



# e-Newsletter



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## NHRC Nepal attends the Human Rights Committee Session and ICC Meeting



NHRC-Nepal Delegation to Int'l Coordinating Committee comprising Acting Secretary Bed P. Bhattarai and HRs Officer Shree Ram Adhikari during the ICC Meeting held in Geneva, Switzerland

Photo: UNHRC, Geneva

**GENEVA:** NHRC Acting Secretary Bed Prasad Bhattarai, the delegation head of the NHRC Nepal delivered statement on the human rights situation of Nepal during the 110<sup>th</sup> Session of the United Nations Human Rights Committee held in Geneva, Switzerland.

law have not been brought to legal justice, the status quo of deep-rooted impunity is the immediate obstacle to the act of building human rights culture.'

'The NHRC Nepal is of the opinion that strong political will is the need of the hour to end the pervasive impunity in the country,' he added. The statement also

included about the civil and political rights situation and on-going challenges relating to torture, fair trial, caste-based discrimination, trafficking in persons, gender based violations, rights of migrant workers and

their families, state of impunity, pervasive practice of corruption and rule of law including the transitional justice mechanisms.

Following the address, the HRC Members raised the questions with main focus on the staffing issue of the Commission, implementation status of the NHRC recommendations, appointment to the posts of the Commissioners laying vacant, funding source including the independence of the Commission.

NHRC-Nepal has experienced the historic participation for the first time in the ICC meeting held

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### 110<sup>th</sup> Session of the UNHRC, 2014

Addressing the session, Secretary Bhattarai said, 'We all know that the protection of human rights and impunity can't go parallel. In Nepal, given the fact that the incidents of gross violation of human rights and humanitarian

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## Serious Concern expressed over Impunity, Government corresponded

**LALITPUR** : The Office of the National Human Rights Commission, expressing stern objection to the inclusion of former SP Chuda Bahadur Shrestha as a conflict specialist in a taskforce for drafting the Truth and Reconciliation Commission (TRC), has written to the Ministry of Peace and Reconstruction (MoPR) and the Office of the Prime Minister and Council of Ministers (OPMCM). Mr. Shrestha was an alleged violator of human rights during the period of armed conflict.

The letter sent by the Commission

reads, 'The commission is seriously concerned that the person, who was recommended by the Commission for legal action on charge of rights violation, has been included in expert's taskforce formed to draft a law directly related to the same matter.'

Demanding the clarification on why the person who was recommended for legal action on a serious charge of human rights violation like enforced disappearance was selected as a conflict expert for the taskforce, the Commission has asked the MoPR and the OPMCM to reply within three days from the

date of receiving the letter.

The then superintendent of police, Shrestha is accused of causing disappearance of five persons after arresting them from Janakpur Municipality of Dhanusha on October 8, 2003. Upon conducting necessary investigations into the incident, the Commission had asked the government to take legal action against him on January 29, 2008.

Responding to the letter of the Commission, Mr. Shrestha has been uninvolved in the task force by the government accordingly.

## NHRC to Confer 'Dayaram Pariyar HRs Memorial Award' on Dr. Baniya and Ms. Chand

**LALITPUR**: National Human Rights Commission has decided to confer this year's Dayaram Pariyar Human Rights Memorial Award on human rights defenders Dr. Karna Bahadur Baniya of Palpa and Ms Sharda Chand of Kanchanpur. The decision was drawn at the 8<sup>th</sup> Memorial Function of NHRC staffer late Dayaram Pariyar organized at NHRC on March 28<sup>th</sup>, 2014.

Addressing the function, Acting Secretary Bed Prasad Bhattarai said that it is the concern of the entire human rights community that even after the NHRC had recommend

legal action against the alleged inspector Prakash Raj Sharma, he hasn't been brought to justice as yet.

'The state being oblivion in this concern, situation as such has helped the state of impunity to go deep rooted,' said Secretary Bhattarai.

Like past year, the NHRC has selected two human rights defenders Dr. Baniya and Ms Chand as the deserving nominees to be awarded with the human rights award established in the name of late Pariyar and this is what the NHRC can do to give meaningful homage to the deceased, he confirmed.

family, expressed happiness over the human rights award established in honor of the deceased. He, however, laid his emphasis on the issuance of postal (Philatelic) ticket in the name of the deceased since it bears the value in international level. This, he said, would work as an indicator of the state obligation to pay respect to the human rights defenders in the name of social justice. He urged the NHRC to take ownership in this concern.

Human Rights officers Samjhana Sharma, Kalpana Jha and Surya Bahadur Deuja spoke on the occasion.

Late Pariyar started his career as a human rights defender in NHRC on January 15, 2006. Shot by the police in Janakpurdham while on duty on March 24, 2006, he

breathed his last while receiving treatment at TU Teaching Hospital eight years ago on March 28, 2006.

Established in 2012, 'Dayaram Pariyar Memorial Human Rights Award' is awarded to the human rights defenders who make significant contribution in the field of protection and promotion of human rights.

At the program, Prakash Chandra Pariyar, a media person himself and the kin of late Pariyar, reiterated about the NHRC initiative for recognizing the contribution of a human rights defender like late Pariyar.

Citing the Dayaram Memorial Scholarship Program doing fairly well, he said that the continuity will be given to such a holistic endeavors. He, on behalf of the victim's



NHRC staff members and the members of victim's family during the 8<sup>th</sup> death anniversary of NHRC staffer later Dayaram Pariyar

Photo: Janak Raj Bhatta, Central Office

## Fast-onto-Death by Krishna Pahadi monitored

**KATHMANDU:** A monitoring team deployed by the NHRC Central Office monitored the health condition of rights activist and civil society leader Krishna

Pahadi on April 3, 2014 who has been staging fast-onto-death at Santi Batika, Ratna Park effecting March 31, 2014 demanding the ratification of the Rome Statute.



NHRC Officials monitoring the health situation of rights activist Krishna Pahadi who has been staging fast-onto-death at Ratna Park, Kathmandu

Photo: Nar Bahadur Gharti, Central Office

## Discussion on the Implementation Status of UPR Recommendations hauls Priority

**PALPA:** National Human Rights Commission Sub Regional Office (Butwal) organized an interaction in Palpa on the status of implementation of Universal Periodic Review (UPR)'s suggestions and conclusions.

On the occasion, Dipak Karki, Head of Sub Regional Office (Butwal), shed light on mid-term implementation status of the UPR recommendations leading to further assessment. The participants unanimously urged to

launch the follow up at least once in six months.

24 human rights defenders from Palpa participated in the program. This program was first of its kind in Palpa.

The Universal Periodic Review (UPR) is a unique process which was introduced in 2006. It involves a review of the human rights records of all 192 UN Member States once every four years. It provides an opportunity for all States to declare what actions they have taken to improve the human rights situations in their countries and to overcome challenges for the enjoyment of human rights.



NHRC Butwal Sub Regional head Dipak Jung Dhway Karki facilitating program on UPR in Palpa

Photo: Sub-regional Office, Butwal

## Alternate Shelter urged before evicting Squatters

**MORANG:** The NHRC Regional Office Biratnagar has received an application placing the request for making arrangement of the appropriate alternative shelter before removing as many as 70 thousand squatters from the settlement in Barahsetra of Sunsari and Kairon of Morang district. The removal of the squatter is likely to violate the right to shelter of the squatters and jeopardize the right to education of students of the upcoming School Leaving Certificate (SLC) examinations.

The Commission has time and again drawn the attention of the government to identify actual squatters to evolve permanent solution by managing the adequate human rights based alternate shelter before removing the squatters from the place of their habitual residence.

The Commission has urged the government to seriously consider the reports submitted by various high level commissions and the NHRC recommendations and sort out the problem of the squatters by providing alternative shelters to them and creating a suitable environment in which the SCL candidates can appear examinations without any fear, the press release issued by the NHRC quoted Officiating Secretary Subrana Karmacharya as saying.

Earlier, the Commission had recommended to the Government to relocate the pregnant women, children, persons with disability and old aged people. The commission had also urged to provide better alternatives guaranteed from human right standard

## Protect the Rights of Consumers: NHRC

**LALITPUR:** At the backdrop of impetus given to the enjoyment of quality supply of the food stuffs and services with the arrangement of the acts and regulations though, a number of facts about the difficulties faced by the consumers have been brought to light through the study and monitoring launched by the state authorities including the Commission.

In this regard, the issues related to the consumer rights have been incorporated within the boundary of human rights enshrined in the national and international instruments including the UN Guidelines on the Consumer Protection 1999 as well as Monitoring Guidelines for the

Protection and Promotion of Consumer Rights 2068 adopted by the Commission.

The consumers across the country have been facing injustice due to the number of problems such as the transportation enduring the syndicate system, irregularities in the electricity supply, illegitimate pricing of the materials and services, unavailability of most essential commodities and services through easy process including the unusual price hike of the daily commodities.

The Commission had drawn the attention of the Government towards the issues of public interest in the past and called upon

the government to be serious in this concern. The Commission has urged the legal authorities working for justice of the consumers, the organizations and agencies working in the field of consumer rights including consumers themselves to be equally active and watchful in this regard.

The Commission has also urged the government to make the government monitoring agencies further effective to be vigilant over the effective quality service and qualitative food supplies and also to enquire into the people involved in malpractices against the welfare of the consumers and bring them to legal justice.

## Person with Disability taken on Board as an Intern

**KHOTANG:** Ganesh Rai, 21, a physically challenged youth from Kahule Village Development Committee of eastern hill district Khotang has proved that nothing can stop if one has strong desire to work in the field of his/her interest. Upon the announcement to internship program at the NHRC Sub Regional Office Khotang, Mr. Rai submitted application and took this opportunity to work as an intern since last January, 2014. Ampetuated with both hands by birth, Mr Rai can work on computer without any difficulty and expresses his pleasure to be the part of NHRC ever since.

Working as an intern, he supports his younger brother who is also a person with disability himself studying in B.Ed. second year in Diktel Campus.

In this regard, National Human Rights Commission provides

opportunities to the marginalized communities including Dalit, women, persons with disability and indigenous peoples in the field of the human rights education and their practices in society with the objective to develop their capacity.

Nepal became the 86<sup>th</sup> country to ratify the Convention on the Rights of Persons with Disabilities (CRPD) and the 53rd country to ratify the Optional Protocol on May 7, 2010.

The CRPD is the first international, legally-binding instrument meant to protect the human rights of



Intern Ganesh Rai, 21, a person with disability working on computer in NHRC Khotang Office

Photo: Lok Nath Ghimire, Sub-Regional Office, Khotang

persons with disabilities. It covers a range of human rights such as the right to access education and employment opportunities, transportation, public services, or information and communication; the right to freedom from abuse and torture; the right to equal access to justice.

## Prison Monitoring taps Impetus in the Eastern Hill District

**KHOTANG:** In a feat to have nationwide monitoring on the prisons situated in various districts of the country, the NHRC Sub Regional Office Khotang carried out monitoring on the prison of Khotang district.

The objective of the monitoring was to know about the situation of the infrastructure of Khotang district prison, human right situation of the inmates, to obtain information regarding the prison administration, security including the daily duties and rights of the inmates.

During the monitoring, the team held comprehensive discussion with jailor Chitra Prasad Acharya, prison security head Dumber Bahadur Katwal as well as the inmates serving their jail term on various charges and discussed the problems of wretched physical condition of the prison and congested prison cell among others.

It was learned during the monitoring that the judges of the

Appellate Court of Raj Biraj visited the prison once in a year. They, however, came up with the grievances about the amnesty provision to the inmates to which, they said, the prison authority often kept dispirited notion.

As most of the inmates are of the ages ranging from 18 to 50 years, they placed their demand before the Commission with regard to the enjoyment of their reproductive rights.

Similarly, the inmates also requested for separate living space for mentally ill inmates including necessary amenities to be provided for mentally challenged prisoners.

The total number of inmates in Khotang prison was found to be 101. Among them were 7 females and 94 males. One among these



A cracked wall seen at the prison during the monitoring by the NHRC team, Khotang Office

Photo: Lok Nath Ghimire, Sub-Regional Office, Khotang

inmates was a minor. In the prison no one is studying and there is lack of educational tools available for children.

Earlier, the Commission had conducted monitoring of the prison on September 26 and 27, 2013. The Commission again went for a follow up inspection after other organizations drew the attention of the concerned towards the existing problems of the prison.

## School Leaving Certificate Examinations Ensure Timely Supply of Text Books

**KATHMANDU:** A high level team deployed by the National Human Rights Commission (NHRC) has monitored the Janak Sikshya Samagri Kendra (JSSK). Monitoring was carried out keeping in mind the inadequate supply of the text books in the rural and

remote mountain districts of the country.

The monitoring has unveiled the lack of government subsidy in delivery of textbooks as creating problem despite the adequate printing of textbooks. Similarly, the attention of the Commission has been drawn towards the probable delay in the supply of text books for the forthcoming academic session due the renewal of the agreement between the Sajha Publications and the Janak Siksha

Samagri Kendra (JSSK) for the transportation of the text books remaining pending.

As per the monitoring, the center is learnt to have been facing various problems due to the unavailability of the actual data well in time. Even if the data was available, the malpractice such as the data collection from unregistered schools including fake number of students has caused the problem related to the printing and proportionate supply of the text books.

The Commission has, therefore, urged the government to ensure right to education by creating an environment where the students receive the textbooks well in time.



NHRC Officials at the Janak Sikshya Samagri Kendra, Bhaktapur during the monitoring prior to the commencement of the SLC examinations

Photo: Gita Shrestha, Central Office



## Statement by Bed P Bhattarai, Acting Secretary of NHRC Nepal in the 110<sup>th</sup> Session of the UNHRC, Geneva, Switzerland on the 17<sup>th</sup> March, 2014

It's a great privilege and honor to be here with you on behalf of the National Human Rights Commission of Nepal (NHRC-Nepal). I would like to express my sincere thanks to the UN Human Rights Committee for providing the valuable time of this 110th Session of the Committee in relation to the submission of the State Party Report by the Government of Nepal.

First of all, I would like to thank the Government of Nepal for the submission of the state party report on ICCPR to the Human Rights Committee. I would also like to apprise to the Committee that NHRC-Nepal had provided the official comments on the report before submitting it to the Human Rights Committee, as usual, as per the Interim Constitution of Nepal and the National Human Rights Commission Act.

ray of hope among the people for political stability in the country. We hope that the newly elected CA members, unlike the ones in the past, will be dedicated to meet the aspirations of the Nepali people. The National Human Rights Commission of Nepal expresses strong solidarity with the people of Nepal for making the Human Rights friendly Constitution.

The National Human Rights Commission of Nepal, as a national watchdog for human rights, has been working since May 2000. Since then, it has been working continuously to ensure the promotion, protection and the implementation of human rights in the country in line with the ICCPR and other national standards.

As per the Constitution, the Commission is being engaged in investigation, monitoring and awareness campaigns for the promotion and protection

of human rights in the country. In this regard, civil and political rights of the people had been very sensitive during the armed conflict. As we compare the number of complaints on civil and political rights registered during the decade long insurgency period in the past with very few complaints pouring in nowadays at NHRC, human rights situation in the country seems satisfactory to certain extent, but the Government of Nepal has to do a lot on behalf of the victims and/or survivors of the human rights violations.

Indeed, as the Commission had indicated in its first cycle of the UPR Report in 2011, and its mid-term report submitted to

the Human Rights Council in September 2013, there is a room for a lot of improvements in the areas of civil and political rights. The Government of Nepal still has to take effective measures to eliminate the cases of torture in the custody and detention centers. The improvement of physical facilities in most of the prisons of the country has been found as an urgent issue for redressing the rights of the prisoners and detainees. In this concern, it has been felt that government needs to pay adequate attention in time to work out on the NHRC recommendations and the verdicts of the Judiciaries of Nepal. We are hopeful that newly elected government will pay due attention towards these areas with high priority.

We all know that the protection of human rights and impunity can't go parallel. In Nepal, given that the incidents of gross violation of human rights and humanitarian law could not be brought to legal justice, the status qua of deep-rooted impunity is the immediate obstacle to the act of building the human rights culture. The NHRC Nepal is of the opinion that strong political will is the need of the hour to end the pervasive impunity in the country.

What the Government should, with due priority, focus on is justice to the victims of the conflict and to the human rights violations. In this context, we hope the Truth and Reconciliation Commission (TRC) and the Commission on Disappeared People (CoD) in consistent with the international standards will be formed very soon. Time and again, the NHRC of Nepal had recommended to the GoN to form the transitional

### 110<sup>th</sup> Session of the UNHRC, 2014

Nepal is now at the stage of realizing human rights in wider spectrum. We are, therefore, in the process of bringing about changes in behaviors, culture, policies and laws for internalizing the dimensions of human rights. In this concern, NHRC-Nepal has been making concerted efforts to help develop the human rights sensitive culture in the Nepalese institutions and in their practices.

Nepal has come a long way since the peace process began in the country, a part of which is the recent successful accomplishment of the Constituent Assembly Election. Held in a peaceful, free and fair manner in last November 2013, the CA election has sent in a

justice mechanisms such as TRC and CoD in compliance with the international standards of human rights. The Supreme Court of Nepal in its verdicts and the State Report of the Nepal Government submitted to the HR Committee has mentioned the recommendations of the NHRC are mandatory and binding. In line with the verdicts of the court and the commitment of the government, we are quite hopeful the newly elected government and the parliament will be able to ratify the Rome Statute (ICC) to ensure the civil and political rights of the people in future.

In the developing country like Nepal, most of the Economic, Social and Cultural Rights such as right to food, right to health, right to education, right to decent housing, right to employment etc. are directly related to the right to life, which becomes the issue of the Civil and Political Rights. When we talk about the right to life, freedom of expression and equal opportunity, we have to provide equal priority and attention to the ESCR including the consumers' rights with regard to

their dignified day to day life. With the pace of time, it has been felt necessary to ensure the realization of ESCR progressively.

Human rights issues like torture, fair trial, caste based discrimination, trafficking in persons, gender based violations, rights of the migrant workers and their families, state of impunity, corruption and rule of law, transitional justice mechanisms are to be addressed as a common agenda of the Nepalese society with due priority. Despite numerous attempts made to minimize the role of the NHRC, we have succeeded to achieve our goals with great common views and shared motivation to change our country into a New Human Rights Friendly developing country in the world; of course with an ample supports pledged from both national and international communities. The National Human Rights Commission, keeping itself to the forefront in making efforts to build human rights friendly Nepal, strongly expresses its determination to work hand in hand with the government agencies and all quarters of society in enhancing human rights culture

in the country.

As said before, NHRC Nepal is working with clear mandates of the Interim Constitution including the NHRC Act, and in full compliance with the Paris Principles of Human Rights. The International Coordinating Committee of National Human Rights Institutions (ICC of NHRIs) has accredited the Commission of Nepal with 'A' status since its inception, and therefore we are here to comment on the human rights situation of Nepal. I, before I wind up the remark, would like to mention about the ongoing fourth five years National Human Rights Action Plan (NHRAP) of the Government of Nepal which will be instrumental for the protection and promotion of human rights in the country. We believe that the Human Rights Committee would duly urge the concerned state with its valuable recommendations to ensure enjoyment of all human rights including civil and political rights of the Nepalese people.

Thank you

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NHRC Nepal attend...

among the NHRIs of the world over.

Similarly, in another event, the Government delegation headed by the Secretary of the Office of the Prime Minister and Council of Ministers Mr. Raju Man Singh Malla briefly presented the state party report of Nepal. Members of the UNHRC requested the information on a number of rights issues contained in the report and efforts undertaken to address the transitional justice, reparations for victims of serious human rights violations, caste-based discrimination, harmful traditional practices, physical attacks and harassment of journalists and human rights defenders, trafficking, combating

domestic violence and sexual abuse, arbitrary detention, improving prison conditions, extrajudicial killings, torture, and enforced disappearances. The Committee also raised the concern about the impunity gap in particular.

Earlier, the 27<sup>th</sup> Annual Meeting of the ICC was held from 12-14, March 2014. Head of the NHRC Delegation Acting Secretary Bed Prasad Bhattarai shared the NHRC efforts on how it has worked with UPR process and its reporting to the Human Rights Council. He also shared as to how NHRC Nepal has been making harmonious relation with judiciary, government entities and CSOs and how it is planning to have collaborative efforts with the members of the parliament for human rights endeavors in the country. The

member of the Delegation and Officer of the International Desk of the Commission Mr. Shree Ram Adhikari made comment on one of the sessions and explored the ideas as to how state can ensure the economic, social and cultural rights with limited resources. The major challenges and obstacle were also analyzed by Mr. Adhikari, the delegate from NHRC-Nepal.

In the course of the session, the NHRC Nepal delegation also met with the delegates representing the South Asian countries including Qatar, Malaysia, South Korea and expressed the curiosity if there could be any feasibility to explore the collaborative initiatives besides existing MoU to embark upon the rights of the Nepalese migrant workers working in those countries.

## Stakeholders trained on Human Rights and Fair Trial

**LALITPUR:** National Human Rights Commission and the National Judicial Academy jointly organized a three Day Training on Human Rights and Fair Trial in the Administration of Justice from 31<sup>st</sup> March till 2<sup>nd</sup> April, 2014. The program was held at the NJA.

The sessions of the training included Human Rights and State Obligation, Fundamental Rights, Principles of Fair Trial, Legal Provision and Application of Law. Similarly, Economic, Social and Culture Rights, Civil and Political Rights, Rights against Torture, Equality and Non- Discrimination and Juvenile Justice were included in the training Session.

Three panel discussions were conducted namely: Challenges in the Fair Trial, protection of vulnerable groups and Human Rights in Judicial Administration. Basu Bajagai, Shree Ram Adhikari, Durga Khadka, Badri Subedi from the Commission have facilitated

sessions related to human rights.

Experts from Judiciary and the National Human Rights Commissions including Judge Risi Kesh Wagle, Judge Keshari Raj Pandit , Judge Rajendra Kharel, Registrar Nripadhoj Niroula have facilitated various sessions. Similarly, Mahesh Sharma Poudyal from Office of the Attorney General, NJA Excutive Director Raghar Lal Vaidya and Acting Secretary of the NHRC Bed Prasad Bhattarai had Chaired the panel discussion with the panelists Sri Krishna Mulmi, Lekhnath Poudyal, Sanjeeb Rai. Parash Poudyal and Jyoti Pandey from the National Judicial Academy and Subarna Karmcharya, Surya Bhadur Deuja and Suresh Malla from the NHRC Nepal respectively.

The participants were awarded

with certificate during the concluding session. Giving away the certificates to the participants, Acting Secretary of NHRC Bed Prasad Bhattraai made his concluding remark that the NHRC Nepal will closely work with NJA, court and other state actors for the capacity building of law enforcement officials. Executive Director of NJA, Raghav Lal Vaidya expressed thanks to the NHRC for cooperation extended for conducting the training in collaboration. Altogether 27 participants from the courts of Kathmandu valley, Office of the Attorney General, District Administration Office and Nepal police participated in the training.



Deputy Attorney General Mahesh Sharma Poudyal form of the Attorney General facilitating the training organized at NJA, Lalitpur

Photo: Shree Ram Adhikari, Central Office



Resource persons and participants at the training entitling human rights and fair trial in the administration of justice held at NJA

Photo: NJA, Lalitpur



## 49<sup>th</sup> International Day against Racial Discrimination Stakeholders oriented against Racial Discrimination

**NUWAKOT:** The Office of the National Human Rights Commission organized an orientation program among the local level stakeholder representatives on the occasion of the International Day against Racial Discrimination in Nuwakot district.

Laid out in the Commission's strategic plan, the program was held on March 15, 2014 in coordination with the National Dalit Society Welfare Organization based in Bidur.

The objective of the program was to identify the challenges lying in the field of racial discrimination and to conceive the future program accordingly, to call on the citizens to express solidarity and bring about awareness for positive social transformation in society.

The program also aimed at inculcating mass awareness through the dissemination of the information on the racial discrimination and untouchability Act (offense and punishment), 2012.

At the program, two papers were presented by Deputy Director Durga Khadka and Human Rights Officer Samjhana Sharma. Simultaneously, the participants were informed about the NHRC accomplishments and initiatives



Deputy Director Durga Khadka facilitating the training held on racial discrimination in Nuwakot

Photo: Samjhana Sharma, Central Office

made to address the rights against racial discrimination and untouchability.

During the program, participants came up with their grievances saying that the constitutional body like NHRC and the Government itself should launch larger campaign against the pervasive racial discrimination. The participants raised their voice against all kinds of discrimination and touchability between dalit and non-dalits. They strongly raised the concern over the state of exclusion mechanized by the state agencies from top to bottom.

They flayed the authority over the obliviousness shown for the action to be taken against Non-Dalits who apparently make things complex for the official legal procedures.

At the Program 68 participants representing the Dalit and Non-Dalit communities from various wards of Bhadrutar VDC, chiefs and representatives of the local non-governmental organizations, local political leaders, representatives of mother groups, teachers, VDC secretaries from the neighboring VDCs, local social workers including the intellectuals among others participated in the program.

## District Prison monitored

**BANKE:** The team NHRC Nepalgunj including INSEC, Federation of Nepal Journalists, Advocacy Forum and Human Rights Alliance carried out joint monitoring to know the human rights situation of the inmates in the prison of Banke district. While gathering the information jail administration and inmate, the team found that 465 inmates were there and among them 46 were women and 414 were men and 5

minor were accommodated in the capacity 250 inmates. The report unveiled that though the daily allowance as 700 gm of rice and Rs. 45 is not sufficient due to the soaring price of commodities in the market, inmates were happy about the treatment, telephone, television and newspaper provided by the jail administration.

It was learnt during the monitoring that it will be very much difficult

during the rainy season while sleeping inside the tent as per the inmates. They also shared the problems relating to mosquitoes; bed bugs, absence of drain inside the jail. The Jailer Shyam Lal Lamichhane shared that there was always limited budget for medicine and treatment and there is no hospital nearby for referral cases of sickness as because the treatment cost was becoming expensive day by day.

104<sup>th</sup> International Women's Day

## Stakeholders discuss on the Reproductive Rights

**LALITPUR:** The stakeholder representatives have discussed on the reproductive health rights and the role of stakeholders at a program organized by the Office of the NHRC to mark the 104th International Women's Rights Day with this year's national slogan 'Together for women leadership, from home to Constituent Assembly.'

At the program, delivering the welcome address, the NHRC Director Subarna Karmacharya threw light on the objective and rationale of the program. He urged that it is the duty of the state to enhance the access of common citizens to very essential qualitative health services.

He also observed that the draft 5 year NHRAP has attempted to include free basic health services in Nepal. He also expressed concern over the report of the Amnesty International on the uterine prolapse due to the discrimination against women.

During the program, Sarita Gyawali, Head of Gender and Social Inclusion Division presented the paper on the Reproductive Health Rights and NHRC Initiatives. While presenting her paper, she called on the participants to come up with the expectations and comments for clear future road map towards the realization of women's rights.

Underscoring various rights of women guaranteed through Article 12 of CEDAW, she also stressed on Article 18 of Vienna Declaration that ensures appropriate care for safe motherhood including economic, social and cultural rights of women. She also mentioned that Article 20 (2) of Interim Constitution of Nepal has been enshrined with the state obligation regarding the rights provisioned for women.

At the program, the women's rights defender Dr. Aruna Upreti presented her working paper. She slammed



Resource person Dr. Aruna Upreti presenting the working paper at a program on reproductive rights organized at NHRC

Photo: Lal Bahadur Tamang, Central Office

various governments in power for showing no interest to work out for the preventive measures with regard to the problem of uterine prolapse among women. She said that the government often focused on the operation as prescribed by the program rather than the preventive measures to be adopted. She called on the government agencies to work on the rights based approach rather than need based.

Underlining social taboo persisted as ill-culture in society; she urged that this is something that has to be generalized. She also urged to evoke the sentiment of the stakeholders to combat the situation with due priority.

At the program, Dr. Krishna Bhattachan, Professor of Sociology of Tribhuvan University, presenting his paper, said that one of the root causes of the maternity mortality rate is the early marriage. He also urged the stakeholder concerned to be problem centric with regard to evolving the solution to the problem of uterine prolapse.

He, however, stressed on the segregation of the individual and collective rights. He said, 'we ought to accept the rights of women over their body.' Pointing out the discrimination being widespread due to the patriarchic social structure and Brahmanism, he also stressed

on the need to disseminate the information in different languages targeting the women belonging to various communities so as to give them access of learning their rights and liberties.

Representing from Government of Nepal, Ghanashyam Pokhrel, Public Health Administrator of Health Department said that reproductive health rights was taken with welfare approach in by-gone years but now it is treated as rights. Responding to the concern raised on the forced abortion and why the preventive measures were not introduced to reduce Maternity Mortality rate, Mr Pokhrel said that the arithmetical progression of MMR has been stagnant, at the least.

He also noted that the plan has been conceived with the involvement of women representing minority/excluded groups on the basis of inclusive principle. Similarly, he suggested NHRC should conduct study on the issue and furnish suggestions to the government as to what it can do to control and prevent MMR. He called on for passive health service to be converged into active health service provision.

Enumerating the Public Private Partnership (PPP) ventured by the government for the above, he also urged that the need of the hour is to move forward with

## Women representatives in Khotang trained on Human Rights

**KHOTANG:** Coinciding the 104<sup>th</sup> International Women's Day, the NHRC Sub Regional Office Khotang organized a human rights training for the women of Khotang district from March 8 -9, 2014.

The objective of the program was to empower the women groups of Khotang Bazaar and various VDCs of the district. The participants comprised the representatives from Mother Groups, Mahima Mahila Foundation, teachers from different schools and women working voluntarily in health sectors.

Addressing the inaugural session of the program, Kumar Parajuli, Campus Chief of Khotang College stated that prototype program as such are essential to empower women in the field of protection and promotion of human rights. Underscoring the need of the human rights knowledge among the women, he added that numerous cases of violence against women are dissolved in mutual understanding.

Secretary of the Khotang Bazar, Govinda Prasad Parajuli expressed his anxiety about the use of budget in the delineated area though 35 percent of the budget has been allocated for the development of marginalized group in local level. He also appreciated the NHRC for organizing the program at the request of VDC.

Loknath Ghimire, The NHRC Sub Regional Head remarked that

the lesson learned in the past. He assured that the health department will incorporate the comments / suggestions.

NHRC Deputy Director Durga Khadka, delivering vote of thanks, laid her emphasis on the uniformity in the program on the rights of

human rights is the liberty and freedom of any individual and it is the state responsibility to protect and promote human rights of the common citizens. The Government should also create an environment in which people can enjoy their rights, he added.

The program was facilitated by the NHRC Sub Regional Head Loknath Ghimire. At the program, comprehensive discussions were held with main focus on the Universal Declaration of Human Rights-1948, Convention on the Elimination of all forms of Discrimination against Women-1979, Convention on the Elimination of all forms of Racial Discrimination-1984, duties, responsibilities and mandate of National Human Rights Commission, United Nations Security Council Resolution-1325

and 1820 including Domestic Violence Offence and Punishment Act-2066. The discussion then converted into an interactive sharing between individuals and groups of participants.

Towards the end of the program, Secretary of Mahima Mahila Foundation, Bimala Parajuli thanked the NHRC for organizing the program. She remarked that the program was very helpful and necessary to enhance the human rights knowledge and skills of women leading to take advantage of legal support as and when necessary.

VDC Secretary; Govinda Prasad Parajuli, delivering his concluding remark, suggested the participants to implement knowledge gained from the training program for ultimate development of women.



Woman participants at a program on human rights held in Khotang district

Photo: Deepak Jung Dhwoj Karki, Sub-Regional Office, Butwal

women between both state and non-state actors. Media, on the other hand, ought to play significant role in conveying the message, she said.

Seventy participants including INSEC, Justice for all organization, Women's and Children Welfare Office, Soch Nepal, NHRC staff

members and media persons among others participated in the program.

This year, the International Women's Rights Day was observed worldwide with the slogan 'Equality for women is progress for all.' The program was organized at the support extended from the SCNHR / UNDP.

Bandh hits hard the life in Capital :

## Commission urges to restrain from any Untoward Steps

**LALITPUR:** The attention of the Commission has been drawn to bandh (strike) called by the students union following the price hike in the petroleum product of Nepal Oil Corporation (NOC) a few days ago.

Already hit hard by the price hike in the petroleum product of NOC, the general life of the people would become worse with their

human rights violated as a result of the bandh. In this concern, the Commission is in the receipt of the information about the vandalism and arson carried out on passenger vehicles in course of the bandh which would violate the citizen's right to safe movement.

The Commission has urged all the parties to be serious about the negative impact on the general

people and the examinees of the SLC examinations due to the price hike and the bandh program.

The Commission has also urged the Government of Nepal, the agitating students union and other stakeholders to resolve the problem arising out of the price hike through the medium of talks and dialogue and to garner respect and protection of human rights.

## Citizens' Right to Health monitored in Khotang

**KHOTANG:** The NHRC Sub Regional Office has monitored the economic, social and cultural rights of the people with main focus on citizens' right to health.

The team NHRC took to the district hospital of Khotang and monitored the situation of the facilities provided by the hospital including medicines. During the monitoring, the team found that the medicines were dumped at hospital due to insufficient budget allocated to the hospital to send those medicines to other 85 health posts of the district. During the

monitoring, the team interacted with District Medical Officer. Dr. Nawal Kishore Jha.

Dr. Jha, however, stated that the hospital was serious about the issues of public health but cannot do anything without adequate budget to send medicines to health posts.

Dr. Jha shared with the team that the government has not allocated budget for transportation of medicine from district hospital to other health posts. There are one district hospital and two primary health posts, 24 health posts and



NHRC official monitoring the right to health of the people at the district hospital of Khotang

Photo: Sub-Regional Office, Khotang

49 sub health posts in operation in Khotang district alone.

The Interim Constitution of Nepal – 2007 has guaranteed the right to health of the citizens as fundamental rights.

## SLC Examinations monitored through Rights Perspective

**JUMLA:** In view of monitoring whether or not the School Leaving Certificate Examination (SLC) is conducted in peaceful environment, the team deployed by the NHRC Sub Regional Office, Jumla carried out on-the-spot monitoring on the SLC examinations held from March 20- 28, 2014.

During the monitoring, the team met with the examination officials including the Chief of examination center and invigilators. The team also inspected the invigilation note.

The monitoring mainly focused on whether or not the examinations were conducted from human rights perspective and in dignified way. Like past years, the examinations were held in tight security arrangement made in all examination centers. There were no any untoward incidents reported except for a few attempts of malpractices by the examinees.

The team conducted

monitoring in 34 secondary schools under 11 examinations centers.

Overall, this year's SLC examinations in the district was performed in conducive environment and in dignified manner, as per the district education officer, Nepalhari Ranabhat.

### National Human Rights Commission

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