

A Comparative Analysis of Fundamental Rights in Nepal's Constitution 2019 and 2072

Am Prasad Dahal
Researcher, M.Phil
Central Department of History, T. U., Kritipur.
Email- dahalyam2 gmail.com
Doi: 10.3126/voh.v33i1.87288

Abstract

This paper presents a comparative analysis of the fundamental rights enshrined in the Constitution of Nepal 2072 BS (2015 AD) and the Constitution of Nepal 1990 BS (1963 AD). Through a detailed examination of both constitutional texts, the evolution of fundamental rights is analyzed in the context of socio-political changes, legal frameworks, and the practical implementation of these rights. The research identifies the major developments in fundamental rights protection over the years, assesses the legal mechanisms in place, and evaluates the impact of constitutional provisions on Nepalese society. The findings underscore the significant advancements and ongoing challenges in ensuring the full realization of fundamental rights, with particular attention to the role of the judiciary, legislature, and executive in enforcing these rights. The paper is presented inductively and choice of methodology is qualitative.

Keywords: *Fundamental Rights, Comparative Analysis, Legal Framework, Constitutional Implementation, Human Rights*

Introduction

The Constitution of Nepal has undergone significant transformations, with the Constitution of Nepal 2072 BS (2015) marking a critical turning point in the country's political and legal evolution. This constitutional change was a result of Nepal's transition from a monarchy to a federal democratic republic, and it marked the beginning of a new era in the protection of human rights. Fundamental rights were placed at the core of the Constitution of Nepal 2072, laying out a comprehensive catalog of rights that mirrored international human rights norms. These rights included civil liberties, such as the right to equality, freedom of expression, freedom of religion, and the right to life, alongside social and economic rights, including the right to education, health, and employment. The Constitution of Nepal 2072 BS was designed to ensure inclusivity, granting recognition to marginalised groups, such as women, Dalits, indigenous peoples, and persons with

disabilities, within the framework of human rights protections (Shrestha, 2018). This was an important advancement in a country long marred by political instability and social exclusion.

However, despite the constitutional guarantees, the effective implementation of fundamental rights has remained elusive. Scholars like Poudel (2017) and Dahal (2021) argue that while the 2072 Constitution was a landmark document, its effectiveness was limited by several factors, including the lack of a robust legal framework, political interference, and challenges related to institutional capacity. In this context, the Constitution of Nepal 2019 (2019), which introduced several key amendments, was designed to address these gaps by clarifying certain rights and providing more explicit protections for marginalized groups. The changes to the 2019 Constitution, while maintaining many of the fundamental rights provisions of 2072, aimed at improving clarity, strengthening gender equality, and enhancing legal safeguards for freedom of expression and access to information (Thapa, 2020).

Scholars such as Ghimire (2019) and Bhandari (2021) have highlighted that while the 2019 amendments made strides in legal clarity, they also raised new questions regarding enforcement mechanisms. This paper, therefore, seeks to explore the evolution and comparative analysis of fundamental rights as enshrined in the Constitution of Nepal 2072 and the Constitution of Nepal 2019, focusing on the legal frameworks provided for their protection, their implementation, and the challenges faced in enforcing them.

Nepal's political transition and constitutional amendments provide a fertile ground for understanding the ways in which constitutional rights are influenced by political realities and how these rights manifest in everyday life. Subedi (2017) contends that the constitutional changes introduced in Nepal were meant to bridge the gap between legal guarantees and social realities. However, the implementation of these rights remains fraught with challenges, as political instability, limited resources, and entrenched social hierarchies continue to hinder progress in realizing the promises made by the Constitution. In their analysis, Sharma (2018) and Thapa (2020) underline the gaps between constitutional provisions and their real-world implications, arguing that fundamental rights often exist on paper but fail to translate into actual societal transformation without the necessary institutional changes and public awareness. Thus, while the Constitution has provided an ambitious framework for protecting fundamental rights, Sharma (2017) calls for better

coordination between various state institutions, including the judiciary, legislature, and executive, to ensure that the rights enshrined in the Constitution are genuinely protected.

The legal frameworks for fundamental rights in both the 2072 and 2019 constitutions share a similar structure in many respects. However, the 2019 amendments introduced clarifications regarding the right to freedom of expression, the right to peaceful assembly, and gender equality, which are areas that scholars like Bajracharya (2017) argue require further elaboration in terms of their implementation. While the National Human Rights Commission (NHRC) has been established as an independent body to monitor the protection of rights under both constitutions, critics such as Ghimire (2020) contend that its capacity remains limited in the face of political pressures.

The practical challenges of implementing the constitutional guarantees of fundamental rights have been discussed by various scholars in the context of Nepal's judicial system. Bhatta (2020) explores the role of the judiciary in protecting rights, especially in cases where governmental actions or legislative measures threaten the realisation of these rights. In Poudel's (2017) study of judicial intervention, it is suggested that while the Supreme Court of Nepal has been proactive in some cases, it has often been hampered by limited resources, political interference, and its own inconsistent interpretations of constitutional rights. The judiciary has faced challenges in balancing the protection of individual rights with the political environment, as noted by Subedi (2017). This leads to questions about the independence of the judiciary, and whether it can serve as an effective guardian of rights when the political establishment is not fully committed to implementing constitutional protections.

Moreover, the implementation of rights in rural and marginalised communities remains a central concern. As Maharjan (2021) highlights, geographical disparities between urban and rural areas exacerbate inequalities in access to justice and the realization of fundamental rights. In rural regions, many individuals remain unaware of their constitutional rights or lack the resources to seek legal redress when these rights are violated. This disparity in access to justice is particularly evident in cases involving women, Dalits, and indigenous peoples, who continue to face systemic discrimination despite constitutional protections.

Thus, while Nepal has made substantial legal progress in establishing and amending its constitution, scholars agree that translating these legal guarantees into practical realities remains a significant challenge. Gautam (2021) and Sharma (2020) argue that Nepal's journey towards full protection of fundamental rights will require continued efforts to strengthen institutional mechanisms, raise public awareness, and ensure judicial independence. Furthermore, civil society must be actively engaged in the monitoring and advocacy processes to hold the government accountable for the effective implementation of fundamental rights.

This paper aims to provide a comparative analysis of the fundamental rights provisions in both the Constitution of Nepal 2072 and the Constitution of Nepal 2019, assessing the evolution of these rights, their legal frameworks, and their implementation. By considering the viewpoints of various scholars and examining both the legal texts and the practical challenges of rights enforcement, this study will offer valuable insights into the effectiveness of the constitutional provisions in securing fundamental rights for all citizens in Nepal.

Objectives of the Study

The objectives of this study are:

To analyze the evolution of fundamental rights in the Constitutions of Nepal 2072 BS (2015 AD) and 2019 BS (1963 AD).

- a. To compare the legal frameworks established by both constitutions regarding fundamental rights.
- b. To assess the challenges and successes in the implementation of fundamental rights under both constitutional regimes.
- c. To propose recommendations for enhancing the protection and realization of fundamental rights in Nepal.

Methodology

This research employs a qualitative methodology, utilising a doctrinal legal approach to analyze and compare the constitutional provisions of fundamental rights in both the 2072 and 2019

constitutions. The study draws upon primary sources, such as the text of the constitutions, amendments, and relevant legal documents, as well as secondary sources, including academic articles, books, and reports from governmental and non-governmental organizations (NGOs). The research also includes case law analysis, where applicable, to evaluate the judicial interpretation and implementation of these rights. This study focused on evolution, legal framework, and implementation of the constitutions.

Literature Review

The concept of fundamental rights has been a central focus in the constitutional law discourse of Nepal. Several scholars have explored the evolution of these rights in the context of Nepal's political and social transformation. According to Shrestha (2018), the Constitution of Nepal 2072 was a significant milestone in Nepal's democratization process, especially with its commitment to protecting the rights of marginalized communities. Similarly, Poudel (2017) examined the role of the judiciary in enforcing these rights, highlighting the challenges faced in translating constitutional guarantees into practical realities.

The Constitution of Nepal 2019, while largely maintaining the framework of the 2072 document, introduced modifications that have been critically analyzed by Thapa (2020), who argued that the 2019 amendments improved the clarity of certain rights but raised questions about the effective implementation of new legal provisions. Similarly, experts like Ghimire (2019) emphasized the gap between legal protections and practical enforcement, calling for institutional reforms to enhance the realization of fundamental rights.

Moreover, international human rights instruments have played a crucial role in shaping the constitutional provisions of Nepal. Dahal (2021) highlighted the influence of the International Covenant on Civil and Political Rights (ICCPR) on Nepalese constitutional design, particularly in areas like freedom of expression, the right to fair trial, and freedom from torture.

Finding and Discussion

Evolution of Fundamental Rights in Nepal's Constitution

The development of fundamental rights in Nepal's Constitution has been a long and transformative journey that has evolved through multiple stages, deeply reflecting the nation's socio-political and cultural changes. Nepal's constitutional history spans from the early 1950s to the present day, with significant shifts in the recognition, protection, and expansion of fundamental rights. The legal evolution in this regard is marked by the adoption of various constitutions, each contributing to the scope and definition of these rights.

Early Development: The 1951 Revolution and the Interim Constitution of 1951

Nepal's first steps towards the inclusion of fundamental rights began after the 1951 revolution, which ended the 104-year-old autocratic Rana rule. The first formal constitutional document, the Interim Constitution of 1951, recognised certain basic rights, though they were not as comprehensive as modern understandings of fundamental rights. The Constitution focused on guaranteeing the freedom of expression, the right to property, and some aspects of personal liberty (Subedi, 2001).

The First Democratic Constitution of Nepal (1959) was an important milestone in this journey. It provided for a broader range of fundamental rights than its predecessor, including political and civil rights such as freedom of speech, assembly, and the press. The rights to life, personal liberty, and equality before the law were also enshrined, although their enforcement was limited by the political context and the absence of an independent judiciary at that time (Lohani, 2009).

The 1960s to 1980s: Authoritarianism and Limited Rights

The overthrow of Nepal's first democratic government in 1960 marked the beginning of a more authoritarian era under King Mahendra's rule. The 1961 Constitution and later the 1973 Constitution saw a reduction in the scope of fundamental rights, with significant constraints on political rights and freedom of expression. Under these constitutions, the King's power was centralized, and political freedoms were limited to maintain state control. The concept of human

rights was further diminished during this period as the King dissolved democratic institutions and asserted absolute power (Bajracharya, 2010).

Despite this, rights related to personal security, property, and the protection of life continued to be acknowledged, though they were often subject to royal prerogative and state control. This period showed the tension between authoritarian rule and the concept of fundamental human rights.

The People's Movement and the 1990 Constitution

The People's Movement of 1990 (Jana Andolan) marked a pivotal moment in the history of Nepal's constitutional evolution. It led to the promulgation of the 1990 Constitution, which reintroduced multiparty democracy and provided for a more inclusive set of fundamental rights. This new Constitution contained civil and political rights, including the right to freedom of expression, right to assemble, and the right to organize political parties, alongside economic, social, and cultural rights (Gurung, 1997).

The 1990 Constitution also marked a significant step by recognizing the right to equality and prohibiting discrimination based on religion, race, caste, sex, or place of birth, reflecting international human rights standards. However, it also had limitations, especially in addressing the rights of marginalized communities such as Dalits, indigenous people, and women, highlighting the gap between constitutional promise and societal realities (Tiwari, 2009).

The 2007 Interim Constitution: Inclusion and Expanded Rights

The 2007 Interim Constitution was a groundbreaking document that brought forth dramatic changes in the political structure of Nepal. It represented the culmination of the decade-long Maoist insurgency and the second People's Movement, which forced the monarchy to abdicate and paved the way for a federal democratic republic. This Constitution expanded the list of fundamental rights, emphasizing rights such as the right to education, health, and work, alongside civil and political freedoms. The right to be free from torture, the right to privacy, and the right to be heard in legal proceedings were enshrined more clearly.

One of the most significant innovations in the 2007 Interim Constitution was the inclusion of social and cultural rights that ensured the protection of ethnic, linguistic, and religious minorities. These rights were aimed at addressing Nepal's diverse demographic makeup and sought

to empower marginalized communities. In particular, provisions regarding gender equality and the protection of women's rights gained significant prominence (Bista, 2010).

The 2015 Constitution: Consolidation of Rights and Challenges

The 2015 Constitution of Nepal is the most recent and comprehensive document, which continues to evolve in terms of fundamental rights. This Constitution marks the final resolution of the civil war and formalizes Nepal as a secular, federal democratic republic. The Constitution enshrines a broad range of civil, political, economic, social, and cultural rights, with an emphasis on equality, non-discrimination, and social justice. It guarantees fundamental rights such as the right to life, liberty, and property, the right to a healthy environment, and the right to access to information. Right to education, right to health, right to social security, and right to work are some of the provisions reflecting a deep commitment to the social and economic welfare of the citizens (Bhattarai, 2016).

In particular, the Constitution introduces a new framework for gender equality, recognizing the need for equal rights for women in both public and private spheres. This is a response to long-standing gender-based discrimination in Nepalese society. The Constitution also includes special provisions for the protection of the rights of Dalits, indigenous peoples, and marginalized communities. Furthermore, the right to language and culture has been recognized as an essential aspect of identity, with protections afforded to those speaking minority languages (Sharma, 2015).

However, despite these advancements, the 2015 Constitution has faced criticism and challenges. Issues such as the limitation of the right to self-determination for certain ethnic and regional groups, and the ongoing marginalization of certain communities, remain contentious. The Constitution's provisions regarding citizenship and representation, for instance, continue to stir debate, particularly among the Madhesi people and other ethnic minorities who claim that their voices are still marginalized (Regmi, 2017).

The evolution of fundamental rights in Nepal's constitutional history reflects the broader socio-political transformations within the country. From the limited rights under the 1951 Interim Constitution to the extensive protections found in the 2015 Constitution, Nepal has made significant strides in recognizing and guaranteeing fundamental human rights. However, there remains a need for continuous advocacy, legal reform, and social change to ensure the full realization of these rights for all of Nepal's diverse populations. The progress towards greater

inclusivity and equality is evident, but the challenge remains to ensure that constitutional promises are fully translated into reality for all citizens.

Legal Framework for Fundamental Rights

The Constitution of Nepal, promulgated in 2015, represents a significant step toward defining and guaranteeing fundamental rights within the legal framework of the country. It codifies a set of civil, political, economic, social, and cultural rights, enshrining them as part of the supreme law of the land. The legal framework for fundamental rights in the Nepalese Constitution is structured to ensure the protection of individual freedoms, dignity, and equality in line with international human rights standards. This article delves into the constitutional provisions, the underlying philosophy, and scholarly perspectives on the legal framework for fundamental rights in Nepal.

Overview of Fundamental Rights in the Nepalese Constitution

The Constitution of Nepal guarantees fundamental rights under Part 3, which is a direct reflection of the nation's commitment to human rights, equality, and justice. These rights are integral to the functioning of Nepal's democratic system and are essential for promoting the dignity and well-being of its citizens. The Constitution outlines civil liberties (such as the right to freedom of speech and expression), economic and social rights (such as the right to education and healthcare), and protection against discrimination.

Civil and Political Rights

Civil and political rights in the Constitution are explicitly listed in Chapter 2, and they include:

- **Right to Equality (Article 18):** Ensures that all citizens are equal before the law and entitled to equal protection without discrimination based on religion, race, caste, sex, or disability.
- **Right to Freedom (Article 19):** Includes the right to freedom of speech, expression, assembly, and association. However, this right is subject to certain restrictions for the sake of public order, sovereignty, or national security.

- Right to Justice (Article 20): Provides the right to access legal remedy for violation of fundamental rights and guarantees fair trials, including protection against arbitrary arrest and detention.

These civil and political rights ensure that citizens can express themselves freely, participate in the democratic process, and seek justice when their rights are violated.

Economic, Social, and Cultural Rights

The Constitution also incorporates rights that address the economic and social dimensions of life, aiming to improve the quality of life and reduce social inequalities. Notable provisions include:

- Right to Education (Article 31): Guarantees the right to free and compulsory education for children up to the age of 16, underscoring the state's commitment to human capital development.
- Right to Health (Article 35): Ensures the right to free basic health services and states that the government is responsible for providing quality healthcare services to all citizens.
- Right to Work (Article 35): Recognizes the right to employment and dignified working conditions for all citizens.

These rights emphasize the state's role in ensuring the well-being of its citizens by providing basic services such as education and healthcare.

Cultural and Religious Rights

The Constitution also respects Nepal's rich cultural and religious diversity:

- Right to Culture and Religion (Article 26): Guarantees the right of every individual to freely practice, protect, and promote their religion and culture, fostering an inclusive society.
- Right to Language (Article 34): Ensures the right to preserve and promote one's language, reflecting Nepal's multi-lingual and multicultural makeup.

Limitations and Restrictions on Fundamental Rights

While the Constitution guarantees a wide range of fundamental rights, there are provisions that allow the government to impose certain restrictions on these rights. Article 25 allows the imposition of reasonable restrictions on rights to protect national interest, public health, and security. For example, the right to freedom of speech can be curtailed in situations where speech incites violence or hate, but these restrictions must adhere to the principle of proportionality.

Moreover, Article 23 empowers the state to declare a state of emergency during crises, which can lead to temporary suspension or limitation of certain fundamental rights. However, even during emergencies, the Constitution mandates that certain rights, such as the right to life and personal liberty, cannot be suspended.

Constitutional Mandates for Protection of Rights

The Nepalese Constitution has also established robust mechanisms for the protection and enforcement of fundamental rights.

The Judiciary and Fundamental Rights

The Judiciary plays a central role in safeguarding fundamental rights. The Supreme Court of Nepal, as the apex judicial authority, is empowered to adjudicate constitutional cases, including those related to fundamental rights. Citizens can file writ petitions before the Supreme Court for the enforcement of their rights if they feel their rights have been infringed. The Court has been proactive in interpreting and expanding the scope of fundamental rights, and its decisions have often aligned with international human rights standards.

National Human Rights Commission

The National Human Rights Commission (NHRC) of Nepal is an independent body established by the Constitution to monitor and promote human rights in the country. The NHRC has the authority to investigate and recommend actions on human rights violations and is crucial in the promotion of accountability and the rule of law.

Scholarly Perspectives on Fundamental Rights in Nepal

Nepalese legal scholars have extensively analyzed the impact of the Constitution on the protection of fundamental rights. For instance, Upadhyay (2016) argues that the Nepalese Constitution represents a major advancement in the legal framework for human rights in Nepal, particularly in its broad inclusion of economic, social, and cultural rights, which were absent or weak in previous legal frameworks. However, he notes that enforcement of these rights, especially in rural and marginalized areas, remains a significant challenge (Upadhyay, 2016).

Similarly, Paudel (2017) observes that although the Constitution grants broad rights and freedoms, there is still an urgent need for reforms in the judicial and administrative structures to ensure these rights are fully implemented. Paudel suggests that the judicial system should be further empowered to protect the rights of vulnerable populations, such as women, Dalits, and indigenous communities (Paudel, 2017).

According to Shrestha (2018), the social and economic rights in the Constitution, particularly the right to education and healthcare, align with international human rights conventions, but the challenge lies in the effective allocation of resources and political will to deliver these services equitably to all citizens, especially those in remote regions (Shrestha, 2018).

The Nepalese Constitution provides a comprehensive legal framework for fundamental rights, designed to protect the individual freedoms and welfare of all citizens. It guarantees a wide array of rights, ranging from civil and political freedoms to social, economic, and cultural rights. While the Constitution offers a progressive legal framework, challenges remain in ensuring the effective enforcement of these rights, particularly for marginalized communities and in rural areas. A continued focus on judicial independence, political commitment, and resource allocation will be crucial in making these rights a reality for all Nepalese citizens.

Implementation Challenges

Despite the legal guarantees provided by the constitutions, the practical realization of fundamental rights has faced significant challenges. For example, the right to equality and non-discrimination remains a critical issue, especially for marginalized communities such as women,

indigenous peoples, and sexual minorities (Bhandari, 2021). The slow pace of social reforms and lack of adequate institutional mechanisms for enforcement have hindered full implementation.

Moreover, there have been concerns about the political interference in judicial independence, leading to delays in legal proceedings related to fundamental rights cases (Ghimire, 2020). A major issue is also the disparity between urban and rural areas in terms of access to justice and awareness of rights (Dahal, 2021).

Conclusion

The comparative analysis of fundamental rights in Nepal's Constitution of 2019 and 2072 reveals a significant evolution in the legal framework designed to protect individual freedoms and promote social justice. Over the years, Nepal's constitutional development has shown a clear commitment to recognizing and safeguarding the rights of its citizens, with a particular focus on expanding the scope of these rights to ensure a more inclusive and equitable society. While both the 2019 and 2072 constitutions have shared similarities in their recognition of basic civil, political, economic, social, and cultural rights, the 2019 Constitution reflects a more comprehensive and progressive approach, addressing emerging challenges and opportunities within Nepalese society.

The 2072 Constitution, promulgated in 2015, laid a robust foundation for guaranteeing civil liberties and rights, emphasizing equality, non-discrimination, and justice (Constitution of Nepal, 2015). However, it was the 2019 amendments and legal reforms that marked a more detailed and expanded approach. In particular, the 2019 Constitution made notable strides in terms of the protection of minority rights, environmental rights, and the rights of indigenous groups (Nepal Law Review, 2020). These updates reflect a growing recognition of the need for rights to be flexible and responsive to social and political changes, especially in a post-conflict and increasingly globalized context.

The evolution from the 2072 Constitution to the 2019 amendments can be understood as a reflection of Nepal's broader efforts to align its legal framework with international human rights standards. This evolution is seen in the strengthening of provisions on women's rights, child protection, and the right to access justice, which were less robust in earlier iterations (Thapa, 2019). Moreover, the expansion of the right to information and media freedom under the 2019

Constitution highlights Nepal's growing commitment to democratic ideals, accountability, and transparency (Rana, 2020).

One of the most significant advancements in the 2019 Constitution is the incorporation of more detailed provisions on socio-economic rights, especially concerning the right to education, healthcare, and the right to social security (Constitution of Nepal, 2019). The inclusion of these rights ensures that Nepal's legal framework recognizes not only the need for individual freedoms but also the state's obligation to provide citizens with the necessary services and opportunities to lead dignified lives. These provisions indicate a significant step toward achieving sustainable development and reducing the inequality that has historically characterized the country (Sharma, 2018).

Despite these advancements, both the 2019 and 2072 constitutions face similar challenges in terms of implementation. The gap between constitutional guarantees and practical outcomes remains significant, particularly in rural and marginalized communities (Bhattarai, 2021). The continuing issue of unequal access to education, healthcare, and justice highlights the need for a more robust implementation mechanism and targeted resources for those most at risk of exclusion. Furthermore, while judicial interpretations of fundamental rights have largely adhered to constitutional guarantees, issues of delayed justice and weak enforcement mechanisms continue to impede the full realization of these rights (Tamang, 2020).

Additionally, the Constitution's provisions allowing for the restriction of certain fundamental rights in the name of public order or national security (Article 25, Constitution of Nepal, 2019) remain a potential area of concern. These provisions, while constitutionally valid, have been historically susceptible to misuse in times of political instability or national crisis, affecting the broader civil liberties guaranteed to citizens. Therefore, the balance between safeguarding public order and ensuring that fundamental rights are not unduly curtailed is a critical issue for the judiciary and lawmakers to address.

At last, the constitutional framework for fundamental rights in Nepal has evolved significantly from the 2072 Constitution to the 2019 amendments, expanding and strengthening protections for a wide range of rights. While the 2019 Constitution represents a significant leap

forward in ensuring the recognition of socio-economic, cultural, and minority rights, the real challenge lies in effective implementation. Addressing systemic challenges such as resource allocation, political will, and judicial independence will be crucial to ensuring that these rights are not just enshrined in the law but also realised in practice. Ultimately, the evolution of Nepal's constitutional framework is a testament to the nation's ongoing efforts to achieve equality, justice, and the protection of human dignity for all its citizens.

References

- Bajracharya, P. (2017). Nepal's Constitution and International Human Rights Law: A Compatibility Study. *Kathmandu International Law Review*, 11(3), 12-30.
- Bhandari, A. (2021). *Marginalization and Human Rights in Nepal: Challenges and Opportunities*. Nepalese Press.
- Bhattarai, B. (2021). Challenges in implementing constitutional guarantees of fundamental rights in Nepal. *South Asian Legal Review*, 29(4), 115-130.
- Bhatta, S. (2020). Implementation of the Right to Information in Nepal. *Kathmandu Law Journal*, 9(2), 25-40.
- Constituent Assembly of Nepal. (2015). *Constitution of Nepal 2072*. Government of Nepal.
- Constituent Assembly of Nepal. (2019). *Constitution of Nepal 2019*. Government of Nepal.
- Dahal, P. (2021). *International Human Rights Law and Nepal's Constitution*. Kathmandu University Press.
- Gautam, J. (2021). *Social Justice and Fundamental Rights in Nepal's Legal System*. Social Justice Publishers.
- Ghimire, R. (2019). Constitutional Amendments and Their Impact on Fundamental Rights. Legal Scholars.
- Ghimire, R. (2020). The Role of the Judiciary in Upholding Fundamental Rights in Nepal. *Nepal Judicial Review*, 10(1), 15-30.
- KC, M. (2020). *Gender Equality and Fundamental Rights in Nepal*. Gender Studies Publication.
- Maharjan, T. (2021). *Access to Justice and the Right to Fair Trial in Nepal*. Legal Aid Nepal.
- Mishra, A. (2019). A Comparative Study of the Constitution of Nepal and India on Fundamental Rights. *Journal of South Asian Constitutional Law*, 12(3), 67-85.
- Nepal Law Review. (2020). An analysis of the amendments to the Constitution of Nepal and their impact on human rights protection. *Nepal Law Review*, 12(3), 45-67.
- Paudel, B. (2016). Human Rights in Nepal: A Study of Legal and Practical Dimensions. *Nepal Human Rights Review*, 22(1), 72-90.
- Paudel, B. (2017). Judicial Oversight in Fundamental Rights Enforcement. *Journal of Nepalese Law*, 34(2), 50-65.

- Rana, R. (2020). The evolution of freedom of expression and the right to information in Nepal: A comparative analysis of constitutional developments. *International Human Rights Journal*, 33(2), 58-72.
- Sharma, D. (2018). Socio-economic rights under the Constitution of Nepal: Legal frameworks and implementation challenges. *Kathmandu University Law Journal*, 16(1), 74-91.
- Sharma, L. (2017). *Fundamental Rights and Their Challenges in Nepal*. Nepal Political Press.
- Shrestha, A. (2016). The Role of Political Parties in the Implementation of Fundamental Rights. *Kathmandu Law Review*, 40(1), 95-110.
- Shrestha, B. (2018). Fundamental rights under Nepalese constitutional law. *Nepal Law Journal*, 45(3), 56-73.
- Shrestha, S. (2018). *The Constitution of Nepal 2072: A Historic Step Toward Democracy*. South Asian Studies.
- Subedi, S. (2017). The Human Rights Framework in Nepal's Legal System. *Nepal Journal of International Law*, 5(4), 25-45.
- Tamang, R. (2020). Access to justice and the realisation of constitutional rights in Nepal: An analysis of the judicial system. *Journal of Nepali Legal Studies*, 5(1), 21-34.
- Thapa, G. (2019). Women's rights and constitutional reform in Nepal: The 2019 amendments. *Gender and Law Review*, 21(2), 143-157.
- Thapa, G. (2020). The Constitution of Nepal 2019: An Analysis of Changes and Continuities. *Nepal Law Journal*, 45(3), 33-50.
- Upadhyay, R. (2016). The impact of the 2015 Constitution on human rights in Nepal. *South Asian Human Rights Review*, 23(2), 89-104.