



Sixth Strategic Plan 2021-2026



National Human Rights Commission of Nepal

HariharBhawan, Lalitpur, Nepal



Right to life, dignity, equality and freedom: Foundation for
sustainable peace and prosperity

Sixth Strategic Plan 2021-2026



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HariharBhawan, Lalitpur, Nepal

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राष्ट्रिय मानव अधिकार आयोग

National Human Rights Commission of Nepal

केन्द्रीय कार्यालय (Central Office)



हरिहरभवन, पुल्चोक, ललितपुर (Harihar Bhawan, Pulchowk, Lalitpur, Nepal)

Message

National Human Rights Commission has elapsed its two decades, making significant contributions in the protection and promotion of human rights. This strategic plan guides the activities of the National Human Rights Commission which was elevated as the constitutional commission by the Interim Constitution of Nepal, 2007 AD. The Commission, which has been formulating and implementing its periodic strategic plans for various periods since 2001, has so far accumulated experience of successfully implementing its five strategic plans. It is my great pleasure that we have formulated and presented in front of you all, the sixth strategic plan in the campaign to ensure human rights.

The first step in formulating this strategic plan was to identify the role of the Commission for the protection, promotion and ensuring human rights as well as the human rights issues to be addressed in the upcoming days, considering the institutional capacity of the Commission. The Commission conducted consultation programs at various stages to collect necessary opinions and suggestions with regard to human rights issues identifying its thematic dimensions to prioritize human rights issues on the basis of existing human rights issues. Despite the terrible COVID-19 pandemic, the Commission promptly carried out its duties. In formulating the strategic plan, suggestions were collected through extensive discussions and consultations among various personalities including governmental bodies, human rights organizations, civil society, office bearers of constitutional bodies, former office bearers of the Commission, and human rights activists, as well as others.

As the Sixth Strategic Plan has been formulated on the basis of opinions and suggestions compiled within the presence of the large number of stakeholders related to human rights, the Commission is assured that the Strategic Plan will be a guideline for effective implementation of the provisions inherent in it to achieve the concrete results. I expect that the document of this strategic plan will be the cornerstone to prioritize the annual performance of the Commission and to work sensitively on issues of human rights. I am hopeful that there will be significant support from all concerned stakeholders to achieve the objectives and priorities specified in this strategic plan.

The implementation of recommendations made by the Commission to the Government of Nepal on human rights violations is very low. Today's challenge is to provide the victims a sense of justice overcoming the obstacles in the implementation of the recommendations by collaborating and coordinating with all the stakeholders. It has become necessary for the three levels of governments to move forward in coordination and collaboration with each other for the protection and promotion of human rights. The goal of this strategic plan for the protection of human rights cannot be achieved unless the rights of the backward people are ensured on the basis of various dimensions such as thematically, women, children, senior citizens, helpless, Dalits, persons with disabilities, Nepali migrant workers, gender and sexual minorities, peasants, labourers, marginalized and deprived on the basis of caste, gender, religion, race, profession.



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Finally, I would like to express my gratitude to all the stakeholders who have provided invaluable advice and suggestions in the formulation of this strategic plan and to all the citizens who have directly or indirectly supported us. I would like to thank the Honorable Members of Federal Parliament, Former Office Bearers of the Commission, Governmental Bodies, Honorable Members of the Commission, Representatives of the Thematic Commission, Representatives of Civil Society, Human Rights Activists, and Officials of various Organizations and the Staff of the Commission for providing advice and suggestions during the formulation of this Strategic Plan. Special thanks to Hon. Mihir Thakur, coordinator of the taskforce and the other staff members of the taskforce involved in formulating this strategic plan.

Top B. Magar

Top Bahadur Magar
Chairperson



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Ensuring respect, protection and promotion of human rights and its effective implementation is the constitutional duty of the National Human Rights Commission. To fulfill this constitutional mandate and to function as much as possible as per the expectations of the people require strong determination as well as the collective and organized efforts. Strategic plan supports to such collective and organized efforts to reach at the destination

The sustainable peace and prosperity cannot be established unless the right to life, liberty, equality and dignity of every person are well protected. In fact, the four pillars of human rights namely life, liberty, equality and dignity, are made stronger the guarantee of all human rights for all are well ensured. The pillars of life and liberty are not as weak now as it was in the past. Strengthening the pillars of right related to equality and dignity is the need and challenge of the day. National Human Rights Commission has determined to formulate and implement its Sixth Strategic Plan in the face of these needs, expectations and challenges.

While preparing this strategic plan, past strategic plans were reviewed and its strengths and weaknesses including others were also overviewed. Although the investigation and settlement of complaints were given priority, a large number of complaints such as murder, disappearance, abduction, compensation and torture including many others still remained to be decided. Most of the recommendations of the Commission are also seen unimplemented by the concerned agencies. The management and the settlement of the conflict era and transitional justice related cases are still a challenge before the Commission. This strategic plan focuses more on respecting and protecting the rights of the victims by expeditious management of the abovementioned issues. Similarly, special attention is provided for improving the implementation of obligation created by the national human rights laws and the international treaties. A policy has been adopted to increase coordination and collaboration towards ensuring the rights of marginalized classes and communities. Since the fifth National Human Rights Action Plan of the Government of Nepal aims to achieve the protection and empowerment of economically, socially and educationally backward communities in coordination and collaboration with the central, provincial and local bodies and other concerned stakeholders including human rights activists, it is intended to make its objective meaningful and more productive. The action plan prepared by the National Planning Commission in line with the globally set goals for the Sustainable Development Goals 2030, attention is given in the implementation of this plan in collaboration with the stakeholders to ensure basic human rights.

The strategic plan aims to make more responsible and accountable in the implementation of this strategic plan to all Officials of the Commission including the Secretary, Department Heads, Heads of Province Offices, Heads of Province Branch Offices and Heads of Divisions as per the new organizational structure of the Commission. A clear policy has been taken to conduct regular supervision by all the Commissioners of the Commission in accordance with their thematic work division. Attention has also been paid to the resources, skilled human resource

Mishi



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and professional development required for the institutional development of the Commission and to achieve strategic objectives. Arrangement of various Committees has been made for the overall implementation, monitoring and evaluation of the strategic plan. This strategic plan has been formulated after extensive discussions and consultations with senior officials of the Government of Nepal, various provincial and local level officials, people's representatives and human rights activists. Suggestions were also received from the office bearers of the Constitutional Commissions set up for special classes and communities, former office bearers of the Commissions, legal practitioners, representatives of professional associations, including journalists, and development partners. The constructive suggestions from the Honorable Members including the Chairperson of the Law, Justice and Human Rights Committee, House of Representatives were respectfully received. Similarly, we have received the important suggestions of the employees of all levels of the central, provincial and provincial branch offices of the Commission. I express my gratitude and appreciation to everyone for their advice and suggestions. I would like to express my gratitude to all those who have been able to provide suggestions in the virtual discussion program during the COVID 19 pandemic.

Finally, I would like to express my special thanks to the Honorable Chairperson and Honorable Members of the Commission for their unwavering support, inspiration and guidance in finalizing this strategic plan. I would like to express my thanks to all the members of the task force and especially the Acting Secretary Mr. Murari Prasad Kharel, Joint Secretary Dr. Tika Ram Pokharel, Head of Departments, Head of Province and Province Branch Offices, Division Heads, Under Secretary Mr. Pawan Kumar Bhatta and Human Rights Officers Mr. Anish Kumar Paudel and Mrs. Ranjita Shaha, and Assistant First Mrs. Maya Gaire. Further, I would like to express my gratitude to UNDP for continued support provided to NHRC since its establishment and financial support through Strategic Plan Support Project (SPSP) in organizing several interaction programs to formulate the Sixth Strategic Plan. Special Thanks to Mr. Tek Tamata and Mrs. Aarati Bista, Mr. Arjun Bishwokarma and the entire team of SPSP/UNDP for the support, suggestions and coordination. As this strategic plan is a collective commitment generated by our collective effort, let us all move forward unitedly for its successful implementation and build a strong foundation for peace and prosperity.

Mihir

Mihir Thakur
Coordinator
Strategic Plan Taskforce
National Human Rights Commission
15 July, 2021

Executive Summary

The strategic plan formulated by the National Human Rights Commission will be implemented from 2021 to 2026 A.D. This strategic plan is formulated by reviewing the previous strategic plans aiming to meet the current needs. Eighty percent of the tasks were completed partially or fully during the fifth strategic plan. The sixth strategic plan will also provide guidelines for making the function of the Commission effective.

A taskforce was formed for the formulation of this strategic plan and the work was taken forward accordingly. During the formulation of the strategic plan, discussions were held at various phases with the federal, provincial and local governments, staff of the commission, NGOs, civil society, development partners and other stakeholders.

The slogan of the sixth strategic plan is "Right to life, dignity, equality and freedom: foundation for sustainable peace and prosperity". This strategic plan has provided guidance to make the slogan meaningful. Economic, Social and Cultural rights, Sustainable Development Goals, marginalized and minorities class, effective implementation of fundamental rights, utilization of technology for the protection and promotion of human rights, expanding Commission's institutional accessibility and monitoring human rights situation during disasters and pandemics are the seven priorities of this strategic plan.

For the implementation of these priorities seven strategic objectives have been set. The objectives include to ensure prompt and effective implementation of recommendations, regular monitoring of various thematic areas of human rights, prompt investigation and decision making on complaints, raising public awareness of human rights and ensuring the rights of marginalized and minorities, reviewing human rights law, conducting research on human rights while continuing coordination and cooperation with all three levels of government, and institutional strengthening of the Commission. There are 16 strategies and 106 programs for the implementation of 7 strategic objectives of the plan.

A high-level steering committee, chaired by the Chairperson of the Commission has been formed for the effective implementation and monitoring of this Strategic Plan, the Strategic Planning Implementation Committee under the convenorship of the Secretary of the Commission and a Monitoring and Evaluation Committee under the convenorship of the Honorable Member for Planning, Policy and Internal Evaluation. Monitoring and evaluation of the implementation of the strategic plan will be done periodically (annually), mid-term (after three years) and in the final year.



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Background

1.1 Introduction

National Human Rights Commission was established on 26 May 2000. The Commission has been moving forward in its 21 years journey facing various upheavals. The Commission established in accordance with the Human Rights Commission Act 1997 was elevated as a constitutional body by the interim Constitution of Nepal 2007 and Part 25, Article 248 and 249 of the Constitution of Nepal provides the functions, duties and powers of the Commission.

The Paris Principles related to Principles relating to the Status of National Institutions (The Paris Principles) adopted by General Assembly 1993 recognizes that every NHRIs in the country should function in accordance these principles for the protection and promotion of human rights. As per these principles, the Commission has been recognized since its inception as an institution working in compliance with the international standards and norms having broad mandate and capacity, independence from the government for its functioning. The Constitution clearly mentions the guarantee of its independence and autonomy.

National Human Rights Commission since its establishment has been formulating various policies, regulations and plans for the protection, promotion of human rights and development of human rights culture. The Commission has implemented its first strategic plan formulating in 2001-2003 and, similarly, second, third, fourth, fifth 2004-2008, 2008-2011, 2011-2014, and 2015-2020 respectively. During this period internal conflict, killings, enforced disappearance, abduction, torture, arbitrary detention including other issues of civil and political rights was prioritized due to the conflict and transitional period. Recently, the main function is to implement the comprehensive and various issues stating fundamental rights enshrined in the Constitution of Nepal promulgated through the Constituent Assembly, in order to fulfil the aspirations for sustainable peace, good governance, development and prosperity through the federal, democratic, republican system of governance.

In this changing social and political scenario of the nation, the Commission has formulated its 6 year strategic plan for 2021 -2026 AD prioritizing the transitional justice, social inclusion, consumer rights, nondiscrimination, destitute, rights of the marginalized and

backwarded class, ending impunity and contribution for sustainable peace, civil and political rights as well as economic, social and cultural rights, women's rights, child rights, rights of the senior citizens, business and human rights, Sustainable Development Goals, National Human Rights Action Plan, coordination and collaboration including others.

Constitutional and Legal Mandate

Part 25, Article 249 of the Constitution of Nepal provides the functions, duties and powers of the Commission. It shall be the duty of the National Human Rights Commission to respect, protect and promote human rights and ensure effective enforcement thereof. According to the NHRC Act 2012 Section 2 (f) provides that “Human Rights” means rights related to life, liberty, equality and dignity of a person provided by the Constitution and other prevailing laws and this term also includes the rights contained in the international treaties regarding human rights to which Nepal is a party.

The National Human Rights Commission shall inquire on petition or complaint presented in or sent to the Commission by a victim or any person on his or her behalf or on information received by the Commission from any source, into and investigate complaints of violations of human rights of an individual or group or abetment thereof, and make recommendation for action against the perpetrators, if any official who has the responsibility or duty to prevent violations of human rights fails to fulfill or perform his or her responsibility or duty or shows reluctance in the fulfillment or performance of his or her responsibility or duty, to make recommendation to the concerned authority to take departmental action against such official, (c) if it is required to institute a case against any person or organization who has violated human rights, to make recommendation to file a case in the court in accordance with law.

The Commission is also mandated to coordinate and collaborate with the civil society in order to enhance awareness on human rights, to carry out periodic reviews of the relevant laws relating to human rights and make recommendation to the Government of Nepal for necessary improvements in and amendments to such laws, if Nepal has to become a party to any international treaty or agreement on human rights, to make recommendation, accompanied by the reasons therefor, to the Government of Nepal; and monitor whether any such treaty or agreement to which Nepal is already a party has been implemented, and if it is found not to have been implemented, to make recommendation to the Government of Nepal for its implementation.

To publish, in accordance with law, the names of the officials, persons or bodies who have

failed to observe or implement any recommendations or directives made or given by the National Human Rights Commission in relation to the violations of human rights, and record them as violators of human rights.

In discharging its functions or performing its duties, the National Human Rights Commission may exercise the following powers:

- (a) to exercise all such powers as of a court in respect of the summoning and enforcing the attendance of any person before the Commission and seeking and recording his or her information or statements or depositions, examining evidence and producing exhibits and proofs,
- (b) on receipt of information by the Commission in any manner that a serious violation of human rights has already been committed or is going to be committed, to search any person or his or her residence or office, enter such residence or office without notice, and, in the course of making such search, take possession of any document, evidence or proof related with the violation of human rights,
- (c) in the event of necessity to take action immediately on receipt of information that the human rights of any person are being violated, to enter any government office or any other place without notice and rescue such person,
- (d) to order for the provision of compensation in accordance with law to any person who is a victim of the violations of human rights;

In addition to the functions, duties and powers as returned to in Article 249 of the Constitution, other functions, duties and powers of the Commission shall be as follows to conduct or to cause to conduct inspections and monitoring of prisons, other agencies of the Government of Nepal, public institutions or private institutions or any other place for the protection of human rights.

The Commission can provide necessary suggestions or directives to the agency concerned with regard to the improvement to be made in such agency, institution or place for the protection of human rights, to conduct investigations with the permission of the court concerned in any sub-judice case in which claims involving human rights violation have been made, to monitor the implementation status of the prevailing laws regarding human rights and recommend to the Government of Nepal for effective implementation thereof, to undertake study and research into various aspects of protection, promotion, enhancement and implementation of human rights,

The Commission can recommend to concerned institution for including human rights education oriented subject matter related into the syllabus of school and university, to review the existing state of human rights and make public reports to that effect.

Similarly, the Commission can carry out or cause to be carried out other activities as may be deemed necessary and appropriate for the protection and promotion, enhancement of human rights. The section 4 (2) also provides that the Commission shall be independent and autonomous in fulfilling the work of ensuring respect, protection and promotion of human rights.

1.2. Review of the Fifth Strategic Plan

The fifth Strategic Plan implemented from 2015 to 2020 AD had 4 objectives, 13 outputs, 33 strategies and 150 programs. As per this strategic plan, 120 programs have been implemented partially and completely (80 percent). During this period, a total of 2118 complaints have been resolved by the Commission, out of them 456 were made recommendations.

During the fifth strategic plan 1701 various human rights issues were monitored. The important tasks during this strategic plan include the National Inquiry, monitoring Human Rights during the Earthquake, and Human Rights of the citizens living in border areas, rights of the Migrant Workers and National Human Rights Action Plan, review of human rights related laws and monitoring the human rights situation during Covid-19 pandemic.

With the management of most of the long-time contract employees, 76 percent of the total 309 permanent posts were fulfilled through the recruitment process by the Commission. During this period, the Commission began appointing the post of Secretary from among the staffs of the Commission for the effective management of staffs and the effectiveness of work.

Adopting the campaign of "Human rights at every household: the foundation of human rights, peace and development", the work of protection and promotion of human rights was taken forward. Publications from the National Human Rights Commission were published in 13 different national languages (Nepali, Newari, Maithili, Bhojpuri, Doteli, Tharu, Tamang, etc.) as per the necessity. Human rights education was provided to the Government employees, people's representatives, media persons, representatives of professional organizations, human rights defenders and civil society representatives.

The Commission has so far 4462 sub judice complaints of human rights violations. Though

the previous strategic plans prioritized complaints' investigation to resolve the cases, due to lack of evidence in the complaints such as murder, disappearance, abduction and torture, expected results were not received. The slower the investigation of complaints of human rights violations, the more the evidence is destroyed, so the investigation of complaints was given priority. The strategic plan provided for expanding relations with stakeholders, expediting decisions on human rights violations and implementing recommendations.

In the fifth Strategic Plan the human rights of the socially or culturally backward groups, conflict victims, women, Dalits, indigenous peoples, oppressed classes, destitute, endangered, minorities, marginalized, peasants, labourers, youth, children, persons with disabilities, senior citizens, gender and sexual minorities, orphans and helpless, disadvantaged areas and of economically disadvantaged individuals and communities were given priority.

As human rights issues change over time, it is important to include the contemporary dimensions of human rights. The Commission had also engaged on issues such as the Covid - 19 pandemic, natural disasters, consumer rights, and right to environment and development. As the state has the responsibility to protect and promote human rights, the strategic plan also prioritized collaboration and coordination with the local judicial committee and local government. United Nations Sustainable Development Goals (2015-2030) and the Government of Nepal's National Human Rights Action Plan were given priority during the monitoring.

The strategic plan continued its efforts to include human rights education in school and university curriculum and collaboration and coordination with the Nepal Bar Association, the Federation of Nepali Journalists, the Federation of Non-Governmental Organizations, federations and networks related to women's rights, and women health volunteers.

The Commission, as in the past, continued to coordinate and collaborate with the United Nations Human Rights Council, Universal Periodic Review, and the Treaty Committees. The Commission has been retaining its "A" status from the since its inception from the Global Alliance of National Human Rights Institutions (GANHRI) Sub-Committee on Accreditation. This significantly contributed for Nepal being elected in the election of the UN Human Rights Council.

1.3. The Rationale and Importance of the Sixth Strategic Plan

Strategic plan plays an important role in advancing the mandate of the Commission in a strategic way. This strategic plan will serve as a guideline for the formulation of the annual

action plan of the Commission and its effective implementation. The Sixth Strategic Plan has been formulated to guide the Commission from 2021 to 2026 AD. The strategic plan will play important role in intensifying accessibility to complaints' investigation and implementation of recommendations, strengthening monitoring systems, promotional activities with the knowledge of rights and duties, and institutional strengthening of the Commission. This strategic plan will create an environment for the protection of the rights of the relegated, destitute, marginalized, women, youth, children, persons with disabilities, gender and sexual minorities, single women and other groups who are not in the mainstream of the state and have not properly enjoying their rights.

It will play an important role in promoting human rights in collaboration and coordination with the agencies of the Government of Nepal and all three tiers of government including national and international organizations and civil society active in the field of human rights. Coordination and collaboration with the concerned bodies and stakeholders will be continued to implement the fundamental rights enshrined in the Constitution, the fifth National Human Rights Action Plan, Sustainable Development Goals and the provisions of international treaties and conventions in which Nepal is a state party, implementation of the recommendations of the Universal Periodic Review. Necessary initiatives will be taken to ensure the right to dignified life in the fearless environment, to make realizing their duty, to end impunity and maintain good governance to ensure peace and security.

1.4 Planning Process

In the first phase of formulating this strategic plan, the Fifth Strategic Plan (2015-2020) was reviewed. The tasks performed by the commission were assessed basing on the priority issues and strategic objectives set by the fifth strategic plan. During the implementation of the Fifth Strategic plan, the Commission carried out its activities utilizing the available resources, means and human resources.

In course of formulating the Sixth Strategic Plan, suggestions from the various stakeholders at different stages in 2020 -2021 AD were collected through the various programs. The suggestions were taken by the Committee on Law, Justice and Human Rights of the Federal Parliament, Ministries of the Federal Government, Provincial Governments, Constitutional Commissions, Local Levels, Non-Governmental Organizations, and Civil Society, legal practitioners, journalists, human rights activists, professional associations and others. Similarly, separate discussions were held with the officials of the Commission and the employees of all the offices and staff clubs to collect suggestions on the promotion

of protection of human rights, professional development of the employees and institutional strengthening. Workshops were held for collecting suggestions regarding the formulation of strategic plan at the provincial level also. Although the programs could not be held with the physical presence at all the places due to the Covid 19 pandemic, the program were concluded virtually. Suggestions were also collected from the representatives of the development partners, the United Nations Development Program and the European Union.

1.5 Formation of Taskforce

In the process of formulating this strategic plan, the following taskforce was formed on 21 March, 2021 in convenorship of Honorable Member of the Commission, Mr. Mihir Thakur, to draft and submit the 6-year strategic plan to the Commission.

Hon. Member Mihir Thakur	- Coordinator
Joint Secretary Dr. Tika Ram Pokharel	- Member
Under Secretary Pawan Kumar Bhatta	- Member
Under Secretary Manju Khatiwada	- Member
Under Secretary Som Nath Subedi	- Member
Human Rights Officer Jayashwor Chapagain	- Member
Human Rights Officer Anish Kumar Paudel	- Member Secretary

The taskforce had drafted the strategic plan based on the collected suggestions. Discussion held on the draft with the presence of the Chairperson, members, secretary, joint secretary and Planning Policy and Internal Evaluation Division of the Commission again formed a taskforce consisting of the Acting Secretary of the Commission Mr. Murari Prasad Kharel, Joint Secretaries Mr. Yagya Prasad Adhikari, Mr. Deepak Jung Dhowj Karki and Mr. Nava Raj Sapkota to revise the draft. The Commission has finalized this strategic plan incorporating the suggestions and revision proposals submitted by this task force.

Situation Analysis

2.1. Situation Analysis

Strengths

National Human Rights Commission of Nepal has been receiving 'A' status since its inception by Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions (GANHRI). The Commission has been protecting and promoting human rights by expanding its accessibility to local level citizens through its Province and Province Branch Offices. The Commission has formulated various policies, rules and directives to make its work smooth, effective, transparent, professional and systematic. Guidelines for Complaints proceedings and Action, Monitoring Guidelines for the Protection and Promotion of Rights of the Consumers, Guidelines for Collaboration and Coordination on Human Rights, Guidelines for Prison and Custody Monitoring etc. have been formulated and are in action. The staffs with specialized knowledge and experience on human rights have played pivotal role in achieving effective and result oriented performance of the organization.

The Commission has made public the names of 288 people as human rights violators based on its decisions of various times since its establishment. The commission has so far decided 6854 complaints while the remaining number of registered complaints is 4462. In connection with the implementation of past strategic plans, the Commission has made recommendations to the Government of Nepal by publishing reports on issues such as rights of the senior citizens, rights of persons with disabilities, women rights, child rights, rights of migrant workers, rights against caste-based discrimination, environment and development, business and human rights. With regard to the rights of marginalized communities such as Chhaupadi, Natuwa caste, Raute, Chepang, Hayu etc. have been researched, studied and monitored. 18 issues of Human Rights Journal 'SAMBAHAK' have also been published.

With regard to the human resources management 76 percent of the vacant posts in the Commission have been fulfilled out of the total 309 posts. An environment where employees work with high morale and motivation is created in the Commission. The Commission has been working for the protection and promotion of human rights by formulating strategic plans since its inception. The strategic plan has also played an

important role in the implementation of the annual plan.

The International Conference on Identifying Challenges, Assessing Progress, and Moving Forward: Addressing Impunity and Realizing Human Rights in South Asia, April 9-11, 2018, Kathmandu Nepal has been concluded. The conference was attended by 17 countries, including SAARC countries.

Similarly, regarding the rights of migrant workers, International Conference on Protection on the Rights of the Migrant Workers, 12-14 November, 2019 was also concluded. The conference was attended by 60 international participants out of 143 participants from 28 countries.

Developmental Aspects

The Commission has to continue its work for the implementation of the civil and political, economic, socio-cultural rights as enshrined in the Constitution. Specialized training on investigation and on the contemporary issues of human rights should be provided to the staff of the Commission. To increase the motivation of the staff of the Commission, it is necessary to well managed transfer policy, promotion and recruitment process.

Decision and recommendations should be made on fast track improving complaint management system and adopting scientific investigation. Special strategies and action-oriented policy are necessary to resolve the investigation of complaints related to the conflict. Complaint management process and information system need to be improved with the optimum utilization of information technology. The Commission needs to strengthen its archiving and reporting system making the required data systematic and technology friendly.

In line with the Commission's Gender Equality and Social Inclusion Policy, meaningful participation of female and other staffs should be ensured on the basis the principle of inclusion. The Central, Province and Province branch offices of the Commission do not have their own building, it is necessary to take initiative with the concerned body for this purpose. Formulation of human rights education policy for the promotion of human rights as well as human rights Information, Education and Communication (IEC materials) should also be developed, and similarly access to production, broadcast and distribution of materials should be made accessible and user friendly.

Opportunities

The Commission has the opportunity to protect and promote human rights by reaching out to the Province and Local levels in the federal set up. The Commission can also

coordinate and collaborate with the Constitutional Commission on thematic human rights issues. Business and human rights, human rights and environmental rights, consumer rights, the rights of migrant workers and their families with the advent of the new issues in the field of human rights, the pursuit of Sustainable Development Goals (SDGs) can also be seen as an opportunity. The presence of the Commission in the Universal Periodic Review (UPR) and Treaty Committees processes, the initiative taken to implement/cause to implement the National Human Rights Action Plan, and the coordination and collaboration with international and regional human rights institutions in accordance with international conventions on human rights are also important opportunities. Since the establishment of the Commission, the continuous support of the Government of Nepal and international organizations including the UNDP for the development and strengthening of its institutional capacity has been an opportunity for the institutional development of the Commission. It is also an opportunity for the Commission to work to achieve the United Nations' Sustainable Development Goals by 2030 and for the implementation of the National Human Rights Action Plan by the Government of Nepal.

Risks/Threats

Human rights culture has not been developed due to long standing political instability and impunity, lack of good governance, inability to go duties and rights side by side etc. Victims are still waiting for justice due to the ineffectiveness of the function of the transitional justice mechanisms. The victims have been deprived of their right to justice due to the non-implementation of the recommendations made by the Commission.

Effective implementation of treaties and agreements remains to be done in line with Nepal's international commitments. The revised draft of the National Human Rights Commission Bill to maintain the autonomy and independence of the Commission has not been able to move forward for a long time. The effects of disasters and pandemic (COVID 19) seem to have a long-term effect on the promotion and protection of human rights. The inability of the government, political parties and law enforcement agencies to prioritize human rights pursuing the human rights-based approach to development and to take special initiatives to protect economic, social and cultural rights can also be taken as a current challenge.

2.2. Thematic Analysis of Human Rights Situation

2.2.1. Right to Life

The right to life in Nepal is being violated every year due to natural calamities, road

accidents, suicide, murder, lack of medical treatment and medicines, diarrhea etc. Patients are dying untimely due to unavailability of timely medical treatment. Migrant workers involved in the foreign land also die due to various reasons. Due to the Covid 19 pandemics, Nepali people died due to lack of emergency ward, oxygen, ventilator and medicines.

2.2.2 Right to Health

Article 35 of the Constitution of Nepal provides the right to health. The Commission has been extensively monitoring on the issues like health services and the impact upon health services during the Covid - 19 pandemic in collaboration and coordination with Nepal Bar Association, Federation of Nepali Journalists and the NGO Federation including other human rights organizations through the central, provincial and district level human rights monitoring committees.

The monitoring shows that due to lack of regular treatment at Corona special hospitals people often denied their right to regular treatment, some patients have even died because they were obliged to return from the hospital gates without a medical examination, ambulance drivers and cleaners have been forced to perform hazardous work without necessary safety equipment and difficulty has been created to the chronically ill patients due to unavailability of the regular treatment and medicines during lock down periods.

Due to the lockdown and the prohibition order, the daily lives of the common people had become difficult and businesses were paused which made the daily life of the common people pathetic. The data shows that the number of women going to the hospital for delivery during the lockdown period has decreased.

2.2.3. Women's Rights

In line with the inclusion and principle of proportional representation of the Constitution, the participation of women in various sectors of society including politics and administration has increased. Laws, policies and structures have been made to control the violence against women. However, due to the prevailing customs, discrimination and gender-based violence in the society the economic, social, cultural and educational status of women has not been improved qualitatively. Women have been found to be victims due to Jhuma, Chhaupadi, dowry and tilak customs, child marriage, domestic violence and accusations of witchcraft. Failure to bring dowry has led to whippings, evictions and even death. Incidents such as sex selective abortion, rape, sexual abuse, and acid attack are also on taking place.

2.2.4. Child Rights

In Nepal, there are Constitution, laws, policies, and rules, structural and institutional provisions regarding child rights. However, due to geographical disadvantages, economic, social conditions, disability, child labor and discrimination, the implementation of children's right to life, protection, development and participation has not improved as expected.

According to the 15th plan of the National Planning Commission, the enrollment rate at primary level has reached 97 percent. Due to geographical remoteness, economic impoverishment, policy uncertainty, etc. during the Covid pandemic, there is no easy access of every child to online education. Some schools lack physical infrastructure; child-friendly environments, girl-friendly toilets, disability-friendly structures and textbooks, and some other continue the corporeal punishment. There is a need to bring policies and programs at the local level by creating a mechanism as per the Children's Act.

2.2.5. Rights of Persons with Disabilities

Even under normal circumstances, the rights of persons with disabilities being unsatisfactory, it has not been found that this right has been guaranteed in the time of Covid-19. Incidents of discrimination and abuse against persons with disabilities still remain the same. People with physical and psychosocial disabilities find it even more difficult to lead a dignified life in the period of lockdown and injunction of the Covid pandemic. The Commission's monitoring has shown that visually impaired and other persons with disabilities are denied admission in schools, physical infrastructure and vehicles are not disability friendly and persons with disabilities are also victims of sexual harassment.

2.2.6. The Human Rights of Migrant Workers and their Families

The Commission has been publishing reports monitoring the policy reforms and human rights situation for the protection of human rights of Nepali migrant workers and their families. The Commission signed a 10-point agreement (MOU) with the National Human Rights Committee of Qatar on November 16, 2015. Similarly, the Commission has monitored the detention center of Immigration Department, Department of Foreign Employment, Immigration Room at Tribhuvan International Airport, Labor Desk and Indian border checkpoints.

It was found that some of the migrant workers lost their lives due to their hazardous working conditions and some lost their jobs and income during the Covid-19 pandemics. There have been incidents of violation of labor rights, social stigma and discriminatory

treatment towards migrant workers. Particularly vulnerable and verge of risk are women, domestic and undocumented workers, pregnant women, persons with disabilities, those who have been fired from employment, those infected with COVID-19 and those with chronic diseases and health problems.

2.2.7. Caste based Discrimination

The Constitution and the law have made acts against caste-based discrimination and untouchability a serious criminal offense and provision for compensation has also been mentioned. However, due to poverty, illiteracy, lack of consciousness, social discrimination, etc., the economic, social and educational condition of the Dalit community has not improved. Problems such as non-disclosure of some cases of caste-based discrimination, non-registration of FIR complaints, conciliation etc. are still existing.

2.2.8. Rights of Indigenous People

The Commission has been working on the rights of the indigenous people since its inception. The Commission has made recommendations to the Government of Nepal to ensure active and independent participation of their representatives in the formulation of policy and legislation relating to indigenous people, make necessary laws and to amend and modify the adverse provisions seen in the Nepalese law and implement them equally at all the three levels of the state regarding indigenous people.

Provision of reservation in employment and education to the indigenous people, formation of National Language Commission, formation of Indigenous Nationalities Commission as Constitutional Commission, and the Government of Nepal continuously submitting periodic reports to the United Nations Committee on the Elimination of All Forms of Racial Discrimination on the progress made in the field of indigenous nationalities and also to the Universal Periodic Review are some of the actions. Despite these actions formulation of the necessary policies and laws to ensure their rights, and the functioning of the Constitutional Commission, including the protection and promotion by the language commission have not been effective.

2.2.9. Rights of Madhesi, Tharu, Muslims

The Commission has also initiated collaboration with various Commissions constituted in accordance with the Constitution to protect and promote the rights of Madhesi, Tharu, Muslim and other communities. The Commission has drawn its attention to the incidents of social, religious and administrative discrimination against these communities. The Commission has been active in maintaining tolerance and brotherhood in the society by discussing with all stakeholders on issues related to equality and dignity of these communities and enhancing their self-respect.

2.2.10. The Rights of Senior Citizens

Senior citizens, the pioneers of the family, society and the nation, when they become financially, physically and mentally weak, it is seen that the trend of keeping them in the old age home is increasing. Due to the influence of western culture, migration, foreign employment, etc. converting the joint family into a single family has also affected the senior citizens. The monitoring of the Commission shows that the financially weak senior citizens are forced to do various kinds of labor to meet their basic needs.

2.2.11. The Right to Environment

The environmental problems are increasing day by day with the development in Nepal. Excessive use of plastic bags, bottles and plastic products is contaminating the environment. The main causes of environmental pollution are the use of ballast, sand, stone extraction from natural resources including from rivers, exploitation of Chure area, unmanaged sewage system, unmanaged disposal of hospital waste, industrial pollution including cement, air and noise pollution, use of pesticides, chemicals and fertilizers. The right to live in a clean and healthy environment has been hindered due to indiscriminate road construction, floods, landslides, and the impact of climate change. Weak regulation, poor implementation of environmental impact assessment has affected urban areas. At the same time, the historical heritages listed in the World Heritage Site should also be well-organized and protected.

2.2.12. Human Trafficking and Transportation

The Commission has been monitoring, studying and investigating the issue of human trafficking a crime against humanity since its inception. The problem of human trafficking has not been properly addressed due to open borders, weak and traditional border regulation, lack of bilateral collaboration and coordination. According to the report of the Commission, approximately 1000 women and children are rescued from India and returned to Nepal every year. The sex market, forced agricultural labor, domestic workers are being trafficked to India and smuggled to third countries through India. Especially in the Gulf countries, human trafficking and smuggling is taking place in the name of foreign employment. In European countries, including Australia, people are being trafficked in the name of tourist visa, study visa, marriage visa and working visa.

2.2.13. Transitional Justice

Victims from the state party and the then rebel force during the conflict are still awaiting justice. Due to the ineffectiveness of the functioning of the transitional justice mechanisms, action has not been taken against the perpetrators of human rights violations,

and compensation and reparation to the victims has not been provided. In particular, it is necessary to work for the right to know the truth, take action against the serious human rights violations and reconciliation and work for institutional strengthening and ensuring that such incidents do not happen again in the future.

2.2.14. Mental Health and Human Rights

Although physical and mental health is included in the right to health, mental health is not kept in priority. Psychosocial problems in society are said to be based on baseless arguments such as prenatal sin, personal weakness, need to take medicine for life long etc. In addition to raising public awareness on this issue, treatment and rehabilitation centers with psychologists and counselors should be set up. The Commission has been collaborating and coordinating with the civil society, government agencies, local government, concerned organizations, media, etc. in this regard. In view of the increasing incidence of depression and suicide, the Commission needs to monitor and recommend on this issue as well.

2.2.15. Right against Torture

Torture in detention centers and prisons seems to have decreased compared to the past, however it has not ended. There is a need to take legal action against the perpetrators and hold the security forces accountable and responsible.

2.2.16. Right to Housing

The implementation status of the law issued regarding the right to housing is not found to be satisfactory. Housing programs are not found to be adequate for the landless, Dalit, squatters, Haliya, Musahar, Dom, Chamar and Badi marginalized and at-risk communities. People in these communities are deprived of proper shelter and toilets. The Commission had monitored the rehabilitation of people, who lost their homes in the devastating earthquake of 25 April, 2015. The Commission found that many families were left homeless by the quake.

2.2.17. The Rights of the Gender and Sexual Minorities

Gender and sexual minorities are being discriminated, human rights issues including right to identity, employment and same-sex marriage have not been properly addressed. The Commission has been monitoring and investigating the complaints of violation of the rights of gender and sexual minorities. Right activists also say that "sexual minorities" should be mentioned in place of "other" while obtaining citizenship and passports.

2.3 Priority Issues of the Strategic Plan

This strategic plan prioritizes the following issues though all the human rights related issues are under the jurisdiction of the Commission.

- 1) Effective implementation of the economic, social and cultural rights;
- 2) Monitoring of the implementation status of the Sustainable Development Goals and fifth National Human Rights Action Plan of the government of Nepal;
- 3) Act to ensure the rights of women, children, senior citizens, destitute, Dalits, persons with disability, trafficked persons, migrant workers, gender and sexual minorities, peasants, labourers, marginalized and deprived people, poverty-stricken people, and deprived people on the basis of caste, religion, sex, race, profession and cultural;
- 4) Expansion of the Commission's accessibility and the institutional strengthening;
- 5) Provide directive orders to the concerned stakeholders to facilitate removing obstacles in the effective implementation for the fundamental rights and other legal rights provided by the Constitution and existing laws conducting research study on the seen problems;
- 6) Optimum utilization of the information technology for the protection and promotion of human rights;
- 7) Monitor the human rights situation during natural disaster and pandemic to provide suggestions and directive orders for protection and promotion of human rights.

Vision, Mission, Aims, Objectives, Norms and Values

The vision, mission, aims, objectives, norms and values of this strategic plan are the followings:

3.1 Vision

Right to life, dignity, equality and freedom: foundation for sustainable peace and prosperity.

3.2 Mission

Develop human rights culture through respect, protection and promotion of human rights education.

3.3 Aims

Guaranteeing the environment to enjoy the rights related to life, liberty, equality and dignity of a person provided by the Constitution, other prevailing laws and the international treaties regarding human rights to which Nepal is a party.

3.4 Norms and Values

The Commission in accordance with the Article 249 (1) of the Constitution of Nepal to respect, protect and promote human rights and ensure effective enforcement shall pursue the following norms and values:

- (1) Independence/Freedom
- (2) equality and elimination/end of discrimination
- (3) impartiality
- (4) dignity
- (5) Rule of law
- (6) accessibility
- (7) participation and inclusion
- (8) accountability
- (9) gender equality
- (10) transparency
- (11) respect for diversity
- (12) righteousness/integrity

3.5 Strategic Direction

1. Strengthen/enhance/ensure complaints management, investigation system, decision-making process and effective implementation of the recommendations;
2. Expand coordination and collaboration with the Parliament, government, and civil society, national and international organizations including other stakeholders strengthening the internal collaboration;
3. Collaborate and coordinate with the concerned stakeholders to achieve sustainable development goals inspiring them to adopt human rights-based approach while formulating policy, plan and programs related to human rights;
4. Collaborate and coordinate with the political parties, state agencies and other stakeholders to maintain rule of law and sustainable peace;
5. Mainstream gender equality and social inclusion;
6. Promote duty oriented and accountability based human rights education;
7. Monitor the human rights situation during natural disaster and pandemic related effect upon the enjoyment of human rights including the plan, preparedness and response to mitigate the disaster.

3.6 Strategic Objectives

1. To ensure effective complaint management system, investigation, and implementation of the recommendations/decisions made;
2. To improve the human rights situation by monitoring the implementation status of national laws and International human rights standards.
3. To promote human rights awareness.
4. To create conducive environment for the enjoyment of human rights of the vulnerable and marginalized communities.
5. To review human rights related laws and conduct exploratory study and research on various human rights issues.
6. To coordinate and collaborate with the Executive, Legislative, Judiciary, Constitutional Bodies in federal, provincial and local level, Civil Society, Community based organization and other related stakeholders.

7. To strengthen institutional capacity through optimum utilization of technology and enhance the human resource capacity of NHRC

3.7 Resource Mobilization Plan

The Commission shall collaborate and promote partnership with the development partners for the implementation of the strategic plan in addition to the resources provided by the government of Nepal.

3.8 Coordination and Collaboration

The Commission will collaborate and coordinate with the federal government, provincial governments, local level, constitutional commissions, national and international organizations, civil society organizations and development partners for the implementation of this strategic plan as per the necessity.

Strategic Objectives Implementation Plan

4.1 Action Plan Framework

Strategy	Program	Indicator	Responsibility	Time frame
1. To ensure effective complaint management system, investigation, and implementation of the recommendations/decisions made;				
1.1 To streamline the complaint receiving process with regard to the rights violation cases;	1.1.1 To pursue victim friendly complaints registration process identifying the Commission's jurisdiction discussing with and counselling adequately the victims on the rights violation cases;	Number of counselling and the number of registered cases;	Main responsibility: Secretary, Province chief Supervision: Commission Member assigned to oversee investigation	Regular
	1.1.2 To register the suo moto cases of grievous violation of human rights, register and investigate on the rights violation cases related to those classes, communities, regions who are not accessible to the Commission including the contemporary issues of human rights;	Number of suo moto registration of the complaints and investigation of cases;	Main responsibility: Secretary, Province chief Supervision: Commission Member assigned to oversee investigation	Regular
	1.1.3 To coordinate with the transitional justice mechanisms for investigating the conflict era cases;	Number of cases of investigation	Main responsibility: Secretary, Province chief Supervision: Commission Member assigned to oversee investigation;	Regular
1.2 To streamline the investigation of the rights violation cases registered	1.2.1 To amend and review the Rules of procedure on Complaint handling and determination of compensation,	Number of amended rules	Main responsibility: Protection Department head Supervision: Commission Member assigned to oversee investigation;	Regular

Strategy	program	Indicator	Responsibility	Time frame
	1.2.2 To provide necessary knowledge and skills for the officials involved in the investigation of cases for effective investigation and familiarize modern information technology;	Number of trainings/workshops Number of staffs enhanced capacity development participating in the capacity development training	Main responsibility: Protection Department head, Province chief Supervision: Commission Member assigned to oversee investigation;	Annually
	1.2.3 To classify the cases registered at the NHRC on the basis of issue and developing human rights jurisprudence during the settlement of cases	Number of cases settled	Main responsibility: Protection Department head, Province chief Supervision: Commission Member assigned to oversee investigation;	Regular
	1.2.4 To pursue public hearing approach on the development and human rights related issues or other cases of grievous nature or human rights issues of public importance;	Formulation of public inquiry policies and guidelines, and number of cases settled	Main responsibility: Protection Department head, Supervision: Commission Member assigned to oversee investigation;	First Year
	1.2.5 To establish security and protection mechanism for the protection of victims, witnesses and Human rights activists;	Number of cases demanded security and protection, number of cases provided protection and security	Main responsibility: Protection Department head, Supervision: Commission Member assigned to oversee investigation;	Regular
	1.2.6 To implement formulating the investigation action plan;	Number of programs concluded in accordance with the guidelines	Main responsibility: Protection Department head, Supervision: Commission Member assigned to oversee investigation;	Regular

Strategy	program	Indicator	Responsibility	Time frame
1.3 To resolve the cases registered at the Commission;	1.3.1 To formulate the necessary policy and rules for the settlement of cases with priority;	Number of policy/rules Number of cases settled;	Main responsibility: Protection Department head, Supervision: Commission Member assigned to oversee investigation;	Regular
	1.4 To increase/cause to increase the implementation status of the decisions/recommendations made by the Commission time and again	1.4.1 To form a taskforce for the implementation/cause to implement the recommendations made by the Commission	Formation of taskforce and the number of meetings held	Main responsibility: Protection Department head, Supervision: Commission Member who is assigned to oversee investigation;
	1.4.2 To coordinate and consult with the agencies responsible for the implementation of the NHRC recommendations	Number of agencies coordinated/ made consultation meetings with;	Main responsibility: Protection Department head, Supervision: Commission Member assigned to oversee investigation;	Regular
	1.4.3 To create pressure/cause to create pressure to the agencies responsible for the implementation of the Commission's recommendations coordinating with the civil society, human rights activists and other organizations	Number of agencies coordinated; Number of programs concluded;	Main responsibility: Protection Department head, Supervision: Commission Member assigned to oversee investigation;	Regular
	1.4.4 To publish the reports conducting research study on the causes/problems of non-implementation of the recommendations in case of lack of implementation and make necessary recommendations to the concerned agency	Number of research study reports; Number of increase in the implementation of the recommendations	Main responsibility: Secretary, Supervision: Commission Member assigned to oversee investigation;	First Year

Strategy	program	Indicator	Responsibility	Time frame
	1.4.5 To publish, in accordance with law, the names of the officials, persons or bodies who have failed to observe or implement any recommendations or directives made or given by Commission due to the negligence or mala fide intention of the agency or the officials;	Name published reports; Number of recorded agencies or officials	Main responsibility: Taskforce formed for the effective implementation of the recommendations, Supervision: Commission Member assigned to oversee investigation;	Regular
1.5 To integrate the process from case registration to recommendation in the information technology system;	1.5.1 To implement the software developing it in timely manner for the effective management of the complaints;	Number of Software	Main responsibility: Protection Department head/Coordination Department head Supervision: Commission Member assigned to oversee investigation;	Regular
2. To improve the human rights situation by monitoring the implementation status of national laws and International human rights standards				
2.1 To monitor the implementation status of the National Human Rights Action Plan of the Government of Nepal and other issue specific areas of human rights;	2.1.1 To monitor the detention centers;	Number of monitoring	Main responsibility: Monitoring Division head/ Provincial office head Supervision: Protection Department head;	Regular
	2.1.2 To monitor the human rights situation of the child reform homes	Number of monitoring	Main responsibility: Provincial office head Supervision: Protection Department head;	Regular
	2.1.3 To monitor the implementation status of the National Human Rights Action Plan of the Government of Nepal	Number of implementations	Main responsibility: Secretary, Provincial office head Supervision: Commission member assigned to coordinate the governmental agencies	Regular

Strategy	Program	Indicator	Responsibility	Time frame
	2.1.4 To monitor the human rights situation as per the Merida Declaration	Number of monitoring and reports	Main responsibility: International Treaty Monitoring Division head Supervision: Commission member assigned to oversee SDGs and human rights	Regular
	2.1.5 To monitor the status of rights relating to health	Number of monitoring and reports	Main responsibility: Protection Department head, Coordination Department head and provincial office head Supervision: commission member assigned to oversee monitoring	Regular
	2.1.6 To monitor the status of rights relating to education	Number of monitoring and reports	Main responsibility: Protection Department head, Coordination Department head and provincial office head Supervision: commission member assigned to oversee monitoring	Regular
	2.1.7 To monitor the rights situation of rights to clean environment	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head Supervision: Commission member assigned to oversee the right to clean environment	Regular
	2.1.8 To monitor the situation of rights of the senior citizens and children	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head Supervision: Commission member assigned to oversee collective rights	Regular

Strategy	Program	Indicator	Responsibility	Time frame
	2.1.9 To monitor the situation of right to food	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head	Regular
			Supervision: Commission member assigned to oversee collective rights	
	2.1.10 To monitor the situation of rights to labour and employment	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head	Regular
			Supervision: Commission member assigned to oversee collective rights	
	2.1.11 To monitor the situation of right against untouchability and discrimination	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head	Regular
			Supervision: Commission member assigned to oversee collective rights	
	2.1.12 To monitor the situation of right to women	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head	Regular
			Supervision: Commission member assigned to oversee collective rights	
	2.1.13 To monitor business and human rights	Number of monitoring and reports	Main responsibility: Protection Department head and provincial office heads	Regular
			Supervision: Commission member assigned to oversee business and human rights	

Strategy	Program	Indicator	Responsibility	Time frame
	2.1.14 To monitor the situation of consumer rights	Number of monitoring and reports	Main responsibility: Protection Department head and provincial office head Supervision: Commission member assigned to oversee consumer rights	Regular
	2.1.15 To monitor the situation of rights of the gender and sexual minorities	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head Supervision: Commission member assigned to oversee human rights promotion	Regular
	2.1.16 To monitor the situation of rights of the persons with disability	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head Supervision: Commission member assigned to oversee collective rights	Regular
	2.1.17 To monitor the situation of adoption of human rights-based approach	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head Supervision: Commission member assigned to oversee collective rights	Regular
	2.1.18 To monitor the situation of the rights of the indigenous people	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head Supervision: Commission member assigned to oversee collective rights	Regular

Strategy	program	Indicator	Responsibility	Time frame
	2.1.19 To monitor the contingent incidents of human rights	Number of monitoring and reports	Main responsibility: Protection Department head and provincial office head Supervision: Commission member assigned to oversee monitoring	Regular
	2.1.20 To monitor the situation of the rights of the deprived and marginalized people	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head Supervision: Commission member assigned to oversee collective rights	Regular
	2.1.21 To monitor the situation of the human rights during the disasters and pandemics	Number of monitoring and reports	Main responsibility: Protection Department head and provincial office head Supervision: Commission member assigned to oversee collective rights	Regular
	2.1.22 To monitor the situation of the rights of the migrant workers	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head Supervision: Commission member assigned to oversee rights of migrant workers	Regular
	2.1.23 To monitor the situation of the economic, social and cultural rights	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head Supervision: Commission member assigned to oversee collective rights	Regular

Strategy	Program	Indicator	Responsibility	Time frame	
	2.1.24 To monitor the human rights issues of common concerns in collaboration with the other thematic commissions	Number of monitoring and reports	Main responsibility: Coordination Department head Supervision: Chairperson	Regular	
	2.1.25 To monitor the situation of the rights against human trafficking and modern slavery	Number of monitoring and reports	Main responsibility: Promotion Department head and provincial office head Supervision: Commission member assigned to oversee rights against human trafficking	Regular	
	2.1.26 To develop and publish human rights monitoring thematic checklists for human rights situation monitoring	Number of monitoring guidelines and checklists	Main responsibility: Protection Department head Supervision: Secretary	First year	
	2.1.27 To monitor various issues of human rights in the policies and plan of the Government of Nepal	Number of monitoring and reports	Main responsibility: Administration, planning and Finance Department head Supervision: Secretary	Regular	
	2.2 To monitor the implementation status of the thematic international treaties	2.2.1 To monitor the implementation status of the international conventions in which Nepal is a state party	Number of monitoring and reports	Main responsibility: International Treaty Monitoring Division head Supervision: Commission Member assigned to oversee treaty monitoring;	Regular
		2.2.2 To monitor the implementations status of the recommendations made by the UPR including charter-based bodies and treaty mechanisms and monitor the implementation status of the SDGs;	Number of monitoring and reports	Main responsibility: International Treaty Monitoring Division head	Regular
				Supervision: Commission Member assigned to oversee UPR, SDGs and treaty monitoring;	

Strategy	program	Indicator	Responsibility	Time frame
3. To promote human rights education/ awareness				
3.1 To promote human rights education.	3.1.1 To recommend for incorporating the human rights education reviewing the curriculum of school, university level, technical education, security agencies, and law enforcement agencies;	Number of additional reviews of curriculum and recommendations	Main responsibility: Promotion Department head Supervision: Commission Member assigned to oversee human rights education;	Regular
	3.1.2 To make production and up to date the human rights promotional/education materials	Number of new production and up to date materials	Main responsibility: Promotion Department head Supervision: Commission Member assigned to oversee human rights education;	Regular
	3.1.3 To make up to date the human rights resource materials published by the Commission in the past and to develop and publish basic and advance level human rights manuals	Number of publications	Main responsibility: Promotion Department head Supervision: Commission Member assigned to oversee human rights education;	Regular
	3.1.4 To increase human rights awareness through radio, Television, documentary, drama, etc.	Number of production and distribution	Main responsibility: Promotion Department head Supervision: Commission Member assigned to oversee human rights education;	Regular
	3.1.5 To formulate and implement the strategy related to human rights promotion and advocacy	Policy formulation	Main responsibility: Promotion Department head Supervision: Commission Member assigned to oversee human rights education;	First two years

Strategy	Program	Indicator	Responsibility	Time frame
	3.1.6 To increase awareness against social malpractices	Number of awareness programs concluded	Main responsibility: Promotion Department head, provincial office head Supervision: Commission Member assigned to oversee human rights education;	Regular
	3.1.7 To conduct public awareness program on rights and duties	Number of programs concluded and number of citizens became awareness	Main responsibility: Promotion Department head, provincial office head Supervision: Commission Member assigned to oversee human rights education;	Regular
	3.1.8 To conduct awareness program on the adverse impacts of corruption upon human rights	Number of programs concluded and number of citizens became awareness	Main responsibility: Promotion Department head, provincial office head Supervision: Commission Member assigned to oversee human rights education;	Regular
	3.1.9 To conduct awareness and preventive programs to control child marriage	Number of programs concluded, awareness programs	Main responsibility: Promotion Department head, provincial office head Supervision: Commission Member assigned to oversee human rights education;	Regular
	3.1.10 To formulate the guidelines for collaboration and increasing support from the national and international organizations as per the Section 20 of the NHRC Act	Number of guidelines formulated	Main responsibility: Promotion Department head, Supervision: Commission Member assigned to oversee collaboration with civil society	First year

Strategy	program	Indicator	Responsibility	Time frame
	3.1.11 To increase collaboration, cooperation and mutual support from the national and international organizations active in human rights sector	Number of coordination meetings	Main responsibility: International relation division Supervision: Chairperson	Regular
	3.1.12 To amend the human rights defenders' guidelines build network of the defenders keeping records at federal to local level, organize conferences at national and provincial level,	Number of networks and conferences	Main responsibility: Promotion Department head, Supervision: Commission Member assigned to oversee collaboration with civil society	First year
	3.1.13 To implement the guidelines related to freedom of expression	Formation of committee and number of meetings	Main responsibility: Protection department head Supervision: Commission member assigned to oversee protection	Regular
	3.1.14 To issue national charter to mobilize youths as envoys to develop human rights culture empowering the youths	Issued youth charter	Main responsibility: Promotion Department head Supervision: specified member	Regular
3.2 To provide human rights orientation/training to the stakeholders	3.2.1 To provide Training of the Trainers (ToT) on SDGs and human rights-based approach, and human rights education to the law enforcement agencies, human rights defenders, security agencies, people's representatives, teachers and government employees	Number of persons received training/ orientation	Main responsibility: Promotion Department head, provincial office head Supervision: Commission Member assigned to oversee human rights education;	Regular

Strategy	program	Indicator	Responsibility	Time frame	
4 To create conducive environment for the enjoyment of human rights of the vulnerable and marginalized communities	4.1 To protect equality and dignity including other rights of the backward, destitute, and marginalized group/ community	4.1.1 To coordinate and collaborate jointly and separately with the constitutional commission established for the special protection of the rights of destitute, marginalized and backward, women, Dalits, Indigenous community, Madhesi, Tharu, Muslim community	Number of Collaboration and coordination	Main responsibility: Coordination Department head Supervision: Chairperson Collaboration: other Constitutional commissions	Regular
			Number of programs concluded and number of people receiving awareness programs	Main responsibility: Provincial office head Supervision: Secretary	Regular
			Number of broadcasted programs	Main responsibility: Coordination Department head and provincial office heads Collaboration: Province and local governments Supervision: Commission member assigned to oversee human rights promotion	Regular
			Number of persons participated the training and programs	Main responsibility: Promotion Department head and provincial office heads Collaboration: local governments Supervision: Commission member assigned to oversee human rights promotion	Regular
4.1.2 To conduct awareness programs on the rights of the gender and sexual minorities and programs against the existing social malpractices	4.1.3 To broadcast and publish information, education and awareness related programs, documentary, drama, conferences, interaction etc. related to the rights of the backward community in the national languages through media				
4.1.4 To conduct training and other educational programs related to human rights targeting the marginalized and backward community					

Strategy	program	Indicator	Responsibility	Time frame
	4.1.5 To conduct awareness programs with the stakeholders to eliminate caste-based discrimination and untouchability	Number of programs concluded	<p>Main responsibility: Promotion Department head and provincial office heads</p> <p>Collaboration: local governments</p> <p>Supervision: Commission member assigned to oversee human rights promotion</p>	Regular
	4.1.6 To collaborate and coordinate with the NHRIs abroad, Non-Resident Nepalese (NRN), diplomatic agencies, NHRIs, and other governmental and non-governmental organizations including trade unions for the protection of rights of the migrant workers	Number of rights protections of migrant workers in collaboration with stakeholders	<p>Main responsibility: Planning, administration and finance department, Promotion Department</p> <p>Supervision: Commission member assigned to oversee migration</p>	Regular
	4.1.7 To conduct monitoring in collaboration with the stakeholders for the safe and dignified life of the persons working in the entertainment and hospitality sectors and their dependents	Number of coordination	<p>Main responsibility: Promotion Department head and provincial office heads</p> <p>Collaboration: local governments</p> <p>Supervision: Commission member assigned to oversee women and child rights</p>	Regular

Strategy	Program	Indicator	Responsibility	Time frame
	4.1.8 To publish periodic report conducting research study, investigation and monitoring for controlling human trafficking and transportation	Number of reports	Main responsibility: Promotion Department head and provincial office heads Collaboration: local governments Supervision: Commission member assigned to oversee women and child rights	Regular
	4.1.9 To establish a separate unit to look after the human trafficking and transportation issues	Establishment of the separate unit	Main responsibility: Secretary Supervision: Commission member assigned to oversee the human trafficking and transportation theme	First year
	4.1.10 To appoint rapporteur on different issues as per the necessity considering the seriousness of the issue	Number of rapporteurs appointed	Main responsibility: Secretary Supervision: Chairperson	Regular
5. To review human rights related laws and conduct exploratory study and research on various human rights issues				
5.1 To review the laws related to human rights	5.1.1 To review laws related to human rights periodically	Number of reviewed laws	Main responsibility: Protection Department head Supervision: Commission member assigned to oversee law	Regular
	5.1.2 To review policies formulated by the government from human rights perspectives	Number of policies reviewed	Main responsibility: Protection Department head Supervision: Commission member assigned to oversee law	Regular

Strategy	Program	Indicator	Responsibility	Time frame
5.2 To conduct research study on the various issues of human rights	5.2.1 To conduct baseline survey/research study on victim voice	Study report	Main responsibility: Protection Department head Supervision: Commission member assigned to oversee law	First year
	5.2.2 To formulate human rights education policy	Formulated policy	Main responsibility: Promotion Department head Supervision: Commission member assigned to oversee human rights promotion	First and second years
	5.2.3 To conduct research study on rights to environment, business and human rights, consumer rights and the situation of rights of the women, single women, children, senior citizens, youths, peasants etc.	Number of research study	Main responsibility: Coordination Department head, province office heads Supervision: Commission member assigned the concerned issues	Regular
	5.2.4 To organize an international conference on the concerned issue of international community including the people of Himalayan, mountainous and Madhesi region and all human beings such as effect of climate change and environment protection	Number of nations participated the conference and conference report	Main responsibility: Secretary Collaboration: The government of Nepal Supervision: Chairperson	Second year
	5.2.5 To study the social malpractice such as chhaupadi ¹ and baikalya ² tradition and the situation of sexual and gender minorities	Number of studies	Main responsibility: Promotion Department head and province office heads Supervision: Commission member assigned to oversee women and children's rights	Second and third years

Strategy	program	Indicator	Responsibility	Time frame
	5.2.6 To conduct research study of the migrant workers, returnee migrant workers especially the social value of women, situation of children, issue of reintegration etc.	Number of studies	Main responsibility: International relation division Supervision: Commission member assigned to oversee rights of migrant workers	Regular
	5.2.7 To conduct National Inquiry to address the problems identifying the multidimensional problems of Nepali migrant workers	Number of National Inquiry	Main responsibility: International relation division Supervision: Commission member assigned to oversee rights of migrant workers	Regular
	5.2.8 To conduct research study forming committees to enhance regular coordination system in coordination with multistakeholder organizations working in the safer migration sector	Number of studies	Main responsibility: International relation division Supervision: Commission member assigned to oversee rights of migrant workers	regular
	5.2.9 To conduct research study escalating relationship with NHRIs in the destination countries, diasporas, non-governmental organizations and their networks, trade unions etc.	Number of studies	Main responsibility: International relation division Supervision: Commission member assigned to oversee rights of migrant workers	Regular

Strategy	program	Indicator	Responsibility	Time frame
6. To coordinate and collaborate with the Executive, Legislative, Judiciary, Constitutional Bodies in federal, provincial and local level, Civil Society, Community based organization and other related stakeholders	6.1 To monitor the implementation status of the National Human Rights Action Plan in the federal, provincial and local levels	6.1.1 To collaborate with the federal government for the implementation of the National Human Rights Action Plan	Number of collaboration and coordination Main responsibility: Planning, administration and finance department Supervision: Commission member assigned to oversee collaborating with the governmental agencies	Regular
		6.1.2 To collaborate and coordinate with the provincial governments for the implementation of the National Human Rights Action Plan and for formulation of necessary policies and plans of the provincial governments	Number of collaboration and coordination Main responsibility: Coordination Department head and province office heads Supervision: Commission member assigned to oversee collaboration with the governmental agencies	Regular
		6.1.3 To collaborate and coordinate with the local level for the implementation of the National Human Rights Action Plan and for formulation of necessary policies and plans of the local level	Number of collaboration and coordination Main responsibility: Coordination Department head and province office heads Supervision: Commission member assigned to oversee collaboration with the governmental agencies	Regular
		6.1.4 To strengthen the coordination and collaboration with the national level community organizations and civil society, as well as APF, GANHRI, OHCHR including other international organizations	Number of collaboration and coordination Main responsibility: Planning, administration and finance department Supervision: Chairperson	Regular

Strategy	Program	Indicator	Responsibility	Time frame
6.2 To collaborate and coordinate with the thematic commissions and other concerned governmental agencies, parliament (as per the Belgrade Principles,) and judiciary	6.2.1 To collaborate with the thematic commissions for human rights situation monitoring, promotional activities, and research study	Number of collaboration and coordination	Main responsibility: Coordination Department head Supervision: Chairperson	Regular
	6.2.2 To collaborate and coordinate with the local governments for preventing child labour	Number of collaboration and coordination	Main responsibility: Promotion Department head, province office heads Supervision: Commission member assigned to oversee child rights	
	6.2.3 To coordinate and monitor the implementation status of sustainable development goals in collaboration with federal, provincial and local governments	Number of collaboration and monitoring	Main responsibility: Province office heads Supervision: Commission member assigned to oversee SDGs and human rights	Regular
	6.2.4 To coordinate and collaborate with the Justice Sector Coordination Committees (JSCC) at the Supreme Court, other courts and judicial bodies	Number of collaboration meetings	Main responsibility: Coordination Department head Supervision: Chairperson	Regular
7.To strengthen institutional capacity through optimum utilization of technology and enhance capacity of the human resources of the NHRC				
7.1 To manage human resources through professional development and capacity strengthening	7.1.1 To recruit the vacant posts of the Commission	Number of fulfilled posts	Main responsibility: secretary Supervision: Chairperson	Annually
	7.1.2 To appoint the vacant post of Commission Secretary through transparent and competitive process	Appointment of the Secretary	Main responsibility: Commission Supervision: Commission	First year
	7.1.3 To provide induction training to the newly recruited staffs and in-service training to the other staffs	Number of officials receiving training	Main responsibility: Administration, Planning and Finance Department Supervision: Secretary	Annually

Strategy	program	Indicator	Responsibility	Time frame
	7.1.4 To make the annual performance system obvious and transparent	Amendment of the regulation	Main responsibility: Administration, Planning and Finance Department Supervision: Secretary	Annually
	7.1.5 To formulate and implement the policy related to the nomination of staffs in the scholarship program, study leave, national and international training, visits, and participation in the conferences	Formulated policy	Main responsibility: Secretary Supervision: Chairperson	Regular
	7.1.6 To review the code of conduct for the office bearers and the staffs and internal coordination policy in a timely manner	Reviewed and amended	Main responsibility: Secretary Supervision: Chairperson	First year
	7.1.7 To amend the staff regulation in timely manner to uphold motivation and high morale of the staffs	Amended regulation	Main responsibility: Secretary Supervision: Chairperson	Regular
	7.1.8 To formulate staff transfer policy	Enactment of transfer policy	Main responsibility: Secretary Supervision: Chairperson	First year
	7.1.9 To make effort for the amendment of the NHRC Act to comply the Act to the Paris Principles and to make amendment of the financial regulation of the Commission as per the NHRC Act	Amended regulation	Main responsibility: Secretary	First year
	7.1.10 To systematize the training programs conducted by the Commission strengthening the human rights training center	Number of trainings	Supervision: Chairperson Main responsibility: Coordination Department Supervision: Secretary	Regular

1 a form of menstrual taboo

2 Baikalya is a tradition where young married girls continue to live with her maternal family either due to death of their husband or not accepted by the husband.

Strategy	program	Indicator	Responsibility	Time frame
	7.1.11 To collaborate and take support from the development partners for strengthening the Commission and capacity enhancement of the staffs	Number of programs concluded in collaboration	Main responsibility: Administration, planning and Finance Department head, Supervision: Secretary	Regular
	7.1.12 To take expert services from various experts to move forward the function of the Commission effectively	Number of experts appointed	Main responsibility: Secretary Supervision: Commission member assigned to oversee planning	Regular
	7.1.13 To make proper arrangement of the necessary resources for the investigation of rights violation,	improved availability of resources	Main responsibility: Administration, planning and Finance Department head, province office heads Supervision: Commission member assigned to oversee investigation	Regular
	7.1.14 To integrate technology in the complaints management system of human rights violation cases	Development of necessary software	Main responsibility: Coordination Department head Supervision: Chairperson or member specified by the Chairperson	Two years
7.2 To construct commission's office building	7.2.1 To make an effort for constructing sophisticated and convenient central office building of the Commission	Constructed building	Main responsibility: Secretary Collaboration: The government of Nepal Supervision: Chairperson	Three years
	7.2.2 To make effort for land acquisition and construction of buildings for Commission's province offices as soon as possible	Land acquisition and constructed building	Main responsibility: Province office heads Collaboration: province governments Supervision: Secretary	Regular (1 office building per year)

Strategy	Program	Indicator	Responsibility	Time frame
	7.2.3 To keep on making the resource center, IT section and archiving center modern, resourceful including technology	Record of additional books and other resources	Main responsibility: Administration, planning and finance Department Supervision: Secretary	3 years

Note: The members assigned to oversee supervision shall have coordination and collaboration as per the necessity.

Implementation, Monitoring and Evaluation of the Strategic Plan

5.1 Implementation of the Strategic Plan

As the strategic plan formulation is important, implementation aspect is more important to formulation. The effective implementation leads towards making it meaningful to achieve expected outcomes.

The implementation of this strategic plan is the collective responsibility of both the office bearers and the staffs of the Commissions. The Commission shall formulate its annual policy, program and budget on the basis of this plan. The policy, programs and allocated budget will be implemented on the basis of this strategic plan. The plan will also be reviewed periodic, mid-term and final evaluation working basing on this for the effective protection and promotion of human rights.

The plan can also be reviewed on timely basis for the effective implementation to make it agile by incorporating the suggestions and feedbacks provided in the annual, periodic and mid-term assessment and evaluation.

5.1.1 Tasks to be accomplished for Implementation

- Formulation and implementation of annual work plan;
- Collaboration and coordination with governmental and non-governmental agencies, civil society, international community;
- The promotional activities on various issues of human rights;
- Preparation of physical and institutional infrastructure as per the necessity;
- Arrangement of policy;
- Development and review of various guidelines;
- Formation of directing, implementation, monitoring and evaluation committee;

5.2 Risks for the Implementation of SP and Preventive Measures

As there are opportunities for the implementation, there are also risk factors.

5.2.1 Risks

- Little coordination and collaboration with the stakeholders working in the human rights sector;
- Little human resources and long-term maintenance;
- Lack of timely enactment of the NHRC Act and Human rights related service Act;
- Lack of domestication of international treaties and agreements and lack of full enforcement of national laws related to human rights;
- Inadequate budget allotted to NHRC by the government;
- Challenges of rule of law and impunity;
- Lack of information technology friendly resources necessary for the Commission;
- Conflict among the various groups and communities in the society;
- Lack of guarantee of economic, social and cultural rights;
- Very little implementation of the recommendations of the Commission by the government;
- Pandemic and disasters;
- Political situation;
- Lack of accountability.

5.2.2 Preventive Measures

- The Commission's coordination, partnership and collaboration with the stakeholders will be strengthened through the implementation and review of the NHRC Partnership and Collaboration Guidelines, 2012 and Guidelines of the human rights defenders, 2012.
- The Commission will make efforts and effective coordination for the amendment of the NHRC Act and enactment of Human Rights Service Act to develop motivation and high morale of the staffs.
- The regular interaction and discussion programs will be conducted regularly with the governmental agencies and international organizations for the effective implementation of the national laws as well as the international treaties and agreements in which Nepal is a state party.
- Discussions with the governmental agencies will be held for the arrangement of adequate financial and physical resources as per the Paris Principles.

- The collaborative works with the transitional justice mechanisms like the Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons will be conducted to ensure justice to the conflict victims.
- The collaboration and coordination with the Ministry of Finance including the development partners (UN agencies, regional organizations, INGOs, NGOs) will be done.
- The communal and social conflicts will be minimized through the promotion of programs such as social reconciliation, cooperation and coexistence.
- The protection and promotional programs will be concluded prioritizing the issues of economic, social and cultural rights.
- The regular monitoring will be accomplished with the formation of the recommendation implementation committee to make the government accountable for the implementation of the recommendations.
- The necessary arrangement for accomplishing the functions will also be done.

5.3 High Level Steering Committee

There shall be a high-level steering Committee for providing decision and direction in the implementation, monitoring and evaluation of the strategic plan in coordination with the Chairperson including members and secretary.

5.4 Implementation Committee

The following Committee consisting of the following Convener and member for the effective implementation of the strategic plan will be formed at the central level.

- | | |
|---|-------------------|
| a) Secretary of the Commission | - Coordinator |
| b) Department heads (Joint Secretary) | - Members |
| c) Provincial and province branch office heads | - Member |
| d) Gender equality and social inclusion division head | - Member |
| e) Planing policy and internal Evaluation division head | -Member Secretary |

The following Committee consisting of the following Convener and member at the provincial level will be formed.

- a) Head of the Province or provincial branch office - Coordinator
- b) Undersecretary/officer as specified by the office head - Member
- c) Personnel in charge of account/administration - Member

Among the members, a member as specified by the office head will act as a member secretary.

5.5 Monitoring and Evaluation Committee

The following monitoring and evaluation committee will be formed at the central level for the result-oriented implementation of the Strategic plan.

- a) The member of the Commission designated the function related to planning, policy and internal assessment - Coordinator
- b) Secretary of the Commission - Member
- c) Head of the Administration, planning and finance department -Member secretary

The Commission can form a team to monitor the implementation status of the strategic plan.

5.6 Thematic Advisory Committees

For the result-oriented implementation of this Strategic plan, various advisory committees may be formed as per the necessity which consists of active professional organizations including human rights defenders working for protection and promotion of human rights.

5.7 Duration of Monitoring and Evaluation

During the implementation phase and final evaluation, the monitoring and evaluation of this strategic plan will be in accordance with the indicators specified by the framework of the action plan. In addition to this, the final evaluation will be conducted on the basis of the annual and other thematic reports of the Commission. The monitoring and evaluation commission may make assessment in the various phases.

5.7.1 Periodic Review

For the result-oriented implementation of this Strategic plan, periodic reviews will be conducted. This review measures the status of the progress on the directives as provided by the strategic plan. The work progress on the individual strategic objectives will be assessed on the basis of qualitative and quantitative indicators.

The annual review report will be prepared from this review. The necessary steps will also be taken on the basis of suggestions and feedbacks received through the report to make the strategic plan more effective.

5.7.2 Midterm Evaluation

The midterm review will be conducted at the half term (3 years) of the implementation of this strategic plan. This strategic plan can also be amended on the basis of the progress made in the implementation, and analysis of the problems and challenges faced during the implementation period. The monitoring and evaluation committee will also publish the report.

In addition to this, this strategic plan will also be assessed by the external expert. This assessment will be concluded within the 6 months after 3 years of its implementation.

5.7.3 Final Evaluation

The final evaluation of the implementation of this strategic plan will be conducted at the final year of its implementation by the monitoring and evaluation committee. The committee may arrange the expert service for its final evaluation. This evaluation measures the level of the status of implementation of all the programs concluded till final year starting from the very beginning of its implementation. This also assesses the effectiveness of the works concluded in accordance with the aims, objectives, strategies and the programs set by the strategic plan.

The aforementioned committees arranged for the monitoring and evaluation will themselves develop their working procedures and plan.



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