The Human Rights Situation Monitoring Network regarding the COVID-19

Working Procedure- 2020

National Human Rights Commission of Nepal

Harihar Bhawan, Lalitpur, Nepal

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The National Human Rights Commission (NHRC), Nepal Bar Association (NBA), Federation of Nepalese Journalists (FNJ) and NGO Federation of Nepal are agreed to monitor the human rights situation of this complex state generated due to the global COVID-19 coronavirus pandemic with the formation of a network and this working procedure is executed after formulating it and this aims to regulate the functions of various Committees under the network.

1. The Title of the Working Procedure:

(a) This procedure shall be called **the Working Procedure for the Human Rights Situation Monitoring Network regarding the COVID-19, - 2020**.

(b) This working procedure shall be effective until the network publishes its COVID-19 monitoring report with the formation of its various Committees.

2. Formation of the Committees:

The following four levels of Committees shall be formed and each of the committees consist of the representatives from the National Human Rights Commission, Nepal Bar Association, Federation of Nepalese Journalists and NGO Federation of Nepal to monitor the human rights situation in this complex state created due to the global COVID-19 coronavirus pandemic.

(a) High Level Human Rights Situation Monitoring and Coordination Committee;
(b) Central level Human Rights Situation Monitoring Committee;
(c) Province Level Human Rights Situation Monitoring Committee;
(d) District Level Human Rights Monitoring Committee;

- The High-Level Human Rights Monitoring and Coordination Committee shall consist of 9 members including the representatives of the National Human Rights Commission, Nepal Bar Association, Federation of Nepalese Journalists and NGO Federation of Nepal. The Convener of this Committee shall be the one of the

members of the Commission as prescribed by the Chairperson of the Commission. The officer prescribed by the Commission shall function as a member secretary.

- The Central-Level Human Rights Monitoring Committee shall consist of the members including the representatives as prescribed from the four institutions. The Central Level Committee shall be convened by the director of the NHRC Bagmati Province office. The officer prescribed by the Commission shall function as a member secretary. The members from the Bagmati Province shall also function as a member of the Central Level Monitoring Committee.
- In each province (except Bagmati province) in the convenorship of the head of the NHRC provincial office and president or the province coordinator of Nepal Bar Association, Federation of Nepalese Journalists and NGO Federation of Nepal or the representatives prescribed by them as a member comprising of 4 members Province Level Human Rights Situation Monitoring Committee shall be composed. In case Province Level Human Rights Situation Monitoring Committee feels necessity of additional member the Committee shall nominate human rights defender working in the province as a member. The Committee shall consider the overall inclusiveness while nominating such member.
- In the provinces where province branch offices are located the head of the province branch office shall also be the representative in the respective provincial committee.
- In District Level Committee president of Nepal Bar Association, Federation of Nepalese Journalists and NGO Federation of Nepal or the representatives prescribed by the president comprising of 3 members District Level Human Rights Situation Monitoring Committee shall be composed. The Committee representatives shall themselves select the convener. In the districts where NHRC offices are located the personnel representative shall also participate the district level monitoring committee. In case district Level Human Rights Situation Monitoring Committee feels necessity of additional member the Committee shall nominate in consultation with the NHRC maximum 2 human rights defenders in the district as member. The Committee shall consider the overall inclusiveness while nominating such member.
- The Committee meeting shall be held at least once a week or more times as per the necessity through video conferencing.

3. The Scope/Area of Monitoring

The Committee shall monitor the following areas of human rights considering the criticality of this situation generated due to COVID-19.

- the actions taken by the Government of Nepal with regard to COVID-19.
- Right to life, health treatment of the patients, availability health related components, availability of the medicine, morale of the health workers, role played by the private hospitals, the health-related activities regarding to COVID-19;
- Living condition of the poor people, distribution of relief package, overall rights of the consumers;
- Citizens' access to the judicial administration;
- Problem in people's movement/mobility; the citizens' stranded in the border area;
- Role of media, use/misuse of social networks;
- Freedom of expression, press freedom;
- Public awareness, and the citizens' duty;
- Role of civil society and the human rights defenders;
- The status of other human rights that are affected due to COVID-19.

4. The Monitoring and Reporting Procedure

- The monitoring checklist prepared by the NHRC shall be used to monitor the human rights situation with regard to the COVID-19.
- The fact during lockdown shall be collected by means of video conferencing, telephonic conversation, field study and other available mediums.
- Any information received by the Committee shall be used after verifying with the members of the committees.
- In the most essential situation the field monitoring (except hospitals, quarantine, isolation ward, and the most sensitive places) shall also be conducted taking permission from the super ordinate committee or the agency during the lockdown or the post lockdown situation.

- The Committees shall play their role for the documentation of the human rights related problems seen in the local level, to solve from the human rights perspective, and to submit to the super ordinate committee collecting the information.
- The Committees shall circulate the information to the NHRC offices in case of necessity to draw attention of the any of the state agency or the other stakeholders. The Commission as per the necessity, shall correspond or draws attention orally or through the press statement.
- The Committee shall submit the report of the overall functions regarding COVID-19 to the one step super ordinate committee. The Committees shall submit to the super ordinate Committee reviewing the reports submitted by the sub ordinate Committee.
- The High-Level Monitoring and Coordination Committee shall submit its final report to the Chairperson of the Commission. The Commission shall recommend to the Government of Nepal as per necessity on the basis of the report and make it public.
- In case confusion with regard to monitoring and reporting is generated, the Committee shall act in accordance with the direction provided by the High-Level Monitoring and Coordination Committee.

5. The Code of Conduct

The members of the monitoring committee shall adhere the following code of conduct.

- All the Committees formed to monitor the human rights situation with regard to COVID-19 shall remain as the committees under National Human Rights Commission.
- The members of the Committee shall be abided by the rules and regulation of the NHRC, standards of human rights, and the existing laws of Nepal.
- All the functions correspondence, dissemination of the information and the publication of the report by the Committees shall be accomplished on behalf on the Commission.
- Nobody shall engage in any unauthorized use of the dress, logo, symbol, letter pad and stamp of the Commission.
- Nobody shall be allowed to do such acts like using the different letter head in the name of the Committee, making symbol and stamp, operating the office, hanging the board etc. except identifying oneself as a member of the Committee.

- The Commission shall not bear the expenses of any of the member of the Committee or the Committee itself spent without the permission of the Commission.

6. Miscellaneous

- The High-Level Human Rights Monitoring Committee shall amend this procedure as per the necessity.
- The right to final interpretation of any of the provisions of this procedure shall be vested upon the High-Level Human Rights Monitoring Committee if any disputes occur.