



e-Newsletter



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National Human Rights Commission - Nepal

Truth and Reconciliation Commission, just Complimentary to Criminal Justice: NHRC

LALITPUR National Human Rights Commission (NHRC) Chairperson Justice Kedar Nath Upadhyay summoned the Inspector General of Nepal Police Kuber Singh Rana to the Commission to inquire about the media report published a few days ago in connection with the latter's alleged instruction to subordinate police offices to not proceed with any war-time crimes.

Speaking at the meeting with the IGP Rana, Chairperson Upadhyay said that the Truth and Reconciliation Commission (TRC) can not be an alternative for the regular criminal justice system against the crimes against human rights.

Adding that the TRC is just complementary to the criminal justice system, Chairperson stressed that the legal proceeding against the cases of criminal nature should not be impeded in the name of proposed TRC.

On the occasion, urging to respect the right to life of arrestees, Member Justice Ram Nagina Singh reminded about the complaints relating to the number of complaints concerning 'fake encounters' and deaths in the country.

Similarly, stating that there is a need to wipe out the history of impunity, Member Gauri Pradhan said that existing criminal justice system cannot be sidelined at all in the name of TRC.

He added that it is astonishing to have discovered the double standard of the Government that it does not need the TRC for the withdrawal of cases whereas when it comes to advancing legal

“ Truth and Reconciliation Commission (TRC) can not be an alternative for the regular criminal justice system against the crimes against human rights. ”

proceeding, the role of TRC is revived.

In reply, IGP Rana refuted media reports that he had never directed his subordinate offices to stop proceedings with war-era crimes and

clarified that as an institutional head, he would never dare to issue such instruction to his subordinates in a manner that might influence the case. He assured that his institution is committed to human rights and the rule of law.

On the occasion, NHRC directed Nepal Police to institutionalize human rights training and behaviour within the organization by adopting human rights friendly investigation process.

Compliance of Rule of Law by the Government Stressed



NHRC Officiating Director Buddha Narayan Sahani Kewat presenting the paper during the interaction program held in Janakpur, Dhanusha district

that NHRC has given emphasis on the strict compliance of rule of law by the government.

Chairperson flayed the Government for prompting to help flourish impunity by not forming the Truth and Reconciliation Commission. He also said that NHRC has raised the question to the Chief of Nepal Police on lingering judicial proceedings of the case of Journalist late Dekendra Thapa.

Reminding the exhumation of dead bodies in Godar Village Development Committee of Dhanusha district by NHRC done with the technical support extended from Finland Government,

Chairperson expressed his anxiety over the dilly dallying of the Government in publishing the report.

'Keeping everything aside, the government has harnessed the alleged officials with promotion and such an act is a downright mockery to Rule of Law,' lamented the Chairperson.

DHANUSHA: NHRC Regional Office Janakpur concluded an interaction program on overall situation of human rights and rule of law on February 13, 2013.

Addressing the program as the chief guest, Chairperson Justice Kedar Nath Upadhyay said

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Nationwide strike hits normal life across Nepal: Monitoring Report

KASKI: The team deployed from the NHRC Regional Office, Pokhara conducted monitoring on the situation of strike called by the CPN-Maoist on February 19, 2013. The opposition parties had called the nationwide strike demanding a rollback of the government's decision to form an election government under the sitting Chief Justice Khil Raj Regmi.

In the course of monitoring, the team took to the streets of Pokhara covering the places including Prithivi chowk, Srijana chowk, Mahendra pool, Sidhartha chowk, Bagar, Nadipur, Garnesh Tole, Chiple Dhunga, New

Road, Sabhagriha, Hallan Chowk, Lakeside, Rastra Bank Chowk, Mustang Chowk, Birauta and Amar Singh Chowk.

Although no violence has been reported, the streets wore a deserted look with no public transports plying. Most schools, colleges, offices and shops were shut. However, very few vehicles carrying journalists, human rights activists and health sectors were given free access to and from their destination.

Bandh organizers were massively present with their flags at the main points of the street while the security forces were seen in every nook and

corner of the city. Students had to attend their T.U. Bachelor Examination by walking up to the college.

During the Bandh program, the protestors have vandalized the wind-screen of the private car bearing no Ba.2.cha 7825 at around 6:00 a.m. Similarly a tourist vehicle has been vandalized and the driver Nawin Aley has been attacked by the party cadres while he was returning from the airport.

The monitoring reports say that overall situation remained peaceful except for a few incidents of vandalizing of the public and private properties. No miscreants, however, have been nabbed by the police till dusk, the report says.

Sort out the Problem through Dialogue : NHRC

LALITPUR: The attention of the National Human Rights Commission has been drawn to the life of general people affected from nation-wide strike called by the CPN-Maoist, the press release issued by NHRC on 19 February, 2013 says.

According to the monitoring report conducted by the Commission, some 15 vehicles including two motor cycles have been vandalized across the country. It is also learned that elsewhere the government offices have also been vandalized, the press release reads.

The report further reads that a tourist bus has been vandalized and the driver of the same vehicle has been thrashed. The wind-glass of a private car has been vandalized at Siddhartha Chowk of Pokhara. Similarly, the examinees also were also affected from the strike.

Likewise, it is also brought to the notice of the Commission that the vehicles belonging to Ganga Lal Hospital, Sagarmatha Television, Kantipur Television including a private taxi have also been vandalized during the Bandh program. However, it was found that the vehicles carrying tourists, journalists and human rights activists including drinking

water supply were seen plying without any undue hindrances.

In this regard, the Commission has been incessantly making an appeal to the Bandh organizers not to thwart the daily work of the people but to respect the fundamental rights of the people allowing free movement of the people including the right to education and right to health of the citizens, the press release says.

The Commission, therefore, has urged the Bandh organizers not to take any steps that might leave undue impact on the life of general people but to sort out the problem through dialogues.

Continued from page 1

Compliance of Rule...

Speaking as the Chair of the program, Member Justice Ram Nagina Singh said that Nepal police have been playing vital role in minimizing extra judicial killings. Appropriate and timely investigation, however, could not be launched resulting in the subsequent deprivation of justice to the victims and victim's family.

At the program, NHRC Acting Secretary Bed Prasad Bhattarai said that human rights can be protected only when the rule of law is placed at the pinnacle.

NHRC Officiating Director Buddha Narayan Sahani Kewat presented the paper on the overall situation of human rights and rule of law.

The participants interacted on worsening condition of human rights basically in eight districts of Terai region of mid zone. They brought up the issues concerning the deprivation of people's right to life and rights to justice.

'As a result of the non-implementation of the recommendations forwarded to the government, incidents of crimes against women are on the rise and the lack of the provision of social security to be provided to the senior citizens persists,' the participants viewed.

During the interaction, expressing commitment to help sustain the rule of law for the protection of human rights, Krishnahari Upadhyay, CDO of Dhanusha district, Shiva Lamichhane- SP of Dhanusha police office responded to the queries and concerns raised by the participants.

Seventy five participants took part in the program in which Tej Bahadur K.C. officiating chief justice of Janakpur appellate court, Binod Sharma – senior advocate, Ramasish Yadav- President of Nepalese Journalist Federation Dhanusha were present as the guests.

Students Facilitated with Knowledge of Human Rights and NHRC

KASKI: NHRC Regional Office, Pokhara organized a program entitling 'An Introductory to NHRC' and Human Rights in Myagdi district.

Jyoti Prasad Ghimire, Human Rights Officer of NHRC, defining human rights shed light on roles and responsibilities of NHRC, its status in international level, complaints registration procedures and so on.

Mr. Ghimire responded to the queries and concerns raised by the participants. Students of grade 10, 11 and 12 studying at Mount Everest Higher Secondary School were the participants of the program.

Students and teachers of Mt. Everest H.S. during a program held on human rights and NHRC



"Occupy Baluwatar": Campaign against Gender based Violence

KATHMANDU: As the 'Occupy Baluwatar' campaign against all forms of gender-based violence entered its 30th day, the team deployed by NHRC carried out monitoring on Campaign' launched by various rights organizations.

The monitoring team comprising Human Rights Officers Maya Sharma, Sarita Gyawali including interns conducted monitoring on Campaign organized closed to Prime Minister's residence at Baluwatar, Kathmandu.

On the 30th day of the 'Occupy Baluwatar' campaign, around 11 AM, a huge number of protestors including the women of all walks of life, senior citizens including students participated in the protest program. Considerable number of male participants also took part to boost up the morale of female campaigners.

The monitoring team discovered that the police intervened the attempt of the protestors to penetrate into the restricted zone as a protest against the dispirited notion of the Government towards human rights. This resulted in the minor scuffle between the security and the protestors in which a few rights activists sustained injuries. Meanwhile, 32 protestors including 19 women, 11 men and 1 third gender were detained in No 2 barrack. Among the detained were three persons with disabilities, two including one third gender were hospitalized for necessary treatment. The detainees were released after four hours, said DSP Dhiraj Pratap Singh, spokesman for the Kathmandu Metropolitan Police Range, Hanumandhoka.

Meanwhile, Sancharika Samuha, a women's communication forum and the Working Women Journalists condemned the police action in separate statements, the report says.

The NHRC monitoring team was not given any access to the barrack for monitoring, as per the report submitted to the Commission.

The report inclusive of the recommendations to be made to the state says that paying heed to the woes of women to seek an amendment to the existing legal provision that requires victims to register an appeal within 35 days, the Commission ought to deviate its special attention towards the incidents of violation against women including the advisory to be forwarded to the government to hit upon the initiative for policy level upon carrying necessary studies

The protest was triggered by the rape and robbery of Sita Rai (name changed) at the Tribhuvan International Airport on November 21. Ever since the protest was launched, other emblematic cases of violence against women, including the 'murder' of Saraswati Subedi and missing case of Chhori Maiya Maharjan, were pressed with added strength. The protesters have been demanding an investigation and stern action against the culprits in all the cases.

As of now, people of all walks of life and the rights organizations have expressed their solidarity with the campaign launched to mount pressure on the government to drag the perpetrators accused of gender based violence and other human rights violation to justice.



Participants at a rally organized outside the residence of Prime Minister during 'Occupy Baluwatar' – a campaign against gender based violence organized by the various rights organizations

Concerns Expressed on Human Rights Situation in Mid-Tarai

DHANUSHA: Chairperson Justice Kedar Nath Upadhaya said that NHRC has been playing crucial role for the protection and promotion of human rights as per the constitutional mandates provided in spite of various difficulties and challenges lying ahead and limited resources available with the Commission.

Addressing an interaction program entitled situation of human rights in mid-terai and the role of NHRC on February 14, 2013, Chairperson said that NHRC has been incessantly carrying out its activities through its offices across the country.

'Of late, in a feat to expedite the finalizing the backlog complaints, NHRC has mobilized investigation missions in various parts of the country leading to the settlement of a large number of complaints registered at the Commission, Chairperson updated.

On the occasion, speaking as the guest, NHRC Member Justice Ram Nagina Singh opined that

it is deemed necessary that the rights defenders, civil society and stakeholders lend a hand and move ahead to establish human rights culture in the country.

Presenting the paper, President of Bhumija Human Rights Union Bijaya Dutta explored that the incidents of extra judicial killing, abduction, enforced donation campaign, lack of social security, and deteriorating situation of rights of women and senior citizens are on the rise posing threat to over all human rights of the citizens.

At the program, the participants expressed their dissatisfaction over the behavioural attitude of the government and political parties alike.

The participants commented that more often than not, lack of coordination between the security agencies and will-power of the government has left impact on the services to be provided to the general people. Impunity, on the other hand, seems to hold its root in society.

The program was jointly organized by the Tarai Human Rights Defenders Network and Bhumija Human Rights Association.

In another program, releasing a book entitled CHAUARI, authored by Professor Prameshor Kapadi based on child psychology, Chairperson said that linguistic rights is also major part of human rights and the Government ought to play vital role to protect the linguistic rights.

Acting Secretary Bed Prasad Bhattarai and Chief of NHRC Regional Office Janakpur Buddha Narayan Shahani Kewat were also present at the program in which Mr. Bhattarai threw light on the mandates, duties and functions of the Commission.

Fifty participants comprising the human rights defenders, journalists, representatives from civil society and political parties took part in the program.

Consultation on Juvenile Justice Procedural Rules- 2006

Psycho-social approach, need for Juvenile Justice



NHRC Director Murari Prasad Kharel along with the resource persons at a Consultation program on Juvenile Justice Procedural Rules-2006 held in Nepalgunj, Banke

BANKE: Nepalgunj based rights activists, intelligentsia and lawyers have urged the concerned stakeholders to address juvenile justice in a psycho-social way without any undue damage caused to the dignity of alleged child wrongdoers.

This was urged at a consultation meeting on Juvenile Justice Procedural Rules-2006 organized by National Human Rights Commission (NHRC) Regional Office Nepalgunj in Banke district.

Speaking as the chief guest at the meeting, Keshav Prasad Mainali, Chief Justice of Appellate Court Nepalgunj, said that

behaviors of disoriented children could be corrected if all the concerned stakeholders seriously applied the provisions laid out in Juvenile Justice Procedural Rules - 2006.

On the occasion, presenting a concept paper, Justice of Appellate Court Nepalgunj Shekhar Prasad Poudel shed light on the prospects and challenges of Juvenile Justice.

Murari Kharel, Director of NHRC Regional Office Nepalgunj, said that, more often than not, the concerned government bodies distance them from their responsibilities towards children merely in the pretext of lack of resources.

Vasanta Gautam, Regional Coordinator of Advocacy Forum-Nepal, also expressed his view on the occasion. He said that children shouldn't be enquired in front of matured people while handcuffed. It can leave a negative impact in their minds, he said.

Quoting the data produced by his office he said, Advocacy Forum Nepal found 59 children in the jail and 28 of them were tortured and ill-treated.

Speaking at the meeting, Dhundiraj Pokhrel, Chief District Officer (CDO) of Banke, stressed that there needs to be ample coordination and cooperation among the stakeholders to address juvenile justice effectively.

Justice of Appellate Court Nepalgunj Shiva Raj Adhikari, Kavi Prasad Neupane of District Court Banke, Senior Advocate Vijay Gupta, Ishwari Prasad Gyanwali of Appellate Court/Bar Association-Nepalgunj, among others shed light on different facets of juvenile justice and child psychology.

Law enforcing agency clad with uniform is not allowed to arrest alleged wrongdoer. They shouldn't arrest the children handcuffed and hearing of the case should be carried out keeping them in child rehabilitation center etc. are some of the provisions set forth in the Juvenile Justice Procedural Rules-2006.

District level Journalists trained on Human Rights and Media

SYANGJA: National Human Rights Commission in coordination with the Nepalese Journalists Federation (NJF, Syangja Chapter) organized training on Human Rights and Media.

The objective of the training was to develop the collaboration and networking between the Commission and the media persons. The training also focused on enhancing the human rights education and the development of human rights awareness.

The training was held on the Universal Declaration of Human Rights 1948, duties, functions and mandates of NHRC, Code of Conduct of Journalism, Relation between human rights and media, right to information, freedom of expression, media for the protection and promotion of human rights and differentiation between the violation of human rights and crimes.

The training was provided by Director Yagya P. Adhikari, former president of NJF Dharmendra Jha and Executive Director of the Golden News Daily Gangadhar Parajuli.

During the closing of the training, the participants unanimously urged NHRC to realize the fact the journalists are the human rights defenders at the forefront and the training should be provided to them from time to time.

TANAHU: NHRC Regional Office Pokhara in coordination with the Damauli UNESCO Club organized a training on Human Rights and Media.

NHRC Director Yagya Prasad Adhikari shed light on the objective and rationale of the training. According to him, objective of the training was to enhance the collaboration between the Commission and the local level media persons. The training also focused on human rights education and the development of human rights awareness.

NHRC Director Yagya Prasad Adhikari and the Chair of the Freedom Forum Taranath Dahal provided the training

on various themes including the Universal Declaration of Human Rights 1948, duties, functions and mandates of the NHRC, Code of Conduct of the Journalism, Relation between human rights and media, right to information, freedom of expression, media for the protection and promotion of human rights and differentiation between the violation of human rights and crimes.

During the training, the participants urged NHRC to conduct the prototype training among the district level journalists at least once a year



NHRC Director Yagya Prasad Adhikari making his comments during the training held on human rights and media

Law Professionals trained on Transitional Justice

KAVRE: National Human Rights Commission Organized training-cum-workshop on *Transitional Justice* among the lawyers, professors, media persons and the representatives of civil society in Kavre district from 22nd till 23rd February, 2013.

Inaugurating the training, Member Gauri Pradhan elucidated on the transitional justice amid the current political scenario.

The objective of the training was to familiarize the participants with the concept on transitional justice in international perspectives, transitional justice and human rights and justice delivery to the victims in the transitional period.

The training also focussed on the familiarizing the participants with the international experience on the TJ System with the example of countries such as South Africa and Cambodia, the truth and reconciliation processes, process and status of TRC / DC Bills, the aftermath situation of TJ in post conflict scenario including the NHRC initiatives on the TJ process.

The training was provided by the resource persons including Member Gauri Pradhan, Acting Secretary Bed Prasad Bhattarai, Human



Senior Advocate Dr. Shanker Shrestha providing training to the law professionals on transitional justice organized by NHRC

Rights Officers Basu Bajagai, Shyam Babu Kafle, former Constituent Assembly Member Ekraj Bhandari, Senior Advocate Shankar Shrestha and Advocate Hari Phuyal.

Acting Secretary Bed Prasad Bhattarai, delivering his remarks, gave away the

certificates to the trainees during the closing ceremony.

Conducted with the support extended from Finland Government, the training was participated by twenty nine participants legal institutions, media and academia among others.

Status of Women's' Human Rights in West

Fast Track Court, Need of the Hour: Women Rights Activists



A woman resource person making her presentation on the situation of women's human rights in Kaski District

KASKI: NHRC Regional Office, Pokhara Organized a program on the situation of western women's human rights on January 22, 2013 in Pokhara, Kaski district.

The program focused on the status of women, women's human rights as well as the implementation of International Covenant on Elimination of Violence against Women (CEDAW)-1979 and UN Security Council

Resolution 1325 according to its National Plan of Action in the national level.

Mr. Yagya Prasad Adhikari, Head of NHRC Regional Office, Pokhara and National Consultant duo Anil GC and Bikram Tuladhar facilitated the program .

Situation and status of women's human rights, CEDAW-1979, status of the representation of

women in the policy level were the core agendas of the program.

Sharing the report on VAW, participants from different organizations delivered their speech on the root cause of violence against women taking place sporadically in society.

Interacting broadly on the stipulated agendas, the participants explored that the women's representation and inclusiveness status in community level is considerably low.

Throwing light on the existing domestic violence against women, they raised the concern on the issue of discrimination against women including negative impact resulted from inter cast marriage. They also criticized the existing discrimination on the basis of cast which is widely viewed as political issues in the current scenario.

They unanimously stressed on the founding of the fast track court in order to expedite the cases related to the women's rights issues.

Thirty five participants comprising the representatives from women's rights organizations of the west, civil society, political parties, media including legal professionals among others participated in the program.

National Human Rights Commission of Nepal

Harihar Bhawan, Lalitpur

Circular

Recommendation for nomination for Late Dayaram Pariyar Memorial Human Rights Award

National Human Rights Commission has decided to award two persons with "Late Dayaram Pariyar Memorial Human Rights Award" this year as well. The award was established in fond memory of former NHRC staff late Dayaram Pariyar who sacrificed his life while discharging his duties in the field of human rights monitoring.

This public notice is, therefore, circulated with an appeal to recommend two names of human rights activists who have made significant contribution in the field of human rights. NHRC requests all the concerned to send in the nominations not later than March 7, 2013 (2069 Falgun 25). Please note the following prior to recommending the prescribed nominations.

1. Please recommend two names at the most on the basis of the gender and minority equality.
2. Recommended Human Rights Activist /s must have made significant contribution with his/ her active involvement in the field of human rights at least for ten years or above.
3. The recommendation should be attached with the personal details and the details of work and contribution of the proposed awardees and the ground for which he / she should be felicitated.

Please send in the nominations to any of the following addresses:

1. National Human Rights Commission, Central Office, Harihar Bhawan, Lalitpur, Nepal.
Post Box: 9182, Kathmandu , Nepal. Phone: +977-1-5010015
2. NHRC Regional Offices :
 - Uttar Behedi, Dhangadhi, Kailali, Phone : 091-525621/525622; Fax : +977-91-525623
 - Shantinagar, Nepalgunj, Banke, Phone : 081-526707/526708; Fax : +977-81-526706
 - Janapriya Marg, Pokhara, Kaski, Phone : 061-462811/463822; Fax : +977-61-465042
 - Dewi Chauk, Janakpur, Dhanusha, Phone : 041-527811/527812; Fax : +977-41-527250
 - Bargachhi, Biratnagar, Morang, Phone : 021-461931/461093; Fax : +977-21-461100
3. NHRC Sub-Regional Offices
 - Jumla Bazaar, Jumla: Phone/Fax : 087-520222
 - Butawal, Rupandehi: Phone/Fax : 071-546911
 - Diktel, Khotang: Phone/Fax : 036-420284

Personal Details of the Recommended Person

Name:	Detail of the Work:
Father's Name:	Reason for Honoring:
Mother's Name:	Details of the award received in the past, if any:
Grand Father's Name:	
Grand Mother's Name:	Gender:
Permanent Address:	Age:
Contact Address:	Caste:
Contact Phone No:	
Mobile No.:	
Name of the Organization:	
Address:	
Contact No:	
Head of the Organization:	
Contact No:	
Number of years served:	
The Organization associated with:	
Address:	
Contact No:	
Duration of Association:	

P.S. For further details, please contact any NHRC office. The NHRC decision regarding the awardees shall be final and binding.

Web link
http://www.nhrcnepal.org/nhrc_career_details-4.html

NHRC Progress Updates of F/Y 2068/069

(July, 2012-December, 2012)

Sl. No.	Thematic	Central Office	R.O. Biratnagar	R.O. Janakpur	R.O. Pokhara	R.O. Nepalgunj	R.O. Dhangadhi	R.O. Khotang	R.O. Butwal	R.O. Jumla	Total
	Complaints Received	25	12	16	9	2	9	3	12	2	90
	Monitoring Missions	12	3	11	6	8	2	3	3	2	50
	Investigation of Complaints accomplished	26	5	352	14	4	46	4	160	23	
	Number of files received from the Regions for Decision	392			16	273	46	34	0	38	407
	Complaints under Consideration	700	0	502	332	1248	376	181	440	102	3881
	Complaints (Dismissal / Revoking)	102				143		34	1		280
	Recommendations (for compensation, prosecution, departmental action or interim relief)	18									18
	Policy Recommendations	16									16
	Collaborative Works with NGOs	8	0	2	6	0	5	1	8	1	31
	Training (Capacity Development)	5	3	2	7		8	1	5	2	16
	Expertise Services (key note, guest speaker, resource person)	8		8	6	6	10		5	2	45
	Number of Participants trained	181	0	47	250	0	250	23	150	230	1131
	Human Rights Advocacy / Interaction	20	3	2	15		6		4	4	54
	Dialogues with NGOs and Stakeholder Agencies	19	3	9	43	0	30	5	4	4	117
	Annual Report Submission to the Hon. President	1									1
	Press Release + Press Note	24								1	25
	Publication (Report, Brochure, Handbook)	30		1					1		32
	Bulletin (Nepali + English)	12									12
	Advisory to Nepal Government	2									2
	Adoption of Guidelines	2									2
	Internship on Board	9	3	2	2	2	2	2	2	2	26
	Radio Program		1		1		1				3

Combined Efforts Necessary for Social Transformation: Chairperson

LALITPUR: Chairperson Justice Kedar Nath Upadhyay has said that social transformation is not possible unless the combined effort is inculcated from the side of all.

Inaugurating the third National Covenant of Campaign for Human Rights and Social Transformation, Nepal (CAHURAST) as the chief guest, Chairperson expressed his hope that by bringing an end to the political deadlock, the government would go for the election and remain active for the social transformation gradually. The program was chaired by the Chairperson of CAHURAST

“
Social transformation is not possible unless the combined effort is inculcated from the side of all.
”

Bishnu Pukar Shrestha.

On the occasion, Member Gurai Prahdan said that the role played from the side of the civil society is a testimony in the history of human rights movement.

News in Brief

3rd Nepal HRs Int'l Film Festival Concluded

KATHMANDU: The 3rd Nepal Human Rights International Film Festival concluded successfully in the capital. The festival opened on February 21, 2013 at the Nepal Tourism Board with the screening of 'Saving Face', directed by Daniel Junge and Sharmeen Obaid-Chinoy. The forty minute long 'Saving Face' a 2012 Best Documentary Short Oscar showcasing the tale of acid-attack survivors from Pakistan, is a film that is contextually relevant to the gender-based violence against women that still takes place in parts of Nepal.

Inaugurated by the NHRC Chairperson Justice Kedar Nath Upadhyay, the Festival was scheduled to run for four days. Hosted by Human Rights Film Center in coordination with a number of human rights organizations including NHRC, the festival coincided with the campaign against gender based violence in the country.

Objective of the human rights festival is to bring about awareness on human rights far and wide and help promote human rights culture in society according Purna Singh Baraily, the Festival Director and Chairperson of the Human Rights Film Center,

During the festival, 25 short films from various countries including Nepal, India, Pakistan, Bangladesh, Sri Lanka, Norway, Japan, Egypt,

Citing the significant contribution made in the social transformation, Member Pradhan said that the democracy can be rejuvenated only when we see the issues of gender based violence and rights of women from the eye of all in equal footing.

Vice-Chairperson Basudeve Sigdel threw light on the objective of the inception of the CAURAST. He said that the organizations basically focus on International Covenant of Social, Economical and Cultural rights (ESCR). He said that if these rights are ignored, the country would face multiple crises in the field of human rights.

CAHURAST has expressed solidarity towards the ongoing protest against gender based violence and also the government to be more serious and sensitive to put an end to VAW.

At the program, wishing the prosperity of the organization NHRC Member Dr. KB Rokaya, representative of INSEC Krishna Gautam,



NHRC Chairperson inaugurating the training on social transformation organized by CAHURAST, a human rights organization working in the field of human rights and social transformation

Human Rights Activist Kedar Khadka, Chair of INHURED International Gopal Krishna Siwakoti, Secretary Of National Dalit Association AMrit Biswakarma, Chair of CN Krishna Subedi, Former NHRC Member Sushil Pyakurel, General Secretary of Human Rights Academy Bhawani Kharel, Chair of FORHID Birendra Thapalia, Secretary of Women's Foundation Kamala Upreti, Chair of HUDEP Pradip Pokhrel and former NHRC Member Kapil Srestha, Chair of NGO Federation Sharmila Karki, Chair of NIYOK Surya Prasad Shrestha also spoke on the occasion.

Govt. Officials, Security Personnel trained on Human Rights

JUMLA: Representatives of the security agency, judiciary and quasi judiciary body of the district underwent human rights training organized by the NHRC Sub-Regional Office, Jumla.

The training was held as per the mandates laid out in the Interim Constitution of Nepal – 2007 and the NHRC Act – 2012 for the promotion of human rights in the country.

The objective of the training was to help the GoN staff members and the security personnel internalize human rights while discharging their duties.

The training was provided on six different thematic such as concept of human rights, national and international human rights instruments, state obligation, role of human rights defenders, coordination and collaboration between the GOs and NGOs.

It being the follow up program of the past training, the participants had the opportunity to best internalize the session wise learning on various themes including discharging of their duties from human rights perspectives and state obligations.

The participants of the training comprised forty representatives from security agency and civil servants often involved in providing day to day

Children's Talent to get Limelight: Gauri Pradhan

KATHMANDU: The official launching ceremony of Nayapusta program was held on February 1, 2013 organized by Nepal Forum of Environmental Journalists.

NHRC Member Gauri Pradhan, National Human Rights Commission was the chief guest of the program and NHRC Member Dr. KB Rakaya as the guest of the program.

Speaking at the program, Member Pradhan said that the children aged from eight to fifteen are sensitive but full of aptitude for evoking the sentiment of the elders and thus it is urged that their work and achievements be mainstreamed.

At the outset, Mr. Dhurba Basnet General Secretary, NEFEJ delivered the welcome speech which was followed by Lakhe dance, a traditional Newari cultural dance by kids and briefing on the kids news programme by Mr. Raghu Mainali, Project Coordinator.

Ms. Dessi Damianova, Program Coordinator south Asia, Fee Press Unlimited, and Mr. R.K. Manandhar Chairperson of Image Channel spoke on the occasion.

At the program, the calendar boy Govinda, visually challenged boy of tenth standard, startled the audience with his outstanding memory talent of all the events starting from the year 2001.

Training on ESC Rights Monitoring hauls Priority

KATHMANDU: Co-inciding the National General Assembly, the Campaign for Human Rights and Social Transformation (CAHURAST) organized training in Kathmandu on monitoring of Economic, Social and Cultural Rights (ESCR).

The objective of the training was to enhance the capacity of the human rights defenders of various districts of the country.

At the inaugural of the training, delivering the welcome speech, Vice Chairperson of the CAHURAST Basudev Sigdel said that ESC Rights being most vital of all rights, these rights should be mainstreamed along with other rights.

Speaking at the inaugural session of the training, the NHRC Acting Secretary Bed Prasad Bhattarai said that NHRC was incessantly engaged mostly in monitoring of International Covenant on Civil and Political Rights (ICCPR) during its inception period when the armed conflict was in climax in the country. This apparently left the ESCR in shadow and it is the need of the hour to ensure ESC rights in the country, he observed.

In this regard, he updated that twenty percent of the complaints registered at the Commission are related to the ESCR. Also, mentioning about the achievement made by NHRC, he said that the Commission reviews the policies related to human rights, delegate the duties as per the policies set forth, investigates the truth and coordinate with civil society. He unveiled that promotional activities conducted by the Commission has improved human rights situation to a great extent.

Throwing light on the current status of human rights, he revealed that impoverished political will and least coordination between the government agencies have the ultimate impact on human rights issues.

He, however, assured that NHRC is always ready to extend its support and cooperation to human rights related organizations on

human rights concerns. He also urged that organizations like CAHURAST to have well-managed monitoring on the incidents of ESC rights violations in the most of the districts and document them so that these rights would be ensured in the days ahead.

On the occasion, Chair of CAHURAST Bishnu Pukar Shrestha explored that proper indicators for monitoring on ESCR has remained in perplexity since these haven't been developed. In the first place, we ought to know exactly what ESC rights are all about, he observed.

Enumerating the ESCR, Secretary of CAHURAST Bal Krishna Devkota said human rights are significantly indispensable to each other.

NHRC Human Rights Officer Shyma Babu Kafle opined that ESCR can't be described merely as the matter of food, clothing and shelter. If someone dies due to the reason that the state can't provide food, it would deliberately mean the violation of ESC rights. Unlike International Covenant on the Civil and Political Rights (ICCPR), ESCR is known as the second generation rights such as right to food, right to drinking water, right to participate in cultural activities, right to shelter, right to health and right to education, he clarified.

Elucidating the use of ESCR mentioned in the ESCR and its protocol enshrined inclusively in the Universal Declaration of Human Rights – 1948, Mr. Kafle urged every citizen to be obligated for the respect, protection and promotion of ESCR.

Similarly, he mentioned that the developed nations, internalizing the significance of Covenant and Optional Protocol on ESCR, are all set in the process of ratification beginning this March. Nepal, however, is yet to make a leap in this regard, he said.

Likewise, NHRC Human Right Officer Basudev Bajagain shed light on the monitoring of ESCR Rights. He elucidated ESCR rights as the progressive rights and how monitoring is conducted in the event of the violation of these rights. Opining the active flow of information being the monitoring in actual sense, he urged to assess the problems of human rights violation in the first place.

He added that human rights organizations are the bridge between the state and the citizens. While the state becomes indistinct on its part and the general citizens remain ignorant, it is the duty of the human rights workers to make things straight.

Many a time, the state appears acutely inactive or just remains mute on the incidents of human rights violation and thus it faces the accusation on such incidents, he observed.



HR Officer Shyam Babu Kafle, Acting Secretary Bed Prasad Bhattarai, CAHURAST Chair Bishnu Pukar Shrestha and HR Officer Basudev Bajagain at the program on ESC Rights organised by CAHURAST

Widely discussing on human rights monitoring procedures, HR Officer Bajagain also said that the objective of monitoring on human rights is to have the information in hand to immediately address the human rights issues.

Similarly, he urged to have the comprehensive studies on overall human rights situation in the district in order to get to know whether or not the state has been doing its duty consistent with the international norms and values. He also informed about the procedures useful for monitoring the prison and detention centers in order to collect the special data regarding the detainees.

Towards the end of the training, participants unanimously urged NHRC to conduct the prototype training for enhancing the capacity of human rights workers in other parts of the country. The training was organized among the participants attending the National General Assembly of CAHURAST from various districts at the technical support extended by the Strengthening the Capacity of National Human Rights Commission (SCNHRC) project.



Participants at a program on ESC Rights organised by CAHURAST Nepal in Kathmandu

Human Rights Resource Centre launched in Butwal

RUPANDEHI: Inaugurated formally by the NHRC Member Gauri Pradhan amid a program held at the premises of the NHRC Sub-Regional Office, Butwal, the Human Rights Resource Centre has been established in Butwal on February 3, 2013.

Speaking on the occasion, Member Pradhan flayed the Government for ignoring the NHRC recommendations despite the latter's commitment towards human rights.

'The government has failed to implement those recommendations relating to gross violation of human rights including extra-judicial killings, disappearance, torture, displacement and property seizure,' Member Pradhan said.

He warned that the victims being deprived of justice and the perpetrators being left scot-free, the state of impunity is sure to make abundant space in society.

"Dilly dallying in forming the much awaited Truth and Reconciliation Commission (TRC) has further caused anxiety to loom large in the country, observed Member Pradhan.

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Member Gauri Pradhan speaking on the occasion of launching of human rights resource center in Butwal, Rupandehi district

Echoing the voice of Member Pradhan, NHRC Secretary Bishal Khanal said that the government appears acutely oblivion in fulfilling its responsibilities towards the protection and promotion of human rights. Thus every sector is bound to witness the impact.

At the program, Advocate Mahendra Pandey, District Attorney Mohan Sagar Basyal, Butwal Municipality Chief Khim Bahadur Rayamajhi, Officiating Head of NHRC Sub-Regional Office Chandra Kanta Chapagai also spoke on the occasion.

The Human Rights Resource Center, the first of its kind in Lumbini zone, will help create a platform for stakeholders to hold discussion and interaction on the pertinent issues of

human rights. In addition, stocked with the large number of human rights reference books, journals, research reports, newsmagazines and newspapers, the center is also the hub for the readers with the facility of information technology (IT) supported resources.

Seventy participating representing from Butwal based governmental organizations, human rights organizations, various civil societies, security agencies, political parties including law professionals, journalists and local residents participated in the ceremony.

The HRRC is established with the support extended from the UNDP Strengthening Capacity of National Human Rights Commission (SCNHRC) Project.

Prison Monitoring in Gorkha: Adequate Facilities Recommended

GORKHA: NHRC Regional Office, Pokhara carried out monitoring on the prison condition in Gorkha district on 28th December, 2012.

The NHRC team comprising the Regional Director Yagya Prasad Adhikari, Human Rights Officer Jyoti Prasad Ghimire discovered that children are accommodated with adults and the female inmates are still in wretched condition.

During the monitoring, the monitoring team met with Jailor Khem Raj Dhakal and collected information on the condition of prison in Gorkha district. The team also interacted with the prison guard Bahadur Bhujel about the problems and challenges of prisoners serving their term.

Following this, the team had discussion with the prison administration on the issues like prison

management, daily administration of the prison, treatment facilities provided to the inmates, rights and duties of prisoners, provision of recreational amenities including sport items, libraries and newspapers.

The prison administration came up with the existing problems in the prison such as the space constraint in the cells and budget crisis due to the influx of excessive number of inmates in recent days. Though handicraft training was provided to the inmates in coordination with the Cottage and Small Industries, the food provided by Nepal government remains scarce for over 4 months, according to the prison officials.

It was learned during the monitoring that the arrangement of sitting for the examination was

made for the inmates willing to pursue formal education.

The monitoring team, therefore, made a number of recommendations including the supply of the adequate facilities including skill based training to the inmates, drinking water and sanitation, separate block for sick inmates with communicable diseases, additional block for the excessive number of inmates and also human rights training to the prison officials, surveillance on the activities of the 'head inmate.'

The report says that the recommendations to be made to the Nepal Government to fulfill the rights of prisoners and prosecutors to meet the standard of national and international laws.

Robert Piper, UN Resident & Humanitarian Coordinator to Nepal bade Farewell

LALITPUR: National Human Rights Commission bade hearty farewell to Robert Piper, UN Resident & Humanitarian Coordinator to Nepal amid a program organized at the Commission on 21st of February, 2013.

Addressing the program, Chairperson Justice Kedar Nath Upadhyay said that Mr. Piper, completing his term in Nepal, is leaving for good but his impression of being supportive for the well being of the national rights watchdog will be retained forever.

'UNDP and NHRC have worked hand in hand on a number of occasions and I can't help but appreciate Mr. Piper's heartfelt concern shown and the initiative taken for the human rights system in Nepal, Chairperson said.

'During his term in the UN System in Nepal, he has been exceptionally instrumental in helping evoke the sentiment of the stakeholder concerned on various pertinent issues of human rights including Transitional Justice and Impunity in Nepal,' Chairperson commended.

Speaking on the occasion, Commissioner Gauri Pradhan said that Mr. Piper always showed his keen interest in the promotion and protection of human rights in Nepal. He was instrumental in reinstating the SCNHR, a joint program of UNDP and the NHRC.

Wishing Mr. Piper every success in his life, Member Pradhan remarked that he has always been straight forward, very clear in his opinion and very cooperative in all our endeavors.

On the occasion, Mr. Piper said 'It was always pleasant to work with NHRC. Though I wasn't here for 10 long years, I can sense the progress it has made so far in the field of human rights. You have got so much to be proud of.'

He added that most important thing is that when the national institution like NHRC stops working many things will go in vain. NHRC is in difficult time now and yet the ray of hope is still shining. Peace process is given enough impetus and the process for forming the transitional mechanisms is heading the right way and it's quite remarkable.

'But at the same time, we have to remember how much we have contributed and how much we have received,' Mr. Piper said.

'NHRC still has a long way to go and the very crucial is the framing of new constitution. I firmly believe that NHRC, as always, will do optimum to help draft the human rights friendly constitution in the days to come, Mr. Piper said.



NHRC Chairperson wishing good luck to Robert Piper of UN system in Nepal during the latter's farewell program organized at NHRC

Receiving the souvenir from Chairperson at the program, Mr. Piper said 'It was something that I will cherish all my life.

'I am and I will remain as a well wisher of NHRC in all its endeavors,' said Mr. Piper.

Chairperson Upadhyay, Member Gauri Pradhan, Officiating Secretary Bed Prasad Bhattarai, Director Subarna Karmacharya, SCNHR National Project Manager Ms Sadhana Ghimire and all the Departmental Heads were present at the farewell ceremony organized at the NHRC premises.

NHRC Secretary Bishal Khanal retires

LALITPUR: The National Human Rights Commission bade a fond farewell to Secretary Bishal Khanal amid a program held at the Commission.

Mr. Khanal has successfully completed his five year term at the Commission on 8th of February, 2013.

'It has been an honor and a pleasure to work with such a great group of people. I received wholehearted support from my colleagues during my working tenure at the Commission,' said Mr. Khanal.

'I sincerely urge my friends to work for the cause of human rights and keep on working with the same enthusiasm and dedication. I wish all the success of the Commission and all associated with it. Even if I am gone, I would remain as an ally to the Commission and I would be more than happy to facilitate my expertise if deemed necessary in the days to come,' Secretary Khanal added.

Director Bed Prasad Bhattarai said 'Commission could accomplish all its human rights endeavors

at the dynamic leadership of Secretary Khanal and he would be very much missed among us.'

Wishing good luck to Mr. Khanal, Director Subarna Karmacharya said that we ought to internalize all good qualities of Secretary including his exceptionally unwavering patience even in stressful situation."

'As we continue to ensure the people better services in future, we look forward to working with Secretary Khanal in our institution in the key position,' said Human Rights Officer Shyam Babu Kafle.

Wishing all the success in future undertaking of Mr. Khanal, Human Rights Officers Sarita Gyawali, Badri Subedi, Samjhana Sharma, Kailash Kumar Siwakoti, Jaya Shor Chapagain and Security Chief Pradyumna Kattel also spoke on the occasion.

Meanwhile, NHRC has dispensed a decision pursuant to section 28 (6) of the NHRC Act – 2068 (2012), to appoint Director Bed Prasad Bhattarai as the Acting Secretary of the Commission effecting from 27th February, 2013.



NHRC Secretary Bishal Khanal sharing his experiences during his term in NHRC at a farewell program held at NHRC upon his retirement

International Community, Members of Advisory Committee laud NHRC Achievements

LALITPUR: In a meeting held with the representatives of Donor Community and the Members of the Advisory Committee commended the NHRC achievements made during the first half of the fiscal year 2068/69.

Chaired by the Chairperson Justice Kedar Nath Upadhyay, the meeting was organized at the NHRC premises on 5th February, 2013.

Addressing the representatives from donor community and Advisory Committee Members, Chairperson Justice Kedar Nath Upadhyay acknowledged the UNDP and the donor community for their continuous support in strengthening the capacity of NHRC for the human rights system in Nepal.

Chairperson observed that Nepal is undergoing very difficult time not only because of political instability but also because of the situation of confrontation emerged between the political parties.

He also observed that the Constituent Assembly already going defunct, the political deadlock tend to push the country into sort of anarchy. In addition, the situation of existing vacuum in Supreme Court having only six judges in lieu of 25 judges and other Commission merely functioning without office bearers including the chairpersons paints the bleak picture of country's situation including the deteriorating human rights situation.

He, however, noted that the legal proceeding of the case of Dekendra Thapa finally resumed after the Supreme Court's order despite the instruction of the Government to stop the investigation process.

NHRC invited the Chief of the Nepal Police to clear his position with regard to the directives issued by the Police Department to its subordinate offices to not proceed with the investigation on the cases that took place in conflict period, he added.

Considering all these situations together with Secretary Khanal completing his tenure, the Chairperson said 'We also have only a few months to remain in the office. We will do our best in all our endeavors. We want the Commission to continue its work with all sincerity and dedication. For that purpose, we have developed manuals and regulations that will help them to carry out their work even after we leave.'

In the meeting, NHRC Secretary and National Project Director Mr. Bishal Khanal made a presentation on NHRC progress



John Pace, the Quality Assurance and Review Advisor making his report presentation at a meeting held at the NHRC premises among the representatives of the Donor Communities, Advocacy Committee and the NHRC Staff Members

made during the first half of the year 2012 including progress made through the support from SCNHRC Project.

Citing the recent achievements made in the investigation upon complaints, he said that the NHRC received the support from the SCNHRC to accomplish most of the backlog complaints of the insurgency period at the effort of the NHRC special missions deployed in various parts of the country.

Mr. John Pace, the Quality Assurance and Review Adviser (QUARA) shared his observations making his presentation on the overall NHRC endeavors taken up through SCNHRC project.

Lauding the NHRC's work amid the ongoing political impasse and transitional mechanisms awaiting their endorsement, Mr. Pace said that the NHRC has made a giant leap in developing a number of guidelines needed for it and its staff members.

Mr. Sorensen, UNDP Deputy Country Director said that achievement made by the NHRC is remarkable. These achievements were possible with the unwavering leadership of Secretary Khanal and fantastic partnership endeavors launched with other organizations including civil society.

He also informed that UNDP has finally received the date for the self - assessment of NHRCs to be undertaken in the UNDP Asia Pacific Regional Center, Bangkok. It's foreseen this process will take some two to three weeks starting late March or April, 2013.

He noted that the NHRC's work has been cumbersome and

sensitive due to the persistence of the fragile political situation. He, however, commended that NHRC has accomplished over 400 complaints and adopted various guidelines of late with NHRC already facilitating a large number of training and other activities.

H.E. Mr. Morten Jespersen, Ambassador of Denmark Embassy thanked the presenters for their updates on progress made by NHRC with performance indicators and acknowledged the achievements made by NHRC in such a difficult political situation.

During the meeting, H.E. Jespersen also alerted that very soon the UN Human Rights Council will start its session in Geneva and Nepal will also be in its agenda. It cannot possibly be guaranteed but it could presumably make some criticisms on Nepal government during the UN session.

At the meeting, Ms Sharmilla Karki, Chairperson of the NGO Federation of Nepal said 'We, however, always look forward to NHRC collaboration with civil society.

Acknowledging the support extended by the donor community for strengthening the capacity of NHRC through SCNHRC Project once again, the Chairperson concluded the meeting by thanking the participants for attending the meeting with short notice.

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