swami Sasanag holding centre in Kirtipur, resulting in an emergency evacuation of 137 the displaced residents

to the Kharipati holding centre and to the Bode holding centre that had earlier been emptied. The flooding gave several of them insufficient time to collect their belongings. The renewed displacement has resulted in additional suffering and uncertainty among affected residents, disrupting the education of their children. On the same day three GenZ activists were reportedly briefly detained after expressing their solidarity with the displaced families at the Kharipati holding centre and one of them allegedly assaulted by the police. Videos show disproportionate use of force by security officials during their detention. The arrested human rights defenders were later accused of obstructing police enforcement and one of them taken to medical treatment to a hospital due to the injuries inflicted.

On 12 July 2026 several Ministers, including the Home Minister, Education Minister, Minister for Women and Children, Labour Minister and the Minister for Land Management, Cooperatives and Poverty Alleviation visited displaced residents in holding centers, trying to assure residents to provide transport for their children to allow the attending schools and reiterating the commitment of the new government to provide permanent land ownership certificates for landless families.

The Special Rapporteurs understand that there may be a plan to construct new buildings outside the city centre for those families with no ownership of land in rural areas, but that such future buildings may be located away from the city centre where they lived previously, which may compromise their access to livelihoods, work and services. However, buildings that would be available to provide housing to the evicted communities have not been constructed yet.

Without prejudging the accuracy of the information received, we want to express our concern that the mass evictions of poor communities in Kathmandu have so far displaced and rendered thousands of people homeless, including children and other people in a situation of vulnerability.

We are very worried that these evictions have apparently been carried out without prior meaningful consultation with the affected families and without having any housing alternative for the affected persons available in proximity to their livelihoods and habitual place of residence. This is notwithstanding emergency holding centres for families rendered homeless.

We are also concerned that, to our knowledge, no prior assessment has been carried out as to whether persons who may formally own land in rural areas, would actually be able to return to their lands and continue to have access to adequate housing, work, livelihood and public services.

Evictions cannot be justified on development grounds when no credible alternative exists for displaced residents. In line with international human rights law, including the Guiding Principles on Resettlement, and the Guiding Principles on Extreme Poverty and Human Rights, States must take measures aimed at conferring legal security of tenure upon individuals, families and communities lacking such

protection, including those with no formal titles to their homes and land.³ The Guiding Principles on Internal Displacement further affirm the prohibition of arbitrary displacement (principle 6). States must prioritize protection of people living in poverty, including addressing the underlying structural reasons that put them at risk of eviction in the first place. If an eviction becomes truly unavoidable, the State has an obligation to ensure that all alternatives to eviction are considered before the eviction takes place. All urban development projects must incorporate an impact assessment on the persons and communities affected. Due process must be followed, including timely information and meaningful consultation. Remedy, including adequate alternative housing and compensation, must be ensured.

The way the evictions we carried out and the living conditions in the holding centres, CCTV surveillance and the general lack of privacy for families and women, the suppression of food provision and disconnection of water and electricity supply give as well rise to concern that they may also violate the right to privacy (article 17 of ICCPR), the right to food, the right to highest attainable standard of physical and mental health and the right to education (articles 11, 12 and 13 of ICESCR). The displacement has also undermined their right to work (article 6 of ICESCR) as many residents appear to have lost their previous jobs or informal businesses. Particular concern is expressed that some of the evicted families who saw their homes demolished and move to holding centres have in the meantime been subjected to repeated eviction without provision of an adequate housing alternative. We are as well concerned about the most recent reports that one of the holding centres was in an unsafe location and flooded, resulting in a renewed displacement of 137 residents.

The evictions may as well violate Nepal's constitutional and domestic legal safeguards, including protections for adequate housing, due process, and resettlement for landless communities. Article 37 of the Constitution, which stipulates that "every citizen shall have the right to appropriate housing", and that "no citizen shall be evicted from the residence owned by him or her, nor shall his or her residence be infringed except in accordance with law". Article 40 of the Constitution requires the State to provide land to the landless Dalit and arrange settlement for the Dalit who do not have housing in accordance with the law, while article 50(j)(6) of the Constitution specifies that the State shall identify the freed bonded labours, Kamlari, Harawa, Charawa, tillers, landless and squatters, and rehabilitate them by providing housing, housing plot for residence and cultivable land or employment for their livelihoods.

Furthermore, section 5 of the Right to Housing Act of 2018, says that nobody shall be evicted from his housing without resettlement or compensation, and that such compensation "shall have to be provided prior to the act of evicting the citizen from his or her housing". While the Housing Act allows evictions for public purpose, they are only lawful according to section 5(4) of the Act, when the following requirements are fulfilled: "(a) Consultation has been held with the citizen, (b) sufficient notice, along with reason has been given, [and] (d) person or family to be evicted from housing has been appropriately identified". Section 5(6) of the Right to Housing Act furthermore requires that, in the course of evicting from housing, the protection of elderly citizens, the sick, persons with disabilities, children, helpless, weak and of pregnant women shall be properly paid attention to.

³ Human Rights Council Resolution 21/11, Guiding Principles on Extreme Poverty and Human Rights (2012), Special Rapporteur on the Right to Adequate Housing, Guiding Principles on Resettlement, A/HRC/61/43 (2026).

There are as well concerns that the forced evictions do not comply with the Land Act of 1964 (as amended), the Land Related Problems Resolution Commission/Committee Act and the Land Acquisition Act of 1977.

The Supreme Court of Nepal and the Patan High Court have furthermore required authorities in their jurisprudence to undertake proper verification and a resettlement plan prior to evictions. A July 2024 Supreme Court ruling required housing to be provided before any eviction of riverside settlements for landless families.

Forced displacement resulting in the deprivation of means of livelihood may furthermore constitute an offence punishable by up to five years' imprisonment and a fine of NPR 500,000 under sections 40 and 42 of the Right to Food and Food Sovereignty Act, 2075 (2018).

We would like to recall that international human rights law establishes that everyone has a right to adequate housing and that, to be adequate, any housing alternatives must provide legal security of tenure, ensure availability of services, materials, facilities and infrastructure, be affordable, habitable, accessible, in a location that allows access to services and facilities, and culturally adequate.

An eviction with no alternative housing solution would not only endanger the right to adequate housing of the affected residents, but also other rights, such as the rights to the highest attainable standard of physical and mental health, to education, to food, and to privacy and family life. All these rights should be enjoyed by everyone without any form of discrimination, including on the basis of race, colour, sex, disability, age, language, religion, political or other opinion, national or social origin, property, birth or other status.

We would also like to express our concern regarding the targeting of members of the United National Landless Front Nepal which appears to be directly connected to their defence, promotion and protection of the housing and land rights of Sukumbasi communities, through attempted criminalisation and presumed misuse of law. It is particularly concerning that their arrests were carried out directly prior to the execution of the eviction notices within the communities whose rights they sought to protect. We are worried that the effect of such measures could have a wider chilling effect on the work of human rights defenders and organizations seeking to defend, promote and protect economic, social and cultural rights in Nepal, specifically in the context of displacement, housing and land rights. We are similarly concerned about the alleged short-term detention of three GenZ activists that protested in solidarity of the displaced persons in one holding centre, and the alleged use of disproportionate force by police officials which resulted in medical treatment of one of them in a hospital.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please indicate what measures will be taken to ensure that nobody is rendered homeless as a result of evictions in Kathmandu.
3. Please provide information on the measures undertaken or envisaged to prevent further arbitrary displacement, to ensure protection of and assistance to internally displaced persons (IDPs), and to guarantee that they have access to durable solutions (return, local integration or settlement elsewhere).
4. Please indicate how you intend to involve the residents and the local community in the consultation process about the future of the informal settlements in the riverside of Kathmandu.
5. Please explain why no resettlement plan was developed before initiating the evictions.
6. Please provide information about the livelihood prospects, including job opportunities, infrastructure and access to services, in the areas where the Government intends to relocate the families.
7. Please confirm if all the families are being provided suitable temporary accommodation in the interim, ensuring access to healthcare, education, protection of children's best interests, and other social needs.
8. Please provide information about the purposes of the redevelopment and renovation plans for the land where the informal settlements are situated, in particular how those plans would benefit the residents and the wider local community.
9. Please provide detailed information regarding the legal and factual basis for the arrest and presumed charges against human rights defenders from the United National Landless Front Nepal and of the three GenZ activists.
10. Please provide detailed information regarding the concrete measures adopted to ensure that human rights defenders in Nepal can carry out their work in the defence, promotion and protection of human rights, without intimidation or fears of reprisals.

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should Your Excellency's Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The

communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, we urge the authorities not to proceed with any forced evictions and to undertake all necessary interim measures to preserve all the rights of residents in informal settlements in Kathmandu and elsewhere in the country.

We urge authorities to continue to provide relief support to the evicted and displaced families, including health and hygiene supplies, personal care items, differentiated nutrition, private spaces for women and families, and dedicated psychosocial counselling services and ensure their access to education and health care. Relief support payments should be continued until affected families have been provided with access to alternative land and housing, livelihoods, corresponding to the needs and sizes of the affected households. We also urge the authorities investigate the reported deaths linked to the eviction and demolition of the informal settlements and the detention and alleged assault of GenZ activists that visited in solidarity a holding centre.

We furthermore urge the authorities to develop in consultation with those evicted a comprehensive resettlement plan that would ensure access to improved housing conditions, work, livelihoods and public services, and to make this plan public. Such resettlement should be to a location in reasonable proximity from where they have been evicted or to an alternative suitable location of their personal choice. In addition, it would be essential that women are be registered as independent primary rights-holders in any land distribution or resettlement scheme – not only as wives or daughters of male heads of households. Joint ownership of any land or housing provided should be the standard.

Please accept, Excellency, the assurances of our highest consideration.

Koldo Casla

Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

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Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we wish to draw your attention to the relevant international norms and standards that are applicable to the issues brought forth by the situation described above.

We would like to refer to article 3 of the Universal Declaration of Human Rights and article 6 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Nepal in 1991. The enjoyment of the rights guaranteed in the ICCPR is not limited to citizens of States parties but “must also be available to all individuals, regardless of nationality or statelessness, such as asylum seekers, refugees, migrant workers and other persons, who may find themselves in the territory or subject to the jurisdiction of the State Party” (Human Rights Committee, general comment No. 31, on the Nature of the General Legal Obligations under ICCPR, 2004, para. 10).

Article 25 of the Universal Declaration Human Rights that recognizes the right of everyone “to a standard of living adequate for the health and well-being of himself and of his family, including food.”

Article 11(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by your Excellency’s Government in 1991, recognizes “the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing, and housing, and to the continuous improvement of living conditions.”

Article 3 of the ICESCR clarifies that the rights enunciated in the Covenant, including housing, are to be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

According to general comment No. 4 of the Committee on Economic, Social and Cultural Rights (CESCR), the right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one’s head or views shelter exclusively as a commodity. Rather it should be seen as the right to live somewhere in security, peace and dignity. In order for housing to be considered adequate, the CESCR has clarified that it should: a) provide legal security of tenure, b) availability of services, materials, facilities and infrastructure, essential for health, security, comfort and nutrition; c) be affordable; d) be habitable, therefore providing the inhabitants with adequate space and protecting them from cold, damp, heat, rain, wind or other threats to health, structural hazards, and disease vectors; e) be accessible; f) be in a location which allows access to employment options, health-care services, schools, childcare centres and other social facilities; and g) be culturally adequate (general comment No. 4, 1991, para. 8). States parties to the ICESCR “must give due priority to social groups living in disadvantaged conditions and pay special attention to them. Policies and legislation should not, in this context, be designed to benefit already advantaged social groups at the expense of other social strata” (general comment No. 4, 1991, para. 11).

For an eviction to be justified as proportionate to the purpose pursued, it must be subject to the supervision of a judicial body with guarantees of independence and impartiality before it is carried out. In its general comment No. 7, the CESCR clarified that if an eviction is to take place, procedural protections are essential, including, among others, genuine consultation, adequate and reasonable notice, alternative accommodation made available in a reasonable time, and provision of legal remedies and legal aid. Under no circumstances should evictions result in homelessness, and the State party must take all appropriate measures to ensure that adequate alternative housing, resettlement or access to productive land, as the case may be, is available to the affected individuals, where they are unable to provide for themselves. Notwithstanding the type of tenure, all persons should possess a degree of security of tenure, which guarantees legal protection against forced eviction, harassment, and other threats. States parties shall ensure, prior to carrying out any evictions, and particularly those involving large groups, that all feasible alternatives are explored in consultation with the affected persons (general comment No. 7, 1997, para. 11, 15). The proportionality principle applies in situations of occupation or squatting as well, and the assessment of proportionality requires looking not only at the personal circumstances of the family facing an eviction, but also at the financial position of the landowner seeking it (CESCR, *López Albán v. Spain*, 2019, para. 10.1, 11.5).

Article 6 of the ICESCR recognizes the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and requires States to take appropriate steps to safeguard this right. Article 12 of the ICESCR recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and its article 13 the right of everyone to education.

Article 17 ICCPR recognizes the right to private and family life, including the protection of the home. This right is meant to protect from unlawful and arbitrary interference, which means that an interference with a place of residence, irrespective of the legal title, can only be compatible with human rights when it takes place on the basis of law, including international law, and when it is reasonable in the particular circumstances (Human Rights Committee, general comment No. 16, 1988, para. 3-4).

We would like to recall the obligations stemming from the Convention on the Rights of the Child (CRC), ratified by Nepal in 1990, in particular article 16, establishing the right of every child to be protected from interference with their privacy, family and home; article 27, providing the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development; article 28, on the right to education; and article 3, where it is established that the best interests of the child shall be a primary consideration.

We further wish to draw your attention to the Guiding Principles on Internal Displacement, which establish that all authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons (principle 5). Every human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence, including in cases of large-scale development projects, which are

not justified by compelling or overriding public interests. (principle 6). Prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether. Where no alternatives exist, all measures shall be taken to minimize displacement and its adverse effects (principle 7(1)). The authorities undertaking such displacement shall ensure, to the greatest practicable extent, that proper accommodation is provided to the displaced persons, that such displacements are effected in satisfactory conditions of safety, nutrition, health and hygiene, and that members of the same family are not separated (principle 7(2)).

If displacement occurs in situations other than during the emergency stages of armed conflicts and disasters, the following guarantees shall be complied with: (a) a specific decision shall be taken by a State authority empowered by law to order such measures; (b) adequate measures shall be taken to guarantee to those to be displaced full information on the reasons and procedures for their displacement and, where applicable, on compensation and relocation; (c) the free and informed consent of those to be displaced shall be sought; (d) the authorities concerned shall endeavour to involve those affected, particularly women, in the planning and management of their relocation; (e) law enforcement measures, where required, shall be carried out by competent legal authorities; and (f) the right to an effective remedy, including the review of such decisions by appropriate judicial authorities, shall be respected (principle 7(3)). The Guiding Principles further clarify that all internally displaced persons have the right to an adequate standard of living and that, at a minimum, regardless of the circumstances and without discrimination, competent authorities shall provide internally displaced persons with essential food and potable water, basic shelter and housing, appropriate clothing and essential medical services and sanitation (principles 18).

We would also like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to articles 1 and 2 of the Declaration which state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms. We would also like to draw your Excellency's Government's attention to article 12(1) of the Declaration which sets out that Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms. Additionally, article 12 (2) and article 12 (3) provide that the State shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the Declaration.