Lalitpur: The National Human Rights Commission has received a shot in the arm by retaining its “A” status in its accreditation with the International Coordination Committee (ICC) of the National Human Rights Institutions (NHRIs), Geneva.

Following the decision of Sub-Committee on Accreditation (SCA) of ICC to confer this recognition to NHRC, SCA has lauded NHRC’s “past advocacy efforts” and readiness to implement earlier recommendations. Also, considering its crucial role in monitoring human rights issues in Nepal’s ongoing transition to peace, the ICC recommendation has indicated that it is satisfied with NHRC’s efforts to address the concerns.

An endorsement of the ICC bureau, a higher authority, will formally recognize the re-accreditation, the letter sent by the Sub-Committee on Accreditation (SCA) of ICC to the NHRC reads.

At a meeting held in Geneva a few weeks ago, the ICC of NHRIs recognized the NHRC as an ‘A’ status human rights watchdog for a period of five years, taking into account its independence and effectiveness in protecting human rights, NHRC Spokesperson Gauri Pradhan unveiled at an interaction with rights activists in the capital.

‘The SCA of ICC decision has enthused us to move ahead more confidently at this critical time,’ said Member Pradhan, who attended the meeting of SCA of ICC in Geneva. ‘The re-accreditation has enhanced the credibility of the institution and recognized its independent status.’

Meanwhile, the ICC had asked Nepal to amend the NHRC-bill to ensure its financial and operational independence in line with the Paris Principles and Geneva observations. Also, it has also asked the Commission to continue its collaboration with the OHCHR and Asia Pacific Forum of NHRIs for the endorsement of NHRC-Bill which has been languishing in the House of Parliament for quite sometime now.

Criminalizing of Torture: Rights Bodies underscore Rationale

Lalitpur: NHRC Chairperson Justice Kedar Nath Upadhyay has said that torture is the by-product of our ill-culture and this beastly act prevails everywhere in the world.

Speaking at a programme organized jointly by National Human Rights Commission (NHRC), National Women's Commission (NWC), National Dalit Commission (NDC) and other rights watchdogs to mark the International Day against Torture recognized by the UN, the Chairperson said, ‘Since the Interim Constitution of Nepal-2007 has made the rights against torture recognized by the UN, the Chairperson said, ‘Since the Interim Constitution of Nepal-2007 has made the rights against torture as the fundamental rights, we got to see how honest the state is towards fulfilling the commitment expressed on Convention against Torture (CAT).’

‘It is also time to think about the mental torture perpetrated by the armed outfits over ransom issue in the Terai. The Chairperson also stressed that the Govt has to make effective monitoring mechanism to look into such crimes that inflict torture – be it in the detention or elsewhere.’ The Chairperson has suggested that the functional code be devised in line with the spirit of CAT to which Nepal became a party on May 27, 1991.

‘The Commission has been doing its utmost to draw the attention of the concerned towards criminalizing torture. However, unless the stable government accountable to... unless the stable government accountable to...
Lalitpur: NHRC Member/Spokesperson has said that the Commission was incepted at par with the Paris Principles and it has to be independent and autonomous in nature.

Speaking at interaction held on the theme “Collaboration with the Civil Society on the Autonomy of NHRC” on June 13, 2011, Member Pradhan said that concerted pressure exerted from the side of the civil society remains unforgettable to ensure the Paris Principle in the constitution aimed at incepting the Commission in the past. The debate whether or not to provide independence to the Commission at a time when other institutions such as CIAA and election Commission do not enjoy the autonomy, Member Pradhan stressed further alertness on having independent NHRC.

Presenting the paper on UPR report and ICC accreditation to the Commission, Member Pradhan expressed his thanks to the government and civil society for the support rendered to the Commission and further reiterated that the impunity would continue to be safe-sheltered if NHRC is not strengthened with the provision of autonomy to it.

After the paper presentation, the representatives of various civil society organizations forwarded their suggestions and recommendations with regard to the autonomy of the Commission. Bhakta Biswakarma of NNDSWO forwarded 7 point written suggestions during the interaction programme.

Secretary Bishal Khanla shed light on the effort and progress made so far for the autonomy of the Commission.

At the interaction programme, the discussion was also held on the would-be constituted Commissions such as Commissions of Rights, Reconciliation and Truth and Reconciliation Commission by the present government.


Thanking the participants for their invaluable suggestions, Member Gauri Pradhan, once again, urged them to send in the critical but constructive suggestions on the issue. He also called on the participants to start the informal discussion that would help as to how NHRC can move forward to devise mapping in making the vetting list of the human rights violators.

The participants of the programme consisted of the representatives from the human rights organizations, civil society, media persons and other stakeholders.

Continued from page 1

Criminalizing of Torture ...

citizens with the capacity to bring the perpetrators to justice is formed, ill practice of torture will remain deep rooted,” said the Chairperson.

Member Gauri Pradhan said that Nepal has been an exemplary one among five torture free states in the by gone days, but torture has now become the common concern of all.

‘Since torture is not forgivable under any circumstances, the formulation of national law including guidelines and mechanism becomes inevitable. Similarly, stating that suppression of the acts of torture by forming national law is essential, he said, this ill-culture of torture is not limited to the ill-treatment of those arrested by police.

Member Pradhan said torture is rampant not only in police or army custodies but also school has been the prime site where torture is perpetuated in day to day life. Tens of thousands of students are subjected to torture across the nation. This is extremely sensitive case that results in the adverse impact on the students from an early age.”

Ms Mohana Ansari, Member of NWC said, ‘Women are induced to crimes and in order to prove the crimes they are physically inflicted torture. In this regard, there hasn’t been change brought about even during and after the transitional phase. Mass awareness is necessary at least to minimize such a menace, thus.’

Mandira Sharma of Advocacy Forum said, ‘Torture is a heinous crime and there can’t be any debate on it. Sadly, the concept of legal remedies hasn’t been built as yet to criminalize the torture although the pressure is exerted from all but all in vein.’ She, however, hoped that criminalization of torture is essential to give some facelift to the degrading state of human rights owing to nation’s chaotic state of politics and bureaucracy.

Attorney General Dr. Yuva Raj Sangraula said, ‘It appears that all are entangled in some sort of vicious circle. Corruption has been the major factor to have torture flourished. The change, therefore, is needed not only in the mechanism with the state actor but also the people in general should change their mindset in this regard. He called upon all the organizations not to remain as islands to help build or reform mechanism against torture.

Dr. Trilochan Upreti, Secretary of the Office of the Prime Minister and the council of Ministers said the adoption of recommendations would not be so meaningful since no Nepali law makes legal the torture meted out to victims in custody. ‘Even if we adopt the recommended international treaties, we lack adequate infrastructure for their effective implementation.’

However, national and international human rights watchdogs including NHRC, Advocacy Forum, NWC and NDC, among others, criticized the government decision to reject the proposal.
Withdrawal of Cases and Impunity

Lalitpur: Since the inception in 2001, the National Human Rights Commission has been raising strong voice to prevent the withdrawal of criminal cases in the name of cases of “political nature”. The State Cases Act, 1990 permits the withdrawal of state cases filed by the Government with the permission from the respective courts. However, NHRC is in view that the Government should not withdraw any case which is directly related to the violation of human rights. As a state party to the International Human Rights Law and International Humanitarian Law, the Government of Nepal has an obligation to respect, protect and fulfill its commitment on human rights. If the cases filed by the state against the opposition political leaders and cadres are found based on “false charge”, the Government should make it public before getting permission from the respective courts. The Supreme Court verdict on Government of Nepal v. Dil Bahadur Lama refers, “Before permission is granted to the Government for the withdrawal of cases, the court should investigate whether the intention is for good cause or not (Nepal Kannon Patrika, volume no. 7, No. 4940). If the court will work just as a “Stamp-pad” of Government for the withdrawal of cases, such tradition will nurture impunity against the culture of human rights.

The National Human Rights Commission has directed the Ministry of Home Affairs to clarify why it recommended the withdrawal of 238 court cases against the alleged perpetrators of the September 2007 Kapilbastu carnage and other acts of grave human rights violations. Likewise, NHRC had also asked the Government to provide the list of withdrawal of cases involving serious violations of human rights or humanitarian law not only violates the Government’s legal commitments, to ensure criminal accountability, but also undermines its repeated political promises to hold those responsible for major crimes to account and put an end to impunity for past and ongoing violations,” said Jyoti Sanghera, Head of OHCHR-Nepal. “In this regard, our office notes as a positive development Prime Minister Jhala Nath Khanal's statement highlighted in the media today that the government cannot withdraw these cases without following a due process.”

The joint paper assesses recent legal-reform initiatives and offers recommendations to ensure the compliance of current and future legislative and constitutional proposals with Nepal’s international legal obligations. In finalising its new Constitution – as well as the draft bills on the Truth and Reconciliation Commission and the Criminal Procedure Code – Nepal has the opportunity to bring the national legal framework into line with international standards and best practices.

“These withdrawals have served to shield politically connected individuals from criminal accountability in relation to hundreds of serious crimes”, stated Gauri Pradhan, Commissioner and Spokesperson of NHRC. “The investigation and prosecution of these cases are essential to building a justice system based on accountability and the rule of law, critical foundations for a lasting peace in the country, and to help ensure that similar abuses do not happen again.”

National Human Rights Commission-Nepal
OHCHR-Nepal

Joint Media Advisory
Remedies and Rights Revoked: Impunity through Case Withdrawals


Drawing on Nepal’s binding national and international legal obligations, the joint paper outlines the Government’s responsibility to investigate and prosecute human rights violations that constitute serious crimes under national and international law as well as to provide effective remedies for those found to have suffered abuse. However, instead many of these cases have been withdrawn by the Government on the basis of political decisions and calculations.

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National Human Rights Commission-Nepal
OHCHR-Nepal

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Withdrawal of Cases: ...

The Chairperson, on the occasion of 10th Anniversary of the Commission on May 27-2011, has reiterated that impunity has been the most alarming of all the problems faced by the Commission in recent days. Having been in seat of power in different phases of time, the major political parties have withdrawn criminal cases which need to be reviewed in the context of nexus between politicians and criminals or vice versa. We can’t help but simply predict that the question might arise over the decision to withdraw the cases in posteriorly particularly on the context of universal human rights norms and international humanitarian law.

It may be recalled that last UPR report jointly submitted by the NHRC, NWC and NDC also focuses on the situation of impunity in the country.

The excerpts of the report reads that the state of impunity is one of the main challenges for the protection and promotion of human rights. The maintenance of rule of law has appeared as a difficult problem in the recent days. The number of heinous and organized form of crimes has increased alarmingly.

The Government’ willingness to take action against the perpetrators of human rights violations is in question. The non implementation of the recommendations of the high level investigation commission called Rayamajhi Commission of 2006 can be taken as an example. More than 75% recommendations of NHRC toward prosecution or departmental actions against the human rights violators are not implemented followed by various recommendations of other NWC and NDC. Significant number of final decisions of the courts on criminal matters is also not implemented. The Government has withdrawn over a hundred criminal cases under court consideration in 2009 that include cases of murder, rape and other serious criminal offences.

The increasing practice of non-compliance with law especially among the politicians, bureaucrats and security personnel has been developing in the form of a culture. This trend has enhanced lawlessness, impunity and insecurity among the people in general.

The purpose of Truth and Reconciliation Commission (TRC) provided in the Comprehensive Peace Accord (CPA) is to determine the fact and circumstances giving rise to each and every case of human rights violations occurred during the conflict period. Consequently, the Commission to be formed for that purpose would have to determine the nature and gravity and to discover the truth behind the cases. This would indisputably settle down the question as to whether a particular case has arisen due to political cause or criminal motive.

Therefore, withdrawal of cases seems to have wider implication than it appears at present. In any case, NHRC-Nepal would support OHCHR-Nepal’s move to forestall withdrawing of cases of grave violation of human rights and cases of crimes against humanity.

Solidarity to Sensitize Stakeholders on Corporal Punishment

Kathmandu: The esteemed Supreme Court has given the decision that corporal punishment perpetuated on school children under various pretexes is unlawful. Yet, the formidable practice of delivering corporal punishment still prevails in the schools which would leave impact on children both physically and mentally.

In the same context, a programme on ‘Sensitization Workshop on Corporal Punishment in School’ was organized by the Commission under Save the Children Project on May 28, 2011 in Kathmandu.

Stressing on the concept of zero tolerance mentioned in the Convention on the Rights of Child – 1994 (CRC), Director Acharya said the delivery of the child rights perspective. He added that provided the code of conduct is devised for all the concerend inclduing teachers concerned in uniformed way, it would help minimize the on-going corporal punishment in the schools. Member Pradhan also stressed on the development of the concept of positive punishment in all settings.

At the outset, welcoming the participants of the programme, the Deputy Director Achyu Acharya shed light on the rationales of the programme.
NHRC investigation on HR violations gets underway

Kavre: The team deployed by the NHRC central office has completed 9 investigations commencing on 13 complaints including the concluded 5 investigations with regard to the decision remaining pending on the investigation of the complaints on human rights violation in Kavre district.

The investigation on the complaints include the incidents of unlawful killing –1, Disappearance –5, Violation against Rights of Women –4, and Caste Discrimination –3.

The NHRC has commenced the necessary investigation on the pending cases to be finalized with the investigation on the incidents of grave human rights violations.

NHRC Expresses Concern on Political Protection to HR Violators

Lalitpur: NHRC Member Gauri Pradhan has said that the dispirited notion of the government security agencies towards the security of the rights defenders is tantamount to the impunity of severe nature. Stating extremely deteriorating security situation of the journalists and the prevalent situation of ‘self-censorship’ among all the media and communication, therefore, the delegation representing the Federation for Nepalese Journalists (FNJ) presented a letter of memorandum to the Commission today.

Acknowledging the Memorandum, NHRC Member / Spokesperson Gauri Pradhan said, ‘We are apprehensively concerned about the news that the main accused involved in the attack of journalist Khila Nath Dhakal is under political protection. It is awfully sad to learn that the persons involved in human rights violations are given political protection.’ Informing about the preliminary investigation commenced promptly by the NHRC Eastern Regional Office over the complaint received on the basis of suo moto cognizance, Member Pradhan said ‘We are hopeful that the local administration will take appropriate step to deliver action against the accused but the main accused involved in the incident hasn’t been brought to justice as yet. After the restoration of democracy, the attack on the journalists by the party wings of ruling political party has reached to its height and, as a result, the situation of freedom of expression has been deteriorated extremely.’ Stating that the frontline journalists being the human rights defenders, Member Pradhan assured to draw the attention of the concerned authorities towards the issue of the security of the journalists and freedom of expressions.

Vice Chairperson of the FNJ, Yasodha Timalsina said that the journalists have been facing various threats and attacks on the issue of media reports due to which the entire media world is sickeningly extremely worried. This has compelled the FNJ delegation to approach the Commission to beseech help for their existence, said Ms Timalsina. Also, Mr. Om Sharma General Secretary of FNJ appealed to the Commission to break the ever-stretching chain of impunity since no action is taken for the attack perpetrated on the journalists after the restoration of democracy. Mr. Sharma urged to draw the serious attention of the state agencies towards the issue. NHRC Director Bed Prasad Bhattacharai and the Treasurer of FNJ Shital Shah were also present during the memorandum presentation programme.

Govt updates on Implementation Status of NHRC Recommendations

Kathmandu: The latest report on the NHRC implementation status availed with the Commission depicts bright picture of the implementation status of the NHRC recommendations by the Government. As per the data, the Government appeared to have implemented the recommendations with 28 % (124) - full implementation, 55 % (236) - partial implementation and 17 % (79) not implemented. As compared to the implementation status report of the NHRC, the information on the implementation status delivered by the Government is more than what the NHRC report unveils. According to the NHRC report, last year, only 8% of the total NHRC recommendations has been fully implemented, 32% has been partially implemented and 60% remains as non implemented.

The data brought forth by the Government, therefore, appears to be in inclining manner indicating the implementation side gradually becoming encouraging.

This implementation scenario brings in lot of hopes and expectations. Most of these actions for implementation prompted by the government apparently rounds up interim relief and compensation to the victims. The implementation status on the prosecution side, however, remains still in dismal state. Therefore, the NHRC is yet to work out to verify the implementation status in ground level so that the accurate picture of the NHRC implementation status can be had.
Agreement Inked between Finland and NHRC-Nepal
Collaboration Continues for HR Education

Lalitpur: An agreement on promoting human rights has been signed on June 30, 2011 between the NHRC-Nepal and the Government of Finland. Secretary Bishal Khanal on behalf of the Commission and Charge de’ Affairs Pirkko-Liisa Kyostila on behalf of the Government of Finland signed the agreement. As per the agreement, an amount of 185 thousand Euros shall be spent within a period of 18 months.

Speaking at the programme, the NHRC Chairperson Justice Kedar Nath Upadhyay said that there has been collaboration between the Commission and the Finnish Government in the past and this landmark agreement will now extend a great support to make the school a human rights friendly institution. Recalling the technical support extended for the complicated exhumation of the Shivarupri of Kathmandu and Godar of Dhanusha, Chairperson expressed his thanks for the generous support extended this time as well.

‘It is indeed delightful to learn that the Government of Finland has come forward to extend its collaboration in strengthening the NHRC through an agreement covering wide areas of human rights. It is relevant to mention here that Forensic services facilitated by Helsinki University, Finland in past years have been a significant activity that pertained to the transitional justice mechanism,’ said the Chairperson.

Expressing good wishes to the representatives of the Finnish Government, Chairperson confided that the agreement signed between the NHRC-Nepal and Government of Finland would strengthen the relationships between the people of Nepal and Finland.

On the occasion, NHRC Secretary Bishal Khanal highlighted the objectives and the rationale of the project in relation to protection and promotion of human rights. He also pointed out key activities to be carried out under the signed project. During the programme, Human Rights Officer Shree Ram Adhikari welcomed the Finish delegation. Before signing of the agreement, he had recalled the past support extended by the Finnish Government to the NHRC. He also explained about the need of project and importance of HR education in Nepal through this project.

At the programme, expressing respect towards the independence and autonomy of the Commission, Charge de’ Affairs Pirkko-Liisa Kyostila said that she is delighted to have extended the support in strengthening the NHRC. The agreement shall facilitate to help implement the commitments expressed by the GoN during the Universal Period Report (UPR) submission, human rights education in the schools particularly in promotion of child rights education, human rights programme focused on the security forces and to ensure economic and social rights of the senior citizens.

As per the agreement, the child rights teaching manuals for the Nepalese teachers shall be developed in order to prevent the school drop outs thereby transforming the schools into corporal punishment free institutions. The teaching manual is expected to enhance the development in terms of the responsibility and accountability of the education officers and teachers that would help them establish child rights friendly environment in the schools for all the children.

The Government of Finland has been extending support to the Strengthening Capacity of the National Human Rights Commission (SCNHRC) as well as the support to investigate on the incidents of human rights violations. At the agreement signing programme, Member duo Ram Nagina Singh and Gauri Pradhan including the officials of the Finland Embassy and NHRC were also present.

HR Orientation to Youths of Matatirtha

Kathmandu: A one day human rights orientation programme was organized on June 25, 2011 by the NHRC in coordination with the Youth Alarm Nepal, a local NGO of the Matatirtha area of Kathmandu district.

The objective of the programme was to familiarize the local youths with the basic human rights, development of human rights, NHRC activities including the awareness on women’s rights and the protection and promotion of human rights.

At the programme, following the presentation on the stipulated theme, comprehensive discussion was held on basic human rights in the context of Nepal. Discussion was also held on Economical, Social and Cultural rights as well as the rights provisioned specially for the women and rights ensured against all forms of discriminations against women (CEDAW).

During the programme, the participants came forward with queries on various issues of human rights. They expressed inquisitiveness on the NHRC and other national institutions working for the protection and promotion of human rights.

Expressing thanks to the Commission for fulfilling their request to have the programme of human rights conducted, the participants rejoiced to learn about the role of the youths in the field of the protection and promotion of human rights.

The participants appeared to have enriched their knowledge on various issues and themes of human rights through the programme.

A total of 65 participants took part in the HR orientation programme ranging form the students of grade XI to the people of various walks of life namely the social workers, teachers, guardians, home makers, local representatives of the various political parties, including the elderly women participants of 70 years of age. The participation was on the basis of inclusiveness with the participation of the indigenous ethnic and Dalit communities of the area.
NHRC marks Day against Untouchability

Lalitpur: The NHRC in collaboration with the Dalit Development Foundation – Nepal conducted a workshop entitled 5th year of declaration of untouchability free nation and its implementation status to mark the 5th year of declaration of the nation free of untouchability and to analyze the implementation status of the declaration. The programme was chaired by the NHRC Member Guari Pradhan.

At the outset, the president of Dalit Development Foundation Nepal shed light on the objectives of the programme and delivered the welcome speech.

Speaking as a chair, Member Gauri Pradhan stressed on the need of implementation of the existing laws that prohibit the caste based discrimination. He also emphasized that Dalit comprises of more than 15 percent of the total population and this huge component of populace is suffering from caste based discrimination which is already prohibited by the existing laws. Member Pradhan further elucidated that the NHRC focused on the civil and political rights upon its formation and the issues related to economic, social and cultural rights drew less attention and priority. Citing various examples like Bardia incident taken up by the NHRC on the basis of sou moto cognizance, however, Member Pradhan said that issue of Dalits have been given priority by the Commission.

Minister for Local Development Ms Urmila Aryal, as the guest of honor, shared her experiences in combating against caste based discrimination and committed to provide the funding for the upliftment of the Dalit community. Minister Aryal also vowed to take up the legislation for the formation of National Dalit Commission. She, however, hinted that the process of enacting the law takes minimum of six months and so is the case with the legislation on NDC. She further committed to table the legislation during her tenure.

Speaking at the programme Sudeep Pathak, former NHRC member said that poverty and illiteracy as the root cause of untouchability and also suggested that the government should bring various programmes to open up the employment opportunity, literacy and higher education for Dalit community.

The representatives of the various political parties including Man Bahadur BK of Nepali Congress, Former NHRC Member Sudip Patah, Chairperson of FEDO, Durga Swob, Central Committee member of CPN UML. Jitu Gautam, Central Committee members duo of Madhesi Jana Adhikar Forum Loktantrik Chandreswor Khatwe and Ms Kalawati Paswan, Member of National Dalit Commission Nirmal Deula made their remarks as the guest speakers on the occasion.

Motilal Nepali presented the workshop paper on the implementation status of laws related with non-discrimination. During his presentation, he threw light on the Nepalese legal mechanism that pertained to anti-discrimination. He also stressed on the activities and policies of the government to combat the discrimination and uplift the dalit community.

Tek Tamata and Dr Vidhya Nath Koirala stressed on the education, political participation of Dalits, social reconstruction, eradication of intra-dalit conflict, implementation of the laws and policies, the positive and negative aspect of the law ending discrimination and untouchability like timeframe to have complaint entertained against discrimination, discrimination punishable by law and protection to witness etc.

At the programme, the participants stressed on the need of active involvement of NHRC from central to regional level in order to raise the issue of non-discrimination. They also stressed on the need to develop mechanism to address the issues of untouchability.

NHRC Secretary Khanal observed on the need to have practical approach towards ending the discrimination. In the context of untouchability declared as crime, he further stressed on the need of implementation of such laws without any obliviousness.

The Nepalese legal system has forbidden the act of untouchability and is punishable by law. The interim constitution of Nepal has specified right against discrimination on the basis of caste and right against exploitation on the basis of caste as the fundamental rights. Despite such provisions, the age-old practice of untouchability has remained deep-rooted in the society.

The parliament revived after the Peoples Movement II had declared Nepal as untouchability Free State on June 4, 2006. Recently the parliament has enacted the law to abolish the discrimination and untouchability by enacting the law on May 24, 2011.

Solidarity to Sensitize Stakeholders...

Solidarity to Sensitize Stakeholders...

Minister, as the guest of honor brought forth the current picture of the Government initiative to eliminate the physical punishment prepetuated on the children in the school of Nepal. Various guest speakers expressed their concern and put forward the possible remedies to minimizing the corporal punishment in the schools.

Expert Rajan Sharma, as the resource person, presented his paper on the theme “Abuse and Corporal Punishment in the Schools - Our Role and Future Destiny”. Sharma made comprehensive presentation of various aspects of child abuse and corporal punishment in the schools such as Global Initiative to End All Corporal Punishment, peer mediation, sociopsychological counseling, Learn without Fear Campaign, Teaching and learning with Dignity etc.

Director Bed Bhattarai, in his closing remark, said that the NHRC will hold the regional level discussion in near future that would aim at developing the booklet incorporating the concerns raised during the programme. It is hoped that it would be helpful in minimizing the corporal punishment.

Moderated by the HR officer Manju Khatiwada, the programme was participated by the representatives from human rights communities, civil society, non-governmental organizations, OHCHR and donor agencies, representatives of the school organizations, representatives of the concerned ministries from the government of Nepal, human rights defenders, media persons, guardians associations, representatives of the stakeholder organizations and agencies.
Impunity has emerged as menace: Member Gauri Pradhan

Lalitpur: NHRC Commissioner Gauri Pradhan has told the Human Rights Council (HRC) that the state of impunity has emerged as a major problem for the society in Nepal. He also expressed concern over the “unacceptably” long dithering of the establishment of transitional justice mechanisms.

Presenting NHRC’s response to the UPR Final Report submitted by the Government of Nepal on Tuesday in HRC Geneva, Pradhan said, “The state of impunity has emerged as a menace for the society. Despite commitments by larger political parties, years ago, the formation of Truth and Reconciliation Commission and Disappearance Commission, for that NHRC has already recommended, are unacceptably delayed.”

This situation, he said, impliedly create space for re-victimization and widespread increase in the culture of impunity, as there is a fear of either lose, damage or destroying evidence.

Pradhan also expressed concern that the House has been delaying the endorsement of the draft Bill on NHRC, which could help empower the commission. He said that the commission and other rights defenders have been working together to ensure that the Bill on NHRC would comply with the Paris Principles, the international standards set for national human rights institutions. “However we are still unsure about the time for the passage of Bill,” said he.

The NHRC commissioner expressed dismay over the poor implementation of its recommendations. “We expect stronger determination of the government to maintain rule of law by effective implementation of laws and recommendations of NHRC and National Women Commission relating to prosecution and departmental actions to the perpetrators of human rights violation and violence.” He, however, thanked on ‘Human Rights and Good Governance’ was organized on June 14, 2011 in Mid-west by The NHRC Sub-Regional Office, Jumla.

The objective of the programme was to establish human rights culture through the promotion of human rights prioritizing the concept of good governance in order for swift and uncomplicated service delivery. At the programme, Nar Bahadur Karki, Director of Genesis Management Training and Research Center facilitated the session of the Programme on the theme including ‘Concept of HR Based Development & the Formulation of Candid, Accountable and HR oriented Plan’ whereas Bir Bahadur Budamagar, the NHRC sub-regional Head of Jumla threw light on the “HR Perspective on Good Governance.” Likewise, facilitating the session on “Issues of Good Governance and their Remedies,” Jit Bahadur Shah, the DEO of Jumla made comprehensive presentation on the stipulated theme. A total of 49 participants took part in the programme. They include Dilli Prasad Kafle – central member of Majdur Kisan Party, Gajendra Mahat – District-in-charge and Padami Bhandari – Secretary of UCPN (Maoists), Bal Bahadur Mahat – District President of UML CPN, Dayadatta Hamal - District secretary of Nepali Congress, Rishiram Tiwari – CDO, Jit Bahadur Shah – DEO, Brish Bahadur Shahi – Chief of Public Health Department, Kamala Khanal – Women Development Officer, Major Narottam Poudel – Nepal Army, Inspector Ganesh Man Shrestha - Nepal Police, Heads of Government offices, representatives of civil society organizations, human rights workers and media persons.

At the end of the programme, following the declaration of good faith, the participants of the programme expressed their commitments to internalize the concept of human rights and good governance both theoretically and practically as preconditioned in human rights.