



e-Newsletter



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NHRC Concludes Nationwide Monitoring on CA Election

LALITPUR: At the backdrop of the CA election approaching at the threshold, the Office of the National Human Rights Commission has been incessantly monitoring the CA election related activities nationwide.

In this regard, teams comprising the deputy directors, human rights officers and other staff members from the NHRC Central, Regional and Sub- Regional have conducted extensive monitoring to ensure whether or not the provisions guaranteed by the Covenant on Civil and Political Rights-1966 (ICCPR) and other international key human rights instruments to which Nepal is party, Interim Constitution of Nepal – 2007 including the Election Code of Conduct were complied with.

With the key objective to have monitoring on the situation of citizens' awareness on voter education; use of children in poll campaign, possible human rights violations by the political parties during the poll process, persons with disabilities, senior citizens, minority citizens and other human rights concerns cited in the 'Constituent Assembly Election Code of Conduct' and over all human rights situation, the teams met with the Chief District Officer, party candidate Election Officer of the Commission, district level officers of the security agencies, civil society members, media persons, party leaders and general voters.



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Constituent Assembly Election Monitoring : NHRC in all 75 districts

During the monitoring, the electioneering process including the nomination registration was entertained without any obstruction amid tight security arrangement. The process was monitored by the NHRC teams including the representatives of various volunteer organizations and agencies at the presence of media.

However, monitoring reports state that sporadic incidents of clashes between the party cadres affiliated to the contesting parties, torching of vehicles used for poll campaigns, arson, vandalism, stone pelting on the election campaigners, fatal bomb attack on the candidates including the threats perpetuated on media have been reported during the monitoring in various districts of the country.

Meanwhile, the Commission has expressed concern about the inter-party clashes

escalated in the districts of Panchthar, Siraha, Dhading, Salyan, Rukum, Rolpa and Surkhet during the ongoing election canvassing process and other poll related activities. Stating that such an incident was regrettable, the Commission has urged to the government, political parties and all the stakeholders to create an environment that ensures the Constituent Assembly election to take place in a free and fair manner. In the same concern, NHRC, UNICEF and Centre for Children Welfare Board have decided to bring out a press release urging not to use the children in poll campaigns for political interest.

In parts of the country, despite the stern forewarning by the Election Commission, the incidents of breach of election code of conduct by the election campaigners of various parties have been reported.

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NHRC Preliminary Report on CA Election Monitoring Publicized (Excerpts of the Report)

The Office of the National Human Rights Commission, with a view to ensure the CA election to be held in free and fair environment from human rights perspectives, has instituted the special missions to expedite the monitoring activities on all three phases of electioneering process nationwide. The teams comprising the NHRC staff deployed in various districts have been conducting monitoring on the poll processes in accordance with the plan laid out to carry out monitoring in all seventy five districts of the country. The Office of the NHRC has accomplished the following activities:



NHRC Acting Secretary Bed Prasad Bhattarai responding to the queries of media persons at a press conference held on the occasion of the preliminary report on CA election monitoring dissemination

- The Commission has carried out on-the-spot monitoring during the CA Member nomination registration in 31 districts.
- With the objective to urge the concerned to hold the election in free and fair manner, 9 press releases (including press notes) have been issued till date.
- During the nationwide monitoring accomplished ahead of the CA election, the NHRC teams have collected the information on the human rights situation

- perpetuated on the meetings and party cadres during the poll campaigns and also the general strike bandh called by the poll-opposing parties have infused doubtful situation among the general public looking forward to exercising their fundamental voting rights in free and fair environment.
- Despite the fact that the security arrangement is effectively stepped up across the country, state of panic among the general people is pervasive.
- Incidents of killing of political party leader and the candidates, arson and bomb hurled at their houses altogether have left impact on their election related activities. The doubt looms large as to whether their right to be elected in peaceful environment could be guaranteed amidst general citizens being in a state of shock and terror.
- At few parts of the country, the poll-protesting allies have been reportedly involved in looting of election publicity materials of the contesting parties.
- Most of the female voters mainly from the Tarai-Madhes districts have not been provided with voter education, report says.
- Though the political parties and their candidates evaded the use of children in the poll campaigns as compared to the past, the children are found used deliberately at few places. The children are used in poll campaigns in the districts including Dhading, Dhankuta, Doti and Mugu, as per the monitoring report. The NHRC has drawn the attention of the concerned parties towards this.
- The serious attention of the Commission has been drawn towards the incidents of Terthum and Taplejung during the poll canvassing and the incident of bomb attack at Kumaripati of Lalitpur district injuring the children during the bandh called by the 33 party alliance.

fanatical with no tolerance spared for each other following the sporadic incidents of clashes between them in various parts of the country.

- Bombs and explosives are placed and abandoned at various program locations targeting to disperse the participants of the poll campaigns organized by the various political parties.
- Reports have poured in about the widespread breach of election codes of conduct by the major political parties. Reportedly, the election campaigns by most parties are held in schools. Not to mention, the poll campaigns are found extravagant and the excessive number of vehicles is used for campaigns contrary to the limitations specified by the Election Commission.
- The report has it that even people holding jobs like VDC secretary and teachers of various educational associations are found involved in election publicity campaigns of political parties in some districts. Similarly, journalists and poll observers are also found in the publicity campaigns organized by different political parties.
- The rights of general citizens to cast their votes in free and fair environment has been put into jeopardy due to the bandh program including the barring of vehicular movement by the 33 party alliance to shatter the holding of election.
- The Commission has time after time drawn the attention of all concerned including the political forces of the country and urged them to create an environment for dialogue and consensus to put an end to the activities including general strike and to pave way for the participation of citizens in the CA election.
- The complaint has been registered at the Commission with regard to the withholding of the arrest warrant notice to poll-opposing arrestees even after 24 hours of their arrest.
- No complaint has been submitted to the Commission with regard to the personnel of Nepal Army and Nepal Police deployed to discharge their poll duty. This shows the sensitivity of security agency about the respect towards human rights.

Constituent Assembly Election Monitoring: Preliminary Report

- in 70 (excluding Sankhuwasabha, Solu, Dailekh, Jajarkot and Surkhet) districts of the country.
- The office of the NHRC has been working in due collaboration and coordination with various national and international organizations in order to ensure that election observation activities are performed in effective manner.

Facts collected by the Commission till date:

- The incidents of attack on the vehicles used by contesting parties and their candidates including arson, vandalism are rampant as per the NHRC monitoring report.
- Likewise, following the incidents of attack including bomb attacks

- Despite the fact that there are more female voters than male across the country as opposed to very low candidacy of females. If the report is anything to go by, the representation of women in the Constituent Assembly is likely to be lower than it is expected.
- Following the first snow fall in few Himalayan regions including upper Mustang, the voters have descended to the lower plains to avoid chillness. Those people are most likely to be deprived of exercising their franchise in the CA election scheduled to be held in November 19, thus.
- The voters in two VDCs of Sindhupalchok have to cover a distance of four hour walk in order to reach the polling booth, the report says.
- The cadres of the political parties participating in the election are found

Analysis, Conclusion and Appeal

The preliminary monitoring reports received from across the country have revealed that there have been numerous obstructions faced by the general citizens to participate in the election in peaceful, free and fair environment. Mainly, self indulgence of the parties participating in CA election in ongoing violent activities including the activities of the party alliance opposing the election are, ipso facto, responsible for

the emergence of such situation. In this concern, it is the duty of the government to hold the election in a peaceful environment and the political parties including other stakeholders should extend their support to the government in achieving that. It is the matter of rights of freedom of a person that guarantees whether to elect the person of his/her choice or to evade this process as per his/her wish. Similarly, it is the vital obligation of the state to create an environment in which the person is ensured of both of these rights. However, it is deemed necessary for rights holders to bear in mind to ensure that no rights of others are in any way violated while enjoying their own.

It is deemed necessary that all the parties ought to participate in such significant democratic process as Constituent Assembly election. Also, it is unfortunate from human rights perspective that amidst the deepening crisis taking about circumstantial turning point for a few political parties to have evaded their participation in such historically significant process as CA election. This has apparently let in a space to the emergence of situation of uncertainty. Also, the program like general strike called in the name of boycotting the election has hit hard the daily life of general citizens and also affected their right to participate in the CA election in peaceful, free and fair environment. In such circumstances, it is urged to all the

parties concerned to create the environment for dialogue and consensus and to put an end to the legacy of violent activities among the political parties, episodes of placing allegations against each other and prohibition of politics but follow the path leading to safe political journey.

The Office of the NHRC urges all the political parties to pledge support for the protection of human rights of the Nepalese citizens by creating an environment for holding the CA election in peaceful, free and fair manner and also to stop the perpetuation of activities such as attack and obstruction but to participate in healthy political rivalry that ultimately ensures the respect for human rights of all citizens.

The NHRC also urges concerned parties not to bring the program such as bandh and strikes but to embark upon seeking

solutions to the problems through dialogues and consensus.



NHRC Acting Secretary along with the Regional Administrative Chief and the Brigadier of Nepal Army at a meeting held in Dipayal on the security arrangement during the CA election

Constituent Assembly Election Monitoring: Preliminary Report

The NHRC also urges the government and all concerned parties to enhance the peace and security arrangement and book those involved in criminal activities including those involved in flouting the election codes of conduct.

High Level Monitoring Team Formed

LALITPUR: At the backdrop of the Constituent Assembly election process reaching its final accomplishment on stipulated November 19, 2013, Office of the National Human Rights Commission has deployed election monitoring teams in all seventy five districts of the country. Following the reported submitted from across the country, therefore, the Commission has already publicized the preliminary monitoring report on electioneering process amid a press conference held at the premises of the NHRC.

In order to make the monitoring activities further effective and credible, the Commission has formed a high level monitoring team of experts including former

NHRC Commissioners Justice Ram Nagina Singh, Gauri Pradhan, Sushil Pyakurel, Dr. K.B. Rokaya and the former Representative of Nepal to UN and foreign secretary Madhu Raman Acharya pursuant to the NHRC Act-2068. The team will monitor the human rights situation during the CA election in the districts of Kathmandu, Lalitpur, Bhaktapur and Kavrepalanchok. The team will also take the monitoring mission to other parts of the country if needed.



Former NHRC Officials during the meeting held on monitoring update, high level monitoring formation held at the NHRC.

Former NHRC Members urge to call off bandh

LALITPUR: While the Constituent Assembly election is approaching near, former NHRC Members have urged the CPN Maoist including 33 Party Alliance to call of Bandh.

In a meeting held at the Office of the NHRC, former NHRC members Justice Ram Nagina Singh, Sushil Pyakurel, Sudip Pathak, Gauri Pradhan and Dr. K.B. Rokaya have expressed their serious concern stating that the nationwide Bandh has barred the general citizens to exercise their civil and political

rights to cast their votes following the lives of general people pushed into difficulty due to bandh.

The former Commissioners have urged the bandh enforcers to respect the fundamental rights of people including freedom of movement independently and to participant in the political process of the country.

Urging the bandh enforcers to make their protect program peaceful, the former Commissioners called on the bandh

enforcers, political parties, government and all concerned stakeholders to find the solution to any disputed problem through dialogues and consensus. They also urged the government to restrain from using force to unnecessarily nab the peaceful protestors.

In the meeting at the NHRC premises, the discussion was held on the CA poll related preliminary report of the Office of the National Human Rights Commission.

Concern expressed over the escalation of election related violence

LALITPUR: The Office of the NHRC has expressed serious concern over the escalation of violent incidents of clashes, obstruction caused to the poll campaigns, vandalizing of the vehicles used by the candidate for election canvassing ahead of the CA election in various parts of the country.

Issuing a press release, therefore, the Commission has said that it is the fundamental right of the people to follow the political ideology with firm conviction. Despite this, the incidents as such have obstructed the election related activities in parts of the country. It is indeed refutable through human rights perspectives. The monitoring conducted by the Office of the Commission has found that political parties themselves are involved in such activities. This has impeded the citizens' right to participate in political process of the country. The

Commission, therefore, urges all concerned to stop such activities that ruin the citizens' right to vote and right to be elected in peaceful and fair environment.

'The Commission urges the Government of Nepal, political parties including all concerned stakeholders to make arrangement of peace and security ensuring the environment conducive for all the political parties to conduct their election campaigns and the citizens' right to vote,' says the press release.

Though the individuals and the political parties have the right to support or evade the election process, it is regretful that such a move is made violent and destructive following the declaration of 'prohibited district for poll campaigns.' Such a move won't yield any better but defy unduly

the citizen's to enjoy their right to vote independently and elect their leaders through election, reads the press release.

The press release further says 'the Commission reiterates its appeal to the CPN-Maoist Party and Federal Limbuwan State Council including all the parties to respect the right of citizens to elect their representatives through adult franchise. Similarly, the Commission urges the Government of Nepal to refrain from highhandedness while taking action on the cadres of the parties boycotting the election but to treat them in human rights friendly manner.

Lastly, the Commission has urged all the parties to find solution to contemplate every problem through dialogue and consensus and respect the rights of citizens to elect their representatives through election.

NHRC urges 33 Party Alliance to Call Off Bandh



NHRC Officials along with the General Secretary of CPN-Maoist Dev Gurung at a meeting held on ongoing bandh leading the human rights violation of the general citizens.

LALITPUR: Having drawn the attention of the NHRC to bandh called by 33 party alliances including the Communist Party of Nepal (Maoists) at a time when the Constituent Assembly election is approaching at the threshold, The Commission has issued a press release urging the parties concerned to call off bandh.

The bandh program defies the citizens to exercise their fundamental rights to participate in political process such as adult franchise rights including other fundamental rights provisioned through civil and political rights. This will indeed have negative impact

on the entire political process ordained to frame the human rights friendly constitution, says the press release.

The bandh called in the past has time after time hit the life of general people leaving negative impact on their occupational lives. Since such bandhs brew nothing but leave impact mainly on the working class people including those in need of medical services violating their basic human rights, the Commission urges all concerned parties to bring constructive and peaceful protest programs so as to help end the bandh culture and abate rights violations in the country, reads the press release.

The press release further reads that, in this regard, the Commission has been urging the bandh enforcers to call off the bandh programs and respect the right to freedom of movement, right to education, health and right to enjoy other daily services freely.

The Commission has, therefore, urged the concerned bandh enforcing parties including the Government to review over the negative impact caused to the lives of general citizens due to bandh and work out in finding the

solution to problems through dialogue and consensus.

Meanwhile, the NHRC team comprising the Acting Secretary Bed Prasad Bhattarai met with the Secretary of CPN-Maoist Dev Gurung at the CPN Maoist central office, Buddha Nagar and urged the latter to call off the activities including Bandh that would have the severe impact on the lives of general citizens.

The NHRC team urged the CPN Maoists to find out the solution to the problems through dialogue and consensus in order to evade the emergence of confrontation leading to further conflict after the CA election.

Stating that it is the democratic right whether to participate or to boycott the election, Secretary Gurung said that all the protest programs are of peaceful nature and expressed his commitment to respect human rights.

Meanwhile, the NHRC team reminded about the attention of the Government of Nepal, political parties and all concerned stakeholders parties drawn to have high respect towards human rights.

Put an end to violent politics, respect humanitarian norms and values: NHRC

LALITPUR: The Commission, issuing a press release, has said that the grave attention of the Office of the National Human Rights Commission has been drawn to the incidents in which the public transports were reportedly hurled at with petrol bomb and arson in the eve of the CA election causing loss of human and physical properties in the district including Kathmandu, Lalitpur, Chitwan, Banke, Makwanpur, Sindhuli, Surkhet, Dolakha, Dang and Bardiya.

Expressing worry and concern over such refutable incidents, therefore, the Office of the National Human Rights Commission would like to draw the attention of the

Government to book the culprits and provide free medical treatment to those injured, reads the press release.

The press release says that while on the other hand, doubt looms large about the possibility of holding the election in free and fair environment due to the emergence of confrontation and clash between the contesting candidates and their party cadres.

Although it is the right of the political parties whether or not to support or protest peacefully, it is downright refutable to perpetuate attack on the general public for their political interest. Politics based on humanitarian

norms and values including well-culture in society can only infuse appropriate respect for human rights, the press release further reads.

Since election is the only foundation for democracy and human rights, the NHRC urges unsatisfied factions not to ponder on alternative of the election but to respect public referendum, says the press release.

The Commission has, therefore, specially urged the party boycotting election including those participating in election to do away with violent politics and to pave ways for consensus leading to political stability including respect for political norms and values.

Constituent Assembly Election Monitoring in 75 Districts of Nepal : At a Glance

SN	CO/ROs/SROs	Pre-Election Interventions	Monitoring teams deployed	Areas of Monitoring (pre-during-post Election)	Key issues identified	Major Interventions
1	Central Office Lalitpur Kathmandu, Lalitpur, Bhaktapur, Kavrepalanchowk, Sindhupalchowk, Dolkha, Ramechhap, Rasuwa, Dhading, Nuwakot, Sindhuli,	- Interaction and discussion held on CA election and voter education - Interaction held with the district and regional level officers of election commission and other concerned stakeholders	- Teams deployed during the candidature nomination filing process in 31 districts	- The election process such as candidature nomination filing in few districts, - Poll campaigns of various contesting parties, use of children in poll campaigns,	- Infringement of civil and political rights including the voting rights due to 10 day long bandh - The movement of general voters and electoral staffs including returning officers was hindered due to the Bandh called by the CPN Maoists led 33 Party alliance	- Additional polling booths recommended for Listikot, Golche and Gumba VDCs of Sindhupalchowk districts as these VDCs are situated in the distance of four hours walk from polling booths. Recommendations sent to the EC accordingly.
2	RO Janakpur Dhanusha, Makawanpur, Mahottari, Sarlahi, Rautahat, Bara, Parsa, Siraha, Saptari, Udayapur	- Training held on monitoring strategies, coordination with the election observation national and international organizations	- 53 teams were deployed for monitoring on the entire ongoing process of the election	- Security arrangement, perpetuation of election related violence such as bandh and strikes, bomb attacks, inter party clashes, obstruction, attack on the candidates and the party cadres, arson, vandalizing,	- Involvement of observers and teachers in rallies and campaigns around CA election was noticed - Demonstration during the CA member nomination registration - Children being used in poll campaigns and schools being used as the campaign venue leading to the violation of children's right to education,	- Checked the quality the SWASTIK Seal used in voting booths upon complaint.
3	RO Biratnagar Morang, Sunsari, Jhapa, Ilam, Dhankuta, Terathum, Sankhuwasava, Taplejung, Panchthar	- Voter education followed by interaction programs with the voters and district level officers of district election commission and security agencies	- The monitoring teams were deployed in 66 districts during election.	- Voting rights of women, senior citizens, voting rights of the prisoners, pregnant women and persons with disabilities,	- Gender issues underestimated with undue harassment perpetuated to female security personnel, - Lack of access to voting rights of persons with disabilities,	- Intervened over the use of children by the political parties during the election
4	RO Pokhara Syangja, Tanahun, Gorkha, Lamjung, Kaski, Manang, Myagdi, Parbat, Baglung, Mustang	- Attention of the EC drawn to the access of votes to the polling booths.	- The monitoring was performed in as many as 850 polling centers and booths during the CA election held on November 19, 2013.	- Breach of election codes of conduct	- Unavailability of media, observers and monitors to at vote counting centers, - Lack of monitoring on the activities of the observers	- Government staff under the influence of alcohol found in polling area was replaced with the directive of the Chief Election Officer.
5	RO Nepalgunj Dang, Banke, Bardia, Surkhet, Salyan, Pyuthan, Rukum, Jajarkot, Dailekh, Dolpa, Rolpa	- Meeting held with the poll opposing party (CPN-Maoists) led 33 party alliance urging to call off bandh	- Preliminary report on the CA election monitoring publicized amid a press conference held at the premises of the Office of the NHRC	- Polling centers and booths,	- The party cadres thronged to the polling booths on bikes during the silence period of poll date. - Lack of knowledge on voter education specially in Terai districts. - Bomb threats near polling booths	- Election Commission Official and security agency deployed were alerted about the sexual harassment perpetuated in the female security personnel
6	RO Danagadhi Kailali, Kanchanpur, Doti, Dadeldhura, Baitadi, Bajhang, Bajura, Darchula, Achham			- Votes counting process and victory procession	- Use of temporary police in hard nature of works - Booths installed at religious shrines	- Published the preliminary monitoring report with findings of the NHRC to make the concerned aware about the election process and for free and fair election.
7	SRO Office Khotang Khotang, Okhaldhunga, Bhojpur, Solukhumbu				- Some observers were found voting with EC ID cards - Lack of deployment of security personnel in balanced manner	
8	SRO Butwal Rupandehi, Nawalparasi, Kapilabastu, Palpa, Gulmi, Arghakhanchi, Chitawan				- Some observers didn't possess adequate knowledge about observation. - The threats harbored by the poll opposing party alliances caused threat to human rights defenders from human rights perspective.	- Drew attention of the Election Commissioners to the respect of election codes of conduct in central level with high priority
9	SRO Jumla Humla, Jumla, Mugu, Kalikot				- Over all fear factor was not eased in pre-election period. - Hurling of petrol bomb at running vehicles caused fear among the voters to travel to their hometown to exercise their franchise - Collection of ballot boxes was difficult	- Press releases and press notes issued on various concerns raised before, during and after the election.

Over all Round-up of CA Election (Based on Monitoring Reports)

Respect People's Mandates: NHRC

LALITPUR: The Office of the National Human Rights Commission has carried out monitoring on the candidature nomination process in 31 different districts. The pre-election monitoring also took to various districts of the country followed by the monitoring in more than 850 polling booths of 66 districts during the CA election held on November 19, 2013.

The election was held peacefully and in an environment free from fear as per the reports submitted by high level monitoring team and other teams deployed by the Office of the Commission.

In this regard, to thrust aside the election verdict upon having participated in the election including the votes counting process is indeed disregard towards the people's mandates. This is against the democratic norms and values. Such a tendency is going to be against the norms and values of the Universal Declaration of Human Rights (UDHR) – 1948, International Covenant on Civil and Political Rights (ICCPR) – 1966, Covenant on Economic, Social and Cultural (ESCR) – 1966, other human rights related international core conventions to which Nepal is a party including the Interim Constitution of Nepal – 2007.

The Commission has, therefore, urged all concerned parties to uphold the democratic norms and values including human rights thereby respecting the people's mandates.

Similarly, the Commission has also urged all the political parties to engage in democratic and human rights friendly constitution making process to lead the nation towards sustainable peace as per the spirit and values of the historical people's movement of 2005/06, the Comprehensive Peace Accord and the Interim Constitution of Nepal – 2007.

GLIMPSES OF THE PRE-ELECTION MONITORING



GLIMPSES OF THE ELECTION MONITORING



13th International Senior Citizens Day

Ensure Safeguarding the Rights of Senior Citizens: NHRC



Participants and the human rights front runners at a morning rally held in lake city Pokhara on the occasion of the Int'l Senior Citizens Day

KASKI: The participants at a program held in Pokhara have stressed for the respect, protection and promotion of the rights of senior citizens.

Speaking at a meeting following the rally organized on the occasion of the 23rd international senior citizens day, the participants have laid their strong emphasis on ensuring the respect and protection of the rights of the senior citizens who have been discarded and victimized by their families, society and state altogether.

Adding that law is promulgated by the state for the protection of the rights of senior citizens, the participants underscored that it hasn't been translated into action effectively. The participants urged to the concerned stakeholders to take initiative for safeguarding the rights of senior citizens related to their food, clothing and shelter including the guarantee for the protection of their social security.

Speaking on the occasion, the NHRC Deputy Director Yagya Prasad Adhikari said that most families are fragmented due to the absence of moral education and

discriminatory culture persisted in society. He urged all the concerned to help bring about awareness in this regard so as to cultivate human rights culture in a society where well-culture in families is nurtured.

The Assistant Chief District Officer revealed that the state has promulgated law as far as it can through all the resources available, but the implementation of such laws and policies have remained in papers only due to the lack of accountability on the part of the stakeholders concerned. He stressed that the state has to exploit and incorporate the practical aspect of skills and knowledge of senior citizens at the time of conceiving laws and policies with regard to the rights of senior citizens.

Local development officer Iswari Raj Poudel observed that due to the brain drain of the youths overseas, the senior citizens are bound to face problems and lead painful life.

Eminent human rights activist Tek Nath Baral said that consolidated allowance entitled for senior citizens should be raised to Rs 1000/ so as to guarantee their rights giving an ease to their livelihood at least with respect.

The eastern regional coordinator of INSEC Shiva Khakurel stressed to exert pressure on the state for the effective implementation of the laws applicable to those who perpetuate despise and abuse on senior citizens. He lamented that the state appears to have turned deaf ear to the grievances of senior citizens every time the voice is raised in favor of their rights.

Mitralal Aryal of the District Health Office said that though the state has provided RS 2500 to 10, 000 for the treatment of senior citizens, only the people, who have access, can obtain it.

On the occasion, Tilak Acharya, the coordinator of Social Network for Peace, Chair of NGO Federation Krishna Prasad Baral, Human Rights workers Navdutta Dhungana, Chair of Senior Citizens Concern Society Hari Prasad Kiran Ojha and Laxmi Pokharel, the chair of the Office of the Women also spoke.

Prior to holding the assembly, the rally was taken to the streets at 8 am from Srijana Chok which went to the thoroughfares of the downtown lake city Pokhara via Ratna Chok and Sahid Chok and converged into an assembly at the conference hall of the District Development Committee. At the program, senior citizens Sabitri Gautam, age 105 and Nandakala Poudel, age 104 were honored by the Assistant Chief District Officer Arjun Kumar Sharma with an amount Rs 1000 each. On the occasion, a book on senior citizens published by the District Senior Citizens Concern Society was released.

The program was jointly organized by the Office of the NHRC Pokhara, District Development Committee, Office of the Women and Children, INSEC, ex staff service council including Senior Citizens Concern Society.

The participants of the program comprised the representatives of the concerned stakeholders, media persons, human rights workers, civil society among others.

Resource Persons oriented on Human Rights Education

KAVRE: The Office of the NHRC organized a two day workshop in Kavre district on October 8 and 9, 2013 for the school teachers as resource persons from the schools of the surrounding districts.

At the outset, the NHRC Acting Secretary Bed Prasad Bhattarai threw light on the objective and rationale of the program while Director Subarna Karmacharya delivered welcome speech.

The objective of the program mainly focused on how to take the human rights education to the school children. Following

the comprehensive discussion on the 'Resource Materials for School Teachers' to be published by the NHRC in near future, suggestions and comments on the materials were collected during the program .

At the program, the Executive Director of the Educational Human Resource Development Center Mr. Dilli Ram Rimal shared that 529 trainees will be trained within the current fiscal year with main focus on human rights education in schools. He also envisaged that once human rights education is incorporated in school syllabi leading to formal teaching and learning process, the upcoming

generation would obtain the knowledge of human rights along with their duties in society to build human rights oriented and prosperous society.

Similarly adding that human rights and duties ought to go side by side, Deputy Director of Education Department Ram Saran Sapkota said that the resource materials would definitely prove to be a milestone for the teachers.

31 participants comprising the teachers from Kathmandu, Bhaktapur and Lalitpur districts attended the workshop.

Recommendations on the Rights of Migrant Workers Submitted: Government Urged to Implement with due Priority

With the growing trend of globalization, dimensions of the work field for migrant workers and their destinations are getting wider year after year. Confined specially in the security field in the past, facets of foreign employment are now developing rapidly. As of today, the Government of Nepal (GoN) has opened the door for the foreign employment in as many as 109 countries for aspiring Nepalese migrant workers. Around 300 million Nepalese nationals have migrated to various countries in the world as migrant workers. Most of these migrant

workers are stationed in Malaysia in south west Asia and in Qatar, Saudi Arabia, Jordan, Israel, Yemen and Lebanon in Middle East.

On the one hand, Nepal has been receiving the remittance worth billions of rupees through foreign employment every year and this enormous chunk has helped boost the Nepalese national economy as the main source of income. While on the other hand, the Nepalese migrant workers are facing difficulties and are compelled to lead hell-like life in foreign land due to the lack of

adequate knowledge of migration including the procedures and process of foreign employment and its transparency.

In this regard, a high level five member team comprising Hon. Chairperson and Commissioners of NHRC-Nepal have recently toured South Korea and Malaysia (August 30 – September 5, 2013) for the observation and monitoring on the de-facto situation of the Nepalese migrant workers and the existing challenges they are facing in those countries.

Excerpts of the NHRC Recommendations:

The NHRC-Nepal hereby recommends to the GoN to take steps to ensure the rights of Nepalese migrant workers as furnished below in accordance with the monitoring and investigation report on migrant workers produced upon the high level study visit to two countries.

1. Major Recommendations

Considering seeking priority for protecting and promoting the rights of Nepalese migrant workers, NHRC seriously draws attention of GoN to promulgate national laws, policies and action plan and also to set up mechanism in line with the NHRC recommendations sent on November 22, 2012 to ratify the International Convention on the Rights of Migrant Workers

2. Special recommendations

- 2.1 Landmark initiatives:** As far as possible, there is a need of signing an agreement between Nepal and labor receiving country before Nepalese workers proceed to any country of the world for overseas jobs. Before signing the agreement, policy and law of the related country should be studied and analyzed regarding migrant workers and develop a creditable and distinct concept.
- 2.2 Basic language skills and training:** Any Nepalese migrant worker should be made familiar with language, culture and lifestyle of related destination country, and s/he should be trained on basic law and other arrangements before s/he is given permission to proceed overseas for jobs.
- 2.3 Job guarantee:** Before any Nepalese migrant worker leaves for overseas job, guarantee should be ensured for her/his job. Similarly, they ought to be equipped with necessary skill, education and training for related job prior to their departure for foreign employment.
- 2.4 Certification of Proper Management, Insurance and Travel:** It is appropriate to send the migrant workers upon ensuring the appropriate

employment, minimum salary, health certificate, life insurance and minimum expenses to be incurred in the event of the risk while traveling and insurance. The Government ought take stern and effective step to control fraud and forgery in this regard.

2.5 Control and end of exploitation and act of defrauding by brokers (Middle person):

The Government ought to launch effective monitoring on the trend of agreement about the job offer other than it is mentioned in the attractive advertisement and save the migrant workers from possible risk of falling victim of such gimmicks.

2.6 Control and prevent corruption, bribery and abuse of authority:

Since the activities of cheating, exploitation and defrauding are provided shelter both overseas and back home due to the malpractice of corruption, bribery and abuse of authority, strong and effective steps ought to be taken against such practices.

2.7 Exploitation and discrimination free foreign employment:

At times, most Nepalese migrant workers have fallen the victim of kind of exploitation, discrimination and even trafficking in foreign land. In order to protect from such risks, the GoN needs to have the sound and reliable relationship with the concerned government including other stakeholders of those countries. The GoN ought to adopt the appropriate measures to make preventive and protective activities effective and vibrant so as to ensure the Nepalese migrant workers to be out of any kind of vulnerability and harm.

2.8 Secure foreign employment and marriage migration:

The GoN ought to draw clear national policies and guidelines and implement them effectively in order to ensure the minimum salary, safe workplace and working condition, exploitation and discrimination free labor and safe marriage migration. The Government should in any case take step to ensure

the human rights of the migrant workers trapped in such circumstances.

The Government needs to take immediate step to make necessary arrangement to ensure for the prevention from exploitation, discrimination and physical torment perpetuated specially on woman migrant workers and those migrated through marriage migration system including their safe repatriation to their home country.

2.9 Human resource and institutional capacity development of Nepalese:

Embassies in labor destination countries Despite the fact that various support activities are performed by the human resource and the labor attaché of the concerned embassies to facilitate to those stranded workers in difficulty due to the loss of their passport, visa document and travel itinerary in Malaysia and the middle east countries, the Government should take immediate step to ensure more effective management and development of human resource including the institutional capacity development of the concerned embassies.

2.10 Establishment and improvement of bilateral and multilateral relationship:

It is deemed necessary to establish and widen the horizon of bilateral and multilateral relationship between the GoN through the embassy, NHRC-Nepal, and other reliable non-governmental organizations with the government and NHRIs of other countries that ensures to prevent the migrant workers from exploitation, discrimination and other possible risk and to rescue them immediately, and also to provide relief and repatriation including their safe repatriation to home country.

It is also necessary that the GoN extend its relationship with the UN bodies including International Office of Migration (IOM) to ensure the protection of the rights of Nepalese Migrant Workers. ■

13th International Senior Citizens Day

Safeguarding the Rights of Senior Citizens Urged

KAVRE: The Office of the National Human Rights Commission in coordination with the Dhulikhel Community Development Forum organized an interaction program at Banepa municipality hall in Kavre district on 2nd October, 2013.

The program entitling the 'Protection, Promotion of the Right of Senior Citizens and the Opportunities and Challenges lying ahead' was organized to mark the International Senior Citizens Day observed on 1st October every year.

The objective of the program was to familiarize the stakeholders concerned with the rights of senior citizens, opportunities and challenges with regard to safeguarding their rights. Also, the program aimed at building coordination with various organizations working in the field of the rights of senior citizens and to hit upon the measures for the realization and implementation of the senior citizens rights in the days ahead.

At the program, former NHRC Member Justice Ram Nagina Singh presented the paper on the de-facto situation of the rights of senior citizens in the country.

Following the presentation, representatives of the government bodies, NGOs, civil society members, former mayors of Dhulikhel municipality, representatives of the Red Cross Society and journalists among others provided their comments and suggestions.

The participants reiterated their concerns on the deteriorating situation of senior citizens

in society due to the aftermath impact of the conflict, prolonged transitional phase and anarchy in the country. They also lamented over the lack of ineffective programs held on the rights of senior citizens.

The participants also unanimously stressed to exploit knowledge and skills of senior citizens through extensive and intensive publicity for sustainable peaceful society. All the government bodies ought to be accountable in this regard, they laid their emphasis.

It was also strongly stressed in the program that the allowance entitled for senior citizens be provided in their hand with the arrangement of door to door distribution of the allowance in order to evade the mishandling of their only income while a few participants urged to the concerned authority to provide compulsory concessional fare to senior citizens in public transports.

At a time when the CA election was approaching near, the stakeholders also discussed on the enjoyment of rights of senior citizens to vote without any sort of enticement offered by the contesting parties. They opined that senior citizens ought to be made aware of what is mentioned in the party manifestos and in order to cognize them to



Former NHRC Member Ram Nagina Singh felicitating a senior citizens amid a program held on the occasion of the Int'l Senior Citizens Day in Kavre district

elect the appropriate candidate. Above all, the participants also laid their emphasis to build the family culture for inculcating due respect towards senior citizens.

Meanwhile, the six eminent senior citizens (three females and 3 males) were honored with shawls and vermilion powder for their valued contribution made in society.

During the program a documentary on the situation of the senior citizens was screened.

Chaired by the NHRC Officiating Secretary Subarna Karmacharya, the program was attended by 96 participants.

The Government of Nepal has duly adopted the Senior Citizens Act-2063 and Regulations related to the Rights of Senior Citizens-2068 for the protection and promotion of the rights of senior citizens.

Right to Food still a far cry in Far West: Situation Monitored



Human Rights Officer Jhanker Rawal during the monitoring on right to Food in Bajura

BAJURA: A team from the Office of the NHRC, Nepalgunj carried out extensive monitoring on the situation of the people's right to food in four hill districts of Far West effecting from 30th September till 6th October 2013.

Following the media report about the acute shortage of food and the supply of substandard food in the districts of Bajura, Doti Achcham and Bajhang like past year, the Commission headed to the hill districts for monitoring the de-facto situation of right to food on the basis of sou muto cognizance. The report also said that the local authority kept their hands tight to commence any initiatives to help combat the dire situation of shortage of food in the area.

Meanwhile, following the monitoring conducted, a regional level interaction on the right to food was organized in Bajura

on 3rd October. The interaction focused on the Interim Constitution of Nepal -2007, Food Act – 2023, existing international laws related to the food policy and food sovereignty including the state obligation on the implementation of the right to food and the status of food security.

Organized in Dhangadhi, the program was attended by the participants comprising 43 chiefs and representatives of the government and non government organizations from the district of Bajura, Achcham, Doti and Bajhang.

Right to food is the basic human rights of the people and it is the constitutional duty of the Commission to protect and promote the human rights of the people. The Interim Constitution of Nepal -2007 is enshrined with food sovereignty as the fundamental right of the citizens. Not to mention, the article 11 of the Economic, Social and Cultural rights has also provisioned that it is the state obligation to ensure people's right be free from starvation.

Implementation of CPA urged

LALITPUR: Today, the Comprehensive Peace Accord (CPA) has completed its 7th year since its landmark signing upon the conclusion of decade long armed conflict in the country and yet there are many human rights related issues awaiting their meaningful address.

In this regard, enthusiastic accomplishment of the 2nd Constituent Assembly election held on November 19th, 2013 has sent across a ray of hope among all the Nepalese

citizens. The Commission is confident about the making of human rights friendly constitution via Constituent Assembly leading to full respect towards human rights in the country.

Despite the fact the CPA signed though the Interim Constitution of Nepal – 2007 and the provisions laid out therein has been materialized with the integration of Maoist combatants of the then CPN Maoists into Nepal Army, the incidents related to the

transitional justice such as killing, torture and enforced disappearance have not been addressed effectively.

The Office of the Commission has therefore, urged all concerned parties to address the issues related to the transitional justice with priority to garner respect towards human rights of the conflict victims through the would-be framed constitution as per the spirit and values of the CPA.

International Children's Day

Debate hauls Priority on National Laws on Child Rights

BANKE: Coinciding the global campaign against violence against children and child abuse, an interaction program was organized entitling the state obligation to end the violence against children and child abuse in Nepgunj, Banke district.

The objective of the program was to interact on the obligation of the local level law enforcing agency and government bodies for ending the violence against children, plans and policies and their implementation including future coordination and collaboration between the state actors and non-state actors to put an end to the violence against children.

The program also aimed at preventing the violence against children with the effective launching of the campaign against violence against children in which the representatives of the government organizations, non-government organizations, political parties, various professionals and other stakeholders representatives were present.

At the program, discussions were also held on awareness raising among the children about their rights, prosecutions against the perpetrators of violence against children,

rehabilitation of victims of violence against children.

During the interaction, the participants provided their suggestions and comments together with their commitment for child rights initiatives. They laid their emphasis on monitoring of the situation of victims of violence against children in the district, pressure mounting program on the protection of the rights of child.

Further discussion was held on building the environment for coordination and collaboration among the child rights organizations active in the district.

Facilitating the program, NHRC Deputy Director Murari Prasad Kharal said that the campaign was being organized for the last one and half month with the solidarity expressed by the active organizations and agencies working in the field of child rights and other stakeholders in the district. The program has created a larger platform to intervene on the widespread violence against children in society, he added.

On the occasion, child rights protection officer of Unicef Ram Prasad Gautam,



A girl Child speaking on the occasion of the International Children's Day at an interaction program held in Banke district

former chair of the district child welfare committee Prajeeta Gyawali, journalist Neeraj Gautam, Basanta Gautam of Advocacy Forum, Prakash Upadhyay of Him-Rights, Jhug Bahadur Gurung of appellate court, Datta Prasad Acharya of CPN UML, Administrative Officer of the District administration office, Ram Bahadur B.K. Bindu Sapkota of U-CPN (Maoists), Child Rights Protection Officer of PLAN-Nepal Kamala Rai and Seena, Superintendent of Police of district police office, senior superintendent of police Madhu Pudasaini and women development officer Shova Shah also shared their comments and feedback.

Continued from page 1

NHRC Concludes ...

While the election canvassing is going on in full swing, general voters including the intellectuals, legal professionals and human rights workers are learned to have been in widespread doubt that the polling wouldn't spout adequate spirit, as it should, in an environment free from fear following the parties including the CPN-Maoists boycotting the forthcoming CA election.

The Commission has so far deployed 44 teams comprising the Human Rights Officer in all seventy five districts of the country in order to conduct monitoring on the human rights situation during pre, during and post Constituent Assembly election.

In the context of the incidents including torture, rape, killing, enforced disappearance endured by the general citizens other than the parties in conflict in the past being documented at the Office of the NHRC, the Commission has drawn the attention of the security agencies and other government staff members involved in the electioneering process to be alert in order to prevent the recurrences of such incidents as per the section 5 of the NHRC Act – 2068.

Earlier in 2008, the Commission had carried out monitoring in 69 districts. This time, the monitoring would be conducted in 75

district with the deployment of teams from central, regional and sub regional offices.

While the teams were in the field monitoring, the Office of the NHRC including central, regional and sub regional offices remained open during the Dashain and Tihar holidays. Also, with the deployment of the 'Rapid Response Team' (RRT) including the Investigation Officers from the NHRC Central Office carried out the monitoring on the incidents of human rights violations and excess. Similarly, the hotline (RRT) 01-50-10-000 of the NHRC central office was open round the clock every day.

News in Brief

International Senior Citizens Day marked in Mid West



Deputy Director Dipak Jung Dhvaj Karki felicitating the senior citizens at a program held on the occasion of Int'l Senior Citizens Day in Rupandehi district.

RUPANDEHI: NHRC Sub-regional Office (Butwal), in collaboration with Senior Citizens Concern Group - District Coordination Committee Rupandehi, organized an interaction program on the occasion of International Senior Citizens' Day at Gajedaha VDC in Kapilvastu.

Speakers including Dolakh Bahadur Pachai, chair of Civil Society Kapilbasu, Dipak Karki, Acting Director of NHRC Sub-regional Office (Butwal), Daya Prasad Ghimire, secretary of Gajedaha VDC, pointed out needs to be materialized for safeguarding of the rights of the senior citizens and their well-being.

Dipak Karki, Deputy Director of NHRC Sub-regional Office (Butwal), felicitated octogenarians on the occasion.

Human rights activists, journalists, social workers, civil servants, and so on were among the 40 participants at the program.

Stakeholders familiarized with human rights education on West



Resource person facilitating the human rights education program organized in Lamjung district.

LAMJUNG: NHRC Regional Office Pokhara organized on human rights related training in Lamjung aiming at fair proceeding of nomination process of candidates in the Constituent Assemble Election.

Fundamental of human rights, constructional jurisdiction of NHRC, Universal Declaration

Orientation on Monitoring of Demonstration organized

MORANG: The Office of the National Human Rights Commission, Biratnagar organized an orientation program among the human rights workers of Jhapa and Sunsari districts on November 7 and 8, 2013. The objective of the program was to orient the human right workers on the subject matters during the monitoring of demonstrations, bandh and strikes, report writing and coordination with main focus on less harm caused to the situation and selves. Sixty participants participated in the orientation program.



Deputy Director Kosh Raj Neupane making his presentation on the monitoring on the protest activities

Regional NHRC Head honored



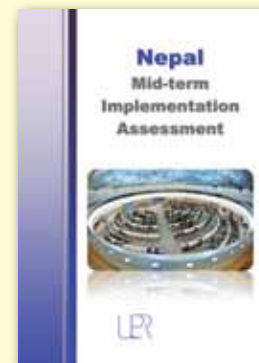
Deputy Director Kosh Raj Neupane being honoured by the Morang Jaycees

MORANG : The Biratnagar Jaycees has honored Mr. Kosh Raj Neupane, the Eastern Regional Head of the Office of the National Human Rights Commission. Every year, the Jaycees honors those who have made contribution in various fields including human rights and social justice. The decision was drawn accordingly this year to honor Mr. Neupane for his noteworthy contribution made in the field of human rights in the area. The Chair of Biratnagar Jaycees Mr. Bholeswar Dulal felicitated the awardees with a shawl and letter of appreciation amid a program held on October 4, 2013.

of Human Rights-1948, International Covenant on Civil and Political Rights, 1966, International Covenant on Economic, Social and Cultural Rights, 1966, role of students in protection and promotion of human rights, child rights, capital punishment, complaints registration process at NHRC, etc. were the subject matters discussed in the training.

Teachers and students expressed satisfaction for providing human rights related training. Sixty students of nine and 10 grades studying at Tirbhuvan Bidhyashram High School were the participants in the training.

Jyoti Prasad Ghimire of NHRC Regional Office Pokhara served as a resourceperson in the training.



For electronic version of the report, visit NHRC website :

www.nhrcnepal.org

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