As stipulated in the constitution, the complaint handling is the major function of the National Human Rights Commission. In addition, NHRC strategic plan has given due priority to the investigation upon complaints filed at the Commission offices.

Considering the volume of backlog of complaints filed at the Commission offices, the annual work plan for the year 2069-70 (July 2012 - June 2013) has identified the investigation upon the complaints as highest priority activity for the year. This year alone the NHRC has planned to carry out investigation upon 1200 complaints out of total 5000 due for the investigation. Most of these back long cases are related to the complaints lodged during the period of decade long armed conflict (1996-2006).

In the above pretext, the NHRC deployed 8 investigation missions comprising two human rights officers and other staff from the central office and other Regional and Sub-regional offices. In this initiative, the missions were deployed at the districts of Banke, Bardiya and Khotang where the large number so complaints were filed.

During the investigations, each mission met with the Chief District Officer of the district, representative of the village development committee, chief of security agencies, prison administration officials, former CA members, political leaders among others. The missions visited to the incident sites and met with the victims, alleged perpetrators and witnesses and had on-the-spot interaction to obtain information on the status of the complaints registered.

Meanwhile, some of the alleged perpetrators came up with the spine chilling narratives of the incidents. In a feat to give impetus to finalizing of the backlog cases, ipso facto, the three week missions- three each for Banke and Bardiya districts accomplished the work of field investigations upon 279 complaints. Similarly, two missions deployed for over 9 days to the district of Khotang have accomplished field investigation upon 44 complaints.

The types of the cases as per the complaints registered at the NHRC included killing, torture, disappearance, displacement, property confiscation, fair trial, administration of justice and explosion among others.
Land Mine Victims Knock the Door of NHRC

Lalitpur: Chairperson Justice Kedar Nath Upadhyay has said that the victims of land mine explosion after the Comprehensive Peace Accord must be provided with relief packages by the State.

Talking to the representatives of the delegation of the Ban Land mines Campaign Nepal (BLCN) during their visit to the Commission, the Chairperson said that the Commission was seriously concerned over reports claiming impartiality practiced in providing relief. 'It is the state obligation to provide relief to the citizens who have fallen the victims of land mine explosions even after the peace process,' the Chairperson urged.

On the occasion, Member Ram Nagina Singh raised his concern over the activities carried out by the Ban Land mines Campaign Nepal (BLCN).

Speaking at the program, Member Gauri Pradhan said that the Commission has recommended that the Government provide relief packages and reparation to the victims of 17 incidents of land mine explosion including the incident of Madi of Chitwan district that claimed 38 lives and injured 72.

'We don’t even have the actual data of those killed or injured by landmines,' said member Pradhan. 'We have demanded the figures from the Ministry of Peace and Reconstruction.'

On the occasion, handing over a memorandum to NHRC Chairperson Upadhyay, BLCN Coordinator Ms Purna Shova Chitrakar said that even the responsible government bodies had been ignoring landmine-related issues.

The memorandum demands that the government take necessary action towards addressing the problems of land mine victims at the earliest. It also emphasizes that the government publicize the factual details pertaining to the relief provided to the victims of land mine blasts so far.

Adding that proper monitoring mechanisms should be set up separately to oversee problems related to land mine victims.

NHRC Urges Rapid Action for the Rescue and Relief of Flood Victims

Lalitpur: By issuing a press release, the NHRC has said that its attention has been drawn to the situation emerged from flood due to heavy downpour in various parts of the country including Kailali district in recent days. The monitoring report has been received from the NHRC Regional Office Dhangadhi that the places like Lalbojhi, Hasuliyia, Thapapur, Udashipur, Gadariva, Phulbari, Khalad, Bajhani, Dhansinghpur, Narayanpur, Ratanpur, Basauti, Urma, Chaumala, Pabera, Geta VDC including a few parts of Dhangadhi Municipality have been submerged.

The report says that hundreds of families have been displaced, crops have been destroyed, animals have been killed and the infrastructures like roads and bridges have been damaged due to flood. Fear looms large as the outbreak of communicable diseases is possible in such situation that demands high alert on the part of the concerned authorities, the report says.

Of four hundred displaced families, only 150 families belonging to freed bonded laborers have been provided with emergency shelter as per the report of the NHRC regional office, Dhangadhi.

NHRC, therefore, has appealed to the Government of Nepal including all the stakeholder authorities to make necessary arrangement for rescue, relief and compensation to the victims of natural disaster of various parts of the country including Kailali district.

Condition of Child Detainee Monitored

Kathmandu: The NHRC monitoring mission carried out monitoring on the situation of the victim named Rameshor Chaudhary in Hanumandhoka police custody on Sep 12, 2012 on the basis of the complaint registered in the NHRC.

The monitoring team visited Hanumandhoka, met with Deputy Superintendent of Police Arun Kumar B.C and obtained the information about the incident. According to him, Rameshor Chaudhary, 16, has been in custody for over 16 days on charge of theft case. While the investigation process was underway, no torture was said to have been inflicted on the detainee. However, they would keep him until his age is probed on. If he was found less than 16 yrs, he would be sent to the Child Reformation Centre, the DSP said.

During the conversation with the child Rameshor, he accepted the charge of theft, but he didn’t mention any complaint against the malicious treatment in the detention.

The National Human Rights Commission, in course of its action, has finalized a number of cases. Recommendation have been sent on 1 case on Internally Displaced Persons, 1 case on the rights of detainee and one case on illegal detention. On the other hand 7 cases on disappearance, 7 cases on administration of justice, 17 cases on abduction, four cases on IDPs and 1 case on illegal detention are pending whereas 1 case related threat has been dismissed this past month.
Verified as "Disqualified," Ex-Maoist Combatants Decry over Desertion

Lalitpur: The delegation of ex-Maoist combatants, categorized as 'Disqualified' during verification, visited the NHRC on Monday and placed their problems and concerns before the NHRC Officials.

During their visit, Krishna Prasad Dangal 'Kiran,' general secretary of the former 'People's Liberation Army' (PLA) said that having been harnessed with the tag 'disqualified' by the state, their dignity and self-esteem has gone downtrodden in society.

General Secretary Dangal unveiled injustice perpetuated to them while in cantonment. "We have received benefits such as ration and salary for nine months only. We never knew where the benefits as such went for the rest of the duration," Mr. Dangal said.

Having been treated as the third class citizens, the problems of the exit combatants have been neglected by all the concerned to the highest extent, he said "We have toiled our sweat and blood only to be tagged with the term 'disqualified' in the end. No authority has paid any heed to our woes of injustice."

Speaking to the delegation, Chairperson Kedar Nath Upadhyay said that the term "disqualified" used to address the combatants not meeting the required standard during their exit is indeed objectionable.

He suggested the delegation to come up with the problems and submit them in the form of complaint so that it would be easy to look into the matter process wise.

Member Gauri Pradhan said that the tag 'Disqualified' given to the combatants has hurt their dignity and self-esteem. Pointing out the necessity of social reintegration of the exit combatants, he said that the state ought to give serious attention towards this.

Earlier, the delegation of the exit PLA combatants has submitted the memorandum to the Prime Minister. Submitted on September 17, 2012, the memorandum includes the demands such as the removal of "Disqualified" tag given to them during verification, provision of lump-sum financial package to them, immediate release of the arrested exit combatants, and the disclosure of the details related to the financial expenditure provided by the UN Peace Fund for the rehabilitation of the PLA.

Role of Nepal-Police Commended

Lalitpur: The National Human Rights Commission has commended the readiness of the Nepal Police to address growing concerns with regard to the security and protection of human rights of general citizens.

Home Secretary Navin Ghimire and Inspector General of Nepal Police Rabindra Pratap Shah were invited to the NHRC office on August 28, 2012 and asked about efforts made by security mechanisms to maintain peace and security in the country.

Adhering to the directives of the NHRC, therefore, Nepal Police Headquarter has issued a six-point circular on September 4, 2012 to all units under its purview with regard to the improvement of peace and security and the protection of human rights of general citizens, it is learned.

The circular includes prompt action against criminals, not to detain anyone illegally, not to inflict torture or treat anyone inhumanly. It also asks officials to allow detainees to hire legal professional of their choice and meet their kin and take extra precautions against extra-judicial killing.

The circular also stipulates to make available the necessary documents with regard to the investigation on the complaints related to human rights to the NHRC as per the existing constitutional provision.

The NHRC has called upon all the concerned stakeholder parties to extend support for the implementation of the circular issued by the Nepal Police that aims at helping to protect human rights in the country.

NHRC Expresses Concern over Suspended Maternity Service in Janakpur

Dhanusha: The NHRC Regional Office, Janakpur has issued a press release saying that the serious attention of the NHRC is drawn to the closure of the maternity services in Janakpur Zonal Hospital since September 3, 2012 following the dispute erupted between the kin of the deceased Ragani Shah and hospital administration.

Mrs. Ragini Shah was admitted at Janakpur Zonal Hospital on August 2, 2012 where she breathed her last after giving birth to her baby through an operation.

Although the agreement between the victim party and the hospital administration was reached to take action and to resume the services at maternity, yet it remains closed following various threats received by the administration as per the report produced by the enquiry commission.

It is very much inappropriate to shut down the services related to maternity by the hospital administration due to the pressure of any kind or under any other pretext. This has affected the regular normal health services to the needy people resulting in the deprivation of the rights of the people to receive the health services even after the agreement to dispense justice through enquiry commission and to give continuation to the maternity services in unhindered way.

The NHRC, therefore, has urged all the concerned parties not to obstruct or suspend the very essential maternity services in a sensitive place like hospital.
Interaction held on the Rights of Persons with Disabilities

Sindupalchok: The NHRC held an interaction entitling the role of stakeholders in racial discriminations and the issues raised thereof. The program was organized in Karthali Village Development Committee of Sindupalchok district on 2069/5/4 as per the plan laid out in the NHRC work plan of the current fiscal year.

In the wake of the incidents related to racial discrimination taking place in Karthali VDC in particular as per the information received from the local human rights workers, journalists and social workers in the district, the program with the objective to bring about awareness on racial discrimination practiced in the rural part of Sindupalchok district was organized.

The program also aimed at conveying the message that racial discrimination is inhuman and the matter of human rights violations. The program was the inclusive of various activities such as information sharing on the promotion of Dalit rights, campaigning against racial discrimination and dissemination of knowledge based publications to inculcate awareness against discrimination in society. The stakeholders representatives pro actively involved in discussion to identify the existing challenges in the field of rights against racial discrimination and evolve the way forward for conceiving the work plan for future implementation.

During the program, the team comprising HR officers Gita Kumari Dahal and Samjhana Sharma met with the chiefs of the district level government agencies, head of Nepal Police, representatives of various agencies and organizations working in the field of the Dalit rights, representatives


Role of Stakeholders Stressed on the Elimination of Racial Discrimination

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During the program, the team met with the chiefs of the district level government agencies, head of Nepal Police, representatives of various agencies and organizations working in the field of the Dalit rights, representatives of civil society, social workers and intellectuals, journalists, representatives of the VDC, various political parties, mother groups, teachers and collected the comments and suggestions from them.

Prior to the interaction, HR Officer Geeta Kumari Dahal presented the paper on the NHRC initiatives on the racial discrimination. The program thereafter was followed by the floor discussion in which the participants put forward their suggestions and comments on the issue.

The comprehensive discussions were held on the racial discrimination and Untouchability (Act and Punishment) Act - 2068, International legal provision with regard to the racial discrimination and Nepal government, Various cultures and practices including abuse, violence, rehabilitation, health, education and the participatory situation the NHRC initiatives made in the field of rights against racial discrimination and the achievement made so far.

Meanwhile, the NHRC team was requested by the participants of the program including local journalists and police to conduct awareness oriented programs and monitoring in the remote villages of the district.

It was learned during the program that some political cadres were said to have given the political color to the incident of touchability. They didn't ever come to one place as far as social harmony in society was concerned. Similarly, the family members were said to have received the intimidation that would damage the social harmony.

Thus, the conclusion was reached that the program of intensive campaign against racial discrimination and touchability among the target groups deemed inevitable to bring about change in grass root level in society.

In addition, the participants unanimously suggested that the training be given to the state government authorities and other stakeholder organizations on the existing legal provisions against racial discrimination and touchability. Besides, the publicity program through the media would play pivotal role, speculated the participants.
Tanahu: The NHRC Regional Office, Pokhara conducted a training on the protection of Economic, Social and Cultural Rights among the representatives of district education office, district development committee, Nepal Food Corporation, district health office Red Cross (Crescent), civil society, Journalists of Kaski, Lamjung, Tanahu, Gorkha and Manang districts of Gandaki zone and the staff members of the NHRC regional office, Pokhara.

Inaugurated by NHRC Member Ram Nagina Singh as the chief guest, the inaugural session of the training was chaired by NHRC Regional Director Yagya Prasad Adhikari.

Organized in Bandipur of Tanahu district, the objective of the four day training was to inform the trainees representing the development agencies about the Economic, Social and Cultural Rights and also to inculcate promotion of ESCR together with the feeling of accountability towards ESC rights. The training also aimed at diminishing the incidents related to the ESC rights and also developing collaboration among the government agencies, civil society and various other organizations active in the district.

At the outset, the participating trainees came up with the expectations to learn more and more about ESC related rights, state obligation on the protection of ESC rights and the national and international legal mechanisms with regard to the protection of ESC rights.

The trainees also expressed their pleasure to have received the information with regard to the progress made so far in the field of ESC rights and how they guarantee the human rights of general people including the mechanisms in national level that would protect from the ESC rights violations.

Human rights experts Bishnu Pokhrel, Dr. Trilochan Upreti, Deep Magar, Raju Chapagain and Yagya Prasad Adhikari provided the training.

The training sessions included various thematic subject matters such as roles and mandates of NHRC for the protection and promotion of human Rights, conceptual clarity on ESC rights, myths surrounding economic, social and cultural rights, monitoring legislations and policies related to ESC rights, monitoring violations through cases and specific events/incidents, monitoring violations through courts/justifiability of ESCR/strategic litigation, using indicators to monitor ESC rights, national human rights action plan and status of its implementation, introduction to monitoring budgets in relation to ESC rights, international mechanisms to monitor ESC rights, role of NHRIs in monitoring ESC rights and developing strategies and applying methods to national context.

In a nutshell, The training turned out to be successful in the sense that the government agencies including the service providers bearing the responsibility for the respect and protection of human rights were further sensitized with regard to their responsibility and accountability towards ESC rights of general people.

Thirty two trainees representing various government agencies expressed their commitment that they would establish collaboration and coordination for the realization of human rights including ESC rights in their respective areas.

The training was held at the technical support provided by the SCNHRC/UNDP Project.

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**NHRC Welcomes the National Movement against Racial Discrimination**

Kailali: NHRC Regional Office Dhangadhi organized an interaction program with the civil society in order to analyze the overall situation of human rights in far west.

Addressing the interaction, Chairperson Upadhyay said, ‘The commission is doing its utmost for the respect, protection and promotion of human rights even when the country is undergoing extremely critical phase.’

Adding that the type of human rights violation in far west is different from those of the other regions, the Chairperson said that the Commission is equally committed to working upon the type of rights violations that the people of far western region are facing such as economic, social and cultural rights (ESCR).

Expressing expectation for the vital role of the civil society to exert pressure on the government to implement the NHRC recommendations, the Chairperson said that the collective effort all would only help realize the human rights in such fragile situation.

At the program, the participants engaged in discussion and sharing on various human rights issues and the efforts made to do away with the ill-culture of the Chaopadhi (A tradition in which the girl children are compelled to take shelter in the cowshed during the period of menstrual cycle), racial discrimination and untouchability in the districts of far west.

On the occasion, the representatives from different organizations also stressed on the duties and responsibilities of the concerned agencies for ending the racial discrimination and untouchability.

The Chief Guest of the program, CDO Ishwor Raj Paudel and HR Activist Teknath Baral felicitated 15 couples who were tied in knots through inter-caste marriage.

The participants, therefore, unanimously urged the NHRC to pro-actively take the lead in cultivating pressure on the concerned government actors for the realization of human rights.


Following the above program, the NHRC Regional Office Dhangadhi also organized a discussion program with the representatives of government agencies including the district judge, chief district officers, chiefs of security agencies including armed police and the Nepal Police.

The objective of the program was to have discussion on the de-fact situation of the human rights, law and order situation and the initiatives to be taken by the state actors with regard to the ESCR including racial
Continued from page 1 NHRC Accomplishes...

The NHRC has, therefore, completed investigation upon good number of backlog cases. Of the total backlog of 1500 complaints, investigation of 323 complaints have been accomplished in the mid-west region.

The NHRC has taken this initiative as a special effort leading to settle down the complaints as a number of old complaints are found waiting for investigation at various NHRC offices.

These investigation works have been regarded as a productive one and the NHRC has planned to field other missions from the centre to the regional offices in the near future where large number of complaints are pending.

The investigation missions were represented by Murari Kharel (Officiating Director, NHRC Regional Office, Nepalgunj), Human Rights officers namely Basu Dev Bajagain, Shyam Babu Kalfe, Gia Kumari Dahal, Bhim Prakash Oli, Lok Nath Bastola, Bir Bahadur Dudha, Neetu Kumari Gadtaula, Jeevan Neupane, Hari Gyawali, Ramesh Kumar Thapa, Mohan Dev Joshi, including staff Mandira Shrestha, Saraswati Nepali, Lok Nath Ghimire and L.B.Subba.

Development Actors Trained on Human Rights

Jumla: The NHRC sub regional office, Jumla organized a training on human rights on Sept 14th and 15th, 2012 among the representatives of the government offices, journalists, non-governmental organizations working in the field of human rights and other stakeholders of from Kalikot, Jumla and Mugu districts.

The objective of the two day training was to expand the outreach of the Commission with the promotion of human rights via the training as such that would enhance the capacity of the local development actors, human rights related organizations, journalists and other concerned stakeholders of the region. The training also aimed at executing simplified action over the existing common issues of human rights through district level coordination and collaboration. Likewise, the training also focused on minimizing the existing problems of human rights with the sharing and/or dissemination of human rights based educational materials among the local level communities.

The inaugural session of the training kicked off having the Chief Judge Khem Raj Sharma of Appellate Court as the chief guest whereas judge Bhim Bahadur Bohora and registrar Om Nath Gautam were invited as the guest of the training program. The representatives of the District Administration office, Nepal Police and other stakeholder government agencies attended the opening session of the training program.

Jhankar Rawal - the officiating chief of NHRC sub regional office Jumla, Devi Bahadur Sejuwal, the district president of the Nepal Bar Association, Om Nath Gautam – registrar of the Appellate court and Dhan Bahadur Gautam of CAD provided the training.

Trainers and participants at a HR training held among the development actors in Jumla

The training package was prepared in accordance with the human rights defenders guidelines developed by the Commission. The training, therefore, included the human rights and the concepts and development of human rights, difference between human rights and crime, national and international human rights laws, national and international human rights organizations, human rights system, role of civil Society, human rights defenders, freedom of expression, free press and media code of conduct.

At the training, the participating trainees obtained the knowledge and skills on the stipulated themes. They came up with the view that through the trainings as such were held in the past as well, in particular, this training turned out to be exceptionally knowledge based and useful from the technical point of view. They said that there wouldn’t be any confusion in differentiating the human rights from crime and vice versa. The training, they said, has given them ample knowledge to realize the duties and obligations of their authorities and organizations. Over all, the training session mostly focused on the duties and code of conduct to be solemnly complied with by the human rights defenders and journalists alike. They acknowledged the information about the Commission and its activities with regard to the protection and promotion of human rights across the country.

Thirty participants including 13 female and 17 male participates representing the Dalit, indigenous community and differently able participants took part in the training.

At the program, Ghanshyam Aryal, the chief of Nepal Police said that during four and half month, there has been considerable improvement in law and order. He also mentioned that there isn’t any political pressure as such while executing the duties and responsibilities.

Similarly, the Chief District Officer Chet Nath Bhattarai said, ‘Having joined the office just recently, I am yet to analyze things related to human rights in the district. However, I am of the opinion that people seem to have tapped great deal of political awareness since the decade long insurgency has left huge impact on the lives of the people.’

The representatives of the government agencies collectively expressed their commitment to expend the support in fulfillment of human rights.

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NHRC Launches HR Resource Centres in Dhangadhi and Biratnagar

Kailali: Chairperson Justice Kedar Nath Upadhyay has said that, undeniably, human rights is something that is automatically received while born as humankind. Life is practically molded, many a time promoted and made easier through human rights. The state, however, demarcates the lines of control of human rights.

Inaugurating the newly established human rights resource centre amid a function held at the Regional Office, Dhangadhi on 30th September, 2012, Chairperson Upadhyay, as the chief guest of the program, said that the Commission has endorsed various guidelines and publications such as the vital ESC rights indicators and disseminated.

On the occasion, NHRC secretary Bishal Khanal said that human rights are not confined only within civil and political rights. The NHRC has been engaging in working upon ESC rights in the post war scenario.

In this context, the opening of the resource centre would help the visitors study, research and enrich their knowledge in all spheres of human rights including their ESC rights, observed Secretary Khanal.

Delivering the welcome speech, HR Officer Pawan Bhatta threw light on the rationale and objective of the establishment of the human rights resource center under the purview of NHRC.

On the occasion, the district judge of kailali, Chief District Officer Chet Nath Bhattacharai and Journalist Dharme Raj Pathak also shared their comments on the inception of the human rights resource centre.

NHRC Regional Director Tika Ram Pokharel, the Chair of the program, said that the resource centre has come into being for the benefit of the people of all walks of life. The Commission urges all the stakeholders to make it a platform for the dialogue and discussion.

Thanking all the participants of the program, Director Pokharel said that though it is in a small scale now, the Commission will do its optimum to suffice it with all the resources and materials in the days to come.

The inaugural ceremony was attended by the District Judge of Kailali district, Chief District Officer, representatives of civil society, chiefs and representatives of the government agencies, Nepal Police, human rights workers associated with the local human rights organizations and media persons.

The establishment of the human rights resource centre at Dhangadhi regional Office is the third in row after Pokhara and Biratnagar Regional offices.

Biratnagar: Earlier, NHRC had launched the Human Rights Resource Center (HRRC) also in its regional office, Biratnagar on 10 September 2012. Formally inaugurated by Member Gauri Pradhan amid a function held at the premises of the Regional Office, Biratnagar.

Delivering the welcome speech, NHRC Regional Director Kosh Raj Neopane said that the objective of the establishment of the HRRC is to have an up-to-date, well equipped library which is not merely a collection of books, but a resource center, designed to broaden the horizon of learning on human rights with free access to these resources with information technology (IT) supported resources for all the stakeholders and general people alike.

Speaking at the program, Member Gauri Pradhan, as the chief guest of the program, said that having come to existence, the HRRC would be a platform for the stakeholder organizations and the general public for human rights studies.

On the occasion, Deputy Inspector General of Nepal Police Surendra Bahadur Shah of Eastern command said that it is hoped that the establishment of the resource center will help the people of the region to take advantage to the fullest in honing their knowledge of human rights. Sanju Koirala of Women’s Human Rights Defenders Network said that the establishment of the human rights resource centre is a milestone.

Likewise, Somraj Thapa opined that in the scenario of the departure of OHCHR, the national rights watchdog has been bestowed with more responsibilities. The opening of the resource centre in all of its five regions is an another feather in the cap.

About 100 participants representing from Biratnagar based governmental organizations, human rights officers, civil society, journalists and political parties participated in the inaugural ceremony of the resource center.

The HRRC is established with the support provided by the UNDP Strengthening Capacity of National Human Rights Commission Project (SCNHRC).

Please send your feedback about the NHRC e-Newsletter to nhrc@nhrcnepal.org

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