

Constitution of Nepal Departures and Breakthroughs



Departures / Breakthroughs

- A Constitution made and adopted by elected Constituent Assembly
- A republican state
- A 3-tier federal country with 7 province and 753 local governments – the third tier being an innovative model in several sense.
- Parliamentary democracy at the federal and provincial level and mixed system ant the Local Level

- Fundamental rights and duties (in 33 Articles)
- Important ESC rights (i.e. education, culture, religion, employment, health, food, housing, dalits, senior citizens, etc)
- The socially backward women, *Dalit*, *indigenous* people, *Madhesi*, *Tharu*, *minorities*, *Muslims*, indigent *Khas Arya ... shall have the right to participate in the State bodies on the basis of inclusive principle.*

- Directive Principles, Policies and Obligations of the State (policies relating to social justice and inclusion, social and cultural transformation, etc)
- Structure of the State and Distribution of State Power (different schedules)
- The Federation, State and Local levels shall exercise the power of State of Nepal pursuant to this Constitution and law (Art 56.1).

- Residuary power with the Federal government
- Interrelations between Federation, State and Local level
- Cooperative federal system
- Integrated judiciary (at all levels)
- Independent constitutional commissions

Federal Commitments

- The right to autonomy and self-rule
- End of all forms of discrimination and oppression created by the feudalistic, autocratic, centralized, unitary system of governance
- Recognition of the multi-ethnic, multi-lingual, multi-religious, multi-cultural and diverse regional characteristics

- Proportional inclusive and participatory principles
- Eliminating discrimination based on class, caste, region, language, religion and gender, and all forms of caste-based untouchability
- Committed to socialism based on democratic norms and values

- Multiparty democratic system of government, civil liberties, fundamental rights, human rights, adult franchise, periodic elections, full freedom of the press, and independent, impartial and competent judiciary and **concept of the rule of law**

Ahilelaai Sakiyo, dhanyabaad !

