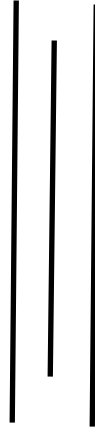
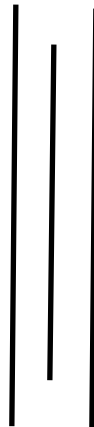


With regard to the global COVID-19 Coronavirus pandemic



(Human Rights Situation Monitoring Check list)



National Human Rights Commission of Nepal

Harihar Bhawan, Lalitpur, Nepal



With Regard to the global COVID-19 coronavirus pandemic (Human Rights Situation Monitoring Check list)

The global COVID 19 coronavirus pandemic now spreading worldwide including Nepal was appeared for the first time in the Wuhan province China on December 31, 2019. From this, the right to health including other rights of human beings have been affected. The article 35 of the Constitution of Nepal prevents from disruption to enjoy such rights. For the implementation of this, Nepal has enacted the Public Health Act 2018 with the provision of free basic health services as well as the emergency health services, and ensuring easy access of the citizens' in health-related services and regular, effective, excellent and easily available and equal access to health services. The Disaster Risk Reduction and Management Act, 2017 is also being executed with the aim to protect the life of the people form natural and non-natural catastrophes handling all the activities of disaster management in a cooperative and effective manner. Similarly, Nepal as a state party to the Covenant on Economic, Social and Cultural Rights, 1966, Article 12 (2) © of the Covenant provides the steps to be taken by the State Parties to achieve the full realization the highest attainable standard of physical and mental health necessary for the prevention, treatment and control of epidemic, endemic, occupational and other diseases.

Article 249 (1) of the Constitution of Nepal provides the duty of the National Human Rights Commission to respect, protect and promote human rights and ensure effective enforcement thereof and similarly, the NHRC Act 2012 Section 4 clarifies its mandate to conduct or to cause to conduct inspections and monitoring of human rights situation. In this context, United Nations Office of the High Commissioner of Human Rights has also formulated a check list to monitor the human rights situation of the COVID-19 coronavirus pandemic. By formulating this check list NHRC has also implemented this to function in accordance with its mandate in this critical situation of COVID-19 coronavirus pandemic specially to conclude the monitoring function systematically and in an integrated manner.

The issues to be considered during Monitoring

1. The decisions made in the Federal, Provincial and Local Level to prevent and control COVID -19 in Nepal.
 - Related to Policy
 - Related to strategy and
 - Related to Programs.
2. The measures adopted to prevent spreading the pandemic such as Lock down, social distancing, border locking, quarantine, isolation etc. and the implementation status of these measures:

(a) Role

- Role of security forces;
- Role of the Local governments;
- Role of civil society, and other layers of the society;
- Role of the most essential service providers' organizations.

(b) Condition/Situation/Status

- Whether there is proper documentation of the people entered from the borders area or not? How is the management of the people who are stranded at the borders but are not allowed to enter into Nepal? How are the preventive measures adopted to save them from COVID-19? Is this management reasonable?
- Whether the passersby from the borders are kept in the quarantine or not?
- Whether people's mobility in the border areas is blocked or not?
- The location and the capacity of quarantine, number of people, and how is the most essential things are managed? Whether the people living there felt any kind of misconduct or not?

3. The Health treatment of the COVID infected persons

- How is the number of the designated, hub and the district hospitals as prescribed by the Federal government? How is the status of isolation beds and ventilators?
- How many laboratories are established for swab testing?
- Whether the health treatment of the persons visiting the hospitals is going on in an easy manner or not?

- Whether there is availability of free treatment and availability of foods or not?
- Whether there are health institutes, adequate medicine and availability of doctors/health workers or not?
- Whether there is availability of personal protective equipment including other essential things necessary for their protection for the doctors and health workers or not? Whether infected persons are seen from their swab testing or not?
- How is the role of doctors and other health workers?
- How is the condition of the infected persons?
- Whether there is the availability of ambulance or not?
- Whether there is availability of personal protective equipment including other essential things for ambulance drivers or not?

4. The other patients' right to health:

- Whether there is availability of the health treatment to the other patients rather than COVID 19 or not?
- Whether there is a treatment of the non-COVID patients on hold or not?
- Whether non- COVID patients should wait for treatment in the hospitals what is the reason behind their waiting?
- Whether the treatment is as per its standard or not? (for example, the dialysis of the kidney patients is 4 hours as per the standard but reduced to 2 hours).
- Whether the environment to reach at hospital, accessibility and the facility is managed properly or not?
- Whether the patients are running around because of non-availability of their treatment or not?
- Whether there is availability of clean and adequate water facility or not? (Especially in the scattered as well as the dispersed settlements)
- Related to maintaining social dignity with the infected persons?
- Whether the patients taking medicines regularly are deprived from this service or not?

5. Related to Public awareness on the measures to be safe from the COVID-19:

- Cleanliness of the drinking water and sanitation, habits to hand washing, social and individual distancing, related to the measures adopted in the self-quarantine and isolation, the preparation for possible disaster risk reduction of the virus and pandemic contamination;
- Whether the language, medium, materials and other measures used to raise awareness are effective or not?

6. The status of the right to food:

- The effect of lockdown on the Poor, peasants, laborer, daily wage worker, squatter people in the informal settlements, indigenous people, Dalits, backward area and deprived class people;
- Whether the daily life is affected or not?
- Whether there is food crisis or not?
- Whether there is adequate supply and use of drinking water or not?
- Whether the quality of food, water including others in the relief package is maintained or not?
- Whether the availability of adequate food as per the necessity of the affected people or not?
- The status of price hike and selling in the black market of the food items?
- The status of production, storage and supply of the food and agricultural products?

7. The condition of right to housing:

- Whether the health workers living in rented house have faced any kind of misconduct from the tenant or not?
- Whether housing for the people living in rented house and persons deprived from right to housing is managed or not? If yes, how is the management?

- Whether people living in rented house have faced any kind of misconduct from the tenant or not? Whether they are expelled from the house or not?
- Whether the tenet offer to rebate the rent amount to the wage laborers or not?
- How is temporary housing managed for the stranded travelers?

8. The status of relief package distribution:

- While distributing relief package, whether the standard of distributing the relief package executed by the Federal government is followed or not?
- Whether the data of persons taking relief package is managed or not, whether the description of the persons receiving relief package is made public or not, whether the target group received the relief package or not?
- Laborer, single women, senior citizens, child bearing mother and pregnant women, the taxi driver, rickshaw puller, auto rickshaw puller including others have received the relief package or not?
- Whether there is nondiscrimination in relief package distribution or not?

9. The status of Social Security:

- Whether anyone lost his/her employment due to lockdown?
- The labourer and other staffs of the industry or factory have deprived from their employment?
- Types of measures adopted by the local level, province level and the federal government for the employment security?
- The security condition of the personnel deployed for the disaster management?

10. The status of persons with disability, senior citizens:

- Whether the senior citizens, single women and the persons with disability are provided their social security allowance in a timely manner or not?
- Whether they are deprived from their regular and other essential medicines or not?

- How is the food commodity managed?
- How is the supply managed by the local level?

11. Related to the Detention center, prison and the judicial administration:

- The implementation status of the directive orders provided by the Office of the Attorney General and the Supreme Court to release the detainees and the prisoners from detention center and the prisons.
- The number of the detainees and prisoners released by the order and the nature of the cases?
- How is the management of the health treatment of the detainees and prisoners in the detention center and prison?
- The status of the persons kept in the child reform home including others?

12. The status of migrant workers, refugee and the aliens:

- The status of the Nepali migrant workers?
- The safety measures adopted to be safe from COVID-19?
- The role played by the Nepali diplomatic missions abroad to address the problem?
- The health checkup status of the persons entering into Nepal using aerospace or land space?
- Whether the local levels have maintained the record of the arrival of the migrant workers or not?
- The status of coordination among local level, security force and health workers?
- Whether health alertness is adopted in the refugee camps or not?
- How is food, shelter, the health treatment and medicines managed to the refugees?
- Whether the aliens came to Nepal due to various reasons are stranded or not?

13. Related to the safety and security of the human rights defenders and the media personnel:

- Whether the access to the information for human rights monitoring, information collection and the dissemination of information or not?
- Whether the safety and security of these persons while fulfilling their duty is ensured or not?

14. Gender based violence

- Whether the domestic violence, sexual violence, gender-based violence and child abuse have occurred?
- Whether the domestic helper women and child care women are affected or not?
- The status of the dependent child with the single women and other poor women.
- The status of women working in the health sector.
- The assurance of the security of women with or without child in quarantine.

1. The status of the Quarantine, isolation and security equipment

S. N	Province	District	Local level	Place of Quarantine					The number of isolation bed	The number of quarantine bed	The number of PPE	Ambulance
				School	Health Institution	Hotel	Government office	Other places				

2. The status of COVID-19 infection

Province	The number of quarantine bed	The number of infected patients in the quarantine	The number of isolation bed	The number of infected patients in the isolation	The status of the swab testing up to date				The status of the swab collection up to date	residual PPE
					Negative	Positive	Waiting for the report	Total		

3. Laboratory testing

Province	The number of swab testing	Not infected	Infected	Newly Infected	Still in the Isolation	Recovered	The number of dead persons	New deaths	Source