

Provision of Legal Aid for Asylum-Seekers,
Refugees, and Others Forcibly Displaced in Asia

Country-Level Memorandum: Nepal



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BACKGROUND

The Constitution of Nepal (“Constitution”) upholds an accessible justice system as one of the directive principles of the state.¹ Article 20(10) of the Constitution states that a person that is statutorily identified as being entitled thereto has a right to receive legal aid.

The Legal Aid Act, 1997 (“Act”) and Legal Aid Rules, 1998 (“Rules”) are the primary laws regulating state-funded legal aid in Nepal. The preamble of the Act states a purpose “... to uphold the principle of rule of law and provide equal justice to people who are unable to protect their rights due to financial and social reasons.”² The Act defines legal aid as “legal opinion given to an indigent party and the term also includes pleading, drafting and providing other services in relation to legal proceedings on behalf of the indigent party.”³ The person applying for legal aid (“Applicant”) is provided the aid through the Central Legal Aid Committee (“CLAC”) and District Legal Aid Committees (“DLAC”) (hereinafter jointly referred to as “Committees”). The Committees collaborate with concerned units of the Nepal Bar Association (“NBA”), the national level professional organization of practicing lawyers of Nepal, to provide legal aid services.

The CLAC is chaired by the law minister and consists of members from the Nepal Bar Council (which is the regulatory body of lawyers in Nepal), the NBA and the Ministry of Federal Affairs and Ministry of Women, Children and Social Welfare.⁴ Similarly, the DLACs are headed by a sub-government attorney,⁵ where the appellate court is present in the concerned district. If the appellate court is not present in the concerned district, a government attorney chairs the DLAC. It consists of members from NBA units of the concerned districts.⁶ The DLACs have the obligation to report to the CLAC and the CLAC has the obligation to report to the Ministry of Law, Justice and Parliamentary Affairs (“Ministry”) annually.⁷

Additionally, state-funded legal aid is provided by courts via stipendiary lawyers and is administered under the Supreme Court Regulation, 2017 (“Supreme Court Regulation”), the High Court Regulation, 2016 (“High Court Regulation”) and the District Court Regulation, 2018 (“District Court Regulation”). The online records show that there are currently two stipendiary lawyers in the Supreme Court and one stipendiary lawyer in each High Court and District Court.⁸

¹ Constitution of Nepal, Article 51(k).

² See Legal Aid Act, Preamble (1997).

³ Legal Aid Act, § 2(a) (1997).

⁴ Legal Aid Act, § 6(1) (1997).

⁵ A “sub-government attorney” is a government attorney (public prosecutor) of joint secretary class. These are posted in places where high courts are situated. (In Nepal, gazetted officers are classified into four classes: (1) Officer (3rd class), (2) Under-secretary (2nd class), (3) Joint secretary (1st class), and (4) Secretary (Special class).)

⁶ Legal Aid Act, § 7(1) (1997).

⁷ Legal Aid Rules, Rule 16 (1997).

⁸ Supreme Court of Nepal, Annual Report 2075/76 42 (2076).

Alternatively, legal aid is also provided by non-state funded legal assistance through independent lawyers voluntarily. The NBA regulates the pro bono legal aid based on Pro Bono Directives, 2075 B.S. (“Pro bono Directives”).

Decisions of Supreme Court of Nepal in Relation to Legal Aid

The Supreme Court of Nepal has upheld the right relating to legal aid in its various judgments which are as follows:

a) Advocate Lila Mani Poudel v. Government of Nepal⁹

In this writ petition filed by Advocate Lila Mani Poudel challenging Rule 6(2) of the Rules, the Supreme Court declared Rule 6(2) to be inconsistent with the Constitution of Nepal, 1990. It was stated in Rule 6(2) of the Rules that a person seeking legal aid would be ineligible if accused under the Espionage Act, 1962; Human Trafficking (Control) Act, 1986; Ancient Monument Preservation Act, 1956; Cases under Chapter of rape of Muluki Ain, 1910; Corruption Act, 2002 and CIAA Act, 1991; Revenue Leakage Control Act, 1995; Drug Control Act, 1976 and other cases as prescribed by the Central committee from time to time.

The Supreme Court declared Rule 6(2) of the Rules *ultra vires*, reasoning that it was contrary to the fundamental rights and principle of delegation of power. It was held that the person accused under the aforementioned statutes must not be denied legal aid because the accused remains innocent until proven guilty. The Court reasoned that in the context where the directive principles of the Constitution of Nepal, 1990 provide for free legal aid and Article 11(1) guarantees right to equality, the rule was contrary to such provisions and therefore null and void.

b) Som Prasad Luitel v. Government of Nepal¹⁰

In this case, the Supreme Court upheld the right relating to legal aid as an important state obligation. The Supreme Court stated in the decision of this case that it is the obligation of the state to provide free legal assistance to poor and indigent people under Article 14(5) of Constitution of Nepal, 2063 and International Convention on Civil and Political Rights.

⁹ NKP 2060 D.N. 7214 Volume 5

¹⁰ 2062, Writ no. 063-WS-3275

STATE FUNDED LEGAL AID

Eligibility, Nature and Scope

Eligibility of Asylum-Seekers, Refugees and Stateless Persons

Asylum seekers, refugees and stateless persons (“Target Group”) are not specifically identified as being eligible for legal aid, according to relevant law and policy. Nonetheless, specific laws have been enacted that may entitle certain sections of the Target Group to legal aid under the Act. For example, Section 26(1)(b) of the Act relating to Children, 2018 guarantees immediate free legal aid and other necessary legal assistance to children (persons below 18 years of age), without mention of a nationality requirement, to enable them to defend the charges made against them.¹¹

Scope of State Funded Legal Aid

The legal aid legislation does not clearly state whether matters relating to first instance, appeal, judicial review, reopening, etc. are covered, even for eligible people. However, such matters are also not excluded. Therefore, it can be construed that the matters such as first instance, appeal, and judicial review are covered for an eligible person.

As stated earlier, the Act relating to Children, 2018 does not mention that Nepalese nationality is requirement for legal aid eligibility. So, legal aid for matters such as first instance, appeal, and judicial review can be granted to children. Accordingly, coverage can be only granted to children of the Target Group as per the Act relating to Children, 2018.

Coverage cannot be granted to any other sections of the Target Group, since the other legislation either directly or indirectly mentions the Nepalese nationality requirement.

Legal aid does not cover matters like documentation to support nationality, family reunification, criminal defense, victim support, detention, SGBV, family law and employment issues.

Legal aid is available in both civil and criminal cases without exception. Before the decision of the Supreme Court in case of Advocate Lila Mani Poudel v. Government of Nepal,¹² the Rules restricted legal aid to the accused in certain cases as explained below in this report. However, legal aid is now available to eligible people in all cases.

¹¹ Note that neither the Senior Citizens Act, 2006 nor the Act relating to Rights of Persons with Disabilities, 2017 are applicable to the Target Group.

¹² NKP 2060, Decision no. 7214, Volume 5

The scope of services available under state funded legal aid includes the following:

S.N.	Authority	Applicable laws	Coverage of service
1.	CLAC/ DLAC	<ul style="list-style-type: none"> • Legal Aid Act, 1997 • Legal Aid Rules, 1998 	<p>Legal aid covers the following services:¹³</p> <ol style="list-style-type: none"> a. Counseling and pleading on behalf of indigent person. b. Preparation of legal documents. c. Other services provided in the course of the proceedings. <p>The other services may include taking the date of hearing on behalf of the person, facilitating the person and their witness for witness examination.</p>
2.	Courts	<ul style="list-style-type: none"> • Supreme Court Regulation, 2017 • High Court Regulation, 2016 • District Court Regulation, 2018 	<p>Legal aid includes the following services:¹⁴</p> <ol style="list-style-type: none"> a. Preparing legal documents, pleading, providing consultation, providing information relating to case proceedings for the helpless, disabled, minors, economically destitute and detained people. b. Visiting prisons specified by courts and providing legal aid to indigent parties.

Legal aid does not cover asylum-related matters, and the legal framework does not address identity documents and naturalization.

¹³ Legal Aid Act, § 2(a) (1997).

¹⁴ Rule 144(2) of Supreme Court Regulation (2017), Rule 157 A (2) of High Court Regulation (2016) and Rule 102 of District Court Regulation (2018).

Eligibility Criteria

The eligibility criteria for legal aid are provided as follows:

S.N.	Authority	Applicable laws	Eligibility of service seekers
1.	CLAC/ DLAC	<ul style="list-style-type: none">• Legal Aid Act, 1997• Legal Aid Rules, 1998	<p>The Applicant must fulfill the following criteria:</p> <ol style="list-style-type: none">a. Must be a Nepalese citizen.¹⁵b. Must have an annual income not more than forty thousand rupees (approximately USD 350).¹⁶ <p>The aforementioned eligibility criteria are waived for victims of domestic violence and armed conflict.¹⁷</p> <p>However, the Target Group is not eligible for legal aid under the Act. There are also no provisions that provide for a waiver of the criteria.</p>
2.	Courts	<ul style="list-style-type: none">• Supreme Court Regulation, 2017• High Court Regulation, 2016• District Court Regulation, 2018	<p>The court regulations do not provide specific eligibility criteria for a person to obtain legal aid. It is stated that the court provides legal aid to the helpless, disabled, minors, economically destitute and detained people. Ultimately, the courts have discretion to define who is eligible for legal aid.</p> <p>Hence, the Target Group may be eligible under this category to obtain legal aid.</p>

¹⁵ Inferred from the language of Section 3(a) of the Rules that states “Any Nepali citizen willing to get legal aid...”

¹⁶ Legal Aid Rules, Rule 6(1)(1998).

¹⁷ Legal Aid Act, § 2(a1) (1997).

Structure and Procedures

Process for Obtaining State Funded Legal Aid

The process for obtaining state-funded legal aid is as provided in the table below:

S.N.	Authority	Applicable laws	Process of obtaining legal aid
1.	CLAC/ DLAC	<ul style="list-style-type: none"> • Legal Aid Act, 1997 • Legal Aid Rules, 1998 	<p>The Applicant is required to take following steps to obtain legal aid services:</p> <p>a. Submission of application The Applicant should submit an application in the prescribed format to the concerned legal aid committee by enclosing a recommendation of a local authority and other documents proving the information mentioned in the application.¹⁸</p> <p>If the Applicant lacks knowledge to complete the form or is in a situation where he/she cannot come to the Office of the concerned Committee, their trusted person can submit the application on their behalf.¹⁹</p> <p>b. Investigation and presenting the application After the submission of the application by the Applicant, the member-secretary of the Committee conducts an investigation on the application.²⁰ The member-secretary of the concerned Committee presents the application in a meeting of the Committee.²¹</p> <p>c. Decision by the Committee The Committee decides on the application and determines whether or not to provide legal aid to the Applicant</p>

¹⁸ Legal Aid Rules, Rule 3(1) (1998).

¹⁹ Legal Aid Rules, Rule 3(3) (1998).

²⁰ Legal Aid Rules, Rule 4 (1998).

²¹ Legal Aid Rules, Rule 4 (1998).

			<p>on the basis of policy and directions set forth by the Act, Rules and CLAC from time to time.²² Such a decision must be taken within 45 days of the date of application considering the nature of the Applicant's case, time limitation to file the plaint or written statement.²³</p> <p>Importantly, the concerned Committee is obliged to discourage unnecessary harassment and litigation on baseless grounds.²⁴</p> <p>d. Information to the applicant After the decision of whether to provide legal aid is taken, the information is provided to the Applicant.²⁵</p>
2.	Courts	<ul style="list-style-type: none"> • Supreme Court Regulation, 2017 • High Court Regulation, 2016 • District Court Regulation, 2018) 	<p>From court regulations, it can be inferred that a person seeking legal aid has to go through the following steps:²⁶</p> <p>a. Submission of application The person intending to obtain legal aid should submit the application to the court. Further, the Court can also assign legal aid to a party <i>suo motu</i>.</p> <p>b. Decision by court The court makes a decision on whether to provide legal aid or not after the application is received.</p>

There are no specific obligations stated in the prevailing laws for individuals once they are found to be eligible for legal aid. Still, in the case of legal aid provided by CLAC/DLACs, there may be an obligation on the individual to reimburse the fees incurred in the following cases:²⁷

²² Legal Aid Rules, Rule 4 (1998).

²³ Legal Aid Rules, Rule 5(2) (1998).

²⁴ Legal Aid Act, § 3(3) (1997).

²⁵ Legal Aid Rules, Rule 5(3) (1998).

²⁶ Rule 144(2) (a) of Supreme Court Regulation (2017), Rule 157A (2) (a) of High Court Regulation (2016) and Rule 102 (2) (a) of District Court Regulation (2018).

²⁷ Legal Aid Act, § 4 (1998).

- If the party receives any property or economic benefit as a result of legal aid; and
- If the court orders to pay the fees in the judgment.

An amount equal to 10% of the benefit gained by the person obtaining legal aid may be taken as reimbursement by the concerned Committee.²⁸ The policy of valuation of the benefit and economic gain obtained by the Applicant is formulated by CLAC.²⁹

There are no exceptions made for the Target Group in view of their need and circumstances.

Process for Providing State Funded Legal Aid

State funded legal aid is provided through the mechanism explained below:

S.N.	Authority	Applicable laws	Mechanism of providing legal aid
1.	CLAC/ DLAC	<ul style="list-style-type: none"> • Legal Aid Act, 1997 • Legal Aid Rules, 1998 	<p>Legal aid is provided through lawyers from the NBA listed in the roster prepared by Committees on the basis of nature and subject of cases.³⁰ The roster is prepared at two levels:</p> <ol style="list-style-type: none"> a. Firstly, CLAC prepares the roster of lawyers of the Supreme Court.³¹ b. Secondly, respective DLACs prepare the roster of lawyers of the respective High Courts and District Courts.³² <p>The Committees collaborate with NBA units of respective districts while preparing the roster. In the absence of NBA units in particular districts, lawyers not having NBA membership can also be included in the roster.³³ If there are no lawyers available for a specific subject, the roster may include lawyers from outside the district too.³⁴</p>

²⁸ Legal Aid Rules, Rule 7(2) (1998).

²⁹ Legal Aid Rules, Rule 8(d) (1998).

³⁰ Legal Aid Act, § 5(1) (1997).

³¹ Legal Aid Act, § 6(e) (1997).

³² Legal Aid Rules, Rule 10(b)(1998).

³³ Legal Aid Act, § 5(1)(1) (1997).

³⁴ Legal Aid Act, § 5(1)(2) (1997).

2.	Courts	<ul style="list-style-type: none"> • Supreme Court Regulation, 2017 • High Court Regulation, 2016 • District Court Regulation, 2018 	<p>The courts provide legal aid via stipendiary lawyers. The courts appoint stipendiary lawyers through open competition as follows:³⁵</p> <p>a. Publication of notice The court publishes a notice of at least 15 days for interested lawyers to apply for the post of stipendiary lawyers.</p> <p>b. Interview The courts conduct interviews of the applicants.</p> <p>c. Selection After the interview, the courts select and appoint suitable applicants as stipendiary lawyers.</p>
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Financing of State Funded Legal Aid

The financing of state funded legal aid is presented in the table below:

S.N.	Authority	Applicable laws	Financing of legal aid
1.	CLAC/ DLAC	<ul style="list-style-type: none"> • Legal Aid Act, 1997 • Legal Aid Rules, 1998 	<p>There is a legal aid fund, which contains the money received from the government, grants, donations, assistance received from any person, association or organizations and amounts received from other sources.³⁶</p> <p>The remuneration of lawyers providing legal aid is provided by the concerned DLAC as determined by the Committees.³⁷</p>
2.	Courts	<ul style="list-style-type: none"> • Supreme Court Regulation, 2017 • High Court Regulation, 2016 • District Court Regulation, 2018 	<p>The stipendiary lawyers get monthly remuneration and benefits as determined by the court.³⁸</p>

³⁵ Rule 143 of Supreme Court Regulation (2017), Rule 157 of High Court Regulation (2016), Rule 101 of District Court Regulation (2018).

³⁶ Legal Aid Act, § 6(1) (1997).

³⁷ Legal Aid Act, § 5(4)(1997).

³⁸ Rule 145(4) of Supreme Court Regulation (2017), Rule 157B (4) of High Court Regulation (2016), Rule 103(4) of District Court Regulation (2018).

Barriers

Availability of Interpretation/Translation Services

The prevailing laws of Nepal do not outline matters relating to interpretation services provided in the course of legal aid.

Geographic Limitations

There are no geographical limitations for accessing legal aid provided under the Act and Rules, since there is a CLAC at the central level and DLACs in each district. Similarly, in the case of legal aid provided by courts via stipendiary lawyers, there are district courts in each district, which makes legal aid accessible to people from all geographical locations.

Other Barriers to Accessing Legal Aid

Other barriers to accessing state and non-state funded legal aid are dealt with jointly in the final section of this report.

NON-STATE FUNDED LEGAL AID

Eligibility, Nature and Scope

Eligibility of Asylum-Seekers, Refugees and Stateless Persons

There are no specific provisions in prevailing law that restrict the Target Group or sections of the Target Group (e.g., children) from accessing non-state funded legal aid, including for asylum matters. The details regarding eligibility criteria defined by the prevailing law are as discussed below:

S.N.	Authority	Applicable laws	Eligibility of service seekers
1.	Pro bono lawyers via NBA	Pro Bono Directive (2075 B.S.)	There are no specific eligibility requirements for obtaining legal aid. Legal aid is provided to the helpless, disabled, minors, economically destitute and detained people. ³⁹ Therefore, the Target Group may be able to access non-state funded legal aid. Legal aid provided by pro bono lawyers via the NBA covers: ⁴⁰

³⁹ No. 2(d) of Pro Bono Directive (2075 B.S.).

⁴⁰ No. 2(d) of Pro Bono Directive (2075 B.S.).

			<ul style="list-style-type: none"> a. Providing legal opinions b. Preparation of documents c. Pleading d. Judgment execution <p>Other legal services provided in the course of legal assistance.</p>
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Apart from non-state funded legal aid regulated by the NBA, legal assistance is also provided by individual lawyers and national and international non-governmental organizations, including the Public Defenders Society, International Legal Foundation – Nepal and Legal Aid and Consultancy Centre Nepal. These individuals and organizations provide legal aid specifically to vulnerable groups such as women, children and marginalized and detained people. Therefore, the Target Group (or at least sections thereof) may be eligible to receive legal aid provided by individual lawyers and organizations.

Scope of Non-State Funded Legal Aid

There are no restrictions mentioned in the prevailing laws that limit the scope of legal aid services that can be provided to the Target Groups.

Because there are no restrictions under prevailing law that prohibit the Target Group or sections of the Target Group (e.g., children) from accessing non-state funded legal aid for non-asylum related matters, the Target Group or sections of the Target Group may be able to access non-state funded legal aid for non-asylum related matters.

Structures and Procedures

Procedure for Obtaining Non-State Funded Legal Aid

The process for obtaining non-state funded legal aid is as stated below:

S.N.	Authority	Applicable laws	Process of obtaining non-state funded legal aid
1.	Pro bono lawyers via NBA	Pro Bono Directive (2075 B.S.)	<p>The following steps must be followed by the person desirous of obtaining non-state funded legal aid:</p> <p>a. Submission of application The person desirous of obtaining legal aid must submit an application in a specified format to the court, any NBA unit or lawyer's office.⁴¹ If the application is submitted in a lawyer's office, the concerned lawyer must forward the application to the concerned court and NBA unit.⁴²</p> <p>b. Selection of lawyers The concerned NBA unit allows applicants to select lawyers of their choice based on subject matter and expertise.⁴³ Such lawyers provide legal aid to the Applicant.</p>

There are no exceptions made for the Target Group in the view of their needs and circumstances.

Financing of Non-State Funded Legal Aid

Legal aid services are provided voluntarily by the lawyers through the NBA. The funding required by the NBA to coordinate the legal aid is managed by the NBA itself through its own revenues and donations.

⁴¹ No. 6(1) of Pro Bono Directive (2075 B.S.).

⁴² No. 6 (2) and 6(3) of Pro Bono Directive (2075 B.S.).

⁴³ No. 8(1) of Pro Bono Directive (2075 B.S.).

Barriers

Geographic Limitations

Non-state funded legal aid provided by pro bono lawyers through the NBA is available in each unit of the NBA. The NBA website states that there are 71 District Court bar units, 17 High Court bar units and a Supreme Court bar unit spread across Nepal. Further, applications for pro bono legal aid provided via the NBA can be submitted to any lawyer's office. So, there is no significant geographical limitation on the access to non-state funded legal aid provided by pro bono lawyers through the NBA.

In the case of independent pro bono legal aid services provided by independent organizations and lawyers, the access to such aid may depend upon the willingness and availability of such lawyers and organizations.

Other Barriers to Accessing Legal Aid

Other barriers to accessing both state and non-state funded legal aid are dealt jointly in this section of this report.

Despite multiple channels providing legal aid in Nepal, the situation of legal aid is poor in practice. Several reports prepared by the International Security Sector Advisory Team, UNODC, United Nations Development Program ("UNDP") and the Access to Justice Commission of the Supreme Court of Nepal have highlighted several barriers in existing legal aid system in Nepal as explained below:

a) People's lack of awareness

Though the CLAC has a duty to make the general public aware of the availability of legal aid, as explicitly mentioned under the Act,⁴⁴ the awareness of people about legal aid services is low. In the "Enhancing Access to Justice through Institutional Reform Project, 2018 – 2020 (A2J Project)" report prepared by the UNDP, it is cited that 87.7% of citizens were unaware of legal aid services.⁴⁵

b) Low pay to legal aid lawyers

The annual expenditure under the legal aid budget of Nepal as of 2013 was less than US\$0.01 per capita, while the same of New Zealand was US\$21.50 per capita,⁴⁶ which demonstrates that the legal aid system is poorly funded in Nepal. As court appointment lawyers are often engaged in parallel practice and may not dedicate more time to their assigned cases, people perceive that legal aid lawyers provide poor quality services.⁴⁷

⁴⁴ Legal Aid Act, § 6(f) (1997).

⁴⁵ UNDP, Enhancing Access to Justice through Institutional Reform Project 6 (2018-2020).

⁴⁶ UNODC, Global Study on Legal Aid- Country Profiles 45 (2016).

⁴⁷ The International Security Sector Advisory Team, Nepal Justice Sector Assessment 35 (2017).

c) Unscientific determination of eligibility for legal aid

The Access to Justice Commission of Supreme Court of Nepal has recognized that determining a person's eligibility for legal aid under the Act on the basis of an annual income threshold is unscientific.⁴⁸ Another problem lies in the citizenship requirement of obtaining legal aid (although this requirement applies only to state-funded legal aid). Such a requirement is a major impediment to the Target Group's access to legal aid.⁴⁹

In a study conducted by the Access to Justice Commission of Supreme Court on 2072 B.S., it was suggested that the eligibility of indigent people can be tested on the basis of marks assigned as per the number of family members, education, occupation, annual income, the situation of walls and roof of their house, use of toilet, use of fuel, situation of land and other properties of the service seeker.⁵⁰ However, this approach has not as yet been adopted by the law.

Latest Development in Legal Aid in Nepal

The Unified Legal Aid Policy ("Policy") was introduced by the Government of Nepal in 2019 and it recognizes the existing problems in the legal aid system, such as unscientific determinations of eligibility of indigent people, lack of qualitative and competitive service, poor institutionalization and physical infrastructure, weak coordination between stakeholders, lack of competent human resources, proper monitoring and record keeping and duplication of efforts with no improvement in quality.⁵¹ The Policy aims to achieve the following:⁵²

- a) Develop a scientific method of determining eligibility for legal aid;
- b) Provide legal aid smoothly to indigent people, women victims of domestic violence, children, specially-abled people, elderly people and conflict-affected people;
- c) Coordinate with judicial committees to provide awareness and psychosocial counseling at the local level;
- d) Prescribe minimal standards of legal aid to service providers;
- e) Prepare lists of lawyers and psychosocial counselors to provide legal aid as per expertise,
- f) Build capacity of legal aid service providers;
- g) Uphold children's best interests while providing legal aid;
- h) Coordinate legal aid provided by DLAC/CLAC, the courts, the NBA, human right organizations and national and international non-governmental organizations;

⁴⁸ Access to Justice Commission, Basis to Identify Indigent, Needy and Unable People for Enhancing Access to Justice 9 (2072 B.S.).

⁴⁹ The International Security Sector Advisory Team, Nepal Justice Sector Assessment 22 (2017).

⁵⁰ Access to Justice Commission, Basis to Identify Indigent, Needy and Unable People for Enhancing Access to Justice 19 (2072 B.S.).

⁵¹ Legal Aid Policy (2019) at Page 3.

⁵² Legal Aid Policy (2019) at Page 4.

- i) Institutionalize unified legal aid with adequate representation of stakeholders;
- j) Expand legal aid to quasi-judicial bodies and alternative dispute resolution mechanisms;
- k) Provide legal aid in all stages of civil and criminal law;
- l) Require non-governmental organizations to provide legal aid in collaboration with DLACs;
- m) Provide a separate fund for a unified legal aid system;
- n) Establish a code of conduct for legal aid service providers, and a reward-punishment system; and
- o) Develop coordination, collaboration, monitoring, evaluating and reporting of integrated legal aid.

Although the Policy addresses various deficiencies in the current legal aid system, it still does not provide legal aid to the Target Group specifically. Also, the relevant laws are yet to be upgraded in line with the Policy.



This document is part of a collaborative, multi-jurisdictional research project on the availability of legal aid to refugees in Asia for use by refugees, other displaced people, and the lawyers and organizations that work with them. It was compiled by Neupane Law Associates and provides information on both state and non-state funded legal aid in Nepal.

Law firms participating in this research are not liable toward third parties for the accuracy of the general information contained in this guide. The memorandum is not intended to provide, nor should it be relied on, as legal advice. Legal advice should be sought for any specific individual circumstance. If you find any inaccuracies in this document, please inform PILnet at grfpledge@pilnet.org.

If you are an individual seeking further information and contact details about legal aid providers in Nepal, please see the country page for Nepal on [Rights in Exile](#) or [UNHCR's Help](#) platforms.

If you are an organization seeking to be matched with free legal assistance for your organization or your refugee clients, please click [here](#) to learn more about [PILnet's Refugee Legal Assistance Matching Mechanism](#).