



e-Newsletter

Volume 9

Issue 5

May, 2013



National Human Rights Commission - Nepal

13th Anniversary of the NHRC

Government Feeble in Implementing Rule of Law: Chairperson



Chairperson Justice Kedar Nath Upadhyay giving away the Late Daya Ram Human Rights Award to the Human Rights Activists Dr. Shiva Maya Tumbahamphey and Mr. Tek Nath Baral on the occasion of 13th Anniversary of NHRC in Pokhara

KASKI : The Chairperson Justice Kedar Nath Upadhyay has said that despite the fact the Commission has written to the GoN time and again and drawn the attention towards future negative impact of the Ordinance related to Truth and Reconciliation Commission (TRC), it has turned its deaf ear towards this concern.

Speaking on the occasion of the 13th Anniversary of the National Human Rights Commission held in Lake City Pokhara, the Chairperson said that the Commission has already made its stance known to the Government and the concerned stakeholders that, if the Ordinance is not revised, it is impossible for conceiving the environment for the reparation to the victims, truth revealing and reconciliation.

He added that the Ordinance related to Commission of the Inquiry of Disappeared (CoID) and Truth and Reconciliation Commission (TRC) approved sometime ago by Rt. Hon. President of Nepal has been the matter of dissatisfaction to the human rights workers and civil society altogether.

The Chairperson lamented that, on the one hand, no legal action is taken against the perpetrators whereas, on the other hand, the withdrawal of over one thousand cases filed against the persons involved in criminal offenses has slid the

Government into being helpless in compliance of Rule of Law.

Slamming each successive Government in power, the Chairperson said that the perpetrators of human rights violations are allied in mainstream politics as leaders and on top of that the political parties have been found shielding human rights violators and harnessing them with promotion to higher ranks in security agencies and administrative agencies. Sadly, such nexus existed between the security personnel and criminal's altogether has weakened the country's governance system and security situation, he added.

Speaking on the occasion, NHRC Member Justice Ram Nagina Singh said that since the policies and politics of the country have not been able to make their headway towards the right direction, human rights is compelled to endure crisis and efforts for the protection and promotion of human rights have become full of challenges.

As because the state is oblivion in bringing the violators of human rights to justice, the lawsuit is filed against them after they are booked in foreign land to everyone's dismay.

Delivering the welcome address on the occasion, Member and Spokesperson for the Commission

Gauri Pradhan said that it has become difficult to bring the violators of human rights to justice for obvious reason that the culture of impunity is deep-rooted in the country.

He added that only 28 percent of the total NHRC recommendations has been implemented owing to the reason that the political parties are often keen on the issues of human rights while they are out of power and once they rise to the power, they deliberately turn their deaf ear to the human rights concerns.

He noted that there have been challenges to be surmounted over with regard to bringing of the historically marginalized citizens to the mainstream development, incepting of the transitional justice mechanisms and ensuring the economic, social and cultural rights of the citizens.

Continues on page 3

IN THIS ISSUE

CONTENTS	PAGE
13th Anniversary of.....	1
District Prison Monitored.....	2
Stakeholders interact on	2
Pay Heed to the	3
NHRC Urges the	3
Statement by Hon	4
Regional Office, Nepalgunj.....	5
Glimpses of the 13th.....	5
Discussion Continues on	6
Security Personnel Trained.....	6
NHRIs Share Good.....	6
Rights of Indigenous	7
Discussion taps Impetus	7
Human Rights training	7
News in Brief	
Youth Human Rights	8
NHRC Staff trained.....	8
Finnish Youth Leaders.....	8

District Prison Monitored: Adequate Facilities Recommended

KANCHANPUR: The team deployed by the NHRC Dhangadhi Regional Office carried out monitoring on the district prison in Kanchanpur district.

The objective of the monitoring was to inspect the physical condition of the prison including the overall human rights situation of the inmates. Other objective of the monitoring was to learn how cognized are the prison administration and the security personnel about the rights, duties and responsibilities of the inmates serving their term in the prison.

During the course of monitoring, the team comprising the NHRC Deputy Director Dr. Tika Ram Pokhrel and HR Officer Mohan Dev Joshi met with the Chief District Officer, Jailor Dhan Bahadur Chand, including the detainees and inmates kept in the district prison and obtained the information about the prison facilities and whether or not their human rights are fulfilled.

While interacting with inmates and detainees during monitoring, a few of them came up with the grievances that they were bound to be behind the bar because of the forged lawsuit filed by the human rights workers against them. Lamenting over the inappropriate amnesty designated, the inmates expressed their dissatisfaction over the ineffective remedial solution to the problems they were facing, the report says.

The monitoring report states that if any Detainee or Prisoner has a child to be raised by him/her and there is no one, other than him/her, to maintain and subsist that child, all the care, education, maintenance and subsistence of such a child shall be carried out at the expense of The Government of Nepal as prescribed until that Detainee or Prisoner remains detained or imprisoned

as per the section 8 (2) of the Prison Act – 2019. Despite these provisions, the children in prison are deprived of their right to protection including the right to education.

Urging the prison administration to transform the prison into a place of reformation of the inmates, the monitoring team has made recommendations on the improvement of the physical infrastructure of the prison, adequate budget allocation, income generating skills to the inmates, health care of the inmates, recreational kits and activities including access to justice in coordination with the Government of Nepal and concerned authority.

The recommendations are also made on the shifting of the mentally ill inmates to the appropriate place other than the normal prison and to accommodate those inmates separately who have been convicted of civil case and criminal case complying with provisions set forth the section 6 (d) of the Prison Act – 2019.



NHRC monitoring team deployed from Dhangadhi office interacting with the inmates in district prison in Kanchanpur



NHRC monitoring team deployed from Dhangadhi office counselling the inmates at the premises of Kanchanpur district prison

Stakeholders Interact on Transitional Justice and Human Rights Situation

KANCHANPUR: One day interaction program was organized on transitional justice and Comprehensive Peace Accord and situation of conflict victims in Kanchanpur district.

The main objectives of the program were to analyze the impacts of the decade long conflict left on the people of Kanchanpur, to confirm whether or not the victims have been provided with the compensation, to discover the de-facto situation of investigation of human rights violation cases and to consult with the stakeholders concerned for sustainable development and also the ensure the availability of appropriate compensation package to the victims.

Regional Director Dr. Tikaram Pokhrel was the Chair of the program while Chief District Officer Parsuram Aryal was the Chief Guest. District Superintendent of Police, representatives of Village Development Committee, Women and child Welfare Office, District Education Office, District

Peace Committee, Health and Population Office participated in the program. Similarly, representatives from different parties, NGOs, victims, media among others were also present at the program.

During the interaction, the participants came up with various suggestions and comments. They urged that the District Administration Office provide the accurate data of victims upon consulting the stakeholders. They also stressed that investigation should be carried out to find out the accurate number of victims and also to unveil the de-facto status of compensation provided to the victims till date.

Adding that all the political parties must reach to one point with regard to the ending the culture of impunity, the participants unanimously expressed their concern with regard to the formation of the much awaited Truth and Reconciliation Commission and Commission on Inquiry of Disappeared. They also comprehensively discussed on the scientific land reform and laid emphasis on

revamping of the policy through ordinance. The participants representatives of victims families expressed their downright fury and lamented on the situation in which the property confiscated during the armed conflicts have been withheld without being returned to the rightful owners.

The participants also stressed in unison that the Government ought to implement the NHRC recommendations without any due reservations and as per law.

Likewise, since the Constituent Assembly Election is approaching anytime soon, human rights friendly constitution should be drafted and people's ESC rights must be ensured, they urged.



Participants at an interaction program held on transitional justice and human rights situation in Kanchanpur

Pay Heed to the NHRC Recommendations: Dr. K.B. Rokaya

KATHMANDU: NHRC Member Dr. K.B. Rokaya has said that criminalization of politics and vice versa has been the main cause of increasing rate of crimes and rights abuses and thus tearing the nexus between politics and criminals altogether has become the need of the hour in the present context.

Addressing a seminar entitled "Migrant Nepali Workers, Divided Families and State Obligations", Member Rokaya, as the Chief Guest of the program said that youths in huge number are migrating overseas in search of jobs due to lack of employment opportunities, unstable and uncertain political situation at home.

He stressed that though not much can be hoped from prevalent political situation and the general tendencies of the leaders, youths must

come forward to make it possible to bring about the stipulated changes in the scenario as such.

It's high time now that the youths took the leadership in all spheres including mainstream politics, he urged.

Member Rokaya observed that there have been examples that self made youths doing their best by utilizing the abundant resources available in their locality. It's high time the youths realized the value of life and dignity of labor to play meaningful role in country's development, he urged.

He also opined that without discontinuity in Nepal's politics and drastic change in the mentality, country would remain in the middle of nowhere.



NHRC member Dr. K. B. Rokaya among the key note speakers at a program held on migrant Nepali workers and divided families in Kathmandu

In his remark, Member Rokaya also lamented over dilly dallying of the Government to implement the NHRC recommendations pertaining the rights abuses.

He reiterated that such a limbo exhibits that the Government has failed to pay any heed to take actions against the accused involved in the incidents of human rights violations.

The seminar was organized by Start Youth-Youth for Development on the occasions of the International Day of Families.

NHRC Urges to End Corporal Punishment in Schools

KASKI: National Human Rights Commission, Regional Office Pokhara conducted interaction entitled minimizing of corporal punishment perpetuated on school level children on May 24, 2013 at the premises of NHRC Pokhara.

The program mainly focused on to create awareness about minimizing corporal punishment schools and create child friendly environment for the development of child and to deliver the knowledge of child psychology, Convention on Child Rights and Child Rights Act.

received by participants and the NHRC alike. Comprehensive discussions were held on the topic-wise discussions related to the stipulated issue.

During the program, the participants put emphasis on the continuity of these sort of programs, building and expanding the rural level net-work, focusing on monitoring, investigation and recommendations on child rights violations.

Addressing the program, Deputy Director of NHRC Yagya Prasad Adhikari, President of Social Study Forum Surya Bahadur Gurung, Principal of Amar Singh Higher Secondary School Nawaraj Paudel, Chief of Taal Barahi Higher Secondary School Bhadrakali Lamichhane, Principal of Bhaskar Memorial Boarding Biswaraj Bastola, President of Peace for Civil Society Network Bishnu Baral and Shiva Chapagain of Children Nepal provided their suggestions and comments at the program.



Participants at a program entitled The Corporal Punish in School organized in Pokhara

Forty two participants from cross section of the society and academia participated in the interaction including teachers and lecturers from private and government schools and the Chairperson of Guardian Association, Kaski.

Similarly, human rights activists representing various rights organizations, NGOs, journalists, civil society and NHRC staff members were also present in the program. The program was well

Continued from page 1

Government Feeble in...

On the occasion, NHRC Member Dr. K.B. Rokaya said the protection and promotion of human rights has often become challenging due to the reason that the Government has literally remained devoid of responsibilities towards its citizens. One of the reasons for the issues of human rights concerns to remain in obscurity could be the politicizing of crimes and vice versa, he added.

At the program, the NHRC felicitated Human Rights Activists Teknath Baral of Kaski district and Dr. Shivamaya Tumbahangphey of Biratnagar with the late Dayaram Pariyar Human Rights Award for their contributions made in the field of human rights.

Receiving the award, Mr. Baral said that the human rights in the country is in dearth for want of willpower to be exhibited by the political parties in their endeavors. He urged the need of rectification on the part of the parties in power.

Dr. Tumbahangphey expressed her gratitude to those who encouraged her to come to the field of human rights while fighting for the rights of daughters through students movement.

On the occasion, the civil society member Bishnu Prasad Baral said that since the Nepalese politics is heading towards wrong direction, there have been impunity, political instability and widespread anarchy in the country.

He lamented that the values and spirit of People's

Movement have been made the subject of mockery having the person with scandalous image appointed in public post.

Western Regional Administrator Dhruva Prasad Dhakal expressed his view that the NHRC should raise its voice against the ill-culture of impunity in the country.

Similarly, Nandakala Nepali, the Chair of Women Human Rights Organizations Network (Kaski) urged that the Government seriously take the rights issues of women. She emphasized that women should have their representation as the member of the National Planning Commission and also each party should have fifty percent woman candidates in the forthcoming CA election.



Statement by Hon. Justice Kedar Nath Upadhyay, Chairperson of the National Human Rights Commission

Pokhara, May 27, 2013

On behalf of the National Human Rights Commission, I heartily welcome all the guests to the celebration organized to mark the 13th Anniversary Day of the Commission in this beautiful Lake City Pokhara. I would also like to extend my felicitations to the senior human rights activists Teknath Baral and Dr. Shivamaya Tumbahangphey to be shortly honored with the ‘Late Dayaram Memorial Human Rights Award’ and express my best wishes for their continued work in the field of human rights in the days ahead as well.

The National Human Rights Commission was established thirteen years ago on May 26, 2000 AD. Established at a time when the conflict between the then Maoists and the Government was in climax, the early days of the Commission remained full of challenges with limited resources at its disposal. Needless to say, the present day Commission is indeed the result of the support and collaboration extended from the Nepali people, human rights organizations and agencies, non-governmental organizations and the Government of Nepal (GoN).

By and by, the Commission had to shoulder up additional responsibility under the Comprehensive Peace Accord- 2006 (CPA) besides the responsibilities assigned to the Commission by the law and Constitution. The Commission was vested also with the responsibility of monitoring whether or not the parties in agreement are committed to human rights and peace process in accordance with the lines laid out in the Peace Accord.

Overall, monitoring and studies conducted by the Commission suggests that various kinds and natures of the incidents of human rights violations have been escalated between both the signing parties which is against the spirit and values of the CPA. Similarly, the whereabouts of the enforced disappearances and abduction hasn't been publicized yet; no truth has been unearthed so far with regard to the persons victimized with the crimes such as killing, violence and torture. This has resulted into the anxiety which is looming large among the general people with regard to achieving sustainable peace, normal daily life and conducive environment for the much awaited national reconciliation.

The Ordinance related to Commission of the Inquiry of Disappeared (CoID) and Truth and Reconciliation Commission (TRC) approved sometime ago by Rt. Hon. President of Nepal has been the matter of dissatisfaction to the human rights community and civil society altogether. In this regard, the Commission has made its view clear before the GoN and other concerned stakeholders that, if the Ordinance is not revised, it is impossible for conceiving the environment for the reparation to the victims, truth revealing and reconciliation. I would like to reiterate here that the Commission has written to the GoN time

and again in order to draw its attention towards this concern, but the Government has turned its deaf ear ignoring all initiatives of the Commission.

Since the establishment, the Commission has received around 11,000 complaints on the incidents of human rights violation. The complaints are related to killing, enforced disappearance, abduction, torture, intimidation and enforced displacement etc. As of today, from among 4000 pending complaints, the Commission has sent the recommendations on 650 complaints to the Government. The Commission, on the other hand, is in receipt of 122 complaints starting from July -2012 till March 2013. Similarly, upon conducting the investigations on 83 of the total 430 pending complaints, the Recommendations have been sent to the GoN for action.

In the course, special missions deployed by the Commission have accomplished investigations of over one thousand incidents whereas over

13th Anniversary Day of the Commission

115 monitoring has been carried out last year. Likewise, the Commission has organized over 208 promotional activities, brought out 9 report publications and issued 39 press releases. Similarly, the Commission, in coordination and collaboration with government, non-governmental organizations and stakeholder agencies, has organized over 300 programs.

Since the establishment till date, 28 percent of the total recommendations has been implemented in full, 17 percent is still in limbo while 55 percent has been implemented partially as per the record. Although most of the victims have received relief, compensation and reparation from the GoN as per the NHRC recommendations, the Government has appeared to be disinterested towards prosecution that leaves it in an acute dismal state. On the one hand, no legal action is taken against the perpetrators whereas, on the other hand, the withdrawal of over one thousand cases filed against the persons involved in criminal offenses has slid the Government into being helpless in compliance of Rule of Law. On top of that, the perpetrators of human rights violations are allied in mainstream politics as leaders. Political parties have been found shielding human rights violators and harnessing them with promotion to higher ranks in security agencies and administrative agencies. Sadly, such nexus existed between the security personnel and criminals altogether

has weakened the country's governance system and security situation. Impunity has been let loose all over the country. In recent days, the incidents of the attack and excess perpetuated on human rights defenders especially on the journalists including the media houses indicate that the overall human rights situation has worsened. The serious challenge has emerged now due to the situation in which only a few political parties have assumed control over decision making process and other activities of the Government. This is inconsistent with suitable environment needed for democracy, rule of law and human rights.

The serious attention of the Commission has been drawn to the censorship imposed on the activities of the media that interferes in the guarantees of the people's right to information. This is utterly against the international treaties and Conventions to ensuring freedom of expression, Declaration on the Human Rights Defenders – 1998, Guideline on the Human Rights Defenders – 2009 issued recently by the NHRC. The NHRC would like to caution the entire concerned not to give impetus to such mishaps to take place in future.

The way the GoN looks at the Commission, the doubt apparently looms large for the reason that some of the high ranking government officials including ministers couldn't realize the significance of the human rights culture for sustainable peace, democracy and Rule of Law. We are yet to experience the feeling being internalized by the Government in practical term that, under no illusion, the NHRC is an autonomous and independent institution that supports the government in the protection and promotion of human rights. Contrarily, the status of the Commission has been relegated in the matters of its institutional independence and autonomy as an constitutional body upon having the NHRC-Act, 2068 endorsed in the place of the NHRC- Act, 2053. In this context, special review session of the International Coordinating Committee (ICC) of the National Human Rights Institutions (NHRIs) is going to commence soon with regard to conferring 'A-Status' category on the NHRC – Nepal. In this regard, I would like to hereby inform all that the Commission has drawn the serious attention of the Government to the curtailing of independence and autonomy of the Commission at a time when ICC special review would be made on the NHRI like ours which has persistently maintained its A-Status ever since its establishment.

Established with the concerted efforts employed in the citizens' movement and the international human rights movement, the NHRC has been an endowment held in the trust of the Nepali citizens. The guarantee for independence and autonomy of the Commission rests much more upon the dedication and determination of the

office bearers and the staff members of NHRC rather than on words of constitution and law. I would like to be explicit about the fact before you all that no duty would be fulfilled independently and without fear, whatsoever be the guarantee given by the Constitution and law if it were to discharge by the persons who do not bear the culture of autonomy and independence.

Reminding about the common obligation on the part of the Government, civil society, and the human rights organizations and agencies to protect at any cost the institutional independence

and autonomy of the Commission, I would like to confide you all with full commitment to continue our endeavors in coordination and collaboration with you all, as always.

Last but not the least, the NHRC and its staff members will continue its efforts for the protection and promotion of human rights of Nepali citizens. The Commission perceives it as an indication of development of awareness towards human rights among the general citizens that, within 12-13 years, they have embarked upon augmenting the trend to seek human rights of their own. I

would also like to express my heartfelt thanks to civil society, human rights workers, media, GoN, donor agencies including all the general citizens for the support and cooperation extended by them in our endeavors to protect and promote human rights in the country. Likewise, I expect the same kind of support and collaboration from all the class and communities with regard to our effective role for the protection, promotion and fulfilment of constitutionally provisioned human rights in the days ahead.

Thank you!

Regional Office, Nepalgunj Observes NHRC Day

BANKE: NHRC Regional Office, Nepalgunj observed 13th Anniversary of the NHRC birthday of NHRC by organizing various programs including tea program among the local stakeholders on May 27th, 2013 in Nepalgunj, Banke.

On the occasion, the NHRC Regional Office Banke made the overall updates on the NHRC activities and achievements made in the past before the representatives from government agency, political parties, NGOs, civil society, victims, human rights organizations. Delivering the welcome speech, Murari Prasad Kharel-NHRC Deputy Director acknowledged the support and cooperation provided to the NHRC

for the protection and promotion of human rights by all the concerned including the cross section of society.

On the occasion, Chakrapani Pandey-Assistant Chief District Officer Banke, Advocate/Maoist leader Tirtha Gyawali, Advocate Lok Bahadur Saha, Advocate Salikram Sapkota, Bhola Mahat (INSEC), Team Leader of CWIN Nepal, Prem Pandey, Buddha Sunar, Tek Raj



Invitees at a tea party held on the occasion of 13th anniversary of NHRC organized in Nepalgunj

Jaisi (NFDN), Bashudev Gyawali (CELLARD), Mohammad Aarif Ansari (Bheri F.M.) and , Saran Karmacharya (ABC TV) also spoke on the occasion.

Glimpses of the 13th Anniversary Day of the Commission:



Discussion Continues on Gender based Violence



Resource persons and participants at a workshop entitling Gender Violence organized in Kanchanpur

KANCHANPUR: A two day workshop entitling gender violence concluded in Kanchanpur. The program was organized by the NHRC Regional Office Dhangadhi with the participation of representatives from government bodies, security agencies, different NGOs and INGOs, human rights activists, media and members of local clubs among others.

The main objective to the workshop was to sensitize the concerned stakeholders about the

situation of gender violence, to oblige their role in combating the gender violence in society. The objective also aimed at exploring the facts regarding violence against women, rape, domestic violence and their impacts on society.

During the workshop comprehensive discussions were held on the incidents of gender violence includes rape, sexual assault, sexual harassment, prostitution, trafficking, child marriage including feticide etc.

At the program, the participants expressed their views about the huge discrimination against women. In the past, women were deprived of education and parental property. They were kept confined only in household chores. Similarly they fell the prey of feticide, polygamy, domestic violence, acid throwing, dowry violence and inflicting of torture on the women often leading to gender violence. The participants also explored that superstitions,

religion, cultures were some of the factors harboring gender violence. Chowpadi is one of the ill-cultures widely practiced in western Nepal. In this culture, a girl undergoing menstrual cycle is forced live in a cowshed or makeshift in solitary for over a week.

The participants also argued on increasing impunity, lack of awareness, patriarchal social structure, religious and cultural believes, lack of women leadership including the lack of fast track court are the main reasons supporting to increase the gender violence in Nepal.

The participants flayed the political parties in power for having given the protection to the criminals of gender violence.

During the program, the participants stressed that the program as such should not be held only in the major cities including urban areas. The suggested that special awareness programs are required for the people of rural areas as well. They also underscored the state obligation to promulgate laws and its effective implementation for the prevention and control of gender violence.

Security Personnel trained on HR

KHOTANG: The NHRC Sub-Regional Office, Khotang organized training on human rights and law enforcing agencies on April 19 and 20, 2013. The Main objective of the training was to enhance the knowledge and skills of the security personnel.

The participants of the training comprised the security personnel representing the Nepal Police and Nepal Armed Police of the districts of Solukhumbu, Okkhaldhunga, Bhojpur and Khotang. The participants also included the officers representing the women's cell and human rights cell of the respective police offices.

During the training, the trainee officers enhanced their knowledge on human rights, jurisdiction of the NHRC, women's rights, violence against women (Punishment and Crimes Act - 2066) social gender discrimination, crime and human rights violation, arrest and detention, police and society, UDHR, International Humanitarian Law and Human Rights Laws.

The Commission has been organizing the training on human rights for the district level political parties, government officials, and security agencies.

DOTI: Security personnel ought to be exceptionally responsible for the protection and promotion of human rights and also for the development of human rights culture under their jurisdiction. Keeping this in mind, the NHRC Regional Office Dhangadhi organized a training on enhancing the knowledge and skills of human rights of security personnel deployed in the district police office of Doti.

The training was provided by the NHRC Deputy Director Dr. Tikaram Pokharel and Human Rights Officer Mohan Dev Joshi.

At the outset as the ice breaker, the trainees were made aware of the functions, duties and rights of the Commission, human rights and its protection, and basic principles of human rights.

The objective of the training was to enhance the knowledge and skills of the participants on basic elements of human rights, sources and development, international and national human rights instruments and laws.

Upon undergoing the training, the trainees expressed their views that such training should be held from time to time specially focusing on the outskirts of the main cities of the country.

NHRIs share Good Practice



NHRC Deputy Directors duo Yagya Adhikari and Durga Khadka at a meeting with IM Hong-Jai, Vice President and Secretary General, global Compact Korea Network

SOUTH KOREA: Two staff members from the Human Rights Commission of Nepal recently completed short-term placements with the National Human Rights Institutions of India and Korea.

Mr Yagya Prasad Adhikari, Regional Director, Pokhara, and Ms Durga Khadka, Deputy Director, Investigation and Monitoring Division, said it was a valuable opportunity to learn good practices in human rights monitoring and investigations and to build closer ties with other Asia Pacific Forum member institutions.

The pair was hosted for a week by the National Human Rights Commission of India, from 3-9 March 2013, where they met with Commission members and senior officials.

Among other activities, they were introduced to the Indian Commission's complaint management system, which handles over 90,000 complaints each year; the composition and activities of the Investigations Division; and the Commission's thematic monitoring of human rights issues such as mental illness, sexual harassment, bonded

labour and human trafficking.

A two-week placement with the NHRC of Korea, from 10-23 March 2013, also looked at effective approaches for resolving complaints of human rights violations, including the development of recommendations for government agencies.

In addition, the placement program focused on the work of the Korean Commission in other areas, including its engagement with international human rights mechanisms and its research work on business and human rights and on the rights of women, people with disabilities, migrant workers and detainees.

The program was funded by the British Embassy in Nepal and jointly coordinated by the Embassy and the APF.

Rights of Indigenous Women Under Spotlight

KATHMANDU: A workshop was organized on May 17, 2013 entitled the Violence against Women: Exploitation of Indigenous Women and their Rights.

Inaugurating the workshop, Member and Spokesperson of the Commission Gauri Pradhan underscored the 3 Ps (protection, prosecution and punishment) and 4 Rs approach viz. relief and rescue, reparation, reintegration, and rehabilitation. He also noted that these are the most critical of all approach for the women's human rights and fundamental freedom.

He, on behalf of the NHRC, expressed full commitment for the protection of the rights of indigenous women from being victimized through the act of violence against women.

The objective of the workshop was to garner the spirit of indigenous women leaders representing various traditional women's institutions towards their rights provisioned by the constitution and various national and international human rights instruments through sensitizing. Similarly the workshop aimed at providing practical knowledge to the victims of VAW as to how they

can lodge the complaints at NHRC in the event of the violence against women. The participants comprised 30 participants representing various caste based organizations.

Women's rights experts including Yasokanti Bhattachan, Advocate Laxmi Rai, Durga Khadka and Sarita Gyawali Bhattarai made their presentation on various thematic such

as Situation of Violence against Women: Trafficking and Sexual Exploitation of Indigenous Women in Nepal, Relevant National and International Laws or Human Rights Instruments, NHRC's Mandates and Role on the Protection of the Rights of Indigenous Women of VAW, Coordination between NHRC and the NGOs working in the field of women's rights respectively.



Resource persons and participants at a workshop on the Rights of Indigenous Women organized by NHRC in Kathmandu

Discussion taps Impetus on the Rights of Indigenous Citizens

KANCHANPUR: The NHRC Regional Office Dhangadhi organized an interaction on the rights of the indigenous and minority communities at Belauri of Kanchanpur district.

The objective of the interaction was to review the overall situation of the rights of indigenous populace in the area, to cognize them of their rights and to identify the problems and challenges they have been surmounting over.

At the program, Human Rights officer Mohan Dev Joshi shed light on the ILO Convention – 169 and elaborated the provisions set forth in it. He explored that given the fact the discrimination between man and woman has been brought to an end through the Article 3 of the ILO Convention, women are still deprived of legal ownership of land property. He also noted that the marriage registration was still a new phenomenon for the couple in the area. To his dismay, no initiatives for the training and programs were conducted except for the road construction under certain Village Development Committees in the area.

During the program, the participants came up with their multiple grievances that the senior citizens were facing the problem of obtaining the social security allowance at ease. They regretted that the Mahakali Irrigation Project lacked the flow of water.

As per the report, the indigenous populace has been provisioned with the rights of self decision making within which they can determine

their political rights, and engage them in development of economic, social and cultural rights in accordance with the article (10) of ICCPR and ICESCR.

The community was found to be deprived of the proper arrangement of education, communication and employment in spite of the fact that there is a provision laid out in the Article 17 of the Interim Constitution of Nepal – 2007 as well as the Article 13-33 of the ILO Convention-169

The community in the area lacked the right to basic health facility free of cost as furnished under the article 16 of the fundamental rights of Interim Constitution of Nepal-2007.

The participants, therefore, unanimously urged that prototype programs be held along side necessary monitoring by the Commission. They opined that the awareness raising program on their rights is the first and foremost thing needed in the area that, by prioritizing the development budget, would help address the issues such as positive discrimination and empowerment for the targeted groups in the area.

The participants also stressed on the effective implementation of the national and international laws for the protection and promotion of the rights of indigenous communities in the country.

Thirty six participants representing the Tharu Community participated in the interaction program.

Human Rights training held



Participants at a Human Rights training organized in Pokhara

KASKI: Three day training on Human Rights concluded in Pokhara. The training was organized by the NHRC Regional Office Pokhara.

Then main objectives of the program were to train the participants on different thematic such as International Conventions and Child Rights in Nepal, ILO Convention-169 and state obligations on the part of Nepal state including the responsibility of human rights defender and the role of human rights organizations to ensure the fulfilment of ESC Rights.

Justice Raj Kumar Wan facilitated the training as the resource person. Lawyer Surendra Thapa Magar and Kaghraj Acharya; Regional Director of Pokhara Yagya Prasad Adhikari, human rights activists and General Secretary of National Heritage and People's Rights Protection Committee Ram Bahadur Paudel also provided the training.

47 participants including the students, stakeholders, NHRC staff members, media, legal professional, business persons and academicians participated in the training.

News in Brief

Youth Human Rights Defenders Visit NHRC



Youth Human Rights defenders along with the Chairperson Upadhyay at a program held at NHRC during their visit

LALITPUR: Human Rights Defenders representing the INSEC including various other human rights organizations and agencies from across the country visited the NHRC on May 20, 2013.

During their visit, an interaction was held on the NHRC mandates and functions of the Commission. Chaired by the Director Subarna Karmacharya, the program was

facilitated by Deputy Director Durga Khadka, Head of Investigation Division, NHRC.

Together with the work procedures of the NHRC, Director Khadka elucidated on the activities of the Commission to be accomplished by the Commission for the protection and promotion of human rights in the country.

Underscoring the provisions laid out in the nine core conventions, Deputy Director Khadka also focused on the state obligations on the human rights concerns.

The participants of the interaction raised the queries with regard to the activities concerning the enforcement of human rights and how NHRC is doing at its disposal to help abate the violation of human rights violations in the country. The queries also included on the complaint handling with regard to the child crime, cyber crime, and violation against women. During the program, the participants lamented over the dispirited notion on the part of the law enforcing agencies on complaint registration.

NHRC Staff Trained on NHRIs Work



NHRC staff members during the training organized on NHRIs work in Copenhagen, Denmark

COPENHAGEN: Twenty Staffs from National Human Rights Commission of Nepal participated in the training program entitled NHRIs work to Promote, Protect and Monitor Equality and Non-discrimination organized by Danish Institute for Human Rights (DIHR) in Copenhagen, Denmark from 13-17 May, 2013.

The training aimed at enhancing the capacity of NHRC Nepal staffs for the promotion and protection of issues of equality and non-discrimination specially focused on persons with disabilities. A the training,

the DIHR and NHRC Nepal experiences on promotion and protection of issues of equality and non-discrimination were also shared.

During the 5 day training, the participants learnt about the role of NHRIs for the promotion and protection of Equality and non-discrimination, Monitoring of Convention on the Rights of Persons with Disabilities (CRPD), accessibility strategy for PWDs etc including the session on business and human rights. The training was

Finnish Youth Leaders Visit NHRC

LALITPUR: A group of Finnish political youths representing various students organizations and youth organizations called on the NHRC during their courtesy tour to Nepal. During their visit to NHRC, an interaction was organized on 8 May 2013.

Chaired by NHRC Director Subarna Karmacharya, the National Project Manager Sadhana Ghimire of SCNHR Project delivered the welcome remarks.



HR Officer Shree Ram Adhikari making his presentation at a program organized during the visit of Finnish youth leaders to NHRC

During the program, Shree Ram Adhikari, Head of International Desk made the presentation on NHRC's Current Involvement in the protection of Human Rights. Mr. Adhikari shed light on the past cooperation and collaboration between Finnish Government and NHRC in various NHRC endeavors for the protection and promotion of human rights particularly the exhumation of dead bodies. Following the presentation, Mr. Adhikari responded to the queries and concerns raised by the Finnish Youth Delegates during floor discussion.

The Delegation Head, Ms Rika of Demo Finland-Nepal thanked the NHRC for the presentation and the insightful learning on the spheres of human rights in Nepal.

The program concluded with the concluding remarks made by Director Karmacharya.

participatory and was fruitful in learning the work of DIHR and Danish Ombudsman for the promotion and protection of human rights of the people with special focus on the issues of minority including the PWDs. The participants of the training program came up with the NHRC Nepal strategy and action plan for the promotion and protection of issues of inclusion and non-discrimination. The training was held at the support extended from the FINNISH project of Finland Government.

National Human Rights Commission

Harihar Bhawan, Lalitpur, Nepal

Phone: 00977-1-5010015 (Hunting Line)

Fax: 00977-1-5547973, 5547976

Email: nhrc@nhrcnepal.org

Website: <http://www.nhrcnepal.org>