



# e-Newsletter



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## National Human Rights Commission - Nepal

### NHRC Comments On TRC related Ordinance – 2069

EVER since the then Maoists declared the war on February 13, 1996 until the signing of the Comprehensive Peace Accord (CPA) on November 21, 2006, thousands of people have become the victims of the incidents of human rights violations including killing, enforced disappearance, abduction, torture, thrashing, sexual violence, intimidation, property seizure and damage, looting and enforced displacement perpetrated by both the conflicting parties. After the signing of the CPA by the then Maoists and the Nepal Government on November 21, 2006 leading to the consensus reached between the political parties to deliver justice to the conflict victims by forming the Truth and Reconciliation Commission as provisioned in the Interim Constitution of Nepal – 2007, it was then anticipated that the victims of human rights violations

would be delivered with justice by the State. Contrarily, even after six years of CPA, the Transitional Justice Mechanisms haven't been instituted resulting in the further suffering to the victims.

The National Human Rights Commission has been making its stance public consistently with regard to forming of the independent, competent, powerful and impartial transitional justice mechanisms at par with the international standard. In the past, the NHRC had, after consulting with the concerned stakeholders, provided its advisory inputs on the Ordinance related to the TRC and the high level Commission on the Inquiry of Disappeared (CoID) Bills under consideration in the Constituent Assembly. In addition, the NHRC Chairperson had corresponded to the Prime Minister on April 17, 2012



NHRC Member and Spokesperson and the Chairperson Justice Kedar Nath Upadhyay including other NHRC Office bearers responding to the queries of the journalists at the press conference held on the TRC related Ordinance at NHRC hall.

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### NHRC to Confer 'Dayaram Pariyar HRs Memorial Award' on Dr. Shiva Maya and Mr. Baral



Chairperson Upadhyay paying homage to the NHRC staffer late Dayaram Pariyar on the occasion of the 7th Commemoration of Late Pariyar organized at NHRC homage

LALITPUR: National Human Rights Commission has decided to confer this year's Dayaram Pariyar Human Rights Memorial Award on Shiva Maya Tumbahangphe of Morang and Tek Nath Baral of Kaski.

The decision was drawn at the 7th Memorial Function of NHRC staffer late Dayaram Pariyar held at NHRC.

Addressing a function, Chairperson Justice Kedar Nath Upadhyay said that NHRC has corresponded to the Government urging to declare late Pariyar a Martyr but no response has been received as yet.

Citing the trend of harnessing anybody with the tag of martyr, the Chairperson lamented that it is regretting to see the dilly-dallying of the Government towards declaring actual human rights warrior like Dayaram Pariyar a martyr.

Acting Secretary Bed Prasad Bhattarai said that as because late Pariyar was shot dead by the police, the NHRC has always garnered effort for the justice delivery to the family of late Pariyar.

He added that Commission has already recommended to the Government for the action against the accused after inquiring into the incident and for the provision of relief to the victim's family.

Speaking on the occasion, Prakash Chandra Pariyar, brother of late Dayaram, urged the NHRC to cultivate pressure on the Government to declare Late Pariyar a martyr who gave his life for the cause of human rights.

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International CERD Day, March 21

## Access to Justice urged for the Victims of Racial Discrimination

**L**ALITPUR: By issuing a press release, the NHRC has said that at a time when the country is heading towards building society free from discrimination, it is regretful to see the environment of imposing intimidation and threat to the inter-caste marriage between Dalits and Non-Dalits and punishing on the ground of untouchability - an act against human dignity.

Universal Declaration of Human Rights-1948, Convention on the Elimination of All form a of Racial Discrimination -1965, Interim Constitution of Nepal-2007, Racial Discrimination and Untouchability (Crime and Punishment) Act including many

international conventions and national laws have affirmed that racial discrimination is a punishable crime. Yet, the ill-culture of racial discrimination and untouchability is widespread in society, the press release says.

The more social awareness is needed, the more the state mechanism needs to be effective to facilitate the access of the victims of racial discrimination and exploitation to justice. Similarly, enhancement of social harmony and collaboration among the members of the society is also the need of the hour, reads the press release.

Not to mention, it is crucial to have mainstream lined the social inclusion based on human rights

and to internalize the racial discrimination free process.

The press release further states that National Human Rights Commission has, therefore, urged that it is important to make the law enforcing authorities more active than ever to take action against the accused, to control the future recurrences of inhumane -treatment of racial discrimination and to give an end to it. The International Day was proclaimed by the UN General Assembly in 1966, to coincide with the date in 1960 when police killed 69 people in Sharpeville, South Africa at a peaceful protest against apartheid laws. The theme for the International Day in 2013 is "Racism and Sport".

## Initiatives Stressed to Redress the Rights of Victims of VAW

**J**UMLA: On the occasion of 103<sup>rd</sup> International Women's Day, National Human Rights Commission Sub-Regional Office Jumla organized an interaction program on Domestic Violence against Women.

At the program, Chief Justice of Appellate Court (Jumla) Ekraj Neupane said that he has been working for the protection of women's rights and suggested women in injustice to register their complaints at the concerned offices including NHRC.

Chief District Officer Hari Pyakurel claimed that his organization is inculcating best efforts in the protection of Women's Rights and made a commitment to have its continuation in the future as well.

Similarly, the Local Development Officer Arjun Thapa, Chief of Woman and Children Office Goma Wagle, Deputy Attorney Krishna Prasad Pudasaini, Chief of National Human Rights Commission Sub-Regional Office Jhankar Bahadur Rawal, Advocate Min

Bahadur Mahat shed light on the problems of women.

Participants comprising the representatives from government and non-government offices participated in the program. The program "NAYA PUSTA" (New Generation) is designed to have overall development of children is broadcast on Radio Sagarmatha and Image Television of Kathmandu Valley as well as on dozens of Community Radio across the country.

## Improve the Prison Condition of Solukhumbu: NHRC



NHRC official collecting information from the inmate about the prisons condition and the service in Solukhumbu prison.

**K**HOTANG: The team deployed by the NHRC Sub-Regional Office, Khotang carried out on-the-spot monitoring on March 11 and 12, 2013 on the condition of the district prison and the inmates servicing their terms.

During the course of monitoring, the team met with the jailor Rudra Subedi, Chief District Officer Sita Ram Karki, Superintendent of Police Sadan Singh Basnet and inmates and had comprehensive discussion as to how the basic amenities can be facilitated in order to improve the existing wretched condition of the prison.

The team found the prison overcrowded with the detainees and inmates like in other prisons in the country. This has caused difficulty to the daily life of the prisoners since long, as per the report sent from Khotang NHRC Office. Constructed in 2007, the district prison falls in 'D' category.

As there is high risk for the prison to face any unprecedented incidents due to natural disaster, the monitoring team has recommended the renovation of the prison cells. If renovated in time,

the inmates can carry on their life skill and income generating activities conveniently, it was learnt.

The monitoring team also discovered that the inmates were not given access to meet the legal consultants. By corresponding to the prison management department, two of the minors in the prison were learnt to have been recommended for shifting them to the rehab - center. The team also had the discussion about the mentally ill inmates kept with other inmates. Necessary initiative was recommended to send them to the place appropriate for their living.

Having broad discussion with the prison administration and the district administration of office, the monitoring team also recommended for the human rights training to the prison officials and staff as per their convenience.

## NHRC Urges Protection of Consumers' Human Rights and Justice

**L**ALITPUR: Despite the fact that there have been Acts, Laws and Action Plans regarding the production of food products, storage and distribution in order to ensure human rights and justice of consumers in the country, the truth has been surfaced through a number of studies and monitoring that their implementation in practical term has been a far off dream, says the NHRC press release issued on the occasion.

In this regard, the United Nations Guidelines on Consumer Protection -1999 and the Protection and Promotion of Human Rights of Consumers and Monitoring Guidelines – 2068 (2012 AD) endorsed by the Commission have also duly incorporated the issues regarding the protection of human rights of consumers within their jurisdiction, reads the press release.

The press release explores that the major challenges lying ahead in the country are ineffective implementation of the policies concerning the well-being of the consumers and besides, the consumers are deliberately defrauded in every step they take while making daily purchase. Likewise, they are not provided with quality production in time and in uncomplicated manner. The consumers feel that they have fallen the prey of widespread injustice due to the adulterated food supply, unhealthy food stuffs, inferior education and health services, irregular drinking water supply, implacable power-cut and faulty transport services in the country.

The issues concerning health, education, information, choice, hearing and compensation are related to the protection of human rights

and justice delivery to consumers. The Government, in particular, ought to be exceptionally active and conscious to address such issues related to public concern. Similarly, the collaborated efforts inculcated from the side of the policy making bodies, consumer rights related organizations and agencies and conscious citizens can help deliver justice.

The Commission has therefore, through the press release, urged the Government including all the concerned parties associated with the protection of consumer rights and justice to sincerely fulfil their responsibilities to take legal action against those who play with public health and their occupation for justice delivery.

## Bandh Cripples Life across the Country, Sort out Problems through Dialogue: NHRC

**L**ALITPUR: NHRC, by issuing the press release, has said that its attention has been drawn to the rising culture of shutdown and general strike organized by various professional organizations, political parties and their party wings amid the deepening quandary of political instability and lack of peace and security in the country.

It's proven that bandh as such called in the past has only hit hard the life of general people mostly affecting the sick and working class people, the press release says.

The Commission has, therefore, urged the bodies concerned to end 'Bandh Culture' that only garners negative impact on overall situation of human rights.

The press further says that the Commission has been urging the bandh enforcers time and again to respect people's fundamental rights such as right to freedom of movement, right to education, right to health and free movement of the very much essential public services, reads the press release.

The Commission has urged the bandh enforcers not to take any move that would invite problem to the people but sort out the problem through dialogue and consensus.

The Commission has also urged the Government to address in time the legitimate demands of the bandh enforcers and maintain peace and security in the country.

## NHRC Monitors the Custodial Death

**T**ANAHU: The team deployed by the NHRC Pokhara Regional Office carried out Monitoring on the incident of death of Surya Bahadur Tamang, the resident of Pokharibhanjyang VDC – 4 of Tanahu district on 29th march, 2013..

The report says that deceased Tamang was reported to have died in the police custody on March 15th, 2013. Late Tamang was in possession of 15 grams Marijuana at the time of his arrest. He breathed his last in Ganadaki hospital, Pokhara.

Agitated by the news of death, the demonstrators including the relatives of the deceased and the local residents took to the street and resorted to vandalism and arson, according to the report. The police shot several tear gas cells to control the unprecedented scuffle that took place between the demonstrators and the police. This left several people injured.

Later that evening, a meeting was held among the representatives of the political parties, victim's families including the Chief District officer in the latter's office. The victims family was provided with Rs 40 thousand to perform the last rites of the deceased along with the request letter to be sent to the Home Ministry for the compensation 15 hundred thousand to be provided by the end of the month of Chaitra. Also, it was decided to suspend five police personnel including ASI Shanker Chidi Magar involved in detaining the victim. An inquiry committee was also formed to inquire into the incident.

The team met with the victim's family, local residents and those present at the incidents spot in order to obtain the first hand information.

The monitoring team also obtained the information from the Doctor involved in the post-mortem of the victims dead body and the victims' family.



NHRC Regional Director Yagya P. Adhikari obtaining information from the relatives of victim Late Surya Bahadur Tamang during monitoring on the incident.

# NHRC Comments...

Continues from page 1

and August 13, 2012 respectively drawing the attention of the latter to form powerful TRC having jurisdiction in accordance with the international standard together with the request to hold consultation and discussion with the concerned stakeholders while promulgating laws related to such mechanisms. Meanwhile, the Ordinance related to CoID and TRC - 2069 has received widespread criticisms from the national and international level after the Government of Nepal published it in Nepal Gazette on March 14, 2012.

Since the Law on transitional justice relates to key human rights concerns, the NHRC has been time and again drawing the attention of the Government to form the TRC only after receiving advisory inputs facilitated by the NHRC and other stakeholders. Section 6 of the NHRC Act – 2012 has the provision that the NHRC shall provide advisory to the Nepal Government for making laws whatsoever concerning human rights. It is apparent that Ordinance is sketched thereby sidelining the Commission's constant request on availing consultation from the NHRC while promulgating laws on such sensitive issues and keeping the door open for consultation on the draft Ordinance.

Nonetheless, upon having comprehensive study of the Ordinance, the advisory is hereby presented by reviewing both strong and weak aspects of the Ordinance in order to make it human rights friendly and effective in line with the national and international human rightist laws.

## Strong Aspects of the Ordinance:

Promulgating laws itself is a positive step for justice delivery to the victims waiting for justice for a long time. Having studied the Ordinance from human rights perspectives, therefore, positive aspects of the Ordinance are furnished hereunder.

- Enshrining of the provisions with regard to the formation process of the Commission in independent and fair manner.
- Powers vested for the investigation
- Inclusion of the provision with regard to the protection of the witness/s and other concerned persons
- Arrangement of the reparation for the victims
- Incorporation of the arrangement of reconciliation
- Provisions laid out for the implementation of the recommendations of the Commission

## Flaws in the Ordinance

The weakest aspect of the Ordinance is that there are no clear provisions that debar amnesty to the persons involved in the serious violation of human rights and crime against humanity. This has created an anxiety that such transitional justice mechanism is inclined more

towards blanket amnesty rather than justice delivery to the victims. Not to mention, the aspects furnished below are found to be shaky in providing justice to the victims.

- The title of the Ordinance itself begins with disappeared persons having the term 'enforced disappearance' curtailed therein.
- In the Ordinance, serious violation of human rights have not been clearly defined and also there are not any differences in the activities relating to whether or not to designate amnesty.
- Fails to internalize the act of receiving absolute consensus from the victims while designating amnesty.
- It does not ensure the filing of lawsuit against those recommended accused persons ( There is possibility to have very slim chance for filing of the case since the power for entertaining the lawsuit is vested on the Ministry and thereafter Attorney General respectively)
- Given the fact that the incidents of serious human rights violations including the enforced disappearance and torture could not be criminalized, there is every chance for an accused to acquire immunity.
- Reparation is not accepted as the rights of the victims
- There is no arrangement for the encouragement for the persons extending support in truth investigation
- Indolent status of the implementation of the recommendations.

## Vague Matters:

- Since the Ordinance remains tight lipped about what would happen to matters concerning the decisions dispensed by the Commission and the court or the cases under consideration as well as the complaints, further uncertainty appears to loom large regarding the relationship of the Transitional Justice Mechanisms (TJM) with the National Human Rights Commission and the Court. Nowhere in the Ordinance is it mentioned about the coordination and collaboration between these institutions.

## Advisory facilitated for the amendment in the Ordinance

- The ordinance on transitional justice ought to ensure the legal action against the persons involved in the serious violation of human rights and crime against humanity upon criminalizing the incidents related to enforced disappearance and torture along with the arrangement for punishment having retrospective impact.

- Must ensure not to designate amnesty for the crime of serious nature, crime against humanity, and war crime. The procedure and the process for amnesty should be unambiguous.
- Must ensure the independent consensus of the victims while designating amnesty to the accused of human rights violations.
- Must ensure to implement the recommendations made by the transitional justice mechanism and also ensure to implement the recommendation for the lawsuit filed against the accused.
- Reparation should be established as the rights of victims.
- There must be clarity with regard to the relationship of the TJM with the NHRC and Court, coordination, collaboration and also on the matter as to what would happen to the cases under consideration and the complaints registered.
- With regard to the responsibility of monitoring on the implementation of the recommendations as referred to in the Ordinance, there needs to be provision for the submission of the copy of the report and the documents to the NHRC by the Transitional Justice Mechanism.
- With regard to the gender issues concerning the transitional justice, it is suggested to addressing of the UN Security Council Resolutions No 1325 and 1820 accordingly.
- Since the activities such as truth seeking, prosecution, reparation, vetting of the persons involved in serious violation of human rights, institutional reform are to be exercised by the transitional justice mechanisms, the law should be promulgated by internalizing all these activities leading to the reconciliation thereby delivering justice to the victims.
- While promulgating law regarding the transitional justice mechanisms, ensure to have the bases of the human rights related International Mechanisms and Declarations and Guidelines specially the UN Human Rights Council Resolution on the Right to the Truth, 2005 and Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity, 2005 including the provisions set forth in the Interim Constitution of Nepal – 2007 and international practices without any contradiction.

- It is clear that the country will slide into having pervasive culture of impunity provided that amnesty is designated to the accused involved in the incidents of serious human rights violation and crime against humanity during the armed conflict. Since the Ordinance presented against existing international standards can't deliver justice

to the persons victimized from armed conflict, considerable amendment ought to be made in it.

- The NHRC recommendations on the incidents of armed conflict must be implemented in full.
- The National Human Rights Commission has had its clear view on making the bases

of the truth-seeking, justice to the victims, reparation, and the bases of mitigation of conflict via peace and reconciliation through the transitional justice mechanisms. Since, the National Human Rights Commission, in the context of cautioning the Nepal Government and the political parties concerning the withdrawal of the cases of persons involved in the serious human rights violations, crimes against humanity and blanket amnesty leading

to burgeoning culture of impunity, urges to duly amend the Ordinance issued on the CoID and TRC Bills by incorporating the advisory provided in the past and form the transitional Justice mechanisms without any further delay.

For detail information visit  
NHRC website.

## Social Mobilizers Enhance Capacity through Training on HRBA to Development

**DHADING** : A two day training was organized in Dhading district on Human Rights Based Approach to Development (HRBA) among the district level social mobilizers of the government agencies including the district level NGOs and civil society.

The objective of the training was to make the developmental works accessible, public participatory, sustainable and effective. The training mainly focused on how human rights values and standards can be integrated into different types of development initiatives both at policy and implementation level.

Inaugurating the training as the Chief Guest, Member Gauri Pradhan said that the role of social mobilizers of state mechanisms working on different levels was and is very crucial. HRBA being focused on sustainable human development, the trainees should bear the knowledge of human rights so as to get to the bottom of the difficulties faced by the general citizens in their daily life.



*Surya Deuja, HOD, NHRC Promotion and Advocacy Division presenting paper at the training organized on HRBA to Development in Dhading district*

He added that it is not enough merely enshrining the provisions of human rights in law and constitution. The developmental works, therefore, if not integrated with human rights based approach and ensured for its implementation, the state can't imagine the overall development of women, children, dalits and marginalized section of the society.

He mentioned that the remedial solutions can be found out to the existing injustice, exploitation and violence, if dialogues are held from time to time.

The SCNHRC National Project Manager Sadhana Ghimire, delivering her speech

opined that since human rights is multi-facet and concerns almost all daily services of the general citizens, the stakeholder trainees do have greater role in internalizing the HRBA in practical terms.

Addressing the program, Justice Sahadev Prasad Batola said that the concerted efforts are always inculcated for the protection and promotion of human rights in the district.

Chief District Officer Bed Prasad Kharel said that it has now become imperative to conceive the plans for the developmental initiatives and efforts in the manner that they are human rights oriented, inclusive and nondiscriminatory for sustainable and meaningful development. He stressed that NHRC give continuity to prototype training in the days ahead as well.

District President of NGO Federation Damodar Aryal, Women and Children's Officer Nirmala KC and the Program Officer of the District Development Committee Binod Aryal also spoke on the occasion.

At the training, a number of papers were presented by experts including Human Rights Officer Suresh Malla, Commissioner Gauri Pradhan, District Judge Sahadev Prashad Bastola, Human Rights Officers Samjhana Sharma and Surya Deuja.

47 social mobilizers representing the government agencies including District Development Committees, District Public Health Offices, District Education Office, District Police Office, representatives of civil society and district level NGOs among other participated in the training.

Towards the end of the training, the participants worked out on Action Plan and Way Forward followed by a Human Rights Documentary Show. The participating trainees were given away the certificates at the closing session of the training.

The training was organized at the technical support extended by the Strengthening the Capacity of the National Human Rights Commission (SCNHRC Project) and in coordination with district Development Committee, Dhading.

**DADELDHURA** : The NHRC Regional Office Dhangadhi organized a three day training on Human Rights Based Approach to Development (HRBA). Having internalized

the newest concept for larger development through the human rights based approach in the service providing sectors of the Government, the training was conducted in Dadeldhura of far west region of Nepal.

The objective of the training was to orient the officials of the district level government agencies and other concerned stakeholders with the knowledge of human rights based approach in daily office works of public concern and to enhance the coordination and collaboration between the NHRC and the district level government agencies.

The training was provided by the regional Director of NHRC Dhangadhi Office Dr. Tikaram Pokhrel, Human Rights Officer Pawan Bhatta, Local Development Officer Tulshi Bahadur Shrestha of Dadeldhura District Development Committee.

The training mainly focused on the protection of human rights and how the government agencies can acquire the knowledge for the protection and promotion of human rights. Similarly the participants took advantage of the learning on how to inter relate human rights, development and human rights based approach to development.

During the training, the participants unanimously stressed on the prototype training to be held not only among the government agencies but also among the representative of civil society and nongovernmental organizations and in the remote districts of the Far West.

The training was participated by 32 office chiefs of the government offices representing from the districts of Darchula, Baitadi, Dadeldhura, Kanchanpur, Kailali, Doti Achcham, Bajura and Bajhang.



*A participant presenting his views and comments during the training held on HRBA to Development in Dadeldhura*

## Muslim Women in Dire Straits: Education, Employment and Access to Justice Stressed

**B**ANKE: Muslim women and intellectuals of Banke district have stressed on the accessibility of education, employment and justice to the Muslim Women. This was shared during the interaction program on Status of Muslim Women and their Challenges organized by NHRC Regional Office Nepalgunj on the occasion of 103<sup>rd</sup> International Women's Day.

At the program, NHRC Deputy Murari Prasad Kharel, on behalf of the NHRC, expressed his commitment to give best efforts to minimize the problems faced by the Muslim Women due to social taboo such as divorce, polygamy and dowry culture.

On that occasion, Social Worker Rama Nath Tamoli underscored the importance of awareness and consciousness for the social reform. President of Rusuf, Nepal Mustak Ali Rai shared that his organization is actively working for the rights of Muslim Women and the support and co-operation essential for it.

Citing the respect shown towards the Muslim Women, Mohammad Yusuf Ansari said that Muslim Religion there is need of larger awareness and social responsibility towards the protection of their rights.

Ruhi Bano Halwai of Rusuf Nepal considered family misunderstanding to be the main cause of violence against women rather than religion. She explored that violence against women can be minimized if women become educated.

Similarly, Ms Hina Sahina said that Muslim Community has the culture of not sending



Human Rights Officer Hari Gyawali addressing program entitled Rights of Muslim Women organized on the occasion of 103<sup>rd</sup> International Women's Day in Nepalgunj, Banke

daughters to school as they believe daughters have to go to serve in other's home. She added that the need of the hour is to create an environment in which parents can voluntarily send their daughters to school.

'There is need of education and employment opportunity to free them from the Domestic Violence,' said Sanno Kuresi.

Rev. Maulana Gulam Waris said that law does not discriminate between a male and a female but there is a problem as the Muslim religion is erroneously interpreted. He added that divorce is only possible in a mutual consent if husband and wife are in a situation where they can no longer stay together but now divorce occurs in the event of a minor quarrel which should be ended somehow.

Sabanam Indresi underlined that there is no accessibility of justice to Muslim Women so state should be responsible to punish

the perpetrators involved in the violence against Muslim Women.

Ashma Kuresi regarded dowry system to be the root cause for the divorce among Muslim Women so campaign should be organized to mitigate the dowry system. She further added to have laws to punish both the parties (receiver and giver of dowry). She lamented that the accused often go scot free owing the weak laws of Nepal.

Similarly, Lubanau Rujale informed that there is still discrimination between son and daughter in the Muslim Community and further claimed early marriage and illiteracy to be the reasons for the violence against women.

Guru of Muslim Religion, pioneer woman working for the rights of women, Muslim women for Banke District, human rights activists and media person among others participated the program organized on the 103<sup>rd</sup> International Women's Day.

## NHRC Monitors Saptari Fire Incident: Awareness of Precautionary Measures Recommended

**S**APTARI : The team of NHRC Office, Janakpur carried out monitoring on the incident of fire that broke out in Saptari VDC-9 Nakatirapur, Musahar Tole on March 8, 2013.

The main objective of the monitoring was to see the initiative for emergency help and humanitarian support from the concerned offices of Nepal Government.

According to the locals, the fire started from the kitchen of Dhuthari Devi Shaha at around 11 am and spread rapidly which was brought under control only at 2 pm. According to fire victims, 78 houses belonging to 60 families were gutted down. 338 people were reported to have suffered from the fire in Rayapur village.

Displaced fire victims have been provided with first hand relief with the food stuffs and some monetary help from the different organizations and local people. Concerned bodies and other offices helped the locals as soon as the fire caught the village. All the houses in Rayapur village were reduced to ashes though the status from different sources show the number of households in village varies.

NHRC Janakpur Office, through the report, recommended to the Government to be serious about sustainable strategies to prevent the repercussion of these types of devastation. Further recommended is the initiatives for more and more awareness raising activities in order to reduce the high possibilities of fire in summer.

## NHRC to Confer...

*Continues from page 1*

He also urged the Commission to establish "Dayaram Memorial Fund" in order to award the human rights defenders working for the protection and promotion of human rights in the country.

Late Pariyar started his career as a human rights defender in NHRC in 2006. Shot by the police in Janakpur while on duty, he breathed his last while receiving treatment at TU Teaching Hospital seven years ago. This was the first time a human rights activist succumbed to injury from security forces fire.

Established in 2012, "Dayaram Pariyar Memorial Human Rights Award" is awarded to the human rights defender who make significant contribution in the field of

## Dialogue taps Momentum on the Right to Health of Women



Women participants at a program held on Right to Health in Kaski district

**K**ASKI: NHRC Regional Office, Pokhara organized the program 'Workshop on the Right to Health of Women HIV Survivors, Women Sex Workers and Women drug User on February 14, 2013.

The program was facilitated by the NHRC Director Yagya Prasad Adhikari, Bina Pokhrel, UN AIDS representative, and Saroj Gurung from Office of the Women and Children.

2. Program Name: "2 Days Multi-District Workshop on the Right to Health For Women Living with HIV, Female Sex Workers and Women who use drugs in Nepal"

Agendas of the Program included the understanding and claiming rights, why women rights?, why focus on women HIV survivors, female sex workers and women drug user, understanding health rights as the human rights and what to expect from health service providers.

30 Participants comprised the representatives of HIV survivors, sexual workers, former drug addict along with the persons working for the protection of their health and lobbying for giving impediment to such activities in future.

The program was jointly organized by National Federation of Woman living with HIV and AIDS, Jagriti Mahila Federation, Dristi Nepal and the program was supported by the NHRC and UNAIDS.

## Relief Recommended for Landslide Victims

**J**UMLA: The NHRC carried out monitoring on the incidents of landslide in which eight persons were killed and four others were injured in Badki VDC, Ward – 4 of Jumla district.

In the process of monitoring, The team deployed by the NHRC Sub-Regional Office, Jumla first met with the concerned authority and obtained the information about the incident. It was learned that victim Devlal Sharki lost all his belongings and livestock which were found buried in mud slide. The monitoring team visited the injured in the hospital to collect the information about the their health condition.

Upon monitoring the incidents, therefore, the NHRC Office, Jumla recommended the necessary arrangement for the rescue of relief and treatment to the injured by drawing the attention of the concerned authorities.

Meanwhile the District Natural Disaster Rescue Committee has decided to release Rs 40,000/ per victim and the district administration office has decided to provide relief materials to the victims family, as per the Assistant CDO Bhupendra Bahadur Thapa of Jumla.

### Monthly Status (March, 2013) of the NHRC Decisions

The National Human Rights Commission, in the process of executing its action in accordance with the mandates and functions laid out in the NHRC-Act, has settled a number of cases with the decisions dispensed and sent the recommendations to the concerned for further action in the month of March, 2013.

The cases have been settled with the decisions dispensed on 7 cases on Right to life and 1 case on missing persons. Following this, the recommendations for the compensations to the victim, victims' family and prosecution against the perpetrators have been sent. 1 case each on right to life and torture has been dismissed. Similarly, there are a number of cases remaining pending which include the cases in connection with IDPs – 5, Disappearance - 1, Administration of Justice – 4, ESCR – 2, Right to life - 3, Torture – 1, Abduction – 4, Women Rights – 4, Threat – 2 and Right to property – 7 respectively.

## Officers and Staff Trained on Safety & Security

**KAILALI:** NHRC conducted two day training on safety and security in NHRC Regional Office, Dhanagadi on 23 and 24 March, 2013. The objective of the training was to manage and strengthen the security system in the office premises and elsewhere. The training also focused on personal safety and protection of the staffs on all occasions especially during the monitoring missions.

Facilitated by the Security Officer Pradyumna Kattel, the trainees of all level participated in the training in which the participant had learning sessions of safety and protection awareness. Apart from the protection

measures, the participants also obtained broad knowledge and skills on probable threats, standard order procedures and its assessment, vulnerability and risks including safety and security challenges and their mitigations.

The training session on a sense of duty and responsibility was also given to security guards and drivers. Over all, along with the learning realm of all the elements concerning staff security, the participants learned not to compromise breaches of security under any circumstances but to prioritize security procedures and to react calmly as per the situation of expecting the unexpected.



NHRC Security In-Charge Pradyumna Kattel elucidating the safety and security strategies during the safety training held among the NHRC staff in Kailai district

An evaluation of the present security system and lacking of some security gazettes were listed out to further enhance safety and security.

### News in Brief

#### Movement along Karnali Highway brought to Normalcy

**JUMLA:** National Human Rights Commission Sub-regional Office (Jumla) organized an interaction with the concerned bodies about the problems emerged due to the closing of Karnali Highway.

At the program, Vice Chairperson of Federation of Nepal Journalists Jumla D.B Buddha, District Representative of Informal Sector Service Center (INSEC) Jumla Mandatta Rawal, Representative of District Development Committee Laxmi Chandra Neupane, Inspector Chanchala Shrestha of District Police Office, Dhan Bahadur Sharki of Karnali Development Service, Goma Gautam from of UCPN Maoist, Nanda Dhital of National Handicapped Federation, Tika Adhikari from Women's Rights Forum threw light on the solutions to the problems caused due to the closing of Highway.

Heavy rainfall and snowfall in Rachuli of Kalikot obstructed the movement of vehicles effecting from Feb 4 till March 1, 2013. As a result, the price of essential goods such as medicine, pulses, rice and oil had risen up unnaturally. Highway was opened with the concerted efforts made by all the concerned including NHRC.

#### SLC Examinations Monitored through Rights Perspective

**JUMLA:** In view of monitoring whether or not the School Leaving Certificate Examination (SLC) are conducted in peaceful environment, the team deployed by the NHRC Sub Regional Office, Jumla carried out on-the-spot monitoring on the SLC examinations effecting from March 14- 22, 2013.

The monitoring mainly focused on the whether or not the examinations are conducted from human rights perspective and in dignified way. Unlike past years, many female security personnel were deputed in examination centers. There were no any untoward incidents reported except for a few attempts of malpractices by the examinees.

The team carried out monitoring in 34 secondary schools under 11 examinations centers. It was learnt through the last year's report that the results of more than two hundred students were held up due to the scuffle following the irregularities in the exams.

#### SLC Examinations Peaceful: NHRC Monitoring team, Nepalgunj

**BANKE:** NHRC Regional Office, Nepalgunj carried out monitoring on the SLC examinations on March, 2013. Like past years, the monitoring was mainly focussed on whether or not the examinations were conducted in well-managed, dignified and peaceful manner.

The team comprising the Director and the Human Rights Officer from Nepalgunj office took to the examinations centers of the Banke district. During the monitoring the team met with the Chief District Officer and district Superintendent of Police including the center in-charge, invigilators, parents and students and obtained the information on the ongoing SLC examinations.

The examinations were found to be conducted amid tight security arrangement with the deployment of a large number of police so as to prevent the irregularities in the exam centers. Meanwhile, it was found that around 219 students were debarred from sitting in the exams due to the inadequate attendance percentage.

Over all the examinations were found conducted more smoothly as compared to those of the past years from human rights perspective. No untoward incidents were reported except for the expulsion of an invigilator following her involvement in irregularities.

#### NHRC Brochure in Braille

**LALITPUR:** The NHRC has developed for the first time its brochure in Braille. Keeping in mind the convenience of visually challenged persons, the brochure published in Braille includes the general introduction of the NHRC inscribed with the background, mandates, duties and functions of the NHRC.

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