



e-Newsletter



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Commission presents its Opinion on the Draft Constitution of Nepal -2015



Chair of CA Subash Chandra Nembang, Acting Chairperson Prakash Osti, Commissioner Sudip Pathak and Commissioner Govinda Sharma Paudyal during the presentation of the suggestions on the draft Constitution of Nepal – 2015 (L to R).

Photo: Janak Raj Bhatta, Central Office

LALITPUR: The National Human Rights Commission (NHRC) has presented its opinion on the Draft Constitution of Nepal -2015 to the Constituent Assembly (CA) Chair Subash Chandra Nembang.

The Commission had organized a number of consultation programs with the concerned stakeholders in regional and sub- regional offices of the Commission including a program with the constitution experts in Kathmandu to collect the suggestions on the preliminary draft constitution of Nepal -2015 prepared by the Members of Constituent Assembly (CA) formed as per the second CA election in 2070 and published in the national gazette on July 8, 2015.

The suggestions are prepared on the basis of the suggestions received by a seven member Task Force formed at the coordination of Commissioner Govinda Sharma Paudyal and presented to the CA Chair accordingly.

'The provisions enshrined in the draft constitution needs to be amended as per human rights, democracy, inclusive principals and the international human rights norms and values,' the suggestion presented by the Commission mentions.

The suggestions presented on the draft constitution by the Commission includes various rights issues including preamble, fundamental rights, citizenship, directive principles of the state, formation of NHRC and the state of emergency.

A threefold suggestions prepared by the Commission and presented to the CA Chair include various human rights concerns including the formation of the Commission.

Raising concern about the Commission's constitutional status, suggestion is provided to make it independent, autonomous and inclusive consistent with the Paris Principles.

Similarly, there needs to be clear provision with regard to jurisdiction and coordinating role of National Human Rights Commission, National Women Commission and, National Dalit Commission and other Inclusive Commissions, the suggestion reads. .

The Commission is of the opinion that since fundamental rights are being effective instantly, they should not be mentioned with the restricted clause 'As per law...' Also, since it is appropriate to adjust several provisions relating to fundamental rights under the directive principle of the state; it is suggested to do so.

Yet another suggestion reads that the attention needs to be paid to the provision mentioned in the draft constitution with regard the economic, social and cultural rights which are provided gradually on the basis of the resources available.

Backward communities facing historical injustice and those falling behind in the list

of human development index only need to be brought under positive discrimination, the Commission has suggested.

The suggestions are further made on ensuring the proportional inclusiveness among the political parties. Similarly, the provision with regard the citizenship by descent must be justifiable from gender equality perspective.

It is to be mentioned that no one shall be subjected to physical or mental torture or no one shall be treated brutally or in inhumane and degrading manner while in detention as well as outside detention as per the definition of Convention against Torture -1984 (CAT).

The suggestion also contains that there needs to be a provision that every citizen shall have the right to not only receive and seek but also disseminate the information of his personal or public concern.

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NHRC Officials, former NHRC commissioners, constitution experts and human rights activists among others at a program held on opinion collection process on the draft Constitution of Nepal – 2015

Photo: Umesh Rana Magar, Central Office

Experts' Opinion Solicited on Draft Constitution of Nepal - 2015



Com. Govinda Sharma Paudyal, Coordinator of Task Force delivering welcome remarks at a program held on opinion collection process on the draft Constitution of Nepal - 2015

Photo: Umesh Rana Magar, Central Office

LALITPUR: The National Human Rights Commission solicited experts' advisory inputs on the draft constitution amid a program entitling 'Human Rights in Proposed Constitution and NHRC' held in Lalitpur on July 21st, 2015. The program was chaired by Acting Chairperson Prakash Osti.

At the program, Commissioner Govinda Sharma Paudyal, welcoming the invitee

experts, shed light on the objective and rationale of the program and said that the suggestions on the preliminary draft constitution are pouring in from various human rights organizations, NGOs, women's rights networks, former NHRC commissioners, senior citizens and child rights organizations.

He said that the contentious human rights concerns will be carefully taken into account and presented to the CA constitution drafting committee accordingly.

Talking about the NHRC provisions to be consistent with the Paris Principle, Commissioner Sharma pointed out the lacking in the provision with regard to the coordinating role of the constitutional body with other NHRIs.

The experts at the program presented their views and opinions on a number of contentious issues including preamble of the constitution, fundamental rights,

directives principles of the state, citizenship and state of impunity.

Experts also raised their serious concern in unison on the curtailed provisions with regard to the autonomy and independence of the Commission.

Acting Chairperson Osti said that all the contentious human rights issues will be documented with due concern and will be presented to the CA within a day or two.

At the program, participants including Former NHRC Commissioners Gauri Pradhan and Sushil Pyakurel, Mukti Pradhan, former Attorney General of Nepal Government, Sushila Karki, Chair of NGO Federation of Nepal, Dr. Mahendra Bista, Chair of Federation of Nepalese Journalists, Tek Tamata, Program Analyst of the UNDP-Nepal, Shanker Limbu, Chair of LAHURNIP, Constitution Experts Bhimarjun Acharya, Govinda Bandi, Om Aryal, Tikaram Pokharel, Human Rights Activists Charan Prasai, Ganesh BK, Jyoti Baniya, Dinesh Tripathi, Shashi Adhikari, Shanti Khanal, Raju Chapagain, presented the suggestions and views on the draft constitution.

At the program, Commissioners Sudip Pathak, Mohana Ansari, Acting Secretary Bed Prasad Bhattarai were also present. At the closing of the program Acting Chairperson Prakash Osti thanked all the participants including the former NHRC Commissioners, human rights activists, legal professionals and other human rights and constitution experts for being present with short notice and their opinion on human rights and salient features of NHRC presented on the draft constitution.

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Commission presents...

Likewise, there needs to be a provision that every Nepali community living in Nepal shall have the right to receive education in mother tongue, open and operate the educational institutions as per law.

Also forwarded is the suggestions that there needs to be a provision that children shall have the rights against corporal punishment or physical or mental torture or any kind of torture or other cruel, inhuman and degrading treatment at home, at school or anywhere, the suggestion adds.

The provision should be included with regard to senior citizens' right to special protection or social security including the right to live with dignity, the suggestion further reads.

The suggestion has also been forwarded on the provision related to the remuneration and other conditions of service of the Chairperson and the Members of the National Human Rights Commission shall be equal to those of the Chief Justice of the Supreme Court or Justice.

The provision must be set forth to take the action against person who fails to implement the NHRC recommendation or fails to take action against those documented as the violators of human rights, the Commission stresses.



Constitution experts and human rights activists providing their opinion on the draft Constitution of Nepal – 2015

Photo: Umesh Rana Magar, Central Office

Concern expressed on longstanding Godar Case, Guilty will be blacklisted as HR Violators, if not punished



The human remains of five youths being handed over to the concerned family members in Dhanusha

Photo: Janak Raj Bhatta, Central Office

LALITPUR: The National Human Rights Commission has expressed serious concern on the government's apathy to take action against the accused involved in killing of five abducted youths of Dhanusha district even after the identity of the accused is known. It is unfortunate that even after the 12th death anniversary of the youths Saniv Kumar Karn, Durgesh Labh, Jitendra Jha, Pramod Narayan Mandal and Sailendra Kumar Yadav drawing closer, no action has been taken against the accused.

The youths were arrested and killed by the then security force on October 8, 2003. The Commission had identified the guilty upon conducting investigation on the incident. The Commission had then recommended the Nepal Government on January 29, 2008 to take action against the accused and yet

the action remains acutely delayed which is the height of impunity.

Upon finding the government turning its deaf ear to collect the evidences related to incident as per the recommendation, a team of experts was assigned by the Commission to exhume the dead bodies suspected to have been buried at the bank of Kamala River situated at Tallo Godar of Dhanusha district in the months of August, 2010 and February, 2011. The exhumed human remains from the above burial site were thereafter identified after they were examined scientifically and handed over to the concerned families of the victims on July 23, 2014. The last rites of the deceased was performed as per the traditions in Janakpur.

The Commission had recommended to the Government of Nepal (GoN) for legal action against erstwhile Senior Superintendent of Police Chuda Bahadur Shrestha, former IGP Kuber Singh Rana, Major Anup Adhikari of Dharapani Army Barrack, and the Chief District Officer of Dhanusha District Rewati Raj Kafle upon confirming their alleged involvement in the incident of extra judicial killing on the basis of the investigation conducted by the NHRC but the accused haven't been brought to legal justice which is against the NHRC recommendations and constitutional provision. The Commission concludes that obliviousness of the government to advance the legal process with regard to war-era incident has seriously thrust aside the victims' right to receive justice.

The Commission, therefore, urges to take action against the guilty before initiating the process to enlist the names of the officials involved in turning a deaf ear to advance the process of taking legal action against the guilty whose identities have been known as per the part (h) of sub section 2 of Article 132 of the Interim Constitution of Nepal, 2007.



A relative of the victim mourning while the human remains is being handed over to the family members in Dhanusha

Photo: Janak Raj Bhatta, Central Office

Serious concern expressed on Police Attack on 14 year old, asks Probe

LALITPUR: The serious attention of the National Human Rights Commission has been drawn to the incident of attack on Dinesh Kumar Sah, 14 year old minor by the police in Janakpur of Dhanusha district during the clash escalated between the police and demonstrators amid the public opinion collection process on the draft constitution.

A monitoring team led by Commissioner/Spokesperson Mohna Ansari, while on monitoring in Dhanusha and Rautahat, held interaction with local political parties, civil society members, rights defenders, police administration, protestors, media and public separately and concluded that the brutal attack on 14 year old minor with excessive force used by the police was the downright violation of human rights.

The Commission urges the government to take the responsibility to arrange for

effective treatment of injured Dinesh Sah undergoing treatment at Neuro Hospital, Biratnagar, provide all expenses incurred during his treatment, institute probe into the incident and book the accused involved in the incident.

The monitoring has found that the security force has irrationally used excessive force on the children. It is illegal to beat up people who are not involved in the attack. The monitoring has found that the protestors' activities were also not found peaceful and dignified with regard to the incident. The incident was learnt to have escalated following the police intervened the peaceful protect program.

Despite the fact that the use of children in protest program, demonstration and assembly is prohibited, maximum children were found used in the protest program during the public opinion collection process

in those districts. The protesting parties, groups, guardians and security force altogether were found to have alienated themselves from the obligation to protect the rights to life, physical and mental health of the children.

It indeed is inevitable for the government to issue directives to the security agency to be on high alert to evade repercussion of such event in future. It is also the fundamental rights of the people to have access to provide their opinion freely on the draft constitution through public opinion process.

Since it is against the principles of human rights to cause obstruction through arson and vandalism while utilizing the fundamental rights of the people, the Commission urges all the concerned to be on the alert towards this.

Quake-hit Districts monitored from Human Rights Perspectives, Distribution of Relief Package urged

Photo: Shyam Babu Kafle, Central Office



Commissioner / Spokesperson Mohna Ansari talking to the victims of earthquake during the field monitoring conducted in nine earthquake affected districts in West

LALITPUR: The National Human Rights Commission has accomplished the monitoring in nine more earthquake affected districts classified by the government from June 18-25, 2015 after completing monitoring in fifteen earthquake ravaged districts at the initial phase.

The team led by Commissioner/ Spokesperson Mohna Ansari has monitored the aftermath of the earthquake in the districts of Makawanpur, Nawalparasi, Parsa, Chitwan and Palpa. Upon finding the districts prisons of Parsa, Nawalparasi and Palpa districts unsafe for human dwelling due to the damage caused to them by the deadly earthquake, the Commission has recommended the government to rebuild those prisons with immediate effect.

During the course of monitoring, a few village development committees (VDCs) of Shakitkhor and Jutpani of Chitwan, Deuchuli of Nawalparasi and Kritipur, Deurali VDC of Palpa including Dharadi and Bhutu VDCs of ward 5 and 7 have been found unsafe for human settlement due to the crack appeared in land following the deadly earthquake and thus the Commission has urged the government to shift those human settlements elsewhere in safer places.

Adding that women being at high risk of trafficking at the bordering areas of Makwanpur and Parsa districts, the Commission has drawn the attention of the government to step up high alertness at the exit points of these districts.

The Commission has also drawn the attention of the government and concerned

authorities to tag the damaged houses with red, yellow and green stickers by imposing restriction on stickers tagged without date, seal and signature of the technicians in Khasyuli VDC of Palpa district.

Similarly, upon accomplishing the monitoring in Lamjung, Tanahu, Kaski, Syngjha and Pravat districts, a monitoring team led by Commissioner Govinda Sharma Paudyal has found that there is high possibility of landslide in the steep places and mountains adjacent to Prithvi and Siddarth National Highway including Pokhara-Mustang Highway and drawn the attention of the government to hit upon the alternatives to avoid possible human casualties in those places.

The Commission has also urged the government to make immediate arrangement of the equipment necessary for dismantling the damaged buildings and houses in Lamjung, Tanahu, Kaski, Syangjha, Palpa, Makawanpur and Nawalparasi districts.

The Commission has found that the land area in Bhoje, Chandisthan of Lamjung, Rupakot, Chimbuswar, Khaireni of Tanahu and Rapakot and Dhakukshimal VDCs of Syangjha have suffered from huge cracks leaving the schools of those VDCs at high risk of landslide. The Commission has, therefore, recommended the government to shift those schools immediately.

This time around, the season harvests of maize and fruits have been destroyed by hailstones in Falebas and Bhagara of Parvat district. The Commission has drawn the

attention of the government to immediately make the relief available upon verifying the loss caused. The earthquake victims of most VDCs of Kaski, Parvat, Syngjha, Palpa and Makawanpur districts haven't yet received the amount RS fifteen thousand allocated for the earthquake victims. The Commission drew the attention of the government to immediately release the amount.

It has been found during the monitoring that nine VDCs of Gorkha district connected with Tibet border have been cut off due to the blockade caused to the only roads and paths in operation due to which these VDCs would suffer from food shortage during rainy season. The Commission has urged the government to make an initiative in diplomatic level with China to open the road to and from border area of Tibet for necessary food supply.

Clashes during Consultation Process on Draft Constitution Condemned

LALITPUR: The National Human Rights Commission is seriously concerned over the incidents of clashes in various parts of the country during the suggestions collection program on the first draft Constitution of Nepal-2015.

Of late, the sporadic incidents of clashes are witnessed to have been escalated in the districts including Dhanusha, Parsa, Rautahat, Siraha, Saptari, Taplejung, Kathmandu, Nuwakot and Bhaktapur during the public consultation program on the draft constitution assumed to have discarded the citizens' right to independently provide their opinion and suggestions on the draft constitution. The Commission has therefore drawn the attention of the concerned to respect citizens' freedom of expression.

The Commission has concluded that the excessive use of force on the demonstrators instead of showing restraint by the security force has resulted the violation of human rights in the area.

The Commission has urged the government to create a conducive environment in which the citizens can present their views and opinions on the draft constitution without any undue hindrance and panic.

Meanwhile, the Commission has also urged the government to provide effective treatment to the scores of injured in the incidents, identify the culprits and drag them to justice.

The Commission has also urged all the concerned authorities to extend their support in the process of collecting opinions on the draft constitution from the citizens in an independent manner at this historic moment of constitution making.

Flood affected Districts monitored, Government urged to ensure the Rights of Victims



Commissioners Govinda Sharam Paudyal and Mohna Ansari during on-the-spot monitoring in flood affected districts in mid-west and far-west

Photo: Sarkiman Tamang, Central Office

LALITPUR: The National Human Rights Commission has urged the government to solve the longstanding problems of flood victims of Banke, Bardiya, Kailali and Kanchanpur. A monitoring team led by Commissioners Mohna Ansari and Govinda Sharma Paudyal has found that life across the flood affected terai areas has been hit hard with high risk emerged in shelter, livelihood including right to life of citizens.

Despite the fact that 28 Commissions were formed in the past with regard to the rehabilitation of the citizens currently settled in Bendadi after the expansion of Suklaphata Wild Life Conservation in Kanchanpur, no appropriate arrangement has been made so far drawing the serious attention of the Commission towards the situation.

The Commission is seriously concerned over pitiable situation in which Bhujela VDCs of wards 11, 12 and 13 of Bhimdatta Municipality of Kanchanpur have been submerged due to the deluge in Mahalaki river and the close by areas in three kilometers between Bichfate of ward-1 and Baishbich VDC have been submerged due to the swelling Doda river subsequently causing erosion at the bank. Commission has urged the government to find the immediate solution and construct permanent embankment at these places.

The Commission has also drawn the attention of the government to immediately shift the human settlement of Thapapur VDC including those of nearby places of Kanchanpur to a safer place in order to evade the possible risk of submerge.

Earlier, the Commission had issued directives to the concerned authorities and stakeholders to establish the checkpoints

at other bordering areas of Kailali as well since the temporary checkpoints are found based only along the bordering area of Dhangadhi to intercept the possible human trafficking.

Meanwhile, the monitoring has found that three Nepalese nationals of Jamuni VDC of Futaha, Bardiya have been detained by the Indian Forest Department at Motipur Police Station of Bahariach district and no efforts were found stepped up for the release of those people. The Commission has urged the local administration to make an initiative for the release of those detained in the Indian soil. VDCs including Fattepur, Holiya, Bathani, Gangapur, Bankati and Maehiya VDCs of Banke district have been at high risk of submerge due to the construction of Kalkalwa Marginal embankment by the Indian Government in 1999. Sixty thousand residents of 12340 households of those areas have been directly affected from this, as per the monitoring.

The Commission has drawn the attention of the government to immediately build the permanent embankment by using skilled technicians and high level technology since the under-construction embankment along Rapti river has been found erected with mere bamboos and shafts.

The victims of disastrous flood that submerged the areas have been found still taking shelters at schools, tarpaulin made shelter and even in forest area. The monitoring has found that the victims living in temporary shelters have been affected from deprivation of education, malnutrition and health related problems. Similarly, since the wild animals have been found entering openly into the bordering areas of Nepal causing human casualties and destruction of seasonal harvests, the Commission urges the government to make an arrangement for the protection of the citizens' life including appropriate relief and compensation.

The delegation of victims of Laxmanpur Dam flood in Bake and National Wildlife Conservation area in Kanchanpur separately submitted an application to the Commission urging to initiate for the solution to the problems faced by the victims of flood in those two districts.

Meanwhile, a delegation comprising the Constituent Assembly (CA) Members from Muslim community visited the Commission and had discussion with the Commissioner/ Spokesperson Mohna Ansari on the rights of Muslim minority and various other human rights concerns.

At the meeting, Acting Secretary Bed Prasad Bhattarai was also present.

Photo: Janak Raj Bhatta, Central Office



Commissioner / Spokesperson Mohna Ansari and Acting Secretary Bed Bhattarai at a meeting held with the CA Members representing the Muslim community during the latter's visit to the Commission

Commission all set to establish Human Rights Mobile Camps in Quake-hit Districts, MoU inked



Acting Chairperson Prakash Osti, Commissioner/ Spokesperson Mohna Ansari, Acting Secretary Bed Bhattarai and the representatives of the three other entities at a MoU signing ceremony held at the Commission

LALITPUR: In the wake of the devastating earthquake that hit the nation in April and May, 2015, National Human Rights Commission has decided to set up human rights mobile camps in 14 earthquake-affected districts to monitor human rights situation. The decision was made public amid a press meet organized at the newly erected prefab house of the Commission on 17th July 2015.

On the occasion, mentioning about the components of the mobile camps, Acting Chairperson Prakash Osti said that the Commission has conceptualized it to have its outreach in parts of the country and be accessible to deprived, marginalized and vulnerable groups including children, pregnant women, women in natal period, persons with disabilities and elderly citizens.

‘The Commission has been constantly engaged in monitoring in all 14 quake-hit districts from day one of the unprecedented disaster and having 9 more districts considered by the government as the quake affected districts, it has become inevitable for the Commission to monitor human rights situation following the quake recovery works including rehabilitation, relief and compensation distribution,’ Commissioner Osti said.

He added that though it is for a short period, the mobile camps, as envisaged, aims at fulfilling the slogan ‘Human rights in every household, a base of peace and development’ for cultivating human rights awareness in community level which would lead to the protection and promotion of human rights in the country.

On the occasion, shedding light on the objective and rationale of the inception of the mobile camps in the quake affected districts, Commissioner/Spokesperson Mohna Ansari said that the Commission will monitor and respond to the pervasive human rights abuse and problems in community level.

She added that the mobile camps will not only embark upon making efforts in providing access of justice to victims in local level but also oversee the human rights based approach in the planning and implementation of early recovery packages.

‘The human rights mobile camps will be established temporarily in the quake-hit districts and will coordinate with the local level stakeholders including civil society, entrepreneurs and academia among others to strengthen NHRC’s coordination and collaboration for the broader protection of human rights of the earthquake survivors,’ Commissioner Ansari said.



MoU on the establishment of the Human Rights Mobile camps in the earthquake affected districts being signed and exchanged between the NHRC and FNJ, NGO Federation, Nepal Bar Association

On the occasion, General Secretary of NGO Federation of Nepal Gopal Lamsal said that the district level mobile camps will be mobilized for on-the-spot monitoring on human rights situation of the earthquake victims.

‘The mobile camps will not only monitor human rights situation but also look into the effectiveness as well as lapses in the efforts made in the post-quake recovery activities on the ground by the government and other volunteer organizations,’ Mr. Lamsal said.

General Secretary of Nepal Bar Association Sunil Pokharel said, ‘the effort as such has paved ways for long term collaboration for future endeavors for the cause of human rights.’

‘The mobile camps will be mobilized in an integrated approach and do their best as per law and mandates to safeguard the rights of most vulnerable earthquake survivors,’ Mr. Pokharel said.

Expressing commitment to have uniformity in all works of mobile camps, he said that the efforts will also be inculcated to make the stakeholders including the government bodies accountable for human rights violations cases,’ he said.

Chair of Federation of Nepalese Journalists Dr. Mahendra Bista said that though it is for a short period, the working experience of district chapters of FNJ as part of human rights mobile camps will contribute substantially in information sharing and dissemination through collaborative efforts.

‘Mobile camps will perform monitoring in collaboration as per the stipulated check list and will assess the work from time to time to make their work effective,’ Dr. Bista added.

On the occasion, a Memorandum of Understanding (MoU) was signed jointly

by Acting Secretary Bed Prasad Bhattarai, Secretary General Sunil Pokharel of Nepal Bar Association (NBA), Chairperson Dr. Mahendra Bista of (FNJ) and Secretary General Gopal Lamsal (NFN) for accomplishing the human rights monitoring in the quake-hit districts via mobile camps.

The human rights mobile camps, a program with the support extended from the SCNHRC/UNDP Project, will be based in 14 most quake-hit districts.

At the program, Commissioners Govinda Sharma Paudyal, Sudip Pathak, journalists, UNDP representatives and the NHRC staff members were also present.

Human Rights Mobile Camp inaugurated in Sindhupalchok District



Acting Chairperson Prakash Osti ringing the bell as the sign of virtuous beginning at the opening ceremony of the first HRs Mobile Camp in Chautara, Sindhupalchok

SINDHUPALCHOK: Acting Chairperson Prakash Osti formally inaugurated the first human rights mobile camp in the district headquarter Chautara on July 28, 2015 by ringing the bell as a sign of virtuous beginning.

Speaking on the occasion, Acting Chairperson Osti said that with good practices learned from the quake-hit countries like Haiti, New Zealand and Indonesia, the Mobile Camps in mutual collaboration with Nepal Bar Association (NBA), Federation of Nepali Journalist (FNJ) and NGO Federation of Nepal (NFN) will carry out all its activities under the purview of the Commission.

He added that the human rights abuses and problems emerged in the local level will be solved through the remedial solution found in the local level only. The problems which need to be addressed by the central office will be looked into from the central office of the Commission.

On the occasion, Commissioner Sudip Pathak said that the mobile camps are bestowed with the assignment to carry out monitoring on the effectiveness of the work accomplished by the district based disaster management committee of the government, NGOs, INGOs and civil society so that it will facilitate support to the Commission to step up for necessary actions for broader protection of the rights of the earthquake survivors in the villages.

Throwing light on the objective and rationale of the human rights mobile camp, Acting Secretary Bed Prasad Bhattarai said that the concept of the mobile camps is brought forth to address the increasing incidents of human rights in the post quake period.

As envisaged, the activities performed by the camp also aims at bringing about awareness on human rights leading to the protection and promotion of human rights in community level, he added.

On the occasion, Yuvaraj Puri, Chair of the FNJ, Sindhupalchok district and the Coordinator of Chautara based mobile camp thanked the Commission for establishing its first human rights mobile camp in the most earthquake affected district Sindhupalchok.

The mobile camp will perform all assigned activities effectively through monitoring and solve the locally emerged human rights problems related to gender violence and human trafficking, he said.

On the occasion, mentioning about 3, 553 casualties and the severe damage caused to 95 percent houses by the devastating earthquake, Chief District Officer

Balabhadra Giri of Sindhupalchok district said that people with ill-intention often take undue advantage and involve themselves in unlawful activities at the time of adversity. The mobile camp need to pay attention to the activities of those with criminal tendencies to discourage them, he expressed his hope.

On the occasion, Chair of the NGO Federation, Nepal Sharmila Karki said that a few international organizations have been let loose to work on the aftermath of the disaster even without coordinating with the government authorities. The government need to keep its vigil on transparency and accountability in their works via monitoring by making regulations and guidelines, she stressed.

Chair of district based Nepal Bar Association Harikrishna Karki urged that the Mobile Camp needs to do all stipulated activities in coordination and collaboration with the civil society and various other government agencies for the overall protection and promotion of human rights.

The inaugural function was chaired by Som Sapkota, the Coordinator of newly incepted Mobile Camp Committee and the program was facilitated by the Human Rights Officer Basudev Bajagain.

The district based five member Human Rights Mobile Camp Committee comprises of Som Sapkota (Coordinator) including the members Yuvaraj Puri, Bheshraj Dhakal, Bijay Kumar Shrestha and Durga Acharya. Wishing all the best, Acting Chairperson Prakash Osti felicitated the newly formed Mobile camp committee members.



NHRC team headed by the Acting Chair Prakash Osti and the newly formed committee on the HRs Mobile Camp of Sindhupalchok district

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NHRC, with support of the SCNHRC/UNDP Project, mobilized a three-member team comprising Deputy Director, Yagya Prasad Adhikari, Monitoring and Evaluation Officer Madhab Regmi and Driver Shree Ram Karki for the establishment of the Human Rights Mobile Camp in Nuwakot and Rasuwa districts.

The team organized a meeting with representatives and Nepal Bar Association (district chapter), Federation of Nepali Journalist (FNJ) and NGO Federation (NF-Nepal) to discuss on the formation of HR Mobile Camp Mobilization Committee to be based in Bidur Municipality.

At the meeting, following the sharing on the objective of HR Mobile Camp and the operational procedure, the decision was drawn to form a five-member district HRs Mobilization Committee from among the three entities.

The team visited Rasuwa to form the HR Mobile Camp on 1st August, 2015. Organizing a meeting, the team shared information on HR Mobile Camp and its objectives among the representatives of NBA, FNJ, NFN and other social workers present in the meeting. Thus, the HRs Mobile Camp has been formed in Rasuwa district accordingly.

Similarly, National Human Rights Commission deployed various field missions in the earthquake affected districts following the decision reached to establish Human Rights Mobile Camps in those districts.

A team comprising Mr. Surya Deuja, Head of Promotion and Advocacy Division and Ms. Aarati Bista, Acting NPM of SCNHRC Project visited the districts of Okhaldhunga, Ramechhap, Sindhuli and Dolakha where it organized meetings on the formation of the Committees as per the MOU signed between NHRC and NBA, FNJ, NFN.

The team facilitated the coordinating committees to form human rights mobile camps in each of the districts to monitor, supervise and mobilize Human Rights Mobile Camps in the earthquake affected districts.

In this regard, in the process of establishing the human rights mobiles camps in 10 different earthquake affected districts, the Commission, in coordination and collaboration with the district Chairperson of Nepal Bar Association (District Chapter), Federation of Nepali Journalist (FNJ) and NGO Federation (NFN) formulated a five-member team for Human Rights Mobile Camps each comprising a coordinator and members representing the three entities including civil society through unanimous consensus.

The teams also facilitated to publish/broadcast advertisement on vacancy for HR Facilitator who will be placed at each Human Rights Camp Office to work as an Office Secretary.

A few images of the inception of Human Rights Mobile Camps in the Earthquake affected Districts



Coordinators and Members of HRs Mobile Camps

SN	District	Name	Designation	Organization
1.	Sidhupalchok	Som Sapkota Bhesh Raj Dhakal Yuvaraj Puri Bijay Krishna Durga Acharya	Coordinator Member Member Member	NGO Federation Bar Association FNJ NGO Federation Nominated
2.	Makawanpur	Krishna Dhital Ajmir K.C. Krishna Saru Krishna Prasad Dahal Laxmi Majhi	Coordinator Member Member Member	NGO Federation Bar Association FNJ Nominated Nominated
3.	Gorkha	Bhimlal Shrestha Devidatta Khanal Kajiram Roka Kalpana Nepali Kishore Regmi	Coordinator Member Member Member	FNJ Bar Association NGO Federation Nominated Nominated
4.	Dhading	Damodar Asryal Navaraj Chatpuli Ram Chandra Bhatta Kabita Ittani Sirjana Rijhal	Coordinator Member Member Member	NGO Federation FNJ Bar Association Nominated Nominated
5.	Nuwakot	Padam Upreti Narayan Adhukari Prakash Adhikari Tara Prasad Pathak Ashmita Thapa	Coordinator Member Member Member	NGO Federation Bar Association FNJ Nominated Nominated
6.	Rasuwa	Sharda Acharya Hem Nath Khatiwada Deuraj Kandel Sharda Kumar Neupane Sushma Neupane	Coordinator Member Member Member	NGO Federation FNJ Bar Association Nominated Nominated
7.	Dolakha	Krishna Bahadur Basnet Uddhav Prasad Pokharel Sita K.C. Dharmendra Moktan Gita Shiwakoti	Coordinator Member Member Member	Bar Association FNJ NGO Federation Nominated Nominated
8.	Ramechhap	Pandav Prasad Prasai Ramesh Dhungel Milan Kumar Ghishing Usha Raimajhi Babita B.K.	Coordinator Member Member Member	Bar Association FNJ NGO Federation Nominated Member
9.	Okhaldhunga	Dipendra Rumdali Tukraj Niraula Gyanendra Rumdali Saraswati Katwal Maiya Rai	Coordinator Member Member Member	FNJ Bar Association NGO Federation Nominated Nominated
10.	Sindhuli	Sanjay Kumar Dahal Dwarika Kafle Jang Bahadur Rai Krishna Hari Ghimire Sunita Sharma	Coordinator Member Member Member	NGO Federation FNJ Bar Association Nominated Nominated

Protection Cluster Activities expedited, Meeting held on emerging Protection Issues



Photo: Janak Raj Bhatta, Central Office

Commissioner /Spokesperson Mohna Ansari, Senior Protection Advisor Erin Mooney and the protection clusters representatives from various NGOs, INGOs at a meeting held on the post quake recovery efforts

LALITPUR: The Protection Cluster meeting was organized at the NHRC premises as one of the series of sharing meetings on the post quake recovery efforts by the protection clusters.

Chaired by Commissioner/Spokesperson Mohna Ansari, the meeting was coordinated by Senior Protection Advisor Erin Mooney.

At the outset, senior protection adviser Erin Mooney, commending the work accomplished by various protection clusters in the field, elucidated the international experience of working in conflict, disaster & development context to compliment those with expertise in Nepal.

The representatives of the organizations associated with various protection clusters briefed about the ongoing activities accomplished in the quake hit districts.

They also put forward the latest agenda on the alternative services including the challenges emerged for the sustainable livelihood concerns of the community in the disaster-hit districts.

Having engaged in stipulated work under protection cluster on the ground, they urged the need to identify the alternative services targeted to Gender based Violence (GBV), pregnant women and women in natal period.

As per the cluster target, the objective is to reach out to 60,000 women enduring GBV. In this regard, as of now, 9000 dignity kits have been distributed to the women earthquake women survivors while 40, 000 dignity kits were said to have got the custom clearance which would be distributed anytime soon, it was learnt in the meeting.

The meeting also discussed as to how to link the post-quake recovery packages with the livelihood of the earthquake survivors.

It was made known in the meeting that the guidelines at par with the international standards is going to be developed in this regard which will be brought to into force soon.

It was shared in the meeting that the protection cluster is also bestowed with the responsibility to oversee the strict surveillance in the bordering areas / points and airports to intercept the potential victims of trafficking including women and children, one of the key challenges in the post quake period. The action has already been stepped up in this regard in coordination with the concerned Ministries, Department of Women and Children Nepal, district level Center for Child Welfare Board and Nepal Police; it was shared in the meeting.



Photo: Janak Raj Bhatta, Central Office

Protection cluster representatives from various NGOs, INGOs at a meeting held on the post quake recovery efforts

Meanwhile, NHRC-Nepal presented the relocation related issues in the quake-hit districts and Department of Women and Children presented on the trafficking issues.

Responding to the NHRC briefing, Senior Protection Advisor Erin Mooney said that it is the collective efforts of the protection clusters under various organizations to coordinate with the NHRC especially in human rights protection concerns.

One of the participants of the meeting Matrika Devkota from Koshish-Nepal raised his concern that as the problems of mentally ill persons always persist, protection cluster should embark upon their work beyond the disaster with priority given to their problems throughout.

Human Rights Activist Renu Rajbhandari also shared about the newly emerging needs to be addressed for those earthquake survivors shifted from quake hit district to capital city Kathmandu and drew the attention of the protection cluster towards this prior to making their exit plan.

Delivering the closing remarks, Commissioner Mohna Ansari said that it is good to know that protection clusters are getting in shape thereby linking the local level protection issues with those in national level.

‘There are challenges which cannot be surmounted overnight, but we can achieve the goal with collective efforts,’ said Commissioner Ansari.

Underscoring the need to identify the underlying gaps in the protection cluster activities, if any, she urged to take the international guidelines and standards into account but at the same time we have to move on with our work keeping in mind the local context and needs while we make strategies to address the issues in hand.

She also suggested the concerned to embark upon looking into the issues related to camp setting prior to making exit plan eventually.

Commissioner Ansari also laid her emphasis on sharing the information of certain level on the ground through information management team in order to shorten the duration of the meeting.

‘In this way, we can channelize the local level information sharing till the time of the next meeting and time saved can be used to hit upon our strategies for other protection related activities, she said.

She called upon the participants to put forward any issues that can be raised as national level protection issues. ‘I would be more than happy to acknowledge those issues as vital agenda and nationalize them at the time of adversity, she said.

Proposing the NHRC premises as the venue for the next meeting, she thanked the participating national and international organizations, government agencies and concluded her remarks. Thus the meeting was adjourned.

Follow-up Monitoring expedited in earthquake ravaged Sindhupalchok district



Commissioner /Spokesperson Mohna Ansari and Deputy Director Yagya Prasad Adhikari interacting with the District Disaster Management Committee during the follow-up monitoring carried out in the earthquake affected Sindhupalchok district

LALITPUR: A team led by Commissioner/Spokesperson Mohna Ansari including Deputy Director Yagya Adhikari and Human Rights Officer Lok Shrestha visited Sindhupalchok district on June 29, 2015 to monitor the post quake recovery activities.

The objective of the monitoring was to collect the information on ongoing post quake efforts stepped up by the government authorities. The team also monitored the activities of the protection clusters based in the district.

The team monitored the earthquake ravaged places with focus on the district headquarter Chautara, Irkhu and Sangashok as the follow-up of monitoring conducted on the devastation caused by the earthquake that hit the nation on 25th and 26th April, 2015.

During monitoring, the team met with the natural disaster management committee, protection cluster based in the district, civil society, legal professionals, media persons, human rights defenders, victims and the family members of the victims and held interaction with them with regard to the ongoing post quake recovery and reconstruction activities in earthquake ravaged district of Sindhupalchok.

Meanwhile, the team coordinated with the representatives of the state bodies and exchanged the necessary information about the overall efforts made to protect the human rights of earthquake survivors.

In this regard, it is clearly specified in the Operational Guidelines on Protecting Persons in Natural Disasters (OGPPND)

adopted in June 2006 by Inter-Agency Standing Committee (IASC) that the organizations engaged in executing the humanitarian service are to implement rights oriented motive at the time of natural disaster. It has been found that a huge damage is caused by the earthquake to the infrastructures including most of the private houses and buildings, government buildings, hospitals, health posts, prisons including religious shrines.

The monitoring has found that at many places the lands have suffered the cracks and with the monsoon approaching just around the corner, the risk of unprecedented eroding of land including landslide has created panic among the earthquake survivors. The Commission has recommend the government to shift those human settlement of vulnerable places elsewhere at safer places.

Upon monitoring, the Commission has urged the district based government bodies, security agencies, government offices, organizations and agencies involved in the relief work to be victim centric and also to follow one door system adopted by the government. Above all, the Commission has urged the concerned government authorities to prioritize the places of geographical remoteness in terms of relief distribution including food, relief materials for shelter, medicines and other necessary locally needed materials.

The Commission has expedited monitoring in the post quake activities in other districts from human rights perspectives.

Meeting held with CA Members, Judiciary and Security Agency

LALITPUR: A discussion program was organized at the Commission with the officials of the security agency on July 16, 2015.

The discussion mainly focused on the role of Nepal Army in the promotion of human rights, collaboration with the Commission and other human rights concerns. Major Rajeswar Bhattarai of Directorate of Human Rights from Nepalese Army said that the Nepal Army has included principles and spirit of human rights compulsorily under all training programs conducted under the purview of the Nepal Army.

Another meeting was held at NHRC with the Officials of the Armed Police Force on July 20, 2015.

The Officials of AFP briefed on the human rights protection and promotional activities, human rights trainings and workshops, and the efforts to be made to establish the human rights training academy by the Commission.

Meeting held with Justice Kesav Prasad Bastola, Discussion held on Human Rights Concerns

LALITPUR: A discussion was held amid a meeting held with Justice Keshav Prasad Bastola on various human rights concerns on July 22, 2015.

At the meeting, the discussions were also held on the need to review the suggestions and opinion provided through the report by the task force formed at the coordination of erstwhile Secretary Biswaraj Regmi of Prime Minister's Office around the inception period of the Commission way back in 2001.

The meeting also discussed on the pressures exerted on the implementation of the NHRC recommendations of both pre and post conflict period, six year strategic plan (2015-2020) of the Commission including the materialization of the NHRC slogan, 'human rights in every household, a base of peace and development'

Another meeting was held between the Commissioner Sudip Pathak, Deputy Director Yagya Prasad Adhikari, CA Members Jiwan Pariyar, Khadga Bahadur Basyal and Om Prakash BK Gahatraj the CA Members on July 24, 2014.

At the meeting, comprehensive discussions were held on various human rights concerns and the support extended from the CA members on the protection and promotion of human rights in the country.

CA Members also drew the attention of the Commission towards the delay in sending the periodic report on International Convention on the Elimination of All Forms of Racial Discrimination (CERD) by the government as a state party. They also requested the Commission to conduct the human rights orientation program to the Dalit CA members.

Responding to the queries and concerns raised by the CA Members, Commissioner Pathak briefed on the NHRC activities carried out for the Dalits in particular, special attention to be given to the Dalit issues through newly established human rights mobile camps in 14 most earthquake affected districts of the country including the priority given to the Dalit issues in the six year strategic plan (2015-2020) of the Commission.



Photo: Janak Raj Bhattarai, Central Office

Chairperson Justice Aup Raj Sharma, Com. Prakash Osti, Com. Mohna Ansari, Secretaries of GoN at a program held on the occasion of 4th Anniversary of the Protection of HRs of Consumers and Monitoring Guidelines. Acting Secretary Bed Prasad Bhattarai delivering welcome remarks

LALITPUR: On the occasion of the 4th anniversary of the Protection and Promotion of Human Rights of Consumers and Monitoring Guidelines – 2068 (2011 AD) endorsed by the Commission, a program was jointly organized by the Commission and the Consumer Protection Forum at the premises of the Commission.

Speaking on the occasion, Chairperson Justice Anup Raj Sharma said that the organizations working for the welfare of the consumers haven't been able to bring the program that would help realize the protection of consumer rights in the country.

Adding that the Commission is going to get completeness with the recruitment process taking place, Chairperson said that besides advocating for the implementation of the Consumer Guidelines endorsed by the Commission, it is engaged in doing homework for the betterment of the consumer rights in the country. He stressed that the government, in particular, ought to be exceptionally active and mindful to address such issues related to public concern.

The Chairperson called on all the government authorities and organizations working in the field of the protection of consumer rights for the implementation of the consumer guidelines at their disposal as and when necessary.

Welcoming the participants, Acting Secretary Bed Prasad Bhattarai shed light on the objective of the program. He said that despite the fact that there have been Acts, Laws and Action Plans regarding the production of food products, storage and distribution in order to ensure human rights and justice of consumers in the country, their implementation status has been in a very dismal state.

He reiterated that the Consumer Guidelines-2068 (2011 AD) endorsed by the Commission have duly incorporated the issues regarding the protection of human rights of consumers that would ease the monitoring aimed at safeguarding the rights of consumers.

Quoting the Jajarkot endemics and human casualties in West, Acting Secretary Bhattarai said that though there are challenges lying ahead in safeguarding the

rights of consumers, the Commission has been incessantly monitoring on the adulterated food supply, unhealthy food stuffs, inferior education and health services, implacable power-cut and faulty transport services in the country.

Delivering his welcome remark, Chairperson of Consumer Protection Forum Advocate Jyoti Baniya thanked the Commission for bringing the Consumer Guidelines to fulfill the longstanding gap in monitoring on the protection of the consumer rights and safeguarding the economic, social and cultural rights.

He also put forward his request with rationale to the Commission to establish a separate desk to look into the consumer rights violations.

On the occasion, Jay Mukund Khanal, Secretary of Ministry of Commerce and Industry said that the government is doing its best to protect the rights of consumers. He commended the Commission's effort to alert the Ministries and other state mechanisms to pay heed to the violations of consumer rights through monitoring.

Similarly, Som Lal Subedi, Secretary of Federal Affairs and Local Development Ministry the Consumer Monitoring Guidelines endorsed and brought into force by the Commission has eased the work of both state mechanisms and the organizations working in the field of consumer rights through monitoring the rights violations of the consumers across the country. Secretary Subedi also expressed his commitment on behalf of the Ministry for the implementation of the guidelines with high priority to safeguard the human rights of the consumers.

At the program, Commissioners Prakash Osti, Mohna Ansari, Sudip Pathak, Govinda Sharma Paudyal, representatives of various organizations and agencies working in the field of consumer rights, academia, journalists and the staff members of the Commission among others were present.

Protest Program monitored



Photo: Jiban Neupane, Central Office

Monitoring being conducted on a protest program organized by various parties against the provisions in the draft Constitution of Nepal- 2015

KATHMANDU: Following the preliminary draft Constitution of Nepal-2015 being tabled in the parliament by the Constitution Drafting Committee of the Constituent Assembly (CA) on June 30, 2015, the parties including Sanghiya Samajwadi Janadhikar Forum, Tarai Madesh Loktantrik Party resorted to protest in the parliament house itself and tore off the draft constitution, as per the media report.

Keeping in mind the possible human rights violation, therefore, a monitoring team comprising Human Rights Officer Jiban Neupane and Assistant Kiran Ghimire took to the streets of Kathmandu to monitor the protest program jointly organized by the disgruntled parties on the draft constitution on July 1, 2015.

During monitoring, the team met with the representatives of the political parties, the security agencies deployed at the location of protest program and collected the necessary information.

It was found that the protest rally was organized peacefully. The party cadres appeared to have complied with law and thus no incident of human rights violations was reported during the protest. The parties in protest were found enjoying the right to peaceful protest without any hindrance.

The monitoring team has, however, submitted the report with analysis with

human rights perspective. The report mentions that draft constitution tabled in the CA needs to come out upon ample discussions held among the CA members and political party leaders on the pertinent agenda in order for issuing the draft agenda in order for issuing the draft constitution acceptable to all. Erratically, there would be more protest program lest sensitiveness is not given any room while giving the final shape to the draft constitution which would lead to the incidents of human rights violations in the days to come, the report says. The report further says that the political parties and the security agencies need to pay heed to this to evade any such repercussions. constitution acceptable to all. Erratically, there would be more protest program lest sensitiveness is not given any room while giving the final shape to the draft constitution which would lead to the incidents of human rights violations in the days to come, the report says.

Senior Citizens Society submit Opnion on the Draft Constitution of Nepal 2015

LALITPUR: The representatives of Senior Citizens Society, submitted opinion on the preliminary draft Constitution-2014 with the concerns expressed on rights of senior citizens to be incorporated in the newly drafted constitution to the Commission.

Similarly, a delegation on behalf of 10

national alliances and networking groups in different areas of child rights submitted a letter of memorandum to the Acting Chair of NHRC Prakash Osti at his office in Harihar Bhawan, Pulchowk July 21 2015 urging to ensure the rights of the child in the draft constitution of Nepal - 2015.



Former NHRC Commissioners presenting the suggestions to the Commission on the rights of senior citizens in the draft Constitution of Nepal - 2015

NHRC bid warm farewell to Interns

LALITPUR: The National Human Rights Commission Farewell bade farewell to interns amid a program held at the central office. The interns completed their 5 months internship. The interns expressed their thanks to the NHRC for providing opportunity to learn about human rights promotion and protection related activities.

NHRC Director Subarna Karmacharya, Deputy Director Yagya Raj Adhikari, Head of Promotion and Advocacy Division Surya Deuja and Administrative Officer Ghanashya Bhandari were present at the program. The outgoing interns were awarded with the certificates of merit for completing their internship period successfully.

A few Images of Consultation Process on Draft Constitution of Nepal-2015



Photo: Sub-regional Office, Khotang & Umesh Rana Magar, Central Office

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