



Human Rights e-Newsletter

National Human Rights Commission of Nepal



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Seminar Held on the Protection of the Rights of Migrant Workers (MWs) - 2012



The NHRC Chairperson Upadhyay along with the member Gauri Pradhan and Country Director of UN-Women Sangita Thapa at the inaugural function

Photo: Radha Dahal

Lalitpur: Chairperson Justice Kedar Nath Upadhyay has said that there is a nexus between migration and trafficking in persons and that the violation of the rights proliferating one after another, protection of their rights is a paramount concern.

Speaking at the inaugural function of the national level seminar on the protection of the rights of migrant workers held on 19th and 20th of March 2012, the Chairperson said that though foreign employment helps bring remittance home, it is also associated with the national uprightness.

He urged the stakeholder organizations to cultivate pressure on the government for the ratification of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families at the soonest.

Adding that the existing regional level SAARC convention is meant to pledge support to those trafficked human persons who fall the prey of sexual exploitation in foreign land, the Chairperson said that its effective implementation in regional level is a must.

Addressing the program, Member Gauri Pradhan said that although migration is a natural process to contribute to the households and national economy through remittance, such hard-earned remittance is invested in unproductive assets in recent days.

He also informed that the NHRC-Korea has established separate desk to address the rights of Migrant Nepalese workers based in South Korea following the signing of MoU with NHRC-Nepal.

He, however, mentioned that it is obligatory on the part of the government to work on legally documented migrant workers overseas.

“ There is a nexus between migration and trafficking in persons and that the violation of the rights proliferating one after another, protection of their rights is a paramount concern. ”

On the occasion, Arjun Bahadur Thapa, Joint Secretary, Ministry of Foreign Affairs remarked that the problems are on the rise with regard to the protection of the rights of MWs mainly due to the resource crunch for the rescue of the MWs in problems.

Yuva Raj Bhusal, Secretary of National Planning Commission elaborated on the historical background of foreign employment

which started way back since the 1950 Treaty with India. He stated that foreign employment is one of the objectives of the current plan to address the overall employment and safe foreign employment of the labor force.

Expressing concern on the remittance invested in assets gathering, Mr. Bhusal urged the concerned to create opportunities with resource support for the employment back home. He added that the National Planning Commission has made Millennium Development Goal (MDG) with the concept to alleviate poverty focusing on women and indigenous populace in 9 different districts through inclusive principle.

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Road Expansion Drive should be in Compliance with Law: NHRC



The representatives of the Traffic Division of Kathmandu Metropolitan Police, Valley Development Committee and the NHRC Officer during the consultation at the NHRC central office

Photo: Umesh Rana Magar

Lalitpur: Chairperson Justice Kedar Nath Upadhyay has said that the authorities should follow existing law and the fundamental principle of human rights while demolishing the physical structure belonging to the general citizens.

Speaking at the consultation held with the representatives of the government agencies, the Chairperson urged that demolition work

should not violate the rights of the general citizens in anyway. He also stressed on the need for providing compensation if the legally constructed houses have to be demolished

Member Gauri Pradhan said that the NHRC has received complaints that road expansion drive was unfair as there have been discriminations while demolishing the physical structure. If that's the case, he advised the concerned to look into the matter at the earliest and continue the preordained action despite political party pressure.

At the program, the Traffic Division of Kathmandu Metropolitan Police informed the Commission that expansion of the road in the valley is being done in line with the existing law and there were no unfair practices in the road expansion drive.

Responding to the concerns raised by the NHRC, Senior Superintendent of Police Jay Bahadur Chand told the NHRC officials that illegally established physical structures adjacent to the public road were bulldozed only after issuing prior notification to the concerned persons.

On being asked about demolishing of pavement meant for the pedestrians, the stakeholder representatives assured that they would see to it with due importance.

Ramesh Raj Bista, Ananta Kumar Basnet and Bishnu Prasad Joshi of the Ministry for Physical Planning and Construction, Valley Development Committee and Kathmandu Metropolis respectively responded to the queries and concerns raised during the consultation.

“
Demolition work should not violate the rights of the general citizens in anyway.
”

Enforced Donation leaves Eastern Districts in Panic

Khotang: During the series of monitoring mission conducted by the NHRC Sub Regional Office, Khotang, one of the recent development in human rights was reported to be the enforced donation drive allegedly launched by the Khambuwan National Front (KNF) in various districts, the report sent from the sub regional office, Khotang says.

The report states that various media reports relating to the donation drive had drawn the attention of the security authority and other concerned stakeholder agencies in the area. It was learnt that the activity as such has harboured panic among the village development committee office bearers, ex-British and ex-Indian Army personnel subsequently deteriorating peace in the region. Following the news publication on the donation campaign, the media persons were said to have received threat from the carders of KNF, the report further states.

Meanwhile, the monitoring team met with the representatives of the state actors including the Superintendent of Police Basanta Kumar Thapa, Chief District Officer Shiva Ram Gelal, District President of CPN (UML) Bishal Bhattarai, District President of KNF Purna Kumar Khambu and held discussion on the ongoing upheaval generated through the enforced donation in the region.

Law and Order Situation Reviewed in Khotang

Khotang: NHRC Sub Regional Office, Khotang has conducted interaction entitled 'Peace, Security and Human Rights Situation' in Bhojpur district.

Officiating Head of the NHRC Sub Regional Office Loknath Ghimire threw light on the objective and rationale of the program. Following this, Professor Uttam Khadka presented the paper on peace, Peace, Security and Human Rights Situation in Bhojpur district.

At the program, the participants strongly raised their concern with regard to the incidents of human rights violation perpetuated in parts of the region. They said that the incidents of extortion,

violence against women, bandha, strike, bomb explosion, including the use of small arms in criminal activities have deteriorated peace and security in parts of the region. Drawing the attention of the concerned security authority therefore, the participants lamented in unison that despite the political change in the country, law and order and human rights situation hasn't been improved as expected.

At the program, 45 participants representing different sectors including Acting Chief District Officer, Security Agencies (Nepal Police and Armed Police Force), leaders of different Political Parties, Civil Society, Human Rights Activists and Journalists took part in the interaction.

Monthly Status of the NHRC Decisions (March, 2012)

The National Human Rights Commission, in course of its action, has made a number of decisions and sent the recommendations to the concerned in the month of March, 2012. These include 3 cases of extra judicial killing, 3 cases of disappearance. Upon the decision is made thereof, the recommendations have been sent for the compensation to victims' families and punishment to the perpetrators. Also, 11 cases of torture, 1 case of threat including 11 cases related to Economic, Social and Cultural rights have been finalized this past month.

Collective Rights: Challenges and Opportunities Reviewed

Lalitpur: The NHRC organized an interaction entitled 'The Collective Rights: Challenges and Opportunities' on March 28, 2012. Chaired by Member Gauri Pradhan, the objective of the program was to ponder on the expectations and comments from the concerned key stakeholders.

Addressing the program, Member Gauri Pradhan remarked that having established amidst the peak of conflict, the NHRC has so far received over 10,000 complaints related to the civil and political rights. Now that Comprehensive Peace Accord and Interim constitution of Nepal, 2007 have prioritized the Economic, Social and Cultural (ESC) rights along with other core international conventions, the NHRC has included collective rights in its three year Strategic Plan 11-13, Member Pradhan said.

Stressing on the 3 Ps - Prohibition, Protection and Prosecution, Member Pradhan also pointed out miscellaneous environmental rights, senior citizens rights, consumer rights, minority rights, rights of sexual minorities and land rights that directly associate with ESC Rights.

Speaking at the program, Gopal Krishna Shivakoti of INHURED International said that the collective rights being the profound subject, the clear definition of this must be brought to light.



Collective Rights Division head Surya Deuja and the participants of the concerned stakeholder agencies during the paper presentation on the Collective Rights: Challenges and Opportunities

Photo: Umesh Rana Magar

He urged that while talking about the collective rights, the collective responsibilities cannot be alienated just like that. Stressing on the collective rights to encompass the collective sovereignty, Mr Shivakoti opined that devising the 'White Paper' on this cannot be denied at this point of time.

At the program, Ramlal Maden of National Foundation for Development of Indigenous Nationalities (NFDIN) said that placing itself

as a 'confluence,' the NHRC should coordinate with other Commissions prior to formulating the policies of any sort.

Representing the Blue Diamond Society, Badri Pun said that the grievances of minorities are often raised but with less importance given to the vital issue of their citizenship provision. He drew the attention of the stakeholder agencies to it.

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Media on Human Rights Issues: At a Glance

Lalitpur: As per the various media reports, the incidents of human rights violation and abuses were found to be sporadic this past month. The records show that there were incidents of 14 killings, 2 bomb explosions, 74 cases related to murder, deaths including the dead bodies found in different places. Death toll in connection with various incidents reached up to 74 apart from the lives of 98 persons lost due to various types of accidents.

11 persons were reported to have been abducted for extortion and other reasons while 10 were rescued except for the one who was allegedly killed. 179 homes were gutted on fire as the incident of fire was reported at 26 places. 89 bomb explosions including the bomb diffusion were reported in which 4 persons were injured. The media report also reveals that 15 incidents in connection with the life threat were reported.

The other reports mention that more than 53 protest programs following 17 incidents of clashes were witnessed in which around 130 were injured. Similarly, out of 42 looting/dacoits/ theft cases, properties worth millions were looted by killing one person.

55 torture cases were brought to light as either domestic violence or for extortion in the country. Incidents of human trafficking were also reported in which 4 girls were found sold. The worst of all incidents was the incident

of sexual harassment where 21 girls were allegedly raped including 1 girl child. The girl child was found murdered later.

The day to day life of the people was crippled due to the violation of their right to free movement following the 18 bandh programs organized by different political parties and various other groups. At the same time, 17 incidents of vandalism occurred during this past month alone, the report unveils.

Government's efforts to control the situation with application of special security plan came into force and around 671 persons arrested. Amongst them, 76 were put behind the bar in connection with different cases. 4 persons were freed whereas one prisoner fled from the hand of law.

As many as 85 families across the country were reported to have been displaced due to the natural catastrophe such as fire and landslides leaving 16 persons reported missing.

The most disturbing of all cases was the 31 incidents of domestic violence cases in records which has been the challenge to peace and security within walls. In a nutshell, therefore, more than 133 human rights violations and abuses were recorded in the month of March, 2012 alone.

Source: Various Media Reports

Forensic Games Training Resumes

Janakpur: The NHRC Regional Office, Janakpur, provided Forensic Games trainings to 25 human rights defenders, prosecutors, police investigators and medical doctors in Janakpur from February 23-25, Nepal.

EPAF created the Forensic Games to empower the participants in its training programs around the world to share their knowledge with key actors involved in the investigation of cases of enforced disappearances. Since December of last year, ABAROLI and NHRC have combined to train more than 100 Nepalese civil society actors, prosecutors and police investigators using the Forensic Games course.

Equipo Peruano de Antropologia Forense (EPAF) trained the representatives from the NHRC to facilitate the Forensic Games course during a training-of-trainers workshop hosted in cooperation with the American Bar Association Rule of Law Initiative (ABAROLI) in Kathmandu during June of last year.

The Forensic Games is designed as a structured course that can be used to train prosecutors, investigators and human rights defenders in the basic concepts of forensic investigation into cases of forced disappearances and extra judicial executions.

Equal Participation of Women in the Policymaking Level Stressed



Women participants representing various stakeholder organizations at the program held on the occasion of the 102nd Int'l Women's Day

Photo: Prem Chaudhary

Lalitpur: The Chairperson Justice Kedar Nath Updhyay has said that women should have access to the participation in policy making level of the state which would eventually pave ways to end the violations against women.

At a function organized on the occasion of the 102nd Int'l Women's Day, Chairperson Updhyay said that its time that the culture should be developed to protect the rights of women, to end all forms of violation against women and to eliminate the gender discrimination within walls.

At the program, women rights activist Durga Ghimire pointed out that it was high time to break the 'culture of silence' existed in Nepalese society. She also stressed that all concerned should deviate their attention towards promulgating effective laws to end the violence against women.

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Seminar Held...

Sangita Thapa, the Country Director of UN-Women urged that the stakeholders should come forward with authentic data for further processing so that it will help the policy makers draft the policy for safe migration.

Throwing light on the objective and rationale of the program, Padma Mathema, Special Rapporteur of NHRC said that the global economic is operated through migrant workers in the current context, the seminar on the stipulated theme is organized with human rights perspectives as to how the national and regional consensus can be built.

At the Seminar, various eminent experts including Purna Chandra Bhattarai, Dr. Ganesh Gurung, Dr. Govinda Subedi, presented the papers on various themes.

During the paper presentation, the experts underscored the concerted efforts and endeavours made by the government and other non-governmental agencies. They unveiled the

Women rights activist Haripriya Pandey said the violence against women will not end as long as there persists nexus between politics and crime. She expressed her concern that violence against women is alarmingly on the rise even in the capital city Kathmandu.

On the occasion, Human Rights Activist Charan Prasai said the government's decision to withdraw the cases of grave violation of human rights is outright mockery to human rights. At a time when the decision as such was dispensed, the program organized with the slogan **'End Violence against Women: Uphold Zero Tolerance'** has apparently become the subject of mockery, Mr. Prasain flayed the Government.

Stressing the need to end organized violence against women in Nepalese society, Human Rights Activist Renu Rajbhandari expressed her concern over the truth that the women are not in position to go to the police to lodge the complaint against such violence. Adding that certain discriminatory laws in existence have infringed the women's rights, she said the NHRC ought to take a lead role to deflate such laws.

On the occasion, various speakers including former NHRC Member Sudeep Pathak, Advocate

Kopila Adhikari, Chakraman Biswakarma, Parbati Basnet, Lila Nath Pahadi, Basudha Gurung, Bhakti Shah and Gita Neupane threw light on various dimensions and aspects of the women's rights.

Kaski: The NHRC Pokhara Office and Lekhnath Jaycees jointly organized a one day interaction program entitling "Women Rights and the Role of the Stakeholders" on 9th March 2012 to mark the 102nd International Women's Day.

At the program, the participants raised their concern on the issues relating to the women's rights focusing on the lack of awareness among women about their rights, lack of access to legal aid and social justice. They also debated on the widespread gender based discrimination. Expressing their difficulty in obtaining citizenship in the name of mother, the participants said that their wages were less as compared to that of their male counterpart.

The participants unanimously stressed on the amendments in national laws with regard to the gender-based violence, domestic violence and trafficking in persons specially on girls including the alleged haunting of witchcraft prevalent in society.

The participants, in unison, urged the NHRC, as a catalyst to embark upon making necessary recommendations to the Government of Nepal thereby mounting pressure for the development of necessary guidelines and rules that would pave ways to address the discrimination against women, update the records of the victims and establish the rehabilitation centers for them.

series of existing problems faced by the Nepalese MWs overseas. They also put forth their policy wise suggestions and recommendations that can be vital in formulating the policies draft for having big-picture impact on foreign employment scenario.

At the end, the panellists including various experts responded to the concerns raised by the participants.

Ms. Padma Mathema, Special Rapporteur, Office of the Special Rapporteur on Trafficking (OSRT) of the NHRC, Mr Trilok Chandra Biswas B.K, Mr. Raja Ram Gautam, Mr. Khadga Bahadur Shrestha and Mr. Bed Prasad Bhattarai, Director of the NHRC presented the paper on various themes on the protection of MWs both at home and aboard.

Following the paper presentation the floor was made open for discussion. The panellists responded to the queries and concerns raised by the participants on the stipulated protection of rights of MWs.

Member Justice Ram Nagina Singh, as the Chair of the program, made the concluding remark on the program. He said the incidents related to the foreign employment are on the rise such as divorce and extra judicial killing.

Thanking all the participants for their participation in the program with wholehearted patience, Member Singh concluded that the policy-wise suggestions and comments provided during the program would be recommended so that the concerned would incorporate them with due importance.

The seminar has, thus, brought forth the way-forward based on the suggestions and recommendations as the outcome through paper presentation and concerns raised by the participants. It has helped mobilize the concerned stakeholders and recruiting institutions to the forefront to contemplate the challenges and devise way forward from the national perspective as an agenda for national priority in order to ensure the rights of the migrant workers.

Stakeholders urged to pay Heed to the Rights of Dalits

Baitadi: The NHRC Regional Office Dhangadhi organized an interaction program in Baitadi on the occasion of the 47th International Day on the Convention on the Elimination of Racial Discrimination (CERD).

At the program, most of the participants raised the concerns on the burning issues of Dalits in the country. They drew the attention of the concerned stakeholders towards the widespread discrimination such as touchability between the Dalits and Non-dalits in the district, as per the report sent from the NHRC Far Western Regional Office, Dhangadhi.

They also strongly raised the concern over the state of exclusion mechanized by the state agencies from top to bottom. They lamented in unison that the law enforcing agencies are dispirited to take action on the complaints lodged by the Dalits. They flayed the authority over the obliviousness shown for the action to be taken against Non-Dalits who apparently make things complex for the official legal procedures pertaining to the issuance of citizenship, marriage registration and birth registration as well as other Dalit related cases. They urged district administration to be cooperative and pay heed to the grievances of Dalits in the district, the report says.

The report further says that the status of rights of Dalit women is in pitiful condition in the region. 'Chaupadi,' a social ill-culture existed in society has kept the women in the district haunted through ages despite the awareness campaign launched from time to time. Likewise, the government has not provided money as promised via national policy to the couple tied in nuptial tie under inter-caste arrangement.

Most participants urged the NHRC to exert pressure on the stakeholders concerned for the implementation of provisions of rights of Dalits, the report states.

The participants of the program comprised the human rights workers, media persons, legal professionals, representatives of the civil society, Dalit human rights activists and the representatives of the stakeholder agencies of Baitadi district.

Kaski: At a program organized jointly by the NHRC Regional Office Pokhara and Radio Barahi 99.2 megahertz on March 21, 2012, speakers stressed on the need to remove the word "Dalit" by saying that the term itself was derogatory for the community that has been oppressed, stigmatized for being economically backward for ages in society.

They unanimously opined that such a term intending to degrade one's self esteem has been predominantly in hype to misinterpret the existing cleavage between the rich and the poor in society.

The speakers also highlighted that in spite of the prevalence of rule of law, its implementation side was in dismal state with regard to eliminating caste-based discrimination in the country. In this concern, the participants urged the media to play a proactive role for the news converge on the widespread caste-based discrimination in the region with due significance.

The speakers also raised the concern in unison why the government can't effectively launch programs to eliminate caste-based discriminations at par with the Vitamin A program launched nationwide.

The NHRC Deputy Director Yagya Prasad Adhikari, Human Right Activist Shov Bahadur Nepali, Krishna Sunar of Dalit NGO Federation, Press Council Central Member Madhav Sharma, Journalist Krishna Prasad Bastola, Representative of Landless Squatters- Dil Bahadur Nepali, INSEC Coordinator Ganesh Shrestha, Bina Silwal of Kopila Nepal also shared their views on the occasion.

Status of Right to Health of AIDS Survivors Updated in Farwest

Dadeldhura: The NHRC Far Western Regional Office conducted a workshop on the role of stakeholders on the rights of the AIDS survivors in Far West. The workshop was held in Amargadhi Municipality of Dadeldhura district from 26-27 March, 2012.

The objective of the program was to obtain the information about the economic and social condition of the AIDS survivors, their health status and health services, the alternative measures adopted by the state in order to protect the persons' right to health and the recommendations to be sent from the side of the Commission to the government.

The program was inaugurated by the Constituent Assembly Member Hari Shreepailee whereas the Chief District officer Premlal Lamichhane was the guest of the program. Likewise, the Program Coordinator (AIDS) of Regional Health Directorate Daya Krishna Panta was the resource person of the program.

At the workshop the participants unanimously stressed that the NHRC as a catalyst in the form of constitutional body should work on the right to health specially focusing on the



Participants at the workshop on Rights to Health of AIDS survivors organized by the NHRC Dhangadhi Office in Dadeldhura district

Photo: NHRC Dhangadhi Office

health services status of the AIDS survivors in Far West.

The workshop was the follow up program on the basis of data collection made through the monitoring carried out on samples accumulation in Silgadhi and other small pockets of Doti district.

A total of 58 representatives (28 local level and 30 from other districts) from 9 different districts viz Kailali, Kanchanpur, Doti, Achham, Bajura, Bajhang, Darchula, Baitadi and Dadeldhura had participated in the workshop.

Training Held on Transitional Justice

Lalitpur: In accordance with plan laid out in the NHRC Strategic Plan, a training on Investigation and Monitoring of Transitional Justice (TJ) Issues Relating to Human Rights was organized in participation of the NHRC staff including the representatives from the Women's Commission, Nepal Police, Office of the Attorney General, Nepal Bar Association and Civil Society.

Addressing the inaugural session, Member Pradhan said, 'The inception of very much significant commissions viz. Truth and Reconciliation Commission (TRC) and the Commission on the Inquiry on Disappeared (CID) leaves no alternative at this point of time and we are yet to see how they function to address the transitional justice system.'

The representative from the Finland urged the participants of Training of Trainers (ToT), as a pressure building community, to mount pressure on the government to form the TRC and CID at the soonest.



NHRC Member Gauri Pradhan inaugurating the training program on Transitional Justice held in Lalitpur

Photo: Purushottam Phuyal

The training held from March 22- 24, 2012 with the support extended from the Finland Government had the objective to familiarize the participants with the concept on transitional justice from international perspectives including the judicial responses. The participants were also made known about the international experience on the TJ System with the comprehensive illustration drawn from the countries such as South Africa and Cambodia.

During the training the participants also obtained the information about the NHRC initiatives made so far for the transitional justice processes.

The trainees of ToT comprised 25 participants. Various experts facilitated the training on different themes on transactional justice.

OHCHR-Nepal Bid Hearty Farewell

Kathmandu: The Office of the High Commissioner for Human Rights organized a farewell program on 19th march, 2012 in Kathmandu.

Addressing the program, NHRC Member and Spokesperson Gauri Pradhan said that it was a sad moment to say goodbye to OHCHR at a time when human rights situation was still under a challenge.

Appreciating the role played by OHCHR during the armed conflict and historical Jana-Andolan of 2006, Member Pradhan said that the OHCHR contributed a lot to save the lives

of many people and protect them from enforced disappearance, torture, and extra-judicial killing.

Member Pradhan added that in order to find out the truth of serious human rights violations of the armed conflict, to deliver transitional justice to the people in need and also to end the culture of impunity, OHCHR and NHRC have worked hand in hand on a number of occasions.

He assured that the NHRC will continuously work with great deal of determination and persistence to make Nepal as a state free from all forms of discrimination and violations of human rights.

He, on behalf of NHRC Chairperson, extended sincere thanks to Ms. Jyoti Sanghera and her predecessors for unwaveringly dedicated contribution made by them through OHCHR-Nepal Office.

Concluding his speech, Member Pradhan expressed his hope to receive the continuous support and solidarity from OHCHR-Geneva for the promotion and protection of human rights in the years to come.

On the occasion, Haney Magalley, Chief of Asia Pacific, Middle East and North Africa Branch, Robert Piper – UN Resident Coordinator, Mandira Sharma – Chairperson of Advocacy Forum, Bhakta BK of NNDSWO, Jyoti Sanghera – Former OHCHR Representative to Nepal delivered their farewell speech on the occasion.

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Collective Rights...

Similarly, Jagdish Prasad Adhikari of the Association of Persons with Disabilities said that its been almost two years that the UN Convention on the Rights of Persons with Disabilities (UNCRPD) has been ratified by the government and now its high time that it should be domesticated without any dilly dallying.

On the occasion, Jagat Basnet of Land Reform Forum said that since the Article 11 has spoken about the land rights, the issues of landless and the livelihood should be prioritized with due significance.

Commending the solidarity expressed by the NHRC for the rights of mentally ill people, Matrika Devkota of 'Koshish' said that the government ought to do something substantial for the mentally ill people who comprise 20% of the total population of the country.

Kamala Parajuli of 'Sankalp' Nepal said that the human rights issues related to senior citizens should be treated as the cross cutting issue.

Member Gauri Pradhan, in his closing remark, said that the comments would be presented as the content of discussion on thematic based focusing on the differentiation between the individual and collective rights. This, he said, would ease the way to present as benchmarks on the pertinent issues of human rights of mentally ill persons.

Adding that the NHRC's ongoing monitoring on the international human rights instruments together with those collective rights furnished in the MDG of national planning commission, he said that new constitution should be inclusive of the collective rights as the fundamental rights and responsibilities of the citizens.

Presenting the paper on the stipulated theme, Head of Collective Rights Division Surya Deuja

said that collective rights division has been established as the youngest division under the purview of the NHRC. He then laid down the prioritized areas of collective rights such as rights of child, persons with disabilities, indigenous people, senior citizens, Dalit rights, minorities, mental health, consumer rights and development and environmental rights among others.

Similarly, the collective rights division at its disposal would have its major intervention over monitoring on ESC rights, ESC rights indicators, senior citizens and the recommendation on the issues of the persons with disabilities, said Mr. Deuja.

The representatives of the stakeholders organizations Dhruvahari Neupane, Kiran Shilpakar, Jaganath Lamichhane, Bhuwan Sunar, Pradeep Bajracharya, Ram Bahadur Chand, Nani Babu Kahtri and Padma Mathema also shared their views during the program.

NHRC Prepares Course of Instructions for Human Rights

Lalitpur: The NHRC-Nepal has recently developed a structured course of instructions for the human rights defenders (HRDs).

The course of instruction is divided into three parts. The first part of the course aims at training the defenders dedicated to defend the human rights in general. The second part is prepared for the defenders dedicated to defend the rights of particular sections of people such as women, children, minority and disadvantaged groups. Similarly, the third part contains selective based practical learning in the field.

Designed for the week long training package containing 22 sessions, the syllabus under Part-I basically deals with major areas of rights defender that the HRDs need to be familiar with. The Part-II deals with specialized thematic issues or the core areas. The areas include the rights of women, the rights of the child, the rights of minorities and disadvantaged groups, the right to information and freedom of expression, human rights based approach (HRBA), HR report writing (for HRDs involved in monitoring, investigation and fact finding) and multiple issues of human rights. The specialized thematic course contains five sessions each in addition to general course offered in part I. Most relevant sessions would be selected from the syllabus for short term (1-4 days) training workshop or orientations programs.

Part-III entails the selective based practical studies by offering trainees to visit children home, prisons and detention centers, CSOs or NGOs (any of

them). The Part -I comprises the sessions on the civil and political rights, economic, social and cultural rights, non-discrimination, human rights system in Nepal, international human rights system and monitoring investigation/fact finding in alleged human rights violations.

Other sessions include human rights dialogue and advocacy, human rights based approach to development, role and functions of human rights defenders, human rights and gender concern, human rights capacity building, role of human rights NGOs, CSOs and professional organizations for the respect of HR.

Likewise, promotion and protection of rights of minority /disadvantaged groups, prevention of torture and remedies to the victims of torture, protection and promotion of the rights of persons with disabilities, emerging issues of human rights, state accountability and reporting and documentation of HR are part of the syllabus.

The specialized thematic syllabus contains various issues is mentioned herein. Under the theme of rights of minority and disadvantaged groups, the syllabus is designed as HRDs defending the right of minorities, protection and promotion measures and mechanisms, legal and policy framework, empowerment of disadvantaged and minority groups, international instruments and state commitments.

The session under the theme of women's rights contains major issues related to the violation of

HR of women, women's HR under CEDAW, women's empowerment, role of HR defenders for the promotion and protection of rights of women, role of accountability holders on the promotion and protection of women' rights. Likewise, the session under theme of child rights contains major issues around violation of the rights of the child, classifying the rights of the child, accountability/ responsibility holders for the respect of rights of the child, role of HR defenders to ensure the rights of the child and relief and remedies.

The session under the theme of right to information and free expression include HR and media, role of media for the promotion and protection of HR, legal framework and limitations in free expression, HR reporting and professional standards and media culture, values issues.

The session under the theme of human rights based approach include values and principle of HR, declaration on the right to development -1984, applying/integrating HRBA in various issues. The session under the HR includes analysis of law and HR instruments, the fact in issues, data collection and analysis, finding / conclusion of the report, content language and format of the report.

For detailed information please visit NHRC-Nepal website a:

<http://www.nhrcnepal.org/papers.php>

Status of Human Rights Situation Publicized in East

Khotang : Amidst a press conference held, the NHRC Sub Regional Office Khotang publicized the report on over all human rights situation in the districts of Khotang, Okhaldhunga, Solukhumbu and Bhojpur.

At the press conference, the detail picture was laid down on the complaints with regard to the violation of human rights and the implementation status of the NHRC recommendations sent from the Sub-Regional Office, Khotang.

On the occasion, the details of the recommendations made on the incidents of human rights violation effecting from the year 2005 till date was made public. Media persons were informed about recommendations made on the complaints of human rights violations that took place from the side of the conflicting parties including the Army and the then Maoists. However, the recommendations on the complaints of human rights violations during the insurgency period haven't been implemented in full until today, it was revealed during the press conference.

Meanwhile, it was revealed that 221 complaints under various thematic with regard to the violation of human rights were lodged at NHRC Sub Regional Office, Khotang from 2003 till 2011. At the same time, media persons were updated on the section 10 of the newly enacted NHRC Act that has the provision on the Procedures Relating to Complaint Proceedings.

Stakeholders interact on HR and Good Governance in West

Kaski: The NHRC Pokhara Office and Informal Sector Service Centre (INSEC) jointly organized an interaction program on "Human Rights and Good Governance" on 23 March, 2012.

The sole objective of the program was to bring about awareness on human rights and good governance in rural level. At the program, Chief Judge of the Appellate Court, Hare Ram Koirala emphasized on the importance of education to protect human rights and to establish good governance while District Attorney Dilliram Acharya presented a concept paper on Human Rights and Good Governance highlighting the need to have belief in democratic system, law, financial discipline, transparency and above all accountability to achieve the goal whatsoever.

Chief District Officer Chetnath Bhattarai of Kaski stressed on the necessity for implementing updated educational policy and positive thinking among the stakeholders. At the program held on the Chairpersonship of the Regional Head Yagya P. Adhikari, representatives from various security agencies, medical institutions, judiciary and other stakeholder organizations were present who collectively made their emphasis on the need of concerted effort of individuals to have the human rights and good governance sustained in society.



Prakash Chandra Pariyar, elder brother of late Dayaram Pariyar speaking at the program held in commemoration of the NHRC staffer later Daryam Pariyar

Photo: Sarki Man Tamang

Late Dayaram Pariyar Remembered

Lalitpur: The National Human Rights Commission, like past years, once again reminisced its staffer late Dayaram Pariyar by commemorating his 6th death anniversary on March 29, 2012 at NHRC.

Paying homage to late Pariyar amidst a mass prayer held on the occasion, the Chairperson Justice Kedar Nath Upadhyay said that the sad demise of the staffer Pariyar proves how challenging and difficult the life of a human rights defender is.

Portraying late Pariyar as the fighter for human rights, the Chairperson said that the NHRC is all set to establish Dayaram Memorial Award in

profound memory and honour of late Pariyar. The outstanding human rights defender in the country will be conferred with the honour on the occasion of the NHRC Day in May 2012, the Chairperson announced.

Member Ram Nagina Singh said that in a feat to provide justice to late Pariyar and his grieved family, the Commission has left no stone unturned but the state appears to be oblivion in this concern.

Expressing dismay over the reluctance of the Government to declare Late Dayaram martyr despite strong ground, Prakash Chandra Pariyar, elder brother of late Pariyar, urged the

Government once again to have unprejudiced review in this concern. Instead, the prolonged obliviousness to pledge support in this regard at least to compensate the irreparable loss has further agonized the family members and also made entire human rights defenders in the country thwarted,' lamented Mr. Pairyar.

He called upon the Government for the issuance of the postal stamp in the name of late Pariyar and the NHRC to keep its moral battle alive for this.

Former NHRC Member Sudeep Pathak said that it was a sheer irony that even a person who is associated with the national institution like NHRC has been deprived of justice.

Recalling the sacrifice made by late Pariyar, human rights activist and NHRC former members Sushil Pyakurel, Prof. Kapil Shrestha and Dr. Ram Dayal Prakash, Subodh Pyakurel - Chairperson of INSEC, Bhawani Kharel expressed their lamentation over the slackness of the government to end the culture of impunity in the country.

The tributary to late Pariyar was observed with the participation of the NHRC office bearers, former NHRC members, eminent human rights activists, NHRC staff members, the representatives of various human rights organizations, family members of late Pariyar, the representatives from Nepal Police and media among others.

Late Pariyar, who was shot by police in Janakpurdham, breathed his last while receiving treatment at TU Teaching Hospital six years ago.

Sit-in Program Monitored: Kin ask to publicize the Whereabouts of Disappeared

Kathmandu: The NHRC monitored the sit-in program organized by Association for Families of Disappeared in front of the central office of the major three political parties Communist Part of Nepal (Maoist), Nepali Congress and Communist Party of Nepal (United Marxist and Leninist) on March 21, 22 and 23, 2012.

The objective of the program was to mount pressure on the government to make public the whereabouts of the victims of disappearance during the period of Armed Conflict in the country. The families of the disappeared have also strongly urged the government to take action as per law against the culprits involved in the legacy of disappearance.

The NHRC Human Rights Officer including the representatives of various other human rights organizations were also present at the event. On the occasion, the NHRC Official and other human rights defenders highlighted the need for the passage of both the TRC and the CID Bills at the soonest. Both the Bills were tabled in the Legislature Parliament more than three years ago which have been lying pending ever since.

NHRC has received more than 33 hundred complaints on disappearance during the armed conflict in which status of more than eight hundred people is still unknown.



Snapshots of the victims of disappearance displayed before the offices of the three major political parties during the sit-in program organized by the Association of the Families of Disappeared in Kathmandu

Photo: Ram Sharan Shrestha

National Human Rights Commission

Harihar Bhawan, Lalitpur, Nepal
Phone: 00977-1-5010015 (Hunting Line)
Fax: 00977-1-5547973, 5547976
Email: nhrc@nhrcnepal.org
Website: <http://www.nhrcnepal.org>

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

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