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NHRC Chair Sharma and UN Asst. General Secretary Haoliang Xu inaugurate the Prefab House, launch Human Rights-Must Know Books



Mr. Haoliang Xu UN Asst. General Secretary and Chairperson Justice Anup Raj Sharma jointly inaugurating the prefab house and also releasing five books on Human Rights—Must know books on the occasion
(Photo: Janak Raj Bhatta, Central Office)

LALITPUR: NHRC inaugurated Prefab House amid a function held at the NHRC premises on 26th June, 2015. The house was jointly inaugurated by the NHRC Chairperson Justice Anup Raj Sharma and Mr. Haoliang Xu, UN Assistant Secretary General and UNDP Regional Director for the Asia and Pacific (UNDP).

Inaugurating the prefabricated house of the NHRC, Mr. Haoliang Xu expressed his condolence over the heavy loss of lives and properties and committed his solidarity with the people of Nepal in post quake rebuilding efforts.

Commending the NHRCs proactive action to carry out monitoring in all earthquake affected districts of the country during and aftermath of the earthquake, he lauded the development of six year strategic plan of the Commission and expressed his commitment that the UNDP as development partner will assist with all possible means.

Mentioning about the international conference held with the international donors in Kathmandu, Mr. Xu urged the Commission as an oversight agency to ensure that the donation received in the form of grant and loan reach to the genuine earthquake victims with human rights perspective.

Talking about the meeting with Constituent Assembly Members, he mentioned about making the conducive environment for constitution making with the ample priority given to inclusive constitution that meets the international standards.

He also assured that the UNDP will support the Commission not as a donor but as a value adding partner in all its endeavors.

On the occasion, delivering the concluding remark, Chairperson Justice Anup Raj Sharma stated that human rights don't disappear with the situation of any types of natural disaster or emergency situations.

He added that NHRC-Nepal promptly

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Prefab House of NHRC...

initiated the monitoring of human rights situation and engaged along with the government agencies, civil society organizations, human rights defenders and international agencies in response to an unimaginable and unprecedented emergency situation of Nepal followed by the earthquake of April-May, 2015.

He also said that the NHRC-Nepal has been carrying out its function by developing a comprehensive approach to the promotion and protection of human rights in the earthquake ravaged areas.

Chairperson, in his remark, thanked the UNDP-Nepal for its prompt decision to support the Commission for building the Prefab House at the same location.

Expressing special thanks to Mr. Haoliang Xu for being the part of the function despite his busy schedule, Chairperson expressed his hope that the UNDP will extend continuous support to implement the Six-Year Strategic Plan of the Commission.

On the occasion, congratulating the Commission for proactively engaging in the protection of the citizens despite the fact that the Commission was already enduring the irreparable damage of its office building, Rajuman Singh Malla, the Secretary of the Office of the Prime Minister and Council of Ministers (Law and Human Rights) said that the Government has committed to help the Commission with both temporary and long term alternative with all possible means, as per the NHRC letter sent on May 5, 2015.

Highlighting the new challenges emerged in various facets, Secretary Malla said that government was in need of 6 billion dollar to rebuild the infrastructures and to restore normalcy in terms of rehabilitation of the earthquake survivors, prevention and control of human trafficking and food stuffs and many more.

He also informed that the National Human Rights Action Plan of the Government introduced in 2000 and the new five year NHRAP (2014-19)



Mr. Haoliang Xu, UN Assistant General Secretary
(Photo: Janak Raj Bhatta, Central Office)

On the occasion, Acting Secretary Bed Bhattarai said that the NHRC office building was completely damaged causing almost all daily works to remain dormant due to the devastating Earthquake in April and May, 2015.

He added that the NHRC monitoring teams took to the earthquake ravaged districts to monitor the situation of HR immediately after the earthquake.

‘Human rights issues across the country were put in consequential jeopardy due to the deadly disaster that, I believe, all of us present here have witnessed,’ Secretary Bhattarai said.

He concluded that the Commission has made public its monitoring report recommending the government for appropriate action to ensure the rights of the earthquake survivors as soon as possible. He also mentioned that the Commission has also urged the political parties and the civil society members and organizations for their supportive role for relief and rehabilitation programs of the government.

Acknowledging the timely support extended to build the prefab house as the post-disaster reconstruction efforts to restore normalcy in daily works, Secretary Bhattarai expressed his hope for further support to the Commission on the basis of the Commission’s new six-year Strategic Plan (2015-2020).

On the occasion, Human Rights- Must Know Booklets in 5 Local languages (Nepali, Newari, Bhojpuri, Maithili, Tharu) were jointly released by Justice Anup Raj Sharma and Haoliang Xu. A ‘Token of Appreciation’ was also presented to UNDP by chairperson Sharma on behalf of the Commission.

At the function, the NHRC Commissioners, the representatives of UNDP-Nepal Mr. Renaud Meyer, Ms. Sophie Kemkhadze, Heads of National Judicial Academy, Central Child Welfare Board and Government offices, representatives of Nepal Bar Association and NGO Federation, civil society members, media person and NHRC staff members were present.

with Human Rights Based Approach (HRBA) to development was already in implementation phase.

Concluding his remarks, Secretary Malla expressed his hope for the endeavors of the Commission continuously undertaken via various protection clusters to realize the human rights of the people as the post quake efforts.

Jamie McGoldrick, Resident Coordinator UNDP Nepal, echoing the words of condolence of Mr Haoliang Xu, remarked, ‘I want to take this opportunity to congratulate the NHRC on the recently established human rights working groups with civil society organizations and the Nepal Bar Association.’

He added that it is a balancing act to ensure protection of the individuals human rights and the protection of the national needs in times of crisis.

He urged that the NHRC to be a strong advisor to the government in managing the heavy responsibility of the emergency power.

He also added that with the strong focus on human rights of the international post 2015 agenda, he expressed his hope that together we can find a way to make reconstruction stepping-stone for an accelerated progress towards the full enjoyment of rights of the entire Nepali population.

Remarks by Hon. Chairperson Justice Anup Raj Sharma on the occasion of Prefab House Inauguration

Chairperson Justice Anup Raj Sharma
(Photo: Janak Raj Bhatta, Central Office)

First of all, I would like to welcome and thank you all on behalf of the National Human Rights Commission for your valuable presence here with us on this occasion. I would like to express my heartfelt condolence to the deceased due to the devastating earthquake and express my sorrow to the families and survivors. I would like to request all to join our prayers and support for the speedy recovery of the thousands of injured persons.

Human rights don't disappear with the situation of any types of natural disaster or emergency situations including earthquake, flood or landslides. The Commission has been relentlessly working to fulfill its mandate in such situation.

NHRC-Nepal promptly initiated the monitoring of human rights situation and engaged along with the Government agencies, civil society organizations, human rights

defenders and international agencies in response to an unimaginable and unprecedented emergency situation of Nepal followed by the earthquake of April-May, 2015. NHRC-Nepal has been carrying out its function by developing a comprehensive approach to the promotion and protection of human rights in the earthquake ravaged areas. The Commission has been working with a coordinated approach and inclusion of human rights approach on the basis of its findings.

I take this opportunity to extend our special thanks to UNDP Nepal for its prompt decision to support the Commission for building the Prefab House at the same location and would like to extend special thanks to Mr. Haoliang Xu for being with us on this occasion despite his busy schedule.

Finally, I strongly believe that it will help us to play better role for the



protection and promotion of human rights in Nepal in the days to come. I would like to request UNDP for its continuous support to implement the Six-Year Strategic Plan of the Commission.

Today is the International Day for the victims of torture. The Commission will continuously work for the elimination of torture in Nepal and justice to the victims of torture.

Thank you once again to all!

Thank you!



Commissioners Govinda Sharma Paudyal, Mohna Ansari, Sudip Pathak, UN Resident Coordinator Jamie Mcgoldrick, Chairperson Justice Anup Raj Sharma, UN Assistant General Haoliang Xu, UNDP-Nepal representatives Mr. Renaud Meyer and Ms. Sophie Kemkhadze, Secretary of OPMCM Rajuman Singh Malla, Commissioner Prakash Osti and Executive Director of National Judicial Academy Keshari Raj Pandit at an inaugural function of NHRC prefab house and Book Launching ceremony. (From L to R) (Photo: Janak Raj Bhatta, Central Office)

Preliminary Report on Earthquake Monitoring made Public



Acting Secretary Bed Prasad Bhattarai delivering the welcome address at a program organized to make public the preliminary report on the earthquake monitoring. (Photo: Janak Raj Bhatta, Central Office)

LALITPUR: The National Human Rights Commission has publicized the preliminary report on the on-the-spot monitoring conducted with regard to the loss of lives and properties, ongoing rescue work, relief distribution, rehabilitation including the overall human rights situation of the survivors of 14 earthquake affected districts.

On the occasion, Chairperson Justice Anup Raj Sharma urged the government including all the concerned parties to distribute the relief materials in impartial manner.

‘Despite the damage of its own office building endured due to the earthquake by the Commission, the NHRC Commission teams are relentlessly engaged in monitoring since the day the earthquake hit the country and will continue it in war-footing manner in the days to come as well,’ Chairperson said.

Adding that the Commission will advance its activities collaborating with all the concerned, Chairperson opined that immediate promulgation of law related to the crisis management was inevitable and the well-timed dialogue in this regard was the need of the hour.

Chairperson also requested the government for speeding up ongoing rescue and relief operation in order to

help bring back the life of earthquake affected citizens into normalcy.

Publicizing the report, Commissioner and Spokesperson Mohna Ansari said that schools, hospitals and prisons have been damaged by the massive earthquake and urged the government to identify those buildings in vulnerable condition and rebuild them immediately. She also urged the government to ensure the right to education of the children and also ensure to provide special protection to women and children at high risk of trafficking.

She also laid her emphasis on the distribution of the locally needed relief materials to the earthquake survivors and urged the organizations and agencies involved in the relief distribution to be earthquake ravaged village centric rather than urban centric.

Commending the information sharing by both the government and media houses, she called on the concerned authorities to give due attention to identify the genuine earthquake victims and make arrangement for the issuance of identity cards to them with immediate effect. She also urged the authorities to be prepared to contemplate the emerging challenges like outbreak of epidemics and the psycho-social syndrome specially among the earthquake affected children.

The preliminary report publicized by the Commission mentions that it has been discovered during the course of monitoring that some earthquake survivors have received the relief materials repeatedly while some have not received even once. Besides, the political influence was found rampant in relief distribution, the report says.

The report unveils that no special arrangement was made for women, children, destitute, Dalits, earthquake survivors of the remote districts, elderly citizens and persons with disabilities. The report also says that in the wake of the devastating earthquake that hit the nation on 25th April, a huge number of children and elderly citizens have been sheltered under a single tent and there is high possibility of infection of contagious diseases.

The Commission has drawn the attention of the government towards this situation. The relief materials including food and clothing distributed to the earthquake affected citizens of some earthquake affected districts have been confirmed to be of substandard quality. The commission has urged the government to take stern action against those involved in unethical activities such as artificial shortage of essential daily commodities, price hike, and black marketeering including those involved in doing irregularities in relief materials distribution.

The Commission has also urged the government to ensure the protection of life of rescue workers including the security agencies engaged in extremely vulnerable rescue mission by providing them very necessary rescue equipment.

At the program, eminent human rights activist defender Charan Prasai, Advocate Som Luitel, journalist Kishore Poudel, Bhim Rai of LAHURNIP, representative of Nepal Bar Association, representatives of human rights related NGOs Nirmala Dhital, Badri Siwakoti, Mukuna Risal, Biswa Prasad, Shova Maharaj, Krsihana Hari Aryal, Sarita Aryal, Matrika Prasad also put forward their views and comments on the report.

Government requested to make Arrangement of all Harihar Bhawan based Offices

LALITPUR: The National Human Rights Commission has requested the Government to make both temporary and long term arrangement of the Harihar Bhawan based office building of the Commission with immediate effect. The office building of the Commission has been damaged by the massive earthquake that hit the nation on 25th April and 12th May, 2015.

Since all the daily work has come to a unexpected halt due to the damage triggered by the massive earthquake, the meeting held between the Chairperson Justice Anup Raj Sharma and Commissioners, Chiefs of the National Judicial Academy, Personal Records of Civil Servants of the Government and Nepal National Library has decided to request the government for both temporary and long term arrangement of the office building as soon as possible.

The condition is such that it is difficult to go into the office building now. The Commission has, therefore, requested the government to make the arrangement to take out all the equipment, important files, and documents and to manage to keep them at a safe place as soon as possible.

The Commission has also drawn the attention of the Government to

dismantle Harihar Bhawan used as office by the Commission, National Judicial Academy, Personal Records Office of Civil Servants and Nepal National Library and immediately reconstruct the building adequate for all the offices at the same location.

The technicians from the Housing and Urban Development and the Security Agency have tagged the red sticker considering the office damaged buildings unsafe. The Commission has, therefore, temporarily set up its office at the Child Care Center of the Commission while the daily work of the National Judicial Academy, Personal Records of the Government and Nepal National Library has remained completely dormant.



The personnel of Armed Police Force shifting the materials from the damaged building of the NHRC Central Office at Lalitpur (Photo: Janak Raj Bhatta, Central Office)



Attention drawn to the Earthquake affected Districts at Risk

LALITPUR: The Monitoring teams of National Human Rights Commission deployed in three districts have drawn the attention of the Government to immediately make an arrangement of shifting the human settlement to safe places to evade the possible landslide due to cracks emerged in land due to the earthquake.

A monitoring team led by Commissioner Govinda Sharma Paudyal has drawn the attention of the government to shift the human settlement elsewhere at a safe place from Parapcha and Harkapur VDCs of Okhaldhunga, Khimti and Bhujji VDCs including a few wards under Ramechhap district. The team was in field monitoring in Ramechhap,

Okhaldhunga and Solukhumbu districts.

The Commission has speculated that with the monsoon approaching at the doorstep, these earthquake affected settlements would face the ordeal of landslide if they are not shifted well in time. The monitoring team has found that the earthquake affected victims in most districts are compelled to live under open sky as they are not yet provided with necessary tarpaulin.

Since all the communities do not have access to the relief and rehabilitation program in earthquake affected districts, the Commission has also drawn the attention of the government towards this. The Commission has also drawn the attention of

the concerned authorities to make immediate arrangement of helicopter to transport the relief materials to the places which are geographically inaccessible.

The monitoring team has found that the earthquake affected patients being treated under tarpaulin because Ramechhap district based public health office together with the x-ray machine has been completely destroyed.

The Commission has also drawn the attention of the Government to make arrangement of the safe shelter for the injured inmates of district prisons of Okhaldhunga and Ramechhap following the damage caused to them due the massive earthquake.

Discussion held between Social Justice & HRs Committee of Parliament and the NHRC



NHRC Officials with the representatives of the Social Justice and Human rights Committee at a meeting held on the post-quake recovery reconstruction efforts (Photo: Janak Raj Bhatta, Central Office)

LALITPUR: Social Justice and Human Rights Committee of Parliament and the National Human Rights Commission (NHRC) held discussion on jointly monitoring overall human rights situation in the country.

At the discussion held in Singha Durbar office between chairperson of the committee, Constituent Assembly (CA) members and the NHRC Officials, the decision has been reached to conduct the joint monitoring on overall human rights situation as well as ongoing rescue, relief and reconstruction efforts in the districts affected by the devastating earthquake.

Similarly, the, Chairperson Justice Anup Raj Sharma and other Commissioners briefed on the ongoing monitoring the aftermath human rights situation of the earthquake conducted by the Commission. Chairperson said that the Commission has been constantly engaged in the monitoring on whether or not the victims have received the relief and this will continue in the days ahead as well. He also briefed about the parliamentary committee about the attention of the government authorities drawn towards the delay in the relief operation.

At the discussion, commissioners Prakash Osti, Sudip Pathak, Mohna Ansari and Govinda Sharma Paudyal briefed the parliamentary committee on the monitoring report, which highlights lack of coordination between government agencies as well as other organizations, genuine victims facing the deprivation of relief, distribution of substandard foods to the victims in some places as well as women and child living under high risk of violence such as trafficking.

They also urged the government to take up necessary measures well in time to protect from the possible future landslide and floods following the earthquake.

On the occasion, Sushil Kumar Shrestha, chairperson of the committee and the CA members said that the parliamentary committee would give necessary directives to the government soon for recoating the earth affected villages at safe places before the monsoon begins.

They also ascertained that they will advance all human rights related activities in coordination with the commission in the days come.

NHRC confirms the Rice distributed by WFP to be of Substandard Quality

LALITPUR: The National Human Rights Commission has confirmed the rice made available by the UN-WFP and distributed by the Nepal Red Cross Society to the earthquake survivors to be of substandard quality. The monitoring team comprising the Commissioner duo Mohna Ansari and Govinda Sharma Paudyal have found the rice stored and Mahadevsthan based Samaj Sewa Bhavan to be of substandard quality.

The laboratory report of the Food Technology and Quality Control Department of the Government of Nepal (GoN) has, upon examining the sample of rice provided, confirmed that 'The particles of rice grain found do not meet the standard of quality and unsuitable for human consumption compulsorily specified by the GoN.'

Section 3 of the Food Act-1966 has restricted the distribution of the quality less food. The rice stored at Mahadevsthan based Samaj Sewa Bhavan was found to be packed in plane white plastic in yellow sacks and produced by Thakur Agro Industries with brands Swastik and Suraj Chamal, as per the monitoring.

The monitoring team has found that the manufacturing date 2015 was imprinted on the yellow sacks and fit for consumption within six months from the date of manufacture. About half the sack of rice mixed with black particles could be seen even with the naked eyes, the monitoring report unveils.

After eating the above rice, the children in the area suffered from diarrhoea and had to undergo the treatment. The Commission has drawn the attention of the government to drag to justice and punish those involved in distributing food of substandard quality that has direct connection with the health and life of the people.

Earlier in 2009, the Commission had recommended to the GoN to take necessary action against UN WFP and others upon confirming the rice made available in Jajarkot district was of substandard quality.

Directives issued to make Arrangement of Shelter before Monsoon

LALITPUR: The National Human Rights Commission has sought the information from 3 ministries of the Government of Nepal (GoN) with regard to rescue, relief distribution and market monitoring in the post earthquake period. The Commission invited the secretaries from the Ministry of Home Affairs, Ministry of Commerce and Industry, Ministry of Women, Children and Social Welfare and asked about the ongoing relief related activities.

At the discussion, briefing about the post earthquake activities of the government, Secretary of Ministry of Home Affairs Surya Silwal expressed inability to distribute the relief in the earthquake affected places due

vigorously and devotedly continue the market monitoring in the days ahead.

During the discussion, Secretary of Ministry of Women, Children and Social Welfare Dhan Bahadur Tamang said that the Ministry has kept constant vigil on the people involved in the rescue of children and registration of new organization has been suspended for the time being keeping in mind the children at risk in such situation. He added that the ministry has made an arrangement of the temporary shelter for sheltering the homeless children and senior citizens.

Speaking at the program, Chairperson Justice Anup Raj Sharma issued a directive to the government to give



Chairperson Justice Anup Raj Sharma and other Commissioners at a meeting held with the Secretaries of Home, Commerce and Industries and Women, Children and Social Welfare ministries of GoN on the aftermath HRs issues of the devastating earthquake
(Photo: Janak Raj Bhatta, Central Office)

to the lack of coordination among the government authorities and necessary resources. He said that the government will overcome the situation emerged due to the cause of the disaster and committed to make the effective arrangement of the relief distribution effective in the days to come.

Similarly, the Secretary of the Ministry of Commerce and Supply Indra Prasad Upadhyay said that the continuity will be given to the activities such as identifying the persons involved in black marketeering, arterial shortage, food adulteration and price hike and taking legal action against them. He added that the government will

special attention to the activities related to the relief distribution and rescue work. Urging to take stern action against the persons involved in the unethical act such as artificial shortage, Chairperson urged to make appropriate arrangement of the relief and shelter in the earthquake affected districts. Chairperson also issued directives to the secretaries of the concerned ministries to ensure persons' right live with dignity thereby making an arrangement of the necessary shelter for the earthquake affected before the monsoon steps in. The Commissioners and Acting Secretary of the Commission were also present at the discussion.

NHRC urges to relocate 13 VDCs of Gorkha District



A scene of devastated village of Gorkha district
(Photo: Sarki Man Tamang, Central Office)

LALITPUR: A team of local residents and stakeholders of the earthquake ravaged Gorkha district have met with the NHRC officials and requested to take initiatives for relocating 13 earthquake affected Village Development Committees under serious risk at a safe place. They also urged to ensure the religious and cultural rights of the people while making an effort to shift the human settlement.

At the discussion, they have requested to open the road to and from Tibet pass saying that the movement via this pass was convenient for easy transportation of the foods, to make appropriate arrangement of foods, to overcome the food shortage, to relocate the earthquake affected villages at safe place, to search the victims buried under landslides, to distribute the indentify card to the genuine earthquake survivors, and also to make the appropriate arrangement of relief distribution of compensation in smooth and uncomplicated manner.

Chairperson Justice Anup Raj Sharma has said that the Commission would take necessary initiatives for relocating 13 VDCs of Gorkha, which are under serious risk after the devastating earthquake.

Field Monitoring Teams deployed in the Earthquake affected Districts



Commissioner Govinda Sharma Paudyal with the local level officials of various government bodies and security agencies at a discussion held during the monitoring mission (Photo: Sarki Man Tamang, Central Office)

The Monitoring teams have found that the very much necessary tarpaulin for sheltering the earthquake victims have been distributed in very minimum numbers.

The Commission has drawn the attention of the government towards distributing very much needed zinc sheets and relief materials rather than tarpaulin.

Meanwhile, the monitoring team led by Commissioner Sudip Pathak has reached Dhading and Barpak of Gorkha district. Likewise, another team led by Govinda Sharma Paudyal has reached Ramechhap, Okhaldhunga and Solukhumbu for field monitoring on May 8, 2015.

Earlier, the Commission had accomplished the monitoring activities in Kathmandu, Bhaktapur and Lalitpur districts. The Commission has decided to deploy the monitoring teams in other earthquake affected districts with immediate effect.

LALITPUR: The NHRC monitoring teams deployed in three district have found that the earthquake victims sheltering in accessible places on road side have received the relief materials the most.

The monitoring team led by Commissioner Prakash Osti in field monitoring in Sindhupalchok, Dolakha and Kavrepalanchok has arrived at the conclusion that the victims of massive earthquake haven't received the relief due to the lack of coordination among the state bodies, political parties and civil society.

The Commission has found that more unnecessary relief materials than needed in local level have been sent to the earthquake affected areas. The Commission has also sensed the obstacles created in the relief distribution due to visits of unnecessary monitoring team and the officials in the earthquake hit districts.

The earthquake victims in the districts have come up with the grievances that the relief materials have been received most by the landlord rather than the tenants suffering from the ordeal of the disaster.

Meanwhile, the Commission has drawn the attention of the concerned authorities towards the possible outbreak of epidemics due to the

deteriorating environment caused from the smell of the carcass of the unmanaged dead bodies of the domestic animals and birds in the earthquake affected areas.

Similarly, the Commission has also drawn the conclusion to adopt due alertness in time towards the harsh conditions in the form of adversity which would possibly be caused from soil erosion, flood and landslide in rainy season due to the multiple cracks seen in mountain areas and roads following the massive earthquake.



Commissioner Sudip Pathak and NHRC Staff at a meeting held with an Army Official during monitoring (Photo: Yadab Raj Paudel, Central Office)



Human Rights Officer Neetu Gadtaula taking statement from the earthquake survivors in Gorkha district (Photo: Yadab Raj Paudel, Central Office)

Meeting hosted on Protection Cluster for Broader Protection of the Rights of Children and Women

LALITPUR: In the wake of the devastating earthquake that hit the nation in April and May, 2015, the National Human Rights Commission stepped up on-the-spot monitoring followed by the broader protection concern raised under the protection clusters to oversee the rights of earthquake affected vulnerable groups including the children, women, elderly citizens, persons with disabilities, Dalits and marginalized communities in the country.

In this regard, a series of meetings were held with women, Children and Social Welfare Ministry, Women Development Department, NGOs and UN agencies in Nepal. The meeting discussed on the stipulated human rights issues emerged in the post quake period.

Chaired by the NHRC Commissioner/Spokesperson Mohan Ansari, the meeting mainly focused on the information sharing on ongoing post quake efforts made by the government agencies including various UN agencies under protection clusters.

Addressing the meeting, NHRC Commissioner/Spokesperson Mohna Ansari urged to address the cases of human rights violations emerged due the ravaging earthquake that hit the nation in April and May, 2015. She laid her emphasis specially on addressing the human rights of the displaced citizens and those who have lost their very important personal documents specially the women who are likely to face their rights violations.

She, however, clarified that the Commission carries out investigation and monitoring on the incidents of human rights violations without limiting it to protection cluster.

It was shared in the meeting that the NHRC has been engaged in on-the-spot monitoring on the human rights situation in the districts affected from the massive earthquake.



Commissioner/ Spokesperson Mohna Ansari at a sharing meeting held with the officials of government bodies and representatives of the UN agencies (Photo: Janak Raj Bhatta, Central Office)

On the occasion, representatives from the UNICEF briefed about the construction of Child Friendly Spaces (CFS). They informed about the psycho-social counseling provided to children and other earthquake affected survivors in coordination with the Education Cluster. They said to have deployed the trained counselors for this purpose. It was also made known in the meeting about the installation of the surveillance system at the bordering area and the airport with the help of the Nepal Police to intercept the children and women who are likely to be trafficked via these points.

The Central Child Welfare Board briefed about the activities including the reintegration of the children in the post quake period. They said to have received the information about the increment of the number of children who have been orphaned due to the deadly earthquake. Some have lost both the parents while many have lost the single guardian. The Board is engaged upfront in data updating, as per the Central Child Welfare Board.

Similarly, the Board in coordination with the Karuna Foundation has been working for the children with disabilities by establishing the emergency transit home in Dhading, Gorkha, Dolakha and Rasuwa districts. The Board also informed that the child organizations were allowed to house the children with authentic documents in possession while the

investigation on the children brought from Dolakha was underway, as per the Board representatives.


At the meeting, the UNFPA representative shared about the information system to be maintained from the current month maintained on the data related to emerging gender violence. It was learnt that the incidents of the attempts of sexual assault was on the rise. The girls were provided with the dignity kits by the UNFPA. The UNFPA also informed that they have developed the software to collect that data on Gender based Violence (GBV).

Meanwhile, Joint Secretary Radhika Aryal, Women, Children and Social Welfare Ministry shared about the restriction imposed on the establishment of the organizations related to foster sons and daughters which, she said, was very effective. She said that the Ministry was actively engaged in the protection and rehabilitation of the earthquake affected children and women.

Earlier, the National Human Rights Commission held a meeting on the protection cluster on 24th May, 2015. The meeting was chaired by Commissioner/ Spokesperson Mohna Ansari.

The meeting mainly discussed on the agenda including the cluster wise post quake efforts to be stepped up on different thematic human rights issues.

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राष्ट्रिय मानव अधिकार आयोग
National Human Rights Commission
केन्द्रीय कार्यालय, Central Office
हनुमान् चरण, दुधौक, ललितपुर, Hanuman Chawan, Pulchowk, Lalitpur, Nepal

Dispatch No: 2071-72-1041
Office of the Prime Minister and Council of Ministers
Singha Darbar, Kathmandu
May 3, 2015

Subject: With regard to the Implementation of the Decision

The office buildings of NHRC, National Judiciary Academy, Personal Records Office and Nepal National Library located within Lalitpur based Hanbar Bhawan have been extensively damaged following the devastating earthquake that hit the nation on 25th April, 2015.

Considering these office buildings unsafe and useless for office purpose due to possible collapse, a team of technicians from the Housing and Urban Development and the Security Agency has tagged a red sticker on the damaged buildings.

A meeting was, therefore, held at the NHRC premises on Tuesday, the 5th of May, 2015 at the presence of the Chairperson Justice Anup Raj Sharma, NHRC Commissioners and the representatives of the aforementioned offices and decided to inform the Government of Nepal (GoN) about the de-facto situation and request to make both temporary and long term arrangement of these office buildings thereby implementing the following at the soonest.

- To make an arrangement to take out all the office equipment, important files and documents.
- To manage to keep those equipment and documents at a safe place.
- To make both temporary arrangement of office buildings to carry on the daily office works as soon as possible.
- To immediately dismantle the damage buildings at Hanbar Bhawan and rebuild them at the same location since these damaged buildings cannot be protected any longer.

It is, therefore, requested as per the decision to provide the information to the Commission by implementing the above at the earliest.

CC to:

- Ministry of Home Affairs, Singha Darbar
- Law Ministry, Singha Darbar
- Education Ministry, Singha Darbar
- Ministry of General Administration, Singha Darbar
- National Judiciary Academy, Hanbar Bhawan
- Personal Records Office of the GoN, Hanbar Bhawan
- Nepal National Library, Hanbar Bhawan

Bed Bhattarai
Acting Secretary

फोन नं. ३०९००१३, फ्याक्स नं. ००९३०-३-३३४३१३३ | पो.ब.नं. १५२६ काठमाडौं, नेपाल
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Government of Nepal
Office of the Prime Minister and Council of Ministers
(Human Rights Promotion Section)

Letter No: 82/071/72/5793
No.....
Singha Darbar, Kathmandu, Nepal
Date: June 5, 2015

Subject: With regard to Implementation of NHRC Decision

Ministry of Home Affairs, Singha Darbar
Ministry of Commerce & Supplies, Singha Darbar

The NHRC Monitoring team including Hon. Commissioners has confirmed the rice made available by the UN World Food Program (WFP) and distributed by the Nepal Red Cross Society (Kavrepalanchok district branch) to be of substandard quality during monitoring in the earthquake affected district Kavrepalanchok on May 20, 2015 following the devastating earthquake that hit the nation on 25th April, 2015. The Commission has, therefore, drawn the attention of the Government of Nepal to take legal action against those organizations and officers involved in distributing such rice that is directly related to the health and life of the people at a time when the citizens are already enduring the ordeal of crisis and also to impose restriction on the distribution of such rice pursuant to the NHRC decision drawn on May 26, 2015 as per the letter dated May 27, 2015 dispatch no. 1092.

Section 3 of the Food Act-1966 has restricted the produce, sale and supply of such adulterated or quality less food and section 5 of the same Act has the legal provision that such an act is punishable. Similarly, parts (a) and (c) of Section 10 of Consumer Protection Act-1998 have the provisions that the act to produce, sell, supply, export or import a sub-standard consumer good and to produce, sell or supply any consumer good or service which is likely to harm consumers' health is punishable. In the context of such act being punishable, this letter is hereby sent attached with the photocopy of the NHRC letter dated May 27, 2015 dispatch no. 1092 for stepping up the required process to take action against the officers of WFP and the Nepal Red Cross Society associated with Kavrepalanchok district branch involved in the distribution of such rice as soon as possible as per the prevalent law. Upon implementing the NHRC decision by taking the necessary action as per the above, it is requested to inform the Commission and this office accordingly as per the directives.

Signature
(Ranju Gautam)
Section Officer

CC to
National Human Rights Commission
Hanbar Bhawan, Lalitpur

Attention drawn to ensure the Protection of the Rights of Individuals as per the Constitution

LALITPUR: The attention of the National Human Rights Commission has been drawn to various opinions and statements through the media report concerning whether or not the Armed Police Force can arrest the prison involved in criminal offense. It is deemed necessary for the commission as a constitutional body mandated to ensure the protection and promotion of human rights to clarify its views as per the prevalent constitution, legal and core norms and values of international human rights.

Section 24 (2) of the Armed Police Force Act has authorized the Armed Police Force to arrest the person individual involved in criminal activities. Article 24 (1) of the Interim Constitution of Nepal, 2007 has guaranteed that no person shall be detained without disclosure of the information including the reason for his/her arrest. Similarly, the Universal Declaration of Human

Rights (UDHR), 1948, Article 9 (2) of International Convention on the Civil and Political Rights (ICCPR)-1966 to which Nepal is a party including the Principle no. 10 of the UN Principles, 1988 with regard to the protection of all persons in detention centers and prisons adopted by the UN have said that arrest without the information provided is a serious violation of human rights.

In the context of the aforementioned core principles, therefore, to debate on making arrest without informing someone the reason for the arrest by the authorized agency is an inappropriate spree, thus. The Commission has felt that ongoing difference in opinion floating between the security agencies of the government on such inarguable issue will indeed yield nothing but become as counterproductive to ensure human rights in the country.

The Commission also would like to

draw the attention of the concerned party that the core act hasn't authorized the Armed Police Force to carry out investigation on the matters of arrest which is again against the principle of human rights as per the NHRC decision reached on June 18, 2015.

The Commission has drawn the due attention of the Office of the Prime Minister and the Council of Ministers, Ministry of Home Affairs, Ministry of Law, Justice, Constituent Assembly and Parliamentary Affairs by writing a letter in this concern.

Similarly, the Commission has written to the Government of Nepal demanding the factual information with regard to the media report on the distribution of substandard quality foods to the earthquake survivors in Gorkha district, human trafficking, arson including the news regarding the withdrawal of the cases of serious human rights violation.

Special Attention urged to the Rights of Women and Children



Chairperson Sharma, Commissioner Sudip Pathak and the Officials from the Central child Welfare Board at a meeting held at NHRC (Photo: Janak Raj Bhatta, Central Office)

LALITPUR: The National Human Rights Commission has expressed concern over the media report on trafficking of women and children including the incidents of various types of gender violence taking place in various districts in the post earthquake period.

In this concern, Chairperson Justice Anup Raj Sharma invited the representatives of stakeholder authorities and issued directives to give special attention to the security, protection of children and women in vulnerable situation.

He also urged the authorities to advance stern action against those involved in transporting women and children without the consent of the parents including kidnapping. Chairperson has also urged the state, as a guardian of the general citizens, to fulfill the state obligation to ensure the rights of child and women by making the arrangement of education, health including shelter to those orphan and helpless children after their rescue. Similarly, Chairperson Sharma has

also issued the directives to develop the mechanism for updating the data of those children transported from one district to another and to continuously monitor the child rights situation in those districts.

The representatives of the Ministry to Home Affairs, District Administration Office, and Nepal Police briefed the Commission about the activities related to the prevention and control of violence against women and the legal action taken so far.

At the discussion, Commissioner Sudip Pathak including the Joint Secretary Laxmi Prasad Dhakal of the Ministry of Home Affairs of the Government of Nepal, Joint Secretary Radhika Aryal of Ministry of Women, Children and Social Welfare, Assistant CDO Sharad Kumar Pokharel of Kathmandu district, Bijaya Prasai of Women's Department, Superintendent Biswaraj Pokharel of Nepal Police, Under Secretary Prakash Rawat and Director Tarak Dhital of Central Child Welfare Board were present.



Director Tarak Dhital from the Central Child Welfare Board among others sharing about the child rights initiatives taken by the board in the post quake period (Photo: Janak Raj Bhatta, Central Office)

NHRC donates Relief to the Prime Minister Natural Disaster Relief Fund

LALITPUR: Chairperson, Commissioners and the staff members of the National Human Rights Commission has donated an amount of NRP 105334/- (NRP one hundred five thousand three hundred and thirty four only) as a relief to the Prime Minister Natural Disaster Relief Fund of the Government of Nepal for the earthquake affected citizens.

NRP 105334/- being the total amount including an amount of NRP 51,196/- from the Chairperson and Commissioners from the central office and an amount of NRP 54,138/- from the staff members from Janakpur, Nepalgunj, Pokhara, Biratnagar, Dhangadhi Regional Offices including Butwal, Jumla and Khotang Sub Regional Offices has been handed over to the Prime Minister Natural Disaster Relief Fund of Government of Nepal established for the relief of the earthquake affected citizens in the country.

The relief is handed over for providing support to those who are rendered homeless and compelled to live in an open field due to the massive earthquake that hit the nation on 12th and 13th April and 12th May, 2015 and the intermittent aftershocks that followed.

The Commission has been conducting monitoring on the overall human rights situation in the earthquake affected districts. Meanwhile, the Commission has sent necessary advice and recommendations to the Government of Nepal, political parties and civil society on the basis of facts furnished in the preliminary monitoring report.

Monitoring expedited in West on the Aftermath of the Earthquake



Commissioner Govinda Sharma Paudyal and Human Rights Officer Shyam Babu Kafle during a visit to a district hospital in west while in monitoring mission (Photo: Sarki Man Tamang, Central Office)

the relief distribution was hampered. Nonetheless, the political parties and the volunteers organizations and agencies had extended their support to build the temporary shelters for the earthquake survivors.

Despite the positive initiatives taken up for the post earthquake efforts as above, the common citizens were found still residing in the houses in vulnerable condition by dismantling half the portion of the house without consulting the technicians. The team upon monitoring the aftermath human rights situation found that especially the earthquake affected children, women and elderly citizens were in need of psycho-social counseling.

It was learned during the monitoring that at few places the relief materials were distributed on the basis of the political conviction of the local victims.

The team led by the Commissioner Paudyal had discussions with the district level disaster management committee, civil society, human rights defenders and shared the information. Commissioner Sharma issued the necessary directives during the discussions held in various earthquake ravaged districts.

PARBAT: The monitoring team led by Commissioner Govinda Sharma Paudyal from the NHRC central Office conducted monitoring on human rights situation in Parvat, Syangjha, Kaski, Tanahu and Lamjung districts in the west following the devastating earthquake that hit the nation in April and May, 2015.

During the course of monitoring, the team found that nine people have met death in these districts. 3542 houses have been found completely damaged while 7735 houses have suffered partial damage in Parvat district alone. Lamjung district was found to have suffered due to 8472 houses being damaged completely and the 8876 houses being damaged partially. So was the situation in Syangjha district. 5018 houses were found destroyed completely while 11693 houses were found damaged with minor cracks in this district. Tanahu district, on the other hand, had 5485 houses completely damaged while 15286 houses were found partially damaged.

It was learnt during the monitoring in these districts that the district level disaster management committee was formed immediately after the ravaging earthquake. The efforts were made to adopt the one door system and the district based personnel of Nepal Army were actively engaged in rescue work.

Similarly, the relief amount was distributed to the families for performing the last rites of the victims killed in the earthquake while the injured were treated at government hospital free of cost. In the first phase of the relief distribution, Rs 5000/- was found provided to most victims as relief whose houses were damaged completely while the remaining amount was found distributed later. However, due to the lack of the accurate data on the victims and destroyed infrastructures, specially



A house found still dwelled by the earthquake survivors in the earthquake hit district (Photo: Shyam Babu Kafle, Central Office)

Regional Level Interaction held on the Status of Rescue, Relief and Rehabilitation

KASKI: The NHRC Regional Office, Pokhara and the Regional Administration Office a program on the post quake recovery efforts such as rescue, relief and rehabilitation.

The program was chaired by the Regional Administrator Dinesh Kumar Thapaliya in which NHRC Commissioner Govinda Sharma Paudyal was the chief guest.

Speaking at the program as the chief guest, Commissioner Paudyal said that all the post quake endeavors were positive for the rescue operation stepped up. However, he urged the Regional Administrator and the CDOs of the respective districts to ensure the rights related education, health, food by making an appropriate arrangement of the same. Similarly, the directives were issued to give necessary priority to the children, pregnant women, women in natal period, elderly citizens and the persons with disabilities

At the program, Human Rights Officer Shyam Babu Kafle presented on the human rights situation after the earthquake hit the nation thrice



Western Regional Administration Office Chief Dinesh Kumar Thapaliya sharing about the post-quake reconstruction and recovery efforts in western districts at a meeting held with the NHRC (Photo: Sarki Man Tamang, Central Office)

while the Regional Administrative Officer Dinesh Thapaliya presented the working paper on the overall human rights situation in western region.

On the occasion, the Chief District Officers of Kaski, Tanahu, lanjung and Mustang presented representing tier respective districts.

At the program, it was made known that 460 including 219 male and 241

male had lost their lives in the western region including the most affected Gorkha district. Likewise, 26 people are said to have been still missing, 1242 people had sustained injury and 646 were admitted in the hospital while 237, 899 people were found displaced from their house of habitual residence following the devastation caused by the massive earthquake.

Recent NHRC Publications in Five Local Languages

1. Tharu
2. Bhojpuri
3. Nepali
4. Maithali
5. Newari
6. Preliminary Monitoring Report on Earthquake (Nepali)
7. Preliminary Monitoring Report on Earthquake (English)
8. Six Year Strategic Plan (2015-2020)

NHRC High Level Monitoring team monitors the Post Quake Recovery Efforts from HRs Perspective



A high level monitoring team led by Chairperson Justice Anup Raj Sharma and other Commissioners during the monitoring on schools, trauma center and damaged mansions in the valley (Photo: Janak Raj Bhatta, Central Office)

KATHMANDU: A monitoring team of NHRC Nepal and Social Justice and Human Rights Parliamentary Committee monitored the human rights situation and collected information on the post-quake recovery efforts made on rescue, relief and rehabilitation works after the devastating earthquake of April and May, 2015.

The monitoring team took to the trauma center of Bir Hospital and met with the earthquake survivors. The team also visited the devastated age-old Durbar High school, Horizon Tower, Gandaki Bee building area and

new bus park area. Amid monitoring, the CDO of Kathmandu and security officials briefed the monitoring team about ongoing post quake recovery efforts including rescue, relief and works.

NHRC team included Hon. Chair Justice Anup Raj Sharma, Commissioners Prakash Osti, Sudip Pathak, Dy. Director Yagya Adhikari, Human Rights Officers Uma Joshi, Badri Subedi and Human Rights Assistant Janak Raj Bhatta. Similarly, representing the Parliamentary Committee, Chair Sushil Kumar Shrestha, CA Member Ashta Laxmi

Shakya, CA Member Sherdhan Rai, CA Member Hitaraj Pandey were present.

On the occasion, CDO of Kathmandu, SSP of Metropolitan Police Office, Rani Pokhari of Kathmandu, Armed Police Force, NIB, Nepal Army representative and other security body officials were also present.



The NHRC high level monitoring team observing a highly damaged mansion in the valley during monitoring (Photo: Janak Raj Bhatta, Central Office)

Continued from page 9
NHRC hosts the Protection...

On the occasion, the representatives of the women and children department briefed on various activities accomplished by the protection cluster with main focus on the rights of child after the earthquake of 25th April, 2015.

Held every Tuesday as a rule from the next day of the incident of the earthquake, the protection cluster meeting was participated by a good number of participants comprising the representatives from various UN agencies, government entities and NGOs.

The participants raised their concern

that the issues raised with regard to the child rights and women's rights including those of the elderly citizens are often given priority rather than the overall human rights issues. They laid their emphasis that the human rights concern should be addressed not only in the quake affected districts but also in other parts of the country.

Women and children department informed that it was obligatory on its part to inform the Ministry of Home Affairs about its activities but the Ministry remains tight lipped with regard to overall human rights.

Meanwhile, she expressed her concern over the confusion created by the book on disaster management published by

the Ministry. She said that the Home Ministry is of the view that the human rights issues need to be segregated. However, protection cluster activities will continue till the substantial conclusion comes from the Ministry.

The meeting concluded with the decision drawn on to continue the meetings on the protection cluster jointly by the women and children department and the Commission by giving due priority to the children, women, gender violence and overall human rights. The meeting also decided the meetings to be held in future will be chaired by the NHRC Commissioner/Spokesperson Mohna Ansari.

Meeting held with the Former Commissioners on Post Quake Activities from HRs Perspective



Former NHRC Chair Justice Kedar Nath Upadhyay accompanied by other former Commissioners at a meeting held on post-quake activities (Photo: Janak Raj Bhatta, Central Office)

LALITPUR: NHRC Central Office, NHRC had two different meetings with former NHRC Commissioners and Nepal Bar Association representatives respectively. The meetings discussed various pertinent human rights issues emerged due to the unprecedented earthquake that hit the nation in April and May, 2015. The discussion was also held on the post-quake recovery activities of the

government authorities, district level disaster managements committees, civil society and human rights related organizations.

In the meeting, dynamics in the role of NHRC were briefed including the monitoring conducted on human rights situation in earthquake affected districts in the country.

Khotang based NHRC Sub Regional Office shifted to New Location



The office equipment of the NHRC Sub Regional Office, Khotang being shifted to a new location (Photo: Sub-Regional Office Khotang)

KHOTANG: Khotang based NHRC Sub Regional Office has been shifted to Matikore at a rented house owned by the local resident Professor Rajk Naresh Rai. Situated in Diktel municipality-2, the office building of the NHRC was severely damaged due to the massive earthquake. The damaged building was tagged with a red sticker by the authority considering the building unsafe to use as an office any longer. The Sub Regional Office,

however, continued functioning as usual under a tent at the premises of the old office. The new office is located within the walking distance from the old office.

35 Armed Police Force personnel from Diktel based Halesi Barrack extended their help to shift the office in new location, as per Loknath Ghimire, the Office Chief of the NHRC Sub Regional Office, Khotang.

The Commission to forgo its Anniversary this year

LALITPUR: The National Human Rights Commission has decided to not to celebrate its anniversary which falls on May 27 every year.

The country is now facing harrowing situation with the heavy loss of lives due to injury caused by the earthquake including the displacement of millions of people being rendered homeless caused by the massive earthquake that hit the nation on April, 25, 26 and May 12, 2015.

‘At this time of adversity, the Commission has expressed its deepest sympathies to those killed and prays for them to rest in peace and also wishes speedy recovery of those injured,’ the press release issued by the Commission reads.

The Commission has been conducting on-the-spot monitoring in the earthquake affected districts.

Law scholars visit NHRC

MORANG: The students of LLB faculty at Bright Vision College visited the NHRC Regional Office, Biratnagar on June 17, 2015. A program was organized amid their visit in which the students were imparted with the information about the NHRC activities. The Regional Director Kosh Raj Neupane illuminated on the subjects related to human rights, NHRC achievements and the priorities including the challenges in the strategic plan of the Commission.

The students observed the complaint registration section and the resource center during their visit to the NHRC.



The NHRC staff explaining about the use of resource center with latest communication facility available (Photo: Regional Office Biratnagar)

A Few Images of Inaugural Function of Prefab House of NHRC

All Photos: Janak Raj Bhatta, Central Office



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