



# Newsletter



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## Workshop on HRs Protection through the Use of Writ Jurisdiction concluded



Sitting bigwigs from the appellate and district courts of various districts of Kaski, former NHRC Commissioner, NHRC Acting Secretary and other staff member at a program entitled the effective use of writ jurisdiction held in West

Photo: Umesh Rana Magar, Central Office

**POKHARA:** The senior most Justice at the Supreme Court, Ram Kumar Prasad Sah, has said that the state agencies authorized to enforce the laws were behind majority of incidents of human rights violations in the country.

Speaking as the chief guest, Justice Shah made this remarks at the opening ceremony of a two-day long regional level workshop entitled 'Effective Use of Writ Jurisdiction for the Protection of Human Rights' held in lake city Pokhara.

Underscoring the foremost responsibilities of the government officials to protect the rights of the citizens, Justice Sah argued that Nepal

does not seem to have the same level of seriousness towards the protection of human rights as it is observed at the international level.

He also suggested that all the state organs including judiciary should be sensitive towards the protection and promotion of human rights.

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*-Justice Shah*

Speaking on the occasion, former NHRC Commissioner Ram Nagina Singh opined that the law implementing agencies themselves are engaged in violating human rights and the act as such will not be pardonable.

Mr. Singh stressed that justices delegated to take action against those rights violators should not shrink back.

*Continued on page 10*

### CONTENTS PAGE

Workshop on HRs Protection .....	1
NHRC monitors the Aftermath .....	2
Ensure Rescue and Relief .....	3
Complaints on HRs Violation .....	4
Commission ask to expedite .....	5
Advanced Training on Mediation ....	6
Stakeholders paint Bleak Picture .....	7
Recent NHRC Publications .....	7
NHRC and OPMCM hold .....	8
Implementation of the Fifth .....	8
Development Actors trained .....	9
Public Hearing on Human .....	11
Images of 31 <sup>st</sup> Int'l Day Against .....	12

IN THIS ISSUE

## NHRC monitors the Aftermath of Sindhupalchok Disaster

**SINDHUPALCHOK:** Following the incident of landslide at Jure located at the border between Mankha and Ramche VDCs of Sindhupalchok district on August 2, 2014, a team comprising Human Rights Officer Jiban Neupane and Human Rights Assistant Khimananda Basyal set out to the incident site to carry out monitoring on the incidents of death due to landslide, activities related to the rescue and treatment of the injured and the status of relief distribution.

The team has monitored the situation in two phases. After the attention was drawn to the grievances of the victims of the disaster and the reports published in various news papers about the aftermath of the disaster, further monitoring was conducted on August 11, 2014 by the team comprising Acting Secretary Bed Prasad Bhattarai, Director Subarna Karmacharya and Human Rights Officer Jiban Neupane.

The monitoring mainly focused on the status of relief distribution, classification of the victims to receive relief, and initiatives for releasing water from the reservoir created after landslide occurred, supply of obstructed electricity and the resumption of the vehicular movement.

As per the data received from the District Disaster Rescue Committee, 156 people were missing in Mankha and Ramche landslides at



*NHRC Acting Secretary Bed Prasad Bhattarai, Director Subarna Karmacharya and HR Officer Jiban Neupane during the on-the-spot monitoring the landslide in Sindhupalchok district*

Photo: Umesh Rana Magar, Central Office

Sindhupalchowk and 145 out of 156 have been identified so far. The dead bodies of 33 victims were found. 143 people were reported to have received some amount of relief for performing the last rites of those killed. Also, it was found that 487 people were displaced due to sudden disaster. It is learnt from the report that the rescue work and the distribution of relief materials including food has been expedited in disaster hit districts by 114 organizations and individuals as of August 11, 2014.

The monitoring report also revealed that the efforts have been made to resume the obstructed electricity supply and to release water from the lake created automatically after the landslide. Efforts also have been

made to bring the alternative road connecting Barabise into operation. It is also learned that the children, who have lost their parents in the disaster, have been provided with psycho counseling through Save the Children at the suggestion of the Commission.

Upon the accomplishing of the monitoring on the overall rights situation, grievances of the victims and the relief distribution, the monitoring team has asked the Commission to suggest the Government via recommendations to make necessary arrangements for the provision of psycho counseling to the victims, to help release the water from the lake, to do the homework for rehabilitation of the people in extreme vulnerability of becoming homeless due to the natural disaster in future, to bring the road connecting to Barabise into operation and to immediately resume the obstructed health service, electricity and communication.

Apart from these, the Commission has issued a press release with the request made before the Government of Nepal and concerned stakeholders.

The Commission has, therefore, urged to show high alertness lest there could be the prototype incidents following the sudden natural disaster



*NHRC Official collecting information from the local residents and family members of landslide victims in Sindhupalchok district*

Photo: Umesh Rana Magar, Central Office

*Continued on Pg. 3*

# Ensure Rescue and Relief for the Victims of Natural Disaster: NHRC

**LALITPUR:** The attention of National Human Rights Commission has been drawn to the incidents of villages being submerged across the country and hundreds of people being killed due to deluge and landside triggered by ongoing monsoon rain in the districts including Sindhupalchowk, Khotang, Banke, Bardiya, Surkhet, Dang, Kailali, Jajarkot, Siraha and Rautahat.

In this regard, the central, regional and sub-regional offices of the Commission have been monitoring the overall situation across the country including Morang and Siraha in eastern region, Rautahat, Dhanusha, Mahottari and Sindhuli in mid region Gorkha in western region, Banke, Bardiya, Surkhet, Salyan and Jajarkot in mid-western region including Kailali, Bajura and Siraha in far-western region.

As per the monitoring report, 156 people were killed in Mankha and Ramche landslides at Sindhupalchowk and 578 families were displaced. The report also says that due to flood, 105 people have died in various districts including Banke, Bardiya and Surkhet while 136 persons have gone missing. The report also reveals that

42 persons were injured, and 20,239 persons were displaced while 11,584 houses were affected. It is learnt that the rescue work and the distribution of relief materials including the food stuffs has been expedited in disaster hit districts.

The report also says that contagious diseases such as fever, diarrhea, cold and cough, skin rashes and conjunctivitis have been reported in the flood affected areas. Also, pregnant women, children, elderly citizens, persons with disabilities had to bear the brunt of the burden due to sudden catastrophe. The flood victims have been deprived of most essential services such as food, clothing, shelter, education and health services due to the absence of arrangement of most essential commodities including food, clothing and health treatment of the victims.

Following the sudden occurrence of the disaster, the movement of the people in various districts including the supplies of food stuff and necessary medicines, electricity and communication has been found obstructed. The drinking water supply has also been damaged at few places causing the water shortage in the

incident area. A few victims reported to have come up with the grievances that the rescue and relief work including the distribution of food stuffs and clothes in the flood affected area couldn't be done effectively leaving the victims at lurch with starvation, according to the report.

The Commission, therefore, urges the Government to make necessary arrangement for the smooth supply of most essential services including rehabilitation, education and health for those left without shelter due to natural disaster and also for those at high risk of becoming the victims of homelessness.

Keeping in mind the repercussion of possible epidemics in flood affected areas, the Commission urges the Government to make necessary arrangement to mobilize health teams to tackle the situation. Similarly, the Commission also would like to draw the attention of the Government of Nepal towards establishing relief homes together with the adoption of necessary measure for well managed distribution of the relief materials to minimize the crisis well in time upon identifying the disaster prone areas.

*Continued from Pg. 2*

in other districts as well. It has asked the concerned bodies to make necessary arrangement to mobilize the health teams in the would-be epidemics prone areas and also to make special arrangement for senior citizens, pregnant women, children, persons with physical disabilities and persons injured in the incidents.. Also recommended is the arrangement of psychosocial counselors for the displaced persons and children and also to the students.



*A school bus seen plunged headlong into the mud slide during the incident o of massive landslide in Sindhupalchowk district*

Photo: Umesh Rana Magar, Central Office

# Complaints on HRs Violation Investigated

**L**AITPUR: Expediting the finalizing of backlog cases, the Commission central office recently deployed four investigation missions in various districts of the country to investigate upon the backlog complaints registered with the Commission offices in the past.

During the investigation, each mission met with the Chief District Officer of the district, representative of the Village Development Committees, chiefs of security agencies, victims' families, witnesses, civil society members and political party leaders among others.

The missions also visited the incident sites and met with victims, alleged culprits, the local stakeholders as well as witnesses in the course of on-the-spot investigation and obtained information on the status of the complaints registered. As per the complaints registered at the Commission, the types of cases included disappearance, abduction, property seizure, internal displacement, violence against women, and administration of justice, torture and sexual abuse.

Provisioned by the Constitution, the complaint handling is one of the major functions of the Commission. The Commission's strategic plan followed by the annual work plan for the current fiscal year 2013-14 has also taken this activity as the Commission's special effort leading to the

District/s in which missions were deployed	No. of cases investigated	Date of mission	Types of cases investigated upon
Dhading	11	30 <sup>th</sup> Aug-9 <sup>th</sup> Sep.	Disappearances, Threat, Torture, Women Rights, Right to Health and Displacement
Sindhupalchok and Dolakha	13	20 <sup>th</sup> Aug.-29 <sup>th</sup> Aug.	Disappearance, Right to Life, Administration of Justice, Domestic Violence, Injury during Armed Conflict
Kavre and Bhaktapur	23	20 <sup>th</sup> Aug.-29 <sup>th</sup> Aug.	Disappearance, Displacement, Abduction, Violence against women and Administration of Justice
Nuwakot	25	20 <sup>th</sup> Aug.-29 <sup>th</sup> Aug.	Economic, Social and Cultural Rights, Racial Discrimination, Internal Displacement, Disappearance

settlement of the cases registered during armed conflict (1996- 2006).

According to Acting Secretary Bed Prasad Bhattarai, the Commission has planned to field other missions from the centre to the regional offices in the near future where the complaints are found pending.

*Images of the on-the-spot investigation upon the backlog complaints registered with the NHRC during the Armed Conflict*



Photo: Sarki Man Tamang Central Office

## Commission ask to expedite Action against Rights Violators



NHRC Acting Secretary Bed Prasad Bhattarai, Invitee guests and participants at a program entitled International day against Disappeared organized at NHRC central officer

Photo: Janak Raj Bhatta, Central Office

**LALITPUR:** National Human Rights Commission (NHRC) has urged the government to expedite the action against those responsible for killings, disappearance and other rights abuses during the armed conflict amidst a program organized to mark the 31<sup>st</sup> International Day against Enforced Disappearances on 31<sup>st</sup> August, 2014.

Releasing a publication entitled 'Sasatra Dwandama Manav Adhikar and Savutkhanan (Human Rights and Exhumation in the Armed Conflict)' as the chair of the program, Acting Secretary Bed Prasad Bhattarai said that the NHRC, coinciding the International Day against Disappearance, has released the report which would be a vital document related to the disappearance.

'Though we have handed over the exhumed bodies with evidences, yet the Government has failed to take actions against those recommended by the Commission for their alleged involvement in violating human rights,' lamented Secretary Bhattarai.

He further added that the compensation to the victims and victims' families have been provided by the government but the legal action is acutely in dismal state awaiting to be materialized at the soonest possible time.

The NHRC recommendation, among others, has specifically asked the government to adopt National Human Rights Commission Exhumation Guidelines 2012 which will be

effective in collecting ante-mortem data, establishing a DNA Bank and developing expertise in future.

At the outset of the program, a presentation was made by Human Rights Officer Shyam Babu Kafle on the de-facto status of the issue related to the disappearances while the invitee speakers shared their comments and views on the longstanding concern with regard to the victims of disappearance caused by both state and non-state actors during decade long insurgency period.



NHRC Acting Secretary Bed Prasad Bhattarai releasing the book "Human Rights and Exhumation in the Armed Conflict on the occasion of the International day against Disappeared

Photo: Janak Raj Bhatta, Central Office

During the program, Devi Sunuwar, a conflict victim said, 'Government has literally undermined the cases involving human rights violations of the conflict era and shown no sign of justice delivery even after eight years of the Comprehensive Peace Agreement (CPA), which committed to publicize the information on disappearance within six months from the date of signing the deal.'

She complained that the dilly dallying of the government in justice delivery to the victims of human rights violation of the conflict era has further victimized the families of the victims.

Similarly, Ram Kumar Bhandari, coordinator of the National Victims' Alliance, slammed the government for evading the issues of the victims resulting in recently endorsed Act on transitional justice failing to criminalize enforced disappearance.

At the program, Ek Raj Bhandari - former CA Member, Dr. Harihar Wosti from the Institute of Medicine (IOM), Tribhuvan University, Chudamani Sharma- Joint Secretary of Ministry of Home Affairs, Phum Raj Phuyal -Acting Secretary of the Peace and Reconstruction Ministry and Sudeep Pathak, a former NHRC Member also spoke on the occasion

More than 1300 people are believed to have disappeared during the insurgency between 1996 and 2006. The NHRC has confirmed 933 cases of disappearances, while it has registered 3,300 complaints about them. 11 exhumations in total have been carried out by the NHRC in various parts of the country including Ramechhap, Nuwakot, Dhading, Kavre, Kailali, Dailekh, Kathmandu and Dhanusha.

The representatives of the Ministry for Peace and Reconstruction, Ministry of Home Affairs, Security Agencies, victims' families, NGOs, Civil Society, human rights workers and media persons among others participated in the program held at the NHRC premises.

The International Day of the Disappeared on August 30, also known as the International Day of the Victims of Enforced Disappearances, draws attention to the fate of individuals abducted or detained by agents of the state (or those acting with support of the state), and held in locations concealed from their relatives and legal representatives.

## Advanced Training on Mediation concluded



*The Mediation Expert Mahendra Prasai, as a lead trainer facilitating the advanced training on mediation among the NHRC staff members*

Photo: Gyanendra Maharjan, Central Office

**KAVRE:** NHRC Acting Secretary Bed Prasad Bhattarai has said that the section 14 of the NHRC Act-2012 has mandated the NHRC for the dispute settlement related to human rights violations by way of mediation as the appropriate tools.

Speaking at the opening ceremony of the Advanced Mediation Training organized by NHRC on 14th August-2014, Secretary Bhattarai said that the training, being the follow-up of the basic mediation training held in 2007, would facilitate the trainee officers to equip themselves with advanced skills and knowledge needed to embark upon mediation.

He stated that mediation has a special meaning in a country like ours which had to bear the brunt of the burden of a decade long armed conflict. He, however, mentioned that there could be no reconciliation as far as the serious human rights violations are concerned as per the NHRC Act.

He speculated that the mediation practice is considered as the best practice for dispute settlement especially concerning economic, social and cultural (ESCR) rights including the right to development. This, he added, will help settle the dispute leading to the reduction of the incidents of human rights violations.

At the program, Head of Investigation and Planning Division, Yagya Prasad Adhikari shed light on the objective

and the rationale of the training. He said that the training will help hone the skills and knowledge including the overall work efficiency and capacity of the trainee officers on mediation.

Mr. Adhikari also speculated that the training focused on equipping the trainees to be in-house mediation experts in the days ahead. He further mentioned that dispute settlement made via mediation in general will further enhance the credibility of the Commission in its endeavors.

Lead Trainer (Expert) Mahendra Prasai, expressing his thoughts on the preview of the training, said that mediation itself is a complex process, based on three different approaches viz. crime based approach, right based approach and interest based approach.

Following the sharing of the past experience by the participants at

the outset, Mr Prasai remarked that the past experience of the NHRC staff proved that they are ardently committed to establishing social harmony in the community as well as minimizing the conflict through on-the-spot efforts to manage the risk factors of disputants on personal cases or on community level cases.

Organized for 4 days, various training sessions comprehensively focused on different mediation skills and steps that touched upon various themes and topics.

In order to meet the objectives of the training, among other activities, the courses focused on enhancing the capacity of direct actors who are in direct touch with the targeted working areas (i.e. conflict/Human Rights violation victims, peace keeping and peace building, etc) and provided skills to enhance the dealing capacity of participants in mitigation of conflict through direct mediation between direct conflict affected person, family, community and other stakeholders.

The contents and skills for Mediation that participants received during the training course will be effectively used in the field and they will also be able to deal with them confidently and comfortably to escape the emotional costs and psychological harms.

It is therefore possible to an ample extent to have sustainable peace, stability and development, reconciliation through mediation



*Lead Trainer Mahendra Prasai and the NHRC staff members during the Advanced Mediation Training organized by the Commission for the staff members*

Photo: Gyanendra Maharjan, Central Office

# Stakeholders paint Bleak Picture of Human Rights in Far West

**BAITADI:** National Human Rights Commission organized a workshop entitled Universal Periodic Review (UPR) at the district head quarter Gothalapani of Baitadi district in Far-West.

Chaired by the officiating Director Mohan Dev Joshi of the NHRC Regional Office Dhangadhi, the workshop was conducted for two days. The CDO Sagarmay Pathak of Baitadi district was the chief guest for the event and local Development Officer Mani Kumar Gyawali and Officiating Head of District Police Officer Anil Kimar Upreti were also present.

The discussions were mainly on the perennial issues of human rights. The Regional Head Mohandev Joshi and Human Rights Officer Pawan Bhatta facilitated the program including nine

core Conventions adopted by the UN General Assembly and Universal Periodic Review.

Nepal is all set to submit the UPR report to the Human Rights Council in 2015 and thus, comprehensive discussions were held during the workshop. thereby prioritizing the pertinent matters concerning human rights. The participants, however, painted a bleak picture of human rights in the country. Most of the participants pointed out the unprivileged lives of the people as opposed to the norms and values of human rights, widespread racial discrimination, violence against women, child abuse, the existing ill practices not only in Baitadi district but also all over the Far Western region due to poor implementation of rule of law.

The participants comprised 35 representatives from district based government offices, human rights organizations and agencies, human rights workers, journalists, legal professionals and civil society members.

The National Human Rights Commission has been preparing a monitoring report on the implementation of Universal Periodic Review (UPR) recommendations made by the Human Rights Council, Geneva in 2011.

The Universal Periodic Review (UPR) is a unique process which was introduced in 2006. It includes a review of the human rights records of all 192 UN Member States, and is published every four years. It provides an opportunity for all States to declare what actions they have taken to improve the human rights situations in their countries and to overcome challenges for the enjoyment of human rights.

*Continued from page 6*

*Advanced Training on Mediation...*

because it is considered the best way eventually facilitating the gain-gain situation for both conflicting parties or individuals, the Lead Trainer Prasai observed.

At the closing of the training, enumerating the potential usefulness

of the mediation skills upon the formation of the Truth and Reconciliation Commission, the participants stressed on having the Training of Trainers.

Secretary Bed Prasad Bhattarai, thanked the lead trainer Mahendra Prasai for providing the training sessions, the trainee officers for their proactive participation including the

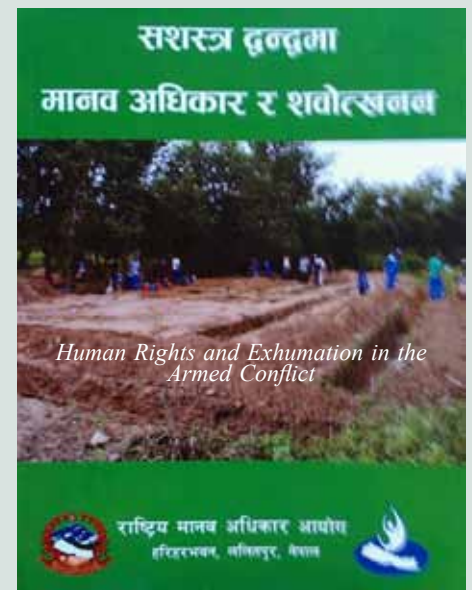
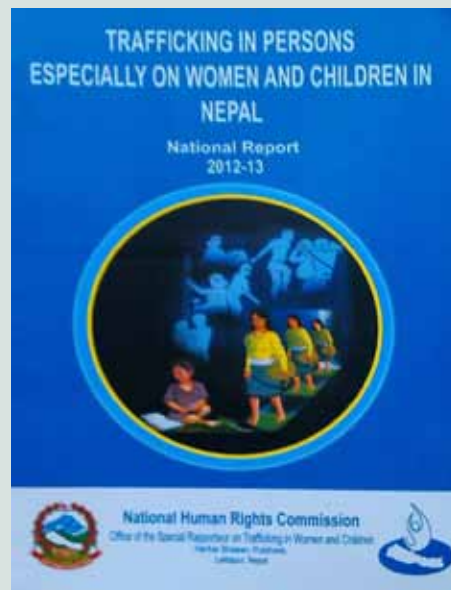
Strengthening the Capacity of the NHRC (SCNHRC) for the technical support, and made his commitment to organize yet another Training for Trainers (ToT) on mediation to duly produce in-house experts from among the NHRC officers in the days ahead.

A total of 27 participants from the central, regional and sub regional offices participated in the training.

## Recent NHRC Publications

For electronic versions of NHRC publications, please visit:

[www.nhrcnepal.org](http://www.nhrcnepal.org)



## NHRC and OPMCM hold Interaction on NHRAP and UPR



Resource person and the participants at an interaction program entitled NHRAP and UPR held in Palpa

Photo: Sub-Regional Office Butwal

**PALPA/ARGHAKHANCHI/GULMI:** National Human Rights Commission (NHRC) Sub-Regional Office (Butwal) organized interactions on National Human Rights Action Plan (NHRAP) and Universal Periodic Review (UPR) in Palpa, Arghakhanchi and Gulmi districts.

Speaking at the programs in Palpa and Gulmi, Acting Secretary Bed Prasad Bhattarai said that NHRC has been continuously monitoring NHRAP related activities carried out by the government to ensure human rights of people.

Joint secretary of Office of the Prime Minister and Council Ministers (OPMCM) Ramesh Dhakal informed that the government was carrying out its activities in line with NHRAP.

The participants of the interactions comprised of Bishnu Kumar Karki, Chief District Officer (CDO) of Palpa, and Gyan Prasad Dhakal, CDO of Arghakhanchi in their respective districts.

Separate presentations regarding NHRAP and UPR were made by of Shyam Babu Kafle, Dipak Karki and Chandrakanta Chapagain of NHRC.

Government official, security personnel, human rights defenders were among the participants at the program.

## Implementation of the 4<sup>th</sup> Five Yr. NHRAP expedited Nationwide



Deputy Director Dr. Tika Ram Pokharel of NHRC Regional Office Pokhara facilitating the program on 4th Five Yr. NHRAP in Baglung district in West

Photo: Regional Office Pokhara

**BAGLUNG:** The participants at an orientation-cum-workshop held in Baglung from August 11 -12, 2014 urged the effective monitoring on the National Human Rights Action Plan (NHRAP). The workshop was organized by the NHRC Regional Office, Pokhara as per the strategic plan.

The objective of the program was to share the recent Human Rights Action Plan of the Government and present how it can help protect and promote human rights of the people.

During the program, Officiating

Director Dr. Tika Ram Pokharel presented a paper on the NHRAP. The action plan of the Government has been shared with the CDO, DSP, LDO, various local government agencies, NGO's, civil society members as well as journalists.

The first NHRAP was launched in 2004/05. Each plan has mandated the NHRC for effective monitoring on the implementation of the NHRAP. Since the implementation of the plan, therefore, NHRC has been effectively carrying out its monitoring to check the implementation status of the plan.

The Action Plan incorporated district level plan execution as well as a coordinating committee headed by the Chief District Officer. As an outcome of the program, the committee decided to meet at least once a month with the representation from the NHRC.

The Officiating Director of the NHRC Dr. Tika Ram Pokharel responded to the queries and concern raised by the participants at the program.

The NHRAP has been prepared on the basis of the UDHR and other vital international agreements related to human rights. It aims at minimizing the problems of the people by addressing them with due fulfillment of the essential needs of the people regarding human rights in a friendly manner. The NHRAP has been prepared in such a manner that it integrates human rights perspectives in the development process encompassing multi sectors of the Government.

# Development Actors trained on HRBA to Development



NHRC Director Subarna Kumar Karmacharya facilitating the training on HRBA to Development in Jumla District of Mid West

Photo: Krishna N. Shrestha, NHRC Jumla Office

**JUMLA:** The NHRC Sub Regional Office Jumla, in coordination with the District Administration Office (Jumla) organized an orientation-cum-training on Human Rights Based Approach (HRBA) to development and National Human Rights Action Plan (NHRAP) in Jumla district in Mid -West.

The objective of the program was to help internalize the core values of human rights in day to day activities to be carried out by the government offices, to help discharge the duties in a human rights friendly manner, to motivate the development actors to deliver their services remaining within the periphery of their professional dignity and also to integrate the matters concerning the national human rights action plan.

The program also aimed at making the developmental works accessible, public participatory, effective and sustainable. The training mainly focused on making each developmental program in local level to help conceive the plans and programs till the time of their implementation for the sustainable development through HRBA to Development.

Chaired by the NHRC Director Subarna Kumar Karmacharya, the inaugural of the program kicked off at the presence of Hon. District Judge Abdul Ajj Musalman as the chief guest and District Judge Ram Prasad Sharma as the special guest. Other distinguished guests were the

Chief District Officer Bishnu Bahadur Thapa, Local Development Officer Krishna Prasad Lamsal, as well as other personnel of joint secretary level of the Government of Nepal.

The speakers at the inauguration opined in unison that the HRBA to Development has made the chiefs of the government offices more responsible towards their duties. They extended their best wishes and stated that programs as such would inculcate due motivation among the development actors and also help improve human rights friendly service deliveries in the district.

The program was facilitated by Abdul Ajj Musalman, Judge of Appellate Court, Jumla, Director Subarna Kumar Karmacharya, CDO Bishnu Bahadur Thapa, and Rajendra Neupane, Sub Regional Head of Jumla.

At the program, the participants were trained on 14 themes including nine core UN Conventions. Divided into five different groups, the participants had comprehensive learning on the mandates and roles of the NHRC, Concept of Human Rights Based Development, National and International Human Rights Laws, Rule of Law and the Role of Judiciary in the Protection of Human Rights including the Objectives and Target of the National Human Rights Action Plan.

Upon the conclusion of the training, the representatives of the Government agencies unanimously viewed that development of a place is possible only when the protection and promotion of human rights is placed at the forefront. They emphasized that service providers deviate their attention towards whether or not the problems faced by the service receivers are properly identified in the first place.

Organized from August 29, 2013, the two day included a total of 45 participants representing various government offices; the District Administration Officer, Local Development Office, District Health Office, District Agriculture Office, Judiciary and Quasi Judiciary Offices under the purview of District Court.



Participants and the resource person at a program held on HRBA to Development in Jumla district

Photo: Krishna N. Shrestha, NHRC Jumla Office



Former NHRC Commissioner Justice Ram Nagina Singh speaking at a program entitled the Effective Use of Writ Jurisdiction organized in Pokhara of Kaski district

Photo: Umesh Ranamagar, Central Office

Adding that there could be challenges and malpractices in the law implementation, Mr. Singh asked the justices to discharge their duties with a great deal of determination and persistence.

At the inaugural speech, NHRC Acting Secretary Bed Prasad Bhattarai said that NHRC has been working with judiciary in a coordinated way towards the direction of the protection and promotion of human rights.

Portraying judiciary as the key player in the protection and promotion of human rights, Secretary Bhattarai urged the judiciary to be serious regarding economic, social and cultural rights of the people. He also mentioned that NHRC will continue its collaborative efforts with the judiciary in the days to come.

In a separate context, he laid his argument that justice delivery ought to be made through 'fast-track-court' with regard to the cases related to the victims of rape and Violence Against Women (VAW).

In the context of District Court being empowered to issue writ of habeas corpus and order of injunction since 2012, the ongoing workshop would be very fruitful for the effective implementation of the Habeas Corpus and the writ jurisdiction for the

personal freedom of the individuals and the matters that significantly contribute towards the protection of human rights, the participants at the workshop speculated in unison.

Krishna Bahadur Raut, the Chief District Officer (CDO) of Kaski District, said that Nepal as a state party of more the 24 international treaties and conventions should broaden the writ jurisdiction so that the scope of human rights will tap a broad spectrum.

On the occasion, Satyaraj Gurung, the general secretary of Judges Society Nepal and Anita Gurung, central vice chair of Nepal Bar Association, expressed their views on interrelationship between judiciary and human rights.

The opening ceremony of the workshop was chaired and anchored by Biswambhar Prasad Shrestha, the Chief Justice of Appellate Court Pokhara, and Yagya Prasad Adhikari, the Head of Investigation and Planning Division of NHRC respectively.

A total of 52 Judges from Appellate Courts of Pokhara, Baglung, Butwal and Tulsipur and District Courts under those Appellate Courts of the western region attended the two-day workshop jointly organized by NHRC and Judges' Society Nepal.

The workshop held in Pokhara was the follow-up of the series of the workshop held earlier in Biratnagar effecting from April 28, 2013. Fifty Judges of 4 Appellate Courts and 16 District Courts of Eastern Region had attended the workshop. Another regional level workshop was jointly organized from 27th February to 1st May, 2014 by the National Human Rights Commission and Judges Society Nepal in which fifty seven judges from the 6 appellate and 24 district courts of Mid and Far Western Region of Dhangadhi proactively participated in the program.

Likewise, the final program on the effective use of writ jurisdiction will be held in Janakpur of Dhanusha district in near future. The judges of 3 appellate and 19 district courts will participate in the program.

It is envisaged, therefore, the common the common platform availed during the workshop will help to build common strategy among the judges across the nation to dispense the solution to the problems in the respective districts to protect human rights through writ jurisdiction.

The workshop was jointly organized by National Human Rights Commission (NHRC) and Judges Society- Nepal.

# Public Hearing on Human Rights Situation organized

Photo: Sub-Regional Office, Butwal

**KAPILVASTU:** The NHRC Sub Regional Office Butwal in joint collaboration with the Tarai Human Rights Network Office, Bhairahwa, Madhesh Human Rights Home (MAHURI HOME) organized a program entitled “Public Hearing on Human Rights and Accountability” at Labani of Kapilvastu district on 30th August, 2014.

Chaired by the NHRC Sub-Regional Head, Dipak Jung Dhewaj Karki, CA Member Atahar Kamal was also present as the chief guest while Ram Dayal Thakur, advisor of Mahuri Home delivered the welcome speech at the program.

The entire program was facilitated by Pradip Pandey while regional human rights coordinator of Tarai Human Rights Network, Shailendra Prasad Harijan shed light on the core objectives and rationale of the program.

The presentations at the program included the concepts of human rights, right to information, rights against torture and the rights of development. The presentations were followed by an open floor discussion in which the participants from Labani, Hathihawa, Nanada Nagar and Bithuwa Village Development Committees came up with issues such as; the grievances about inadequate service provided by



Local residents of Labani of Kapilvastu district attending a program entitled Public Hearing on Human Rights Situation and Accountability organized by the NHRC Sub Regional Office Butwal

the service providers, inappropriate use of VDC funds, the problems the service receivers had to face and the practice of bribery. The locals present also raised their voice about the need for proper road access in their VDCs, deprivation of education and dilly dallying of the operation of the newly built health posts. They expressed their concerns about the backwardness in the overall development of Kapilvastu district. The participants also slammed the state authorities and the local level political parties for ignoring Kapilvastu in the issues concerning the rights of senior citizens, violence against women and racial discrimination among others.

Former Constituent Assembly member and the district representative of the UCPN (Maoist) Ram Lautan Tiwari, CA member of CPN (UML)

Riyajuddin Musalman, General Secretary of Nepal Federal Sadbjavana Party Nissar Ahmad Khan, Rastriya Prajatantra Party representative Om Prakash Panday, planning officers, CA members, and NHRC Sub-Regional Head Dipak Jung Dhewaj Karki responded to the queries and concerns raised by the participants and also expressed their commitments for the protection of human rights in the area.

CA member Atahar Kamal said that budget worth Rs. 10000000 has been spent in the local level development in an absolute transparent manner. Similarly, the participants shared pleasantries about this being the first ever program held on the human rights concerns in the area and suggested to organize the prototype program as such in future as well to bring about awareness in their region. They also unanimously urged for the program to be organized on the basis of inclusive principle with adequate number of female participants.

A total of around 700 participants brought forth their problems and queries before the CA member, former CA members, National Human Rights Commission, planning officer of the District Development Office, Kapilvastu District, VDC Secretaries, political party leaders, office bearers of the local level school management committee, representatives of law enforcing agencies and human rights workers.



CA Member Atahar Kamal addressing a mass gathered for public hearing organized by the NHRC Sub Regional Office Butwal in Kapilvastu district

Photo: Sub-Regional Office, Butwal

# Images of 31<sup>st</sup> Int'l Day against Enforced Disappearances



1. Acting Secretary Bed Prasad Bhattarai, Director Subarna Kumar Karmacharya, HRs Officer Shyam Babu Kafle on the invitee participants during program held on the Int'l Day against Enforced Disappearances
2. Deputy Director Murari Prasad Kharel addressing a program on the 31<sup>st</sup> Int'l Day against Enforced Disappearances organized in Bardiya district in Mid-Western Region
3. Resource person addressing a program held on the Occasion of the 31<sup>st</sup> Int'l Day against Enforced Disappearances in Bardiya district in Mid-Western Region
4. Family members of victims have glance over their beloved ones who fell the prey of enforced disappearances
- 5/6 Participants at a program held on the Occasion of the 31<sup>st</sup> Int'l Day against Enforced Disappearances in Bardiya district in Mid-Western Region

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