

# **Melissa Upreti B.A., LL.B., LL.M.**

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Melissa Upreti is a human rights lawyer and women's rights advocate who has spent nearly two decades advocating for the recognition and fulfillment of women's rights in Asia through the use of national, regional, and international laws and mechanisms. She has built the capacity of civil society organizations to advance and protect human rights, forged strategic partnerships, designed programs aimed at empowering women and girls and building movements, held governments accountable for violations of human rights through national courts and UN treaty monitoring bodies and conceptualized and led groundbreaking initiatives to promote accountability and build local expertise and leadership. A Nepalese national, Melissa was born and raised in the United Kingdom. She later lived in India and studied law at North Bengal University College of Law, then pursued graduate studies at Columbia Law School in the United States, where she is now based.

## **Current Projects:**

"Post Abortion care in the Philippines" (working title) - article for the *International Journal of Gynecology and Obstetrics*

"Obstetric Fistula in Pakistan (working title), article for the *International Journal of Gynecology and Obstetrics*

## **Background**

Melissa most recently completed 16 years of service at the Center for Reproductive Rights, the world's leading human rights organization focusing on women's reproductive rights, where she was the founding attorney of the Asia program. She led many initiatives at the Center and played a critical role in establishing the Center's first office in Asia, contributing to the Center's development as a global organization.

Some key achievements include:

- Conceptualization and implementation of the South Asia Reproductive Justice and Accountability Initiative (SARJAI), which has resulted in strategic litigation and advocacy on contraception, abortion access, and obstetric fistula and a network of reproductive rights advocates. This pioneering capacity building model is currently being replicated by the Center in other regions.
- Development and leadership of an advocacy strategy that brought about the first ever special inquiry on sexual and reproductive rights by the UN CEDAW Committee

which recognized the denial of contraceptive access, and a host of related harms, as constituting discrimination against women. Melissa participated in the inquiry.

- Conceptualization and development of the landmark case on access to abortion, *Lakshmi Dhikta v. Nepal*, which recognizes abortion as a constitutionally protected right and has been used as a basis for developing comprehensive abortion and reproductive health legislation in Nepal.
- A strategic partnership with India's Human Rights Law Network involving the development of a pioneering litigation strategy that helped establish maternal health as a constitutional right and built HRLN's capacity to establish a reproductive rights unit which is now leading efforts to establish legal accountability for reproductive rights violations across India on a range of issues including coerced sterilization and denial of access to safe abortion services.
- Strategic advocacy with South Asian regional political bodies, specifically the South Asia Initiative to End Violence Against Women and SAARCLAW, to raise the visibility of child marriage as a human rights priority in the region and strengthen regional political commitments as well as promote accountability by linking these to groundbreaking efforts led by the Human Rights Council and national governments.

Melissa regularly provides technical advice to law and policy makers, legal and health experts, civil society leaders and development practitioners. Her input has shaped laws and policies on issues ranging from abortion to child marriage and spurred local activism and reform in countries across Asia, from Nepal to the Philippines. Melissa has extensive experience working with law school clinics and has been invited to give guest lectures at academic institutions including Cornell Law School, University of Toronto Faculty of Law and law schools in Asia. Melissa has provided technical support and guidance to non-profit organizations and, through targeted capacity building and strategic grants, helped build their institutional capacity to work on sexual and reproductive rights. She has led fact-finding missions and led research projects that have culminated in important publications including fact-finding reports, articles and op-eds, on a range of women's rights issues.

### **Reports conceptualized, co-authored and/or edited**

1. *Ending Impunity for Child Marriage in Nepal: A Review of Normative and Implementation Gaps*, Center for Reproductive Rights, UNFPA-Nepal, Juri-Nepal, 2016
2. *Child Marriage in South Asia: Stop the Impunity*, Center for Reproductive Rights, 2013
3. *Maternal Mortality in India: Using International and Constitutional Law to Promote Accountability and Change*, 2011 Update, Center for Reproductive Rights, 2011

4. *Forsaken Lives: The Harmful Impact of the Philippine Criminal Abortion Ban*, Center for Reproductive Rights, 2010
5. *Maternal Mortality in India: Using International and Constitutional Law to Promote Accountability and Change*, Center for Reproductive Rights, 2008
6. *Litigating Reproductive Rights: Using Public Interest Litigation and International Law to Promote Gender Justice in India*, Center for Reproductive Rights and Avani Mehta Sood, 2006
7. *Women of the World: Laws and Policies Affecting their Reproductive Lives – East and South East Asia*, Center for Reproductive Rights and Asian-Pacific Research and Resource Center for Women, 2005
8. *Women of the World: Laws and Policies Affecting their Reproductive Lives – South Asia*, Center for Reproductive Rights, Legal Aid and Consultancy Center (Nepal) and Institute for Human Rights (Sri Lanka), 2004
9. *Abortion in Nepal: Women Imprisoned*, Center for Reproductive Rights and Forum for Women, Law and Development, 2002
10. *Rights, Responsibilities, and Advocacy Curriculum*, The Asia Foundation, Nepal, 1998

#### **Articles authored and/or co-authored**

1. *Toward Transformative Equality in Nepal: The Lakshmi Dhikta Decision*, *Abortion in Transnational Law: Cases and Controversies*, University of Pennsylvania Press, 2014.
2. *Abortion Law Reform in Nepal*, International Federation of Gynecology and Obstetrics. Published by Elsevier Ireland Ltd., 2014.
3. *Preventing Unsafe Abortions: Global Solutions*, Asia and Oceania Federation of Obstetrics and Gynecology, 2009 (co-authored with Dr. Annibal Faundes)
4. *The Global Gag Rule: An Antithesis to the Rights-Based Approach to Health*, *Health and Human Rights*, An International Journal, Harvard School of Public Health, 2006 (co-authored with Dina Bogecho)
5. *Reproductive Rights in Nepal: From Criminalization to Resistance*, Routledge, 2005

#### **Op-eds**

1. India Holding Women Hostage to Unwanted Pregnancies, NewsDeeply, 2016
2. <https://www.newsdeeply.com/womenandgirls/india-holding-women-hostage-to-unwanted-pregnancies/>
3. Ending Child Marriage in South Asia: A Regional Action Plan, Girls Not Brides (guest blog post) 2016 <http://www.girlsnotbrides.org/child-marriage-south-asia-regional-plan/>
4. Miscarriage of Justice, The Kathmandu Post, 2015 <http://kathmandupost.ekantipur.com/news/2015-07-27/miscarriage-of-justice.html>
5. The Right to Survive Pregnancy and Childbirth, The White Ribbon Alliance (guest blog post) 2014 <http://whiteribbonalliance.org/rmc-blogs/right-survive-pregnancy-childbirth/>
6. Why Ending Child Marriage is a Critical Part of the Post-2015 Agenda, 2014 <https://www.reproductiverights.org/document/Why-Ending-Child-Marriage-is-a-Critical-Part-of-the-Post-2015-Development-Agenda>
7. South Asian Governments Must Act on Child Marriage and Give Girls the Rights They Legally Deserve, Girls Not Brides (guest blog post) 2013, <http://www.girlsnotbrides.org/south-asian-governments-must-act-on-child-marriage-give-girls-the-rights-they-legally-deserve/>

More information is available on Melissa Upreti's public profile at Linked In: <https://www.linkedin.com/in/melissa-upreti-57a6302>