



Human Rights e-Newsletter

National Human Rights Commission of Nepal



• Harihar Bhawan, Lalitpur, Nepal • Volume 8 • Issue 1 • July, 2012

NHRC and Govt. Joint Interaction on: One Year after UPR Recommendations



Chairperson Upadhyay, Chief Secretary Madhav Prasad Ghimire, UN Resident Coordinator Robert Piper and National Project Manger of SCNHRC Dipak Shrestha during the interaction on UPR Recommendations held at NHRC (Right to left)

Photo: Post Bahadur Thapa

Lalitpur: The National Human Rights Commission and Office of the Prime Minister and Council of Ministers jointly organised an Interaction Program on One Year after Universal Periodic Review.

The objective of the program was to create a joint platform for the Government, NHRIs and civil society organizations to share the status of the implementation of UPR recommendations on Nepal during the year. In addition, the program also aimed at providing an opportunity to stakeholders to identify gaps, challenges and explore opportunities for way forward.

The Participants represented from National

said that human rights is a common issue and thus common efforts of all will make easy for the protection and promotion of human rights culture.

“ Nepal has completed one year after the adoption of final outcome document prepared by the UPR Working Group on 6 June 2012. Since then, Government of Nepal, National Human Rights Institutions and Civil Society Organizations have been striving to protect and promote human rights through implementation of UPR recommendations. ”

UN Resident and Humanitarian Coordinator Robert Piper said that UPR has paved ways for instituting international standard transitional justice mechanisms the earliest

Human Rights Institutions (NHRIs) comprising of the National Human Rights Commission (NHRC), National Women Commission (NWC) and National Dalit Commission (NDC), representatives of Civil Society Coalition on UPR, representatives of Government Ministries and UN agencies. .

Speaking at the inaugural function of the program, Chairperson Justice Kedar Nath Upadhyay

On the occasion, Chief Secretary Madhav Prasad Ghimire of PMO said that the government was all set to implement the recommendations received via UPR process with highest priority. 'UPR process, however, is new to us and the lack of skilled human resources and insufficient means of sources has rendered the implementation part to be frail, said Mr. Ghimire.

possible time. He, however, noted hat the effort for drawing necessary law remains yet dormant with regard to the tenure of such mechanism in practical terms

The interaction session was chaired by Member Gauri Pradhan in which the presentations were made by Dr. Trilochan Uprety, Secretary - OPMCM, Kalpana Jha-Human Rights Officer (NHRC) and Subodh Pyakurel - INSEC on behalf of Civil Society Coalition on UPR.

Upon the presentation, the participants were divided into five thematic groups in which the participants comprehensively discussed on various themes such as impunity and accountability, constitutional and legal framework, rule of law and access to justice, ESCR and equality including non-discrimination.

Continues on pg. 7

In this issue...	Contents	Page
	One Year after UPR.....	1
	Sudden Strike (Bandh)	2
	Improvement of Detention	2
	Int'l Day Agianst.....	2
	Fast Track Court.....	3
	The Commission urges.....	3
	Discussion taps Impetus.....	4
	Grievances of People.....	5
	NHRC Launches Human.....	6
	NHRC, Pokhara Makes.....	6
	The Commission urges.....	6
	Media Persons Trained on.....	7
	Chief Secretary pays.....	8

Sudden Strike (Bandh) Monitored in Lalitpur: People's Freedom of Movement Violated



NHRC Monitoring team having discussion with the organizers of bandh organized against the decision of the government to resettle the landless squatters in Lalitpur district

Photo: Monitoring Team

Lalitpur: The NHRC monitoring mission carried out its monitoring on bandh program called on August 22, 2012 by the locals of Lalitpur district in protest against the decision

of the Government to resettle the landless squatters at a place called Sundarighat of Lalitpur district. The monitoring missions made its round in various thoroughfares of Kupandole, Balkhu, Dhobighat, Satdobato, Gwarko, Lagankhel, Kumaripati, Jawlakhel Police Office and Pulchok area.

The NHRC officers visited the Jawlakhel Police Office, met with the Police Officer Basnata Panta and obtained the information about the incidents that took place during the Bandh. According to Mr. Panta, 42 miscreants involved in vandalizing and arson were taken under police custody

whereas five of them were released then and there. Amongst 38 detainees, 3 of them were females and a senior citizen aged 71. The NHRC team also met with detainees including Bishnu Basnet under custody and asked about their condition. 'We are not against the move of the government to resettle the landless squatters who are at lurch due to demolition of their settlement at Bagamati corridor. But we are in agitation to save the preserve the place of historical and cultural heritage,' the bandh organizers were quoted as saying.

The transportation from Thapathali bridge till Lagankhel was brought to grinding halt due to bandh.. The daily commuters including the office goers and students were debarred from enjoying their freedom of movement as the vehicles didn't ply en-route to their usual destinations. Nine private vehicles were vandalized at various places during bandh.

Improvement of Detention Center Management Urged

Morang: An interaction on detention management was organized by the NHRC Regional Office, Biratnagar on June 26, 2012. During the program, the NHRC presented the monitoring report on the physical condition of the detainees at the District Police office, Morang including their arrangement of food, water

supply and sanitation facilities provided to them. The presentation also reflected the human rights situation of the detainees. Also discussed were the activities to improve physical condition of the detention centers and as to how to protect human rights of the detainees from the local and national level.

Hon. Judge of the District Court Chandiraj Dhakal, Chief District Officer of Morang district Taranath Gautam, DIG Surendra Bahadur Shah, The head of District Appellate Attorney Rajan Prasad Bhattarai. NHRC Regional Head Koshraj Neupane, District Attorney Kosh Hari Niraula, The Chief of District Police Office Niraj Bahadur Shahi shared their views respectively during the program.

Int'l Day Against Torture Observed in Eastern Region

Morang: On the occasion of the Int'l Day in Support of the Victims of Torture, an interaction was organized on June 26, 2012. The program was jointly organized by the NHRC Regional Office, Biratnagar, Eastern Regional Police Office, Advocacy Forum - Nepal, INSEC, WOREC, COCOOn and COCAP.

At the Program, DIG of Eastern Regional Police Office Surendra Dahadur Shah said that the police department is very much sensitive towards human rights and therefore in the event of perpetuation of any torture found, the immediate investigations will be carried out. If anyone found involved in such act, the accused will be taken action against with immediate effect, said Mr. Shah.

Chudamani Acharya of Advocacy Forum presented the paper focusing on the forms torture and the responsibilities of the Government of Nepal towards the action to be taken.



Participants representing various government agencies and other non-governmental organizations at a program organized in NHRC Regional Office Biratnagar on the occasion of the Int'l Day against Torture

Photo: NHRC Regional Office, Biratnagar

The program was chaired by the NHRC Regional Head Kosh Raj Neupane in which the participants including 30 investigation officers from various police offices of

Jhapa, Morang, Sunsari, Saptari and Siraha, representatives from non-governmental organizations, torture victims took part in the program.

Fast Track Court Crucial: Chairperson



Photo: Umesh Rana Magar

Lalitpur: : Chairperson Justice Kedar Nath Upadhyay has said that the fast track court is crucial to sort out the cases related to consumer rights in swift manner.

Speaking at the program entitled "One year of the Consumer Guidelines for the protection of the consumer rights - 2068" held at NHRC, Chairperson said that consumer doesn't denote a group or a sect. It should be understood in wider connotation regardless of varied background and profile of every individual.'

In this regard, he clarified that the Commission cannot bear all the responsibilities for the protection of the consumer rights. Consumers should go to the concerned authority with their complaints. If their grievances are not adhered to, then they may come to the Commission.

The Chairperson, however, alerted that nothing must be taken for granted. One should believe the authority but they should not be left unchecked. Similarly, monitoring alone is not enough but the follow up action thereafter is very much necessary.

Speaking on the occasion, Member Ram Nagina Singh said, 'If we go back to history, Nepal had introduced ESCR way back in 2007. What all we need at the moment is wisdom to implement the prevalent acts and regulations'.

Despite the fact that the consumers nowadays have become gradually aware about their rights, no legal action is taken against the individuals and the authority involved in the violation of consumer rights due to the pervasive impunity in the country, Member Singh added.

At the program, Member Gauri Pradhan said that the investigation is conducted on the basis of sou moto obtained via media report

and more often than not, we have drawn the attention of the concerned stakeholders.

In this regard, the concerned ministers, therefore, were invited to the NHRC to draw their attention towards the artificial price hike on petroleum products and LPG gas. They have committed to find out the gaps whatsoever, informed Member Pradhan.

'Although the monitoring is being carried

“
If we go back to history, Nepal had introduced ESCR way back in 2007. What all we need at the moment is wisdom to implement the prevalent acts and regulations.
- Com. Ram Nagina Singh
”

out in the right direction, it doesn't seem to tap momentum due to the lack of human resources, policy reformation and working alliance among the monitoring authorities,' observed Member Pradhan.

Throwing light on the objective and rationale of the program, President of FORHID Birendra Thapaliya said though the seasonal monitoring is conducted just before festivals every year, monitoring was conducted in all 75 districts in 2068 for the first time in the history of monitoring.

On the occasion, Jyoti Baniya, General Secretary of Consumer Protection Forum said that though the voices are bring raised far and wide for the protection of consumer rights, the prevalent market monopoly and artificial price hike have been making the life of general people more and more miserable.

Stressing on the need to bring about the awareness about inappropriate activities in the market, Mr. Baniya suggested the facilitation of consumer education to the monitoring agencies, consumer rights activists and media persons respectively. He also commended that Media has played pivotal role in exploring the adulteration in food and haphazard pricing of goods in market.

At the program, Jivan Prava Lama, Director of the Department of Food Technology and Quality Control said that the punishable and promotional activities are being carried out for the protection and promotion of consumer rights.

On the occasion, sharing the views, Narayan Bidari, Department of Commerce and Supply and Radharaman Prasad, Director General of Department of Drug Administration said that the authorities are making every effort at their disposal to protect the rights of consumers.

Similarly, Chudamani Sharma - Chief District Officer of Kathmandu, Sashi Shekhar Shrestha- Chief District Officer of Lalitpur district and Assistant Chief District Officer of Bhaktapur Maiya Kandel enumerated the details of their activities accomplished in their respective districts. They said that that the development of Consumer Guidelines is milestone and unanimously assured to implement it.

Chairperson of the Human Rights Alliance, Ganesh BK, sharing his view, said that the concerned stakeholders should come up with the satisfactory logical reasoning while the price of goods is to be raised.

Kedar Khadka, the Director of Pro-Public

Continues on pg. 5

Discussion taps Impetus on the Ratification of the 3rd Optional Protocol to CRC



Balananda Poudel - Secretary of Ministry of Women, Children and Social Welfare, NHRC Member Gauri Pradhan, Dr. Trilochan Upreti - Secretary of the PMO, Dipak Dhital- Jt. Secretary of Ministry of Foreign Affairs and Dilli Guragain - Advisor of the Save the Children at a program held on the Ratification of the 3rd Optional Protocol to CRC

Photo: Prativa Rai

Kathmandu: At a time when the concerns are being raised for the ratification of optional protocol to the Convention on the Rights of Child in various national level forums, a workshop on Advocacy and Awareness Workshop on Introduction to Optional Protocol to the Convention on the Rights of Child on Communication Procedure is organized on July 15, 2012 by the NHRC with the support of Save the Children.

Addressing the program, NHRC Member Gauri Pradhan said that the ratification of the optional protocol is for the best interest of the child but expressed his fear that usefulness of the protocol would be mishandled if not interpreted properly.

Member Pradhan opined that we got to first all deliberate the idea through GOS and NGOs perspectives. We should also invite for intellectual debate on this, said Member Pradhan.

Nepal Government, as the member state of UN, has been keeping its opinion in various UN forums. Having the child rights issue as old as 25 years and rather older than the Dalit, women and trade union issues, the ratification of the Optional Protocol, however, has to get impetus, Member Pradhan stressed.

He added that child participation is a good idea representing form 4000 VDCs inclusive of the child clubs and child friendly local government.

At the outset, delivering the welcome speech, NHRC Director Subarna Karmacharya threw light on the objective and rationale of the program whereas HR Officer Shree Ram Adhikari presented the paper on the 3rd Optional Protocol to CRC.

DR. Trilochan Upreti Secretary of Office of the Prime Minister and Council of Ministers said that the issues of child rights have been raised in UPR session as well. In this regard the government has long ago

enacted women's and child rights Acts.

He further said, 'I am of the opinion that the optional protocol to the Convention on the Rights of Child must be ratified keeping all these things in pinnacle. However, prior to this, we got to analyze as to where we stand in implementing the other human rights instruments. First of all, ratified HR instrument must be analyzed and assessed.'

Balananda Poudel, Secretary of Ministry of Women, Children and Social Welfare said that the presentation has, with the

Optional Protocol to the Convention on the Right of the Child on communications procedures, has been adopted on 19 December 2011 by the General Assembly in its resolution 66/138. The signing ceremony took place on 28 February 2012 in Geneva, Switzerland and thereafter at United Nations Headquarters in New York. 23 countries have signed to the 3rd Optional Protocol to CRC.

creation of extra avenue, helped to reflect in conceptualizing the preparation on the optional protocol. All developing partners including the NGOs, Civil society, INGOs come under the government in this regard.

He observed that we have to use the communication procedure accessed by the optional protocol as the last resort only.

While we are talking about the 3rd optional protocol to CRC, we got to seriously discuss about the child rights violations that are taking place in the remote corners of the country.

Joint Secretary of Ministry of Foreign Affairs, Deepak Dhital stressed that we should make our home mechanisms strong by using this mechanism.

He further observed that internationalizing the issue is not a big deal. 18 experts are working in the committee day and night on the ESCR in CRC issues. Children are already the rights bearer in legitimate way.

Advisor of Save the Children Dilli Guragain said that 3rd optional protocol on communication procedure must be compared with the communication procedures of other instruments.

Tarak Dhital of CZOPP said that we are talking about this issue after 22 years. We got to adopt the measures to strengthen the national mechanisms in the first place. After we ratify the Optional Protocol, let there not be any factor for compulsion, however.

He added that the foremost thing is that we have to make the state responsible. The move for the ratification should not be for vested interest. The core objective for the ratification should focus on the best interest of the child.

Workshop was facilitated by HR Officer Manju Khatiwada and before formal inauguration of the program she highlighted the program's objective and modality.

As per the concern raised on paper presentation, this new Optional Protocol will enable children, or their representatives, who claim that their rights have been violated, to bring a complaint to the UN Committee on the Rights of the Child, in cases where domestic remedies have been exhausted. This procedure recognizes the rights of the child as forming an integral part of the human rights framework.

Mr. Adhikari, however, made it clear that the new Optional Protocol does not impose new substantive obligations on the government of Nepal, but assists it in fulfilling its obligations under the CRC. He stressed that ratification of the Protocol is not an additional duty but this seeks more commitment from the Government for justice to the children and wider protection and promotion of the child rights.

Kaushal Chandra Subedi of Law Ministry, Krishna Subedi of Child Nepal, Jyoti Ranamagar and others shared their views on the presentation and the ratification of the protocol.

NHRC is all set to organize the advocacy program in all the regions of Nepal in the days to come.

Advocacy on the Ratification of Optional Protocol to ESCR

Grievances of People must be Adhered to: Chairperson

Lalitpur: Chairperson Justice Kedar Nath Upadhyay has said that the state obligations won't be complete merely by enacting the Acts and Regulations.

Speaking at an interaction held on the complaint on Economic Social and Cultural Rights and the Ratification of its Optional Protocol, the Chairperson said that it is not enough just to draw the rights of the people in laws. The environment is necessary in which the people can feel that their grievances are adhered to.

The Chairperson added that it is necessary that the Optional Protocol relating to ESCR be ratified without any reservation.

Addressing the program, Member Ram Nagina Singh said, 'We do have acts and regulations but they are hardly translated into actions. On the other hand, the people's ESCR are violated mainly due to the pervasive impunity in the country, Member Singh lamented.

Member Singh stressed that the political will and sincerity on the part of the politicians is essential to ensure the implementation of the ESCR.

Speaking at the program, Member Pradhan stressed on the necessity of the larger debate among the NHRIs prior to the ratification of the Optional Protocol to ESCR to ensure the Economic, Social and Cultural Rights of the People.

Birendra Thapaliya, the Chairperson of the Human Rights and Democratic Forum, said that the ratification of the Optional Protocol is the last resort as the Interim Constitution of Nepal has spoken about the ESCR of the people.

The Chairperson of the Human Rights and Democratic Forum Nutan Thapaliya urged that there is necessity of a mechanism to have monitoring over whether or not the state has complied with the ESCR.

On the occasion, Human Rights Officer Tejman Shrestha presented the concept paper on the role of NHRC in the protection of ESCR.

Continued from pg. 3

Fast Track Court...

underscored the need of the installation of citizen charter at private and public schools as well as transport agencies in order to make the activities in these sectors transparent and accountable. He also stressed on the need to make public the document relating to conflict of interest.

Various groups including the transport sector have always compelled the government to surrender after the political change in 2046 for their own interest and subsequently the



Member Ram Nagina Singh addressing in the interaction program entitled "One year of the Consumer Guidelines for the Protection of the Consumer Rights - 2068" held at NHRC

Photo: NHRC Regional Office, Biratnagar

Presenting the paper at the program, General Secretary of HRDF Raj Kumar Siwakoti revealed that the people's right to food, shelter, drinking water and sanitation, health, employment and education have not been ensured in Nepal and thus the ESCR is violated. Optional Protocol is brought into force as remedies to the violation of these rights, Mr. Siwakoti observed.

“
The political will and sincerity on the part of the politicians is essential to ensure the implementation of the ESCR.
- Com. Ram Nagina Singh
”

Mr. Siwakoti urged that Nepal is the party to the Convention on Economic, Social and Cultural Rights, 1966, and it is the state obligation to implement it. It is also the state obligation to develop the mechanisms that would adopt the constitutional and legal measures for its implementation far and wide.

Speaking on the occasion, Chitra Shanker, Chairperson of the Human Rights Journalists Association said that Public Service

consumers have to suffer at the end of the day, Mr. Khadka observed.

At the program, Lila Bhandari, Rajendra Aryal, Geeta Rana, Sanu Amatya, Baburam Bhandari, Ramesh Chandra Poudel, Megh Nath Neupane, shared their analytical views over the need of policies and regulations for the protection and promotion of human rights of consumers. They unanimously mentioned that corporate social responsibility has become a buzz word now. Mass awareness

Announcement (PSA) through mass media is necessary to take the message related to the Convention on the ESCR and its Optional a Protocol to the general people.

The representatives of various NGOs including Charan Prasain, Bhawani Aryal, Jagdish Prasad Adhikari, Dan Bahadur Biswakarma, Kaushal Shah, Kala Rai and Asmita Gurung raised their concern with regard to the ratification of the Optional Protocol to ESCR.

The program was organized by the NHRC in collaboration with the INSEC, Human Rights and Social Transformation Movement, CAHURAST, Women Foundation, Human Rights Development and Peace Movement (HUDEP), Legal Aid and Consultation Center and COCAP.

Similarly, the program was co-organized by Human rights Journalists Association (HURJA), CELLARD, Nepal Muslim Women Society, WOREC, INHURED International, HIMRights, Justice and rights Advocacy Forum Nepal, Youth Forum Nepal, Nepal disabled Human rights center, Human rights Academy, Human Rights and Democratic forum, and Human Rights Protection Forum.

and the implementation of the existing act and regulations are inevitable in order to have big picture impact of monitoring.

The program was organized by the NHRC in collaboration with the Consumer Rights Protection Forum - Nepal.

NHRC had adopted the Consumer guidelines on July 28, 2011.

NHRC Launches Human Rights Centre in Regional Office Pokhara



Chairperson Upadhyay inaugurating the Human Rights Resource Centre by clicking the mouse amidst a program held at the NHRC Regional Office, Pokhara

Photo: NHRC Regional Office, Pokhara

Kaski: As per the goal of establishing human rights resource centers at all five regional and sub-regional offices of the Commission, the center has been established starting from the NHRC Regional Office Pokhara.

The Human Rights Resource Center (HRRC) was inaugurated formally by the Chairperson Justice Kedar Nath Upadhyay amidst a program held

at the premises of the NHRC Regional Office, Pokhara on July 15, 2012. The National Project Manager of SCNHRC Project Dipak Shrestha highlighted objectives of the establishment of the resource center.

At the program, the Chairperson said that the resource center has been established to help the local visitors explore the knowledge on human rights.

The objective of the establishment of Human Rights Resource Center is The HRRC is served with an up-to-date, well equipped library which is not merely a collection of books, but a resource center, designed to expand human rights knowledge and skills to general public thereby providing free access to human rights educational materials to disadvantaged groups. The center will also help creating a platform for stakeholders to interact on the pertinent issues of human rights.

In addition, stocked with the large number of human rights reference books, journals, research reports, newsmagazines and newspapers, the center is also the hub for the readers with the facility of information technology (IT) supported resources.

The representatives from Pokhara based governmental organizations, human rights officers, representatives from various civil societies, journalists and political parties participated in the ceremony.

On the occasion, Chairperson of INSEC, Subodh Pyakurel emphasized on the need of citizens code of conduct. NHRC secretary Bishal Khanal, National Program Manager of SCNHRC, Deepak Shrestha, acting regional administrator for west Damodar Regmi, coordinator of Civil Society Network for Peace Surendra Thapa Magar, Representatives from Women Rights Defender Network Nanda Kala Nepali, NHRC Director Yagya Pd. Adhikari spoke on human rights and the need of human resource center during the program.

The HRRC, the first of its kind among five others to be established other regions, is established with the support provided by the UNDP Strengthening Capacity of National Human Rights Commission Project (SCNHRC).

NHRC, Pokhara Makes Public the Annual Report on HR Situation - 2068

Kaski: The NHRC Regional Office Pokhara made the Annual Report - 068-069 on human rights situation public amidst a program organized at the regional office, Pokhara.

On the occasion, an interaction was held among Pokhara based district and regional level chiefs and representatives of government agencies, representatives of the civil society, human rights workers, journalists including political parties. Program also aimed at having an overall review on human rights situation in the region that would build coordination and collaboration among the stakeholder organizations for the protection and promotion of human rights in the region.

At the program, the NHRC Chairperson, expressing his views as the chief guest, responded to the expectations of the stakeholder participants. Expressing thanks for the support rendered to the Commission by the stakeholders, the Chairperson said that the commission is fully committed to human rights.

'State obligations towards human rights have not been fulfilled satisfactorily. Instead, the undue tendency of the government to withdraw the cases of human rights violations has made the Rule of Law as the subject of mockery,' the Chairperson said.

In this regard, reminding the NHRC recommendations included in the annual report released on the occasion, the Chairperson reiterated that it is the responsibility of the government to implement the recommendations without any dilly dallying.

He also mentioned that the compensations to the victims have been provided to certain extent but the persons accused of human rights violations have not been dragged to justice. On the other hand, the criminalization in politics is so much so that the culture of impunity remains pervasive for which the political parties are responsible, the Chairperson said.

Hon. Judge of the Appellate Court of Pokhara was the Guest of Honor at the program in which 60 participants attended the program.

The Commission urges to Respect Human Rights

Lalitpur: The attention of the Commission has been drawn to the incidents of human rights violations due to bandh and strikes.

The Commission has condemned the incident in which a bus carrying school children was burnt down in Sunsari. The Commission has drawn the attention of the Government to drag the miscreants involved in the incident to justice.

Though everyone has the right to place the demand in democratic system, the Commission has drawn the attention of all concerned towards being conscious not to violate human rights of others while demanding won.

The Commission has also urged all the concerned parties to adopt the peaceful way with immediate impediment to increasing violent activities such as vandalism and arson in the name of having their demand meted out.

Human Rights Training Workshop Media Persons Trained on HR Reporting and Practices



Shiva Gaunle, the president of FNJ presenting his paper during the human rights workshop held on the Human Rights Reporting and Practices organized by the NHRC in Kavre district

Photo: Umesh Rana Magar

Kavre: A workshop entitled "Human Rights Reporting and Practices" was organized for the journalists from various media houses. The program was organized with the objective to address the problems faced by the journalists during the news reporting on the issues related to human rights and their solutions.

At the inaugural function of the workshop, wishing success of the program, Chairperson Justice Kedar Nath Upadhyay, Member Gauri Pradhan, Secretary Bishal Khanal and the Chairperson of the Federation for Nepalese Journalists Shiva Gaunle expressed that the media sector ought to play significant role in helping subdue pervasive culture of

impunity in order to develop the human rights culture in society.

At the workshop, Member Gauri Pradhan and Secretary Bishal Khanal presented separate papers on the concept of human rights corresponding to various aspects of the interrelationship between the NHRC and the press.

During the workshop, Professor P. Kharel, Professor Ram Krishna Regmi, FNJ President Shiva Gaunle, Chiranjivi Khanal, media experts Vidhu Kayastha and Yam Bahadur Dura and Bhanu Bahkata Acharya provided the training as the resource persons. The trainers made the analytical elucidation on various facets of journalism that straightaway compliment human rights.

Similarly, Chair of the Administrative Court Kashi Raj Dahal, Program Analyst of UNDP Tek Tamata enumerated the role of journalists on the pertinent issues related to human rights including human rights acts and laws.

The program was organized with the support extended by UNDP Strengthening the Capacity of National Human Rights Commission project in participation of 27 journalists representing from various radio stations, newspapers and televisions of the country.

Continued from pg. 1

Implementation Status of...

The discussion focused on achievements made with regard to the UPR recommendations in the respective thematic areas, challenges and gaps faced in implementing the recommendations and suggestions on the way forward to achieve progress in implementing those recommendations.

The group discussion highlighted the human rights situation in the context of five thematic subjects and urged the government and human rights community to raise the issues. The issues of women, dalits, indigenous/

Nationalities as well as situation of ESCR were raised during the session.

The groups also highlighted the issues related to the establishment of transitional justice mechanisms, enactment of laws related to human rights such as criminalizing torture, protection of victims and witnesses, laws governing NWC and NDC and strengthening the NHRIs and non-compliance of NHRC recommendations by the Government.

The program, thus, created a joint forum for the Government of Nepal, NHRIs and CSOs

to share the status of implementation of UPR recommendations one year after the adoption of UPR outcome document on Nepal.

The program also provided a common platform to explore opportunities for way forward for future engagement on the UPR process including preparation of mid-term UPR report by the Government. The event paved ways for future coordination and cooperation between the Government of Nepal, NHRIs and civil society on Nepal's UPR process.



Participants representing various government agencies and other human rights organizations at the program held on the one year of UPR

Photo: Post Bahadur Thapa

Chief Secretary pays a Courtesy Visit to NHRC

Lalitpur: Mr. Madhav Prasad Ghimire, Chief Secretary of the Government of Nepal visited the NHRC and had discussion with the NHRC office bearers. The Chief Secretary is resigning from his post effecting from August 6, 2012.

During the discussion, the Chairperson elaborated about the overall situation of human rights in the country and raised his concerns about the situation.

Lauding the concerted effort inculcated by the Secretary for the improvement of human rights in the country, Chairperson said that there are still so many things to accomplish for strengthening human rights in the country.

He said that the commitment expressed by the Secretary as a civil servant is laudable. In this regard, Chairperson also said that the ministers come and go but bureaucracy should often have clear conviction and commitment towards human rights.

Chairperson also drew the attention of the Secretary towards the withdrawal of cases, pervasive impunity, institutional development of the National Human Rights Commission and its inadequate work force.

Reminding the partial implementation of the NHRC recommendation, Chairperson stressed that the Government should have the clear mindset to project its direction towards implementing the recommendation sent by the Commission in full.

On the occasion, Member Gauri Pradhan said that the progress in human rights has been made due to the relationship between the government and Commission in the past days. Subsequently, significant achievements are made in the field of human rights. In this regard, though there are a few deficiencies, the NHRC Act is no less than that of any other country, Member Pradhan informed.

The exemplary past relationship between the Secretary and the NHRC should persist and it should be internalized even in the



Chief Secretary Madhav Prasad Ghimire, Chairperson Upadhyay, Member Gauri Pradhan, Member Ram Nagina Singh and Secretary Bishal Khanal during the sharing program held during the courtesy visit of Chief Secretary Ghimire to the NHRC prior to his leaving office as incumbent Secretary of the Government of Nepal

Photo: Sagar Shrestha

days ahead. Doubts, however, loom large if at all the insensitive secretary comes to hold the office, Member Pradhan expressed.

The role played by the Chief Secretary in the UPR is very much commendable. Member Pradhan, however, stressed that the pressure hovers around for the ratification of a few optional protocols, but contrarily the stance of the government is not yet understood in this regard.

“
The Government should have the clear mindset to project its direction towards implementing the recommendation sent by the Commission in full.
”

Most of our works are accomplished having relations with the civil society. However, the relationship with the government has often lagged behind for so many human rights endeavors, said Member Pradhan.

The Chief Secretary, expressing his gratitude to the Commission for providing time for meeting, said that he has full conviction towards human rights and commitment to

have the same even when he is no more an incumbent secretary of Government of Nepal.

He said that he always tried his best for the implementation of NHRC recommendations. He, however, lamented that it was unfortunate that the endorsement of the TRC and CoID still remains pending till date.

Underscoring the importance about strengthening the Commission, he said that though staffing problem still persists, he had always been supportive in this regard.

He also added that there needs to be quarterly review of our work in coordination with the secretary and the Commission so as to assess the HR activities accomplished in the past

He expressed his alertness by saying that since the house is dead, ordinance of any sort should not be at all brought into force which would suffer undue criticisms eventually. .

He further expressed his commitment to work as an ally to the Commission.

Member Ram Nagina Singh and Secretary Bishal Khanal also shared their views during the meeting.

Monthly Status of the NHRC Decisions (July, 2012)

The National Human Rights Commission, in course of its action, has finalized a number of cases including 5 cases on ICCPR, 4 cases on disappearances and 11 cases on ESCR in the month of July, 2012. Similarly, 1 case on disappearances, 2 cases on CAT and 1 case on ESCR have been dismissed while recommendations have been sent on 12 cases on ICCPR, 3 cases on CAT and 6 cases on disappearances this past month. 2 cases on ESCR, however, remain pending.

National Human Rights Commission

Harihar Bhawan, Lalitpur, Nepal

Phone: 00977-1-5010015 (Hunting Line)

Fax: 00977-1-5547973, 5547976

Email: nhrc@nhrcnepal.org

Website: <http://www.nhrcnepal.org>

e-Newsletter publication supported by SCNHR/ UNDP Project

Editors: Nawin Chandra Gurung, Yam Bahadur Dura
Kailash Kumar Siwakoti

*e-Please send your feedback about the NHRC
Newsletter to nhrc@nhrcnepal.org*