

The Major Highlights of the Activities of NHRC Nepal on the COVID-19



National Human Rights Commission of Nepal

Harihar Bhawan, Lalitpur, Nepal

18 May 2020



Major Interventions made by the NHRC Nepal on COVID-19

As of February 20, 2020, there have been 75,748 confirmed cases of the coronavirus disease 2019 (COVID-19), caused by the novel coronavirus (2019-nCov) with 2129 deaths. On January 30, World Health Organization (WHO) declared the current outbreak that originated in Wuhan, China as a Public Health Emergency of International Concern, while recommending against travel or trade disruptions to and from China. In Nepal, as of February 20, only one positive case has been identified among 212 tested.

One confirmed case in Nepal was a Nepalese student, studying in Wuhan, with symptom-onset on January. The infected 32-year-old male had returned on January 9 to spend winter holidays in Nepal. He had prior knowledge about the outbreak in China and visited the Sukraraj Tropical and Infectious Disease Hospital (STIDH) in Kathmandu on January 13. Taking into account his travel history, he was isolated and was given supportive treatment with broad-spectrum antibiotics. The throat swab sample of the person was sent to the WHO Collaborating Center, Hong Kong and was tested positive. There weren't any complications, except for a surge in temperature to 102°F on January 14, which then subsided on January 16. Upon clinical improvement, he was discharged on January 17, with a total 4 days in isolation.

Following this incident, the guardians of the Nepali students residing in China had submitted a memorandum to the NHRC demanding the safe repatriation of their sons and daughters from Wuhan. On February 9, NHRC Nepal provided directive order to the government to immediately evacuate 185 Nepali nationals and students from Wuhan city of China's Hubei province. The NHRC issued press statement in a timely manner when Nepali nationals especially living in Wuhan city were demanding their safe return to home owing to safety concerns amid coronavirus outbreak. The NHRC Nepal also decided to summon secretaries from Ministries of Foreign Affairs, Education and Health to enquire about the health condition of Nepali nationals in China and efforts being taken by the government agencies to repatriate them safely.

With response to this, the Government of Nepal finalized the SOP for repatriation of Nepalese nationals in China. The requirements for quarantine according to the WHO and International Health Regulations 2005 were met and drills had been conducted. On February 16, 175 Nepalese nationals were flown into Nepal from China after exit screening. The repatriated citizens were transported under quarantine from TIA to quarantine site at Kharipati, Bhaktapur district, east of Kathmandu and have been placed under 24-hour monitoring. Samples of all 175 persons, sampled on February 16, were reported negative on February 19. The Commission also decided to summon secretaries from Ministries of Foreign Affairs, Education and Health to enquire about the health condition of Nepali nationals in China's Hubei province and efforts being taken by the concerned governmental ministries to repatriate them safely. This became the first intervention of NHRC Nepal regarding the COVID-19 issue and this effort of NHRC Nepal was widely appreciated.

NHRC Nepal requested the Government of Nepal to ensure availability of daily used commodities to the persons with disability, children, senior citizens, women and severely marginalized people who are at home and to manage properly to ensure the necessary health

related security for all the health workers on duty all the time, security force, civil personnel and their families.

Similarly, As the NHRC Nepal received complaints regarding the scarcity of daily used goods in the market so that general public would victimize from their daily basic needs. Following this, on March 22, the NHRC Nepal appealed to the Government of Nepal including concerned businesspersons and the entrepreneurs to effectively monitor and cause to monitor being alert to ensure the access to the essential goods and services.

NHRC Nepal made consultation with the representatives of the Government of Nepal, Ministry of Home Affairs and Ministry of Health with regard to the preparation made by the Government of Nepal to combat the global COVID-19 coronavirus pandemic and safeguard the right to life. The representatives of the government informed that the Government has been seriously being prepared to combat COVID 19 with the management of necessary alertness and the health checkup in the border areas, but lack of civic awareness, personal hygiene, sense of responsibility. NHRC Nepal also concerned over these issues with the government's representatives.

The NHRC has also declared to immediately provide NRs. 20 Million out of the allocated budgets for the Fiscal Year (FY) 2019/2020 postponing some of the programs except the administrative and the other essential programs in order to cooperate the government to prevent and control the COVID-19. The NHRC Nepal decided to provide this amount to the government deducting from its annual budget. Similarly, the NHRC Nepal appealed to all the governmental agencies, civil society, human rights activists, businesspersons as well as entrepreneurs and private sectors for the necessary and effective collaboration with the Government of Nepal to combat COVID -19.

NHRC Nepal concerned over the Nepali migrant workers stuck near to the international border of the country (India) due to global COVID-19 coronavirus pandemic. As the citizens of every nation suppose additional support from the government in any difficult situation, it also drew attention of the Government of Nepal to create conducive environment for the Nepali nationals who are in the border area but denied to enter into homeland and manage health service, shelter and the food supply ensuring their dignified repatriation to their homes monitoring.

Similarly, the NHRC Nepal drew attention towards some of the Nepali citizens who entered into Nepal from the neighboring country India using the alternative pathways as the security forces barred them to enter into Nepal from the regular pathways showing the possibility of transmission of COVID-19 as well as the Nepali citizens repatriating to Nepal are stranded precariously at the borders. They were in India for their employment and were repatriating Nepal as they faced problem in employment, food and shelter due to the execution of lockdown in India too. Similarly, the people living in the quarantine for 6 weeks at the border were also stranded there. NHRC also concerned over the possibility of intensification of the risk of the pandemic as the individuals entering into the country from the alternative pathways lack their health checkup and even live secretly in their own village or city.

Following this, the government has initiated repatriating workers stranded in Covid-19 affected countries. But who gets to return home in the first phase is not disclosed, however, will be decided by a host of factors such as an individual's living condition, job and visa status, the situation of their family back home, and how the outbreak pans out in Nepal in the days to come. As per the information circulated by the Government when the repatriation begins, pregnant women, people who have lost their jobs, those with health issues, those that have lost a family member back home, and those that have overstayed their visas will be given priority. The government is working on a series of measures that involve safe repatriation of workers, their quarantine and employment in the labour market.

NHRC Nepal drew attention towards the non-availability of health treatment to the general public due to the global COVID-19 coronavirus pandemic as the NHRC received facts through monitoring and complaints that the patients of Kidneys, Cancer, Tuberculosis, HIV AIDS, Diabetes, High Blood Pressure and Mental diseases faced problems in their treatment because of inadequacy of the medicines and proper treatment for them.

NHRC Nepal announced partnering with various civil society and professional organisations, namely: Nepal Bar Association, Federation of Nepali Journalists and NGO Federation in the monitoring of human rights situation during COVID-19. The NHRC also formed a high-level human right monitoring committee under the convenorship of its one of the members. The panel included representatives from aforementioned three professional organisations. It also decided to form the provincial and district committees in order to broaden accessibility of the marginalized people. It also set terms of reference of the monitoring and providing suggestion to the government to combat COVID 19 such as the issues like the actions taken by the Government of Nepal, management of health treatment, rights of the consumer, freedom of expression, access to the judicial administration, and the citizens' duties among others and it has already initiated its task. NHRC Nepal even formulated monitoring checklist and the working procedure 2020. These documents are available at https://www.nhrcnepal.org/nhrc_new/doc/newsletter/747743329COVID-19%20Working%20Procedure_eng.pdf, https://www.nhrcnepal.org/nhrc_new/doc/newsletter/615012001Final%20COVID%2019-%20Monitoring%20Check%20List%20eng.pdf.

NHRC called attention to the Government of Nepal on the basis of the facts received through the Central Level Human Rights Situation Monitoring Committee which conducted the initial monitoring of the hurt and misconduct incident to the Doctors working at TU Teaching Hospital, located at Maharajgunj, Kathmandu by the Nepal Police during their return to home concluding their duty at the hospital accusing them the violation of lockdown. Even if the doctors have displayed their ID cards the police disregarding the ID cards caused hurt and misconduct to them. The NHRC Nepal seriously concerned over hurt and misconduct caused to the health workers who work at the front line to prevent and control the COVID-19. The NHRC also urged to ensure not to recur such acts, bring the guilty police to book in accordance with law, ensure free health treatment of those injured persons and appeals to all the police work with self-discipline being self-restraint and to honour while behaving the health workers, media personnel, human rights defenders and the general people while

implementing and cause to be implementing the directive orders of the Government of Nepal in the situation of lockdown.

NHRC urged to seek proper solution of the problems of the individual laborers working on the daily basis wage, the patients coming for medical treatment, the marginalized community living in rent are found in a destitute situation through monitoring. Even the sick people, senior citizens, children, pregnant and child bearing mothers and the laborers in huge number have found to be walking on the highways precariously towards their destination with misery and desolation because of not getting relief package and as they left their homes for a short duration with limited amount of money.

NHRC Nepal even provided directive order to expediate the PCR testing of COVID-19. Though the RDT testing is high in number as compared to PCR but as per the other countries' experience the RDT technology is not reliable and only the PCR testing technology makes sure whether the person is infected or not, in the context, the NHRC Nepal urged to expediate the PCR testing and contract tracing making an enough arrangement considering towards the lack of the adequate ventilators, isolation wards, PPE, essential drugs.

NHRC Nepal even conducted monitoring of the human rights situation of the detainees, prisoners in the detention centers and the prisons located at Kathmandu and Lalitpur and also the Central Jail with regard to the COVID-19 coronavirus pandemic. Though the preventive measures such as access of sanitation facility, health checkup, arrangement of cleanser and water, adoption of precautionary measures in their allegation proceeding were adopted but lack of adequate drinking water, bathrooms as well as the sanitation and proper social distancing was not maintained.

Similarly, aiming to enhance the awareness regarding the citizens' duty and human rights during lockdown, NHRC Nepal has developed awareness raising programs and are being broadcasted through the 32 FM radios across the country including in Nepali, Awadhi, Bhojpuri, Maithili, Doteli, Achhami dialects and other indigenous languages such as Magar, Chamling, Sherpa, Tharu, Limbu, Tamang and Newari.

NHRCN even expressed its worry towards the situation journalists being victimized this year in comparison to the previous year in Nepal as it received the information of existence of physical insecurity, facing challenges working in the critical situation, curtailment in the freedom of expression, rearrested by the security force even if the court has provided the verdict to release, misconduct, even interrogation on the media personnel's function, discouragement to the journalists deployed in the field for reporting, and even prosecuted on cyber-crime in a discriminatory manner on the basis of their writing in the social media.

NHRC Nepal even focused attention suggesting the Government of Nepal to pursue Human Rights Based Approach in the national budget formulation and prioritize the issues of human rights while formulating the budget of the Fiscal Year 2020/021. On the basis of its monitoring of the human rights situation during lockdown due to the global COVID-19 coronavirus pandemic following recommendations have made:

- To arrange adequately the PCR testing equipment as the RDT testing is not reliable to find out the contamination, to intensify the PPR testing in the COVID-19 affected area as well as to arrange adequate PPE at the hospitals;
- To adopt effective measures for the prevention and minimization of the violence against women occurring during lockdown periods;
- Draw special attention on the basic needs of the persons with disability, senior citizens, pregnant women, child bearing mothers and infants in the prohibited and sealed areas;
- To arrange reliably the quarantine managing adequately the seasonal blankets and beddings, essential toilets for sanitation, water, drugs and the food items for all the people in the quarantines;
- To make diplomatic efforts for the fulfilment of the basic needs of the Nepali students, migrant workers, tourists and other Nepali people stranded in the abroad and arrange environment to repatriate them;
- To arrange properly the settlement, foods and health security equipment to the security personnel;
- To act drawing special attention towards the psychological burden to the children of basic level from the online education imposed without the consultation with the students as well as the parents and without the minimum preparation;
- To ensure the right to dignified lives of the citizens arranging right to health, right to employment, and the durable arrangement for the disaster management in order to fulfill the state obligation;
- To make proper arrangement for the fertilizer, seeds, agricultural equipment, agricultural production, storage as well as marketing and irrigation in order to ensure rights of the peasants;
- To implement the human rights-based approach in the service delivery and the programs of all the governmental agencies in order to improve the living standards of women, children, senior citizens, dalits, persons with disability, sexual minorities, marginalized, deprived and the left behind community;
- To construct at least 1,000 beds and 100 beds hospitals respectively in the province level and in every local level with the well managed facility coordinating constantly among the federal, province and the local level; and make arrangement of the essential health equipment and health workers for the health treatment;
- To make necessary arrangements for the implementation of the recommendations made to the Government of Nepal through the Universal Periodic Review and the human rights treaty bodies in a timely manner.

Thank You!