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National Human Rights Commission - Nepal

Justices Speak on the Use of Writ Jurisdiction for Human Rights Protection



Resource persons and the participants at the workshop on the use of Writ Jurisdiction held in Biratnagar

BIRATNAGAR: Chairperson Justice Kedar Nath Upadhyay has said that NHRC was never a rival of the Government in the concerns regarding safeguarding human rights of the people.

Speaking at the two day workshop on the 'Effective Use of Writ Jurisdiction in the Protection of Human Rights' organized jointly by the Judges' Society Nepal and the National Human Rights Commission, Chairperson Upadhyay said the Commission at all time toes the line carved by the Government in the matters of coordination with regard to human rights concerns.

NHRC Member Justice Ram Nagina Singh, Eastern Regional Administrator Janardan Nepal, and Biratnagar Appellate Court Chief Judge Gopal Prasad Parajuli said the court was always watchful in the protection of human rights.

At the program, the NHRC Chairperson Kedar Nath Upadhyay, Senior Justice of Supreme Court and the Chair of Judge Society-Nepal

Ram Kumar Prasad Shah and Justice Sushila Karki of Supreme Court presented the working papers on 'The Role of Judiciary and the NHRC in the Protection of Human Rights,' Interim Order on the Writ submitted on the Violations of Human Rights', and 'The Practice of Prohibition for the Prevention of Human Rights Violation' respectively.

Similarly, NHRC Member Justice Ram Nagina Singh and Judge of Appellate Court, Hetauda Dr. Ananda Mohan Bhattarai presented their paper on Writ jurisdiction of Appellate Court and District Court in the Protection of Human Rights and the "Implementation of Economic, Social and Cultural Rights and Writ Jurisdiction".

The participants at the program unanimously stressed on the collaboration between the NHRC and the Judiciary for the protection and promotion of human rights. They expressed their view in unison that all the state bodies and civil society ought to work hand in hand for the effective enforcement of human rights.

Similarly, also stressed at the workshop was the effective implementation of the Habeas Corpus and the writ jurisdiction for the personal freedom of the individuals and the matters that significantly contribute towards the protection of human rights,

The NHRC Acting Secretary Bed Prasad Bhattarai, shedding light on the rationale of the workshop, said that its time that we reviewed the ways the human rights of the general citizens are safeguarded. Judiciary can play a vital role not only on the civil and political rights but also for the protection of ESCR of the people, said Acting Secretary Bhattarai.

Commenced effecting from April 28, 2013 in Biratnagar, the Workshop was attended by 46 participants including the Judges of Appellate Court and District Court of Eastern Region. Five working papers were presented in the workshop.

Facilitated by NHRC Regional Director Kosh Raj Neupane, the program was organised at the technical support provided from SCNHR Project/UNDP.

“NHRC was never a rival of the Government in the concerns regarding safeguarding human rights of the people.”

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Stakeholders Urge NHRC to toughen Stance on TRC Ordinance

BAGLUNG: A program entitling 'The Role of the State on the Issues of Human Rights Violations during the Armed Conflict and the Prosecution to the Perpetrators' successfully concluded on 5th April, 2013 in Baglung district.

Organized by the NHRC Regional Office, Pokhara, the workshop mainly focused on the overall human rights situation in the area entailing comprehensive discussion on the recently issued Ordinance related to the Commission on the Inquiry of the Disappeared (CoID) and Truth and Reconciliation Commission (TRC).

NHRC Member Justice Ram Nagina Singh was the chief guest of the program whereas District Officer Kashi Ram Sharma of appellate Bar Association, Baglung, Senior Superintendent of Police of Baglung, members of conflict victims' society and the lawyers of Baglung district participated in the program.

At the program, NHRC Member Ram Nagina Singh presented the paper on the concerns on TRC ordinance 2013 and the firm stance of NHRC concerning the Ordinance issued through the Office of the President. President of Appellate Bar Baglung lawyer Ram Sharma focused on the responsibilities of conflict victims and civil societies.

Similarly, NHRC Director Subarna Karmacharya presented the working paper

on Transitional Justice. During the discussion session, NHRC Regional Director of Pokhara Yagya Prasad Adhikari clarified about the formation of TRC in different countries and the efforts inculcated from the side of the Government of Nepal on Transitional Justice system.

At the program, Badri Prasad K.C. President of conflict victims' society Baglung, Gyan Kumar Chhantyal, President of Human Rights Defender Network Baglung, Chhatra Pradhan, General Secretary of Senior Citizens Federation, Jabbar Bahadur Ramtel- President of Nepal Red Cross Baglung Chapter, Padmanath Sharma - senior lawyer spoke on the occasion.

Expressing their views and comments, the participants strongly urged the NHRC to toughen its stance concerning the flaws in the Ordinance. Stressing on the formation of TRC consistent with the international standards without any further delay, they added that the state should ensure to end the rising culture of impunity and to be vigilant on sustaining rule of law in the country.

Participants suggested that NHRC take serious concern on the dilly-dallying of the state to address the issues with regard to the conflict victims and their families. They further stressed that criminalizing politics and political protection to the criminals should be got rid of for the protection of human rights.



NHRC Member Justice Ram Nagina Singh addressing at a program entitled Human Rights and Transitional Justice Mechanisms held in Baglung district

Participants raised concerns about the slackness of the state for the implementation of the NHRC recommendations.

Regional Director Yagya Prasad Adhikari threw light on the activities and procedure of the NHRC with regard to the Transitional Justice.

The participants were of the view that more programs should be conducted by the NHRC to sensitize the district level people on the Transitional Justice System and victims' rights. Also stressed was the presence of NHRC Members in these kinds of programs to encourage the people. Likewise, participants also proposed to organize regional conference on the TRC including all the districts of the Western Region.

Participants of the program comprised ninety representatives from different sectors including government agencies, courts, security agencies, families of victims, NGOs and media among others.



NHRC Member and Spokesperson Gauri Pradhan receiving the memorandum presented by the members of 'Joint Action Committee for the Abolition of Kamalaris'

NHRC Expresses Concern over the Plight of Kamalaris

faced by the Kamalaris with immediate effect.

Accepting the memorandum, the NHRC Member Gauri Pradhan said that the Commission was always sensitive towards all the incidents including the abuse perpetuated on the Kamalaris.

Underscoring the need to address the problems such as the emancipation of the Kamalaris, their sustainable rehabilitation, social reintegration,

including the provision of compensation, Member Pradhan urged the Government to be serious towards this direction.

Member Pradhan updated the Delegation with the investigation commenced by the Commission on the death of Srijana Chaudhary, 12, at Chakupat, Lalitpur on March 14, 2013. The child died working as a domestic labor in doubtful circumstances.

Member Pradhan expressed his commitment to deploy the special missions to carry out on-the-spot monitoring on the incidents of killing, exploitation, affliction and discrimination perpetuated on the Kamalaris in the capital including various districts on the basis of the complaints received.

Mr. Fakala Chaudhary, head of Delegation, said that, as of today, 6 Kamalaris have been killed, 27 of them have been disappeared, and 11 Kamalaris have faced the torment of becoming illegitimate mothers due to the perpetual sexual exploitation of their masters.

'In this context, Bandha program was organized in the districts of Dang, Banke, Bardiya, Kailali and Kanchanpur in order to draw the attention of the Government towards the problems of Kamalaris but the Government paid no heed to it,' Mr Chaudhary lamented.

The Delegation included the freed Kamalaris as well.

Incident of Inhumane Physical Torment Monitored: Effective Implementation of Law Urged

KAILALI : NHRC conducted monitoring on the incidents of inhumane and humiliating treatment perpetuated on 65 years old Raj Kumari Rana for allegedly practicing witchcraft in Beladevipur VDC, Gursuwa - 8 in Kailali district.

According to the monitoring report, the victim Raj Kumari Rana was beaten mercilessly by her relatives and neighbors. It is learned that, during the incident, she was subjected to ruthless ill-treatment. She was stripped in public and her hair was shaved. Not to mention, she was forcibly fed human excretion and a wooden stick was inserted in her private part.

Upon learning about the incident through local media, the team comprising the NHRC Regional Director Dr. Tika Ram Pokhrel and Human Rights Officer Mohan Dev Joshi took to the incident spot and carried out monitoring on the entire episodes of the incident on the basis of sou muto.

The team met with the Rana family living in horrible panic due to the possible attack by the neighbours. Following this, the monitoring team held discussion with the members of Woman's Commission preceding the meeting



HR Officer Mohan Dev Joshi speaking to the son of victim Raj Kumari Rana. Above: Victim of Violence against Women Raj Kumari Rana

thereafter with local Police, administration, human rights defenders and organizations working in the field of human rights.

Apropos the incident, the NHRC has recommended the provision of effective remedy to the victims by the state which ought to be monitored from time to time.

The Commission has urged the government to take the responsibility for the security of the family and to bring all the perpetrators to justice and take action legal against them.

According to the provision 10(b) of article 19 of Fundamental Law, if someone accuses someone of practicing witch craft, he/she is subjected to the imprisonment of three months or penalty of five thousand or both.

Nepal Government became the member to the Convention on Elimination of All Forms of Violence against Women in 22nd April 1991 and it is clearly mentioned in the article (5) of the Convention that no one is subjected to the discrimination on the basis of culture and social structure. There is a provision of women's rights in the Interim Constitution of Nepal - 2007 but the sporadic incidents of violence against women are alarming on the rise due to the lack of effective implementation of the laws.

Pay Heed to the ESC Rights of the People: NHRC



Monitoring team and the representatives of the Government agencies at a meeting held on ECC rights in Banke district

BANKE: The NHRC Regional Office Nepalgunj deployed the monitoring team in the mountain district Jajarkot on March 23, 2013 to collect the factual information with regard to Economic, Social and Cultural (ESC) rights.

The main objective of the monitoring was to have the monitoring on the overall situation of ESCR in the district and to submit the report to Commission with the recommendations to be made to the concerned agencies and the Government.

During the monitoring mission, the team conducted various programs separately

among the district level stakeholder organizations and agencies in order to interact on the situation of ESC rights in the district. The team also met with the Chief District Officer, Chief of District Police, Chief of District Education, and the Chief of District Food Corporation and held discussion with them on the status of ESC rights in the district.

Similarly, the team held the program with the representatives of District Development Committee, representatives of various Political Parties, Civil Society, Secretaries of Village Development Committee, Journalists and the local residents. The program mainly focused on the issues related to the right to health, right to food, right to development and facilities such as daily services provided by the local government.

As per the monitoring report, the basic rights pertaining the right to health, right to food, right to education and other facilities were learnt to have been unfulfilled by the state and other state actors. Most people were found to be deprived of health, food and education services.

Team has, therefore, urged the Commission to make the recommendations for the immediate implementation to solve the key problems facing the general people in the district.

Adoption of Fire Control Measures Emphasized

LALITPUR: The attention of the Commission has been drawn to the loss of lives and natural properties in the incidents of wildfire in various parts of the country.

Like past years, the uncontrolled combustion of forest fire usually taking place in the dry season of the year has been increasingly causing heavy loss of lives and natural diversities. The Commission has received the information through media and monitoring missions carried out by the Commission itself that hundreds of houses have been gutted in the Terai and many hectares of forest in the mountain region are learnt to have been engulfed in fire and destroyed.

As per the information received through various sources, following the fire incidents so far, the death toll has reached upto six in the districts including Sunsari, Jhapa, Saptari, Siraha, Morang, Bara, Parsa, Taplejung and Banke. Similarly, it is learnt that 644 houses have been completely gutted to ashes, 294 families have been displaced and as many as 756 forests have been destroyed in parts of the country.

The Commission has, therefore, appealed to the Government and the concerned authorities to launch the activities with rapid response for necessary arrangement of the shifting of the victims, their shelter, treatment, relief,

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TRC Needs to be at par with Int'l Standard: Danish Minister



Chairperson Upadhyay and Danish Minister Christian Friis Bach at a round table discussion on Human Rights and TRC held at NHRC

LALITPUR: The Danish Minister for Development Cooperation, Christian Friis Bach said that the Truth and Reconciliation Commission (TRC) should be formed with the provisions set forth in consistent with the international standard.

The Minister said this while expressing his view on TRC during the round table discussion organized by the National Human Rights Commission.

‘Granting amnesties for certain crimes, particularly genocide, crimes against humanity and war crimes is not acceptable. Amnesty without truth and reconciliation contributes to a culture of impunity. It weakens the foundation for a genuine and lasting peace, the Minister said.

Stressing on the justice delivery to the victims through transitional justice mechanisms, the Minister said that peace and progress is elusive without healing the wounds of the decade long armed conflict.

Underlining also the importance of Universal Periodic Review (UPR) recommendations, the

Minister said ‘It is high time now that Nepal implement the recommendations made in the UPR outcome document.’

He also underscored the areas such as criminalization of torture, stopping violence against women and elimination of discrimination against marginalized groups, including Dalits and the recommendations made upon the aforementioned needing immediate implementation as follow up.

Speaking on the occasion, NHRC Chairperson Justice Kedar Nath Upadhyay lauded the remarkable support extended by the Denmark Government in the promotion and protection of human rights and Rule of Law as a true ally.

At the program, he underscored the challenges with regard to drafting of statute, forthcoming election and the formation of the transitional justice mechanisms encompassing the provisions laid out in consistent with the international standard.

At the program, underlining the necessity of justice delivery to the conflict victims through transitional justice mechanisms, NHRC Member and Spokesperson Gauri Pradhan alerted that the TRC, at no cost, should have the provision of blanket amnesty to the persons involved in the serious violation of human rights.

On the occasion, Sharmila Karki – Chairperson of NGO Federation, Ram Kumar Bhandari – Chairperson of Network for Families of Conflict Victims, Senior Human Rights Activist Dr. Mathura Shrestha, Advocate Shanker Limbu, and former NHRC Member Subodh Pyakurel spoke on securing sustainability of peace and rule of law.

The Danish Envoy including Minister Christian Friis Bach among others was on a tour to Nepal from April 3 to 4, 2013.

NHRC Meeting with the German Parliamentarians: Cooperation and Collaboration Stressed

LALITPUR: The seven member German Delegation comprising the representatives of Committee for Rights and Humanitarian Aid of the German Federal Parliament (Deutscher Bundestag) paid a courtesy visit to the NHRC. A meeting was held between the German delegation and the NHRC Office bearers at the NHRC during the visit of the delegation.

At the meeting, stressing on the protection and promotion of human rights including the bilateral relation, the NHRC Office bearers shed light on the transitional justice in Nepal and the recently tabled Truth and Reconciliation Commission related Ordinance.

Speaking at the meeting, Chairperson Justice Kedar Nath Upadhyay said ‘Having the Constituent Assembly dissolved, constitution making process lingering amid the prolonged transitional phase has helped the anxiety among the citizens loom large. However, hopefully the people will enjoy their right to adult franchise as planned,’ the Chairperson said.

‘Prior to the election, we might presumably overhear the unholy alliance between the business sector and the political parties, as usual. However, the Commission is all set to deploy monitoring missions on the forthcoming Constituent Assembly Election and human rights,’ the Chairperson said.

In this context, the Chairperson noted that though there has been considerable decline in the incidents of human rights violations in recent days, the recommendations sent by the Commission in the past haven’t been implemented in satisfactory manner.

He speculated that the situation of the country often worsens with the repercussion of human rights violations in the event of the political turmoil in the country. ‘However, if the country’s situation does not deteriorate, the human rights situation will be as normal as it should be,’ the Chairperson said.

On being asked how NHRC is going to materialize its stance in the issues raised pertaining to the flaws in the ordinance, the Chairperson said that recently issued TRC ordinance came under severe scrutiny from both international and national rights organizations including the civil society. NHRC, on the other hand, is clear in its stance that the Ordinance being the victim unfriendly, it will not serve the purpose if brought without revamping certain provisions that contradicts with the international standards and norms.



Representatives of German Delegation along the NHRC Office Bearers at a meeting held on bilateral relation held at NHRC

‘If our concern is not taken into consideration, we will not cooperate the government with our stance heaped thereupon concerning the amnesty related issues, as always, the Chairperson reiterated.

At the program, to another concern raised on mounting pressure on the government for widening the door for prosecution, Member Gauri Pradhan said ‘Having signed in the nine core conventions, Nepal has made great strides in human rights. Contrarily, there is a gap between the principle commitments and the implementations. Thus, following the political instability there have been challenges like rule of law and culture of impunity.’

‘If things go as planned, however, the government indisputably becomes a huge success. We don’t see the reason for the people in general to resort

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Rights Organizations present Memorandum: NHRC's Intervention urged



Representatives of various Women's Rights organizations with the Chairperson Upadhyay and Member Gauri Pradhan during the presentation of 12-Point Memorandum to NHRC

LALITPUR: A delegation comprising various rights organizations fighting for women's rights visited the NHRC office and presented the 'Twelve-Point Memorandum' before the NHRC on 22nd April, 2013.

During their visit to the NHRC, a meeting was held between the NHRC Office Bearers and the representatives of four different organizations – Women Skill Creation Centre (WOSCC), 'We Can Do' National Network for Women, Women Empowerment Forum, and Tharu Women Development Centre from the districts including Makwanpur, Kahtmandu, Dailekh and Bardia respectively.

Addressing the meeting, Chairperson Justice Kedar Nath Upadhyay said that the cases of rape have been alarmingly on the rise. Such incidents had been perpetually taking place in the past also, but wasn't brought to notice due to inadequate media coverage.

The Chairperson lamented over the atrocities on women activists during the 'Occupy Baluwater' campaign launched by various women's rights organizations for over 100 days.

On being notified about the obliviousness in the

case registration on the part of the local law enforcing agency, the Chairperson assured the delegation that the Commission will deploy the investigation team to consult with the police and the CDO in order to give impetus to normal case handling with regard to the complaints on the incidents of the scuffle following the accusation of witch craft in Makwanpur district.

He also expressed his view that since the violence against women is alarmingly on the rise, the law enforcing agency ought to have a cell headed by a woman officer at their disposal for handling the cases related to violence against women.

On the occasion, Member Gauri Pradhan said 'Most issues raised in the memorandum are related to the election and thus we will go through them and see what the Commission can do to help redress them.'

The memorandum presented to the NHRC comprised the 12 point demands to be meted out at the initiatives of the Commission. They include the implementation of the international convention related to ensure the rights of women, gender equality, repealing of the laws related to the discrimination between man and woman, polygamy, ill cultures in society, child marriage, rape, violence against women, child labor, trafficking in persons, citizenship issues, incorporating of violence against women and human rights education in school curriculum, election related issues such as the woman's constituency, rights friendly election and so on so forth.

The Chairperson, in his concluding remark, assured the representatives of the women's rights organizations for the NHRC initiatives to help the demands meted out provided the complaints on the incidents in writing reregistered at the Commission as per the NHRC policies.

At the meeting, NHRC Chairperson Upadhyay and Member Gauri Pradhan were present.

Improve the Condition of Child Care Centers: NHRC

KASKI: National Human Rights Commission, Pokhara Office and Central Child Welfare Board jointly organized the orientation program on the Standard of Management of Operation of Residence Child Care - 2069 in line with the UN Guidelines for the Alternative Care of Children on April 16, 2013.

Addressing the program, NHRC Regional Director Yagya Adhikari said 'If child care centers do not operate in compliance with the set standards, they must be closed down or they must be taken over by the Government.'

He also stressed for the regular and frequent monitoring inside the child care center to check its modus operandi and whether or not they are operating in compliance with the minimum national and international standards.

The Chief District Officer Yadhav Prasad Koirala explored that child care centers ought to maintain the transparency on their part. He expressed his hope that the orientation program will be the road map for the child care centers for their capacity building.

At the program, the child rights experts Bharatraj Baral, Lochan Regmi and Namuna Bhusal presented their papers in which comprehensive discussions were held on various child care center related guidelines and regulations among the participating the local stakeholders responsible for operating the child care centers in Kaski district.

Discussion focused on the child abuses perpetuated at the child care center and proper monitoring and legal actions the malicious activities of the child care center.

The child right officer Namuna Bhusal elucidated on the form and principles of the UN Guidelines for the Alternative Care of Children – 2009. Citing the point 8 (c) of the Guidelines, she made the clear picture and applicability of the kinship care, foster care, other forms of family-based/family-like care, supervised independent living arrangements for children, residential care including the necessity and principles of appropriateness in Nepal.

Citing the CRC Guiding principles to care of children, she argued that the children have the right to the parental care, right to grow up in a family environment. Stressing on the institutional care as the last resort, she emphasized that all forms of child care should meet minimum standards set forth.

At the program, child rights officer Bharatraj Baral presented the paper on the issues concerning the protection of child under care. He threw light on the abuse, economic and labor exploitation of child, discrimination, neglect, torture and violence including traditional harmful practices, sexual exploitation and trafficking and abduction.

Similarly, the Officer of Central Child Welfare Committee Lochan Regmi made the presentation on the provisions laid out in the Standards for

operation and management of residential home for child – 2069.

It is learnt a total of 1425 children comprising 630 male and 795 female shelters in the child care centers operated in Kaski district alone whereas the monitoring report unveiled that 55 percent children were found to have been accommodated without need.

Fifty five participants comprising the representatives of the Central Child Welfare Committee, District Child Welfare Committee, Pokhara based operators of 40 Child Care Homes, representatives of various stakeholder organizations and agencies including journalists among others participated in the program.

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rescue and compensation especially to the children and women, elderly people and the sick with their proper identification. Likewise, the Commission has also urged for the arrangement of rehabilitation of the victims and appropriate reparation of the victims.

The Commission has also urged the Government of Nepal and the concerned authorities to adopt necessary alertness in time, to conceive the policies and to allocate the adequate budget in order to combat the unprecedented incidents of fire in human settlements and forest following the natural catastrophe.

Orientation program: Gender Equality and Social Inclusion Issues haul Priority



Chairperson inaugurating the program entitled Gender Equality and Social Inclusion held in Lalitpur

LALITPUR: NHRC Chair Kedar Nath Updhaya has stressed that one should spare prejudices and dispirited notions while dealing with issues related to gender and social inclusion.

He was speaking at the inaugural session of a function entitled 'Sensitization Program on Gender and Social Inclusion' organized in the capital city.

He added that we need to have respect for all individuals and sects that ultimately paves ways for strengthening the notion of social inclusion and gender equality.

Chair Upadhaya said, we need to dismantle boundaries created by the stereotyped social behaviour and widen the horizon of understanding to form an inclusive society.

On the occasion, NHRC Member Gauri Pradhan stressed the need to evaluate our own behaviours in order to have the issues related to gender equality and social inclusion rightly addressed.

He stressed on the need to internalize norms and values that govern the issues of gender equality and social inclusion with systematized understanding of social matrix.

Speaking at the function, Acting Secretary Bed Prasad Bhattarai said that the program was organized aiming at making conceptual clarity among the staff regarding the issues of gender and social inclusion.

He underscored the need to accept coexistence of cross-section of the society that leads us to prosperous society.

Experts presented concept papers with respect to various issues of gender, women and social inclusion. Dr. Karuna Wanta, Sandhana Ghimire and Dr. Mira Misra presented papers on the themes 'Conceptual Clarity on Social Inclusion', 'Women's Rights, CEDAW and the Role of NHRC - Nepal', and 'Human Rights and Gender: Conceptual Clarity and Linkage' respectively.

With the technical support provided from SCNHR Project/UNDP, the program was organized by Gender Equality and Social Inclusion Division, established of late under the purview of NHRC.



Participants at a program held on Gender Equality and Social Inclusion organized by NHRC

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to armed violence. Nonetheless, as the election approaches, there is possibility that there could be a few scuffles. Therefore, NHRC will, at its disposal, have the deployment of NHRC human resources for election monitoring if at all the rights violations take place following the flouting of the election code of conduct, Member Pradhan informed.

He further added that there are challenges to be surmounted by the Government such as making of human rights friendly constitution under federal republic democratic country, restoration of sustainable peace, delivery of human rights related transitional justice.

Adding that NHRC has the power as that of the quasi judiciary body, he noted that it was always sensitive with regard to the protection of human rights defenders and their professionalism and it's firm stance publicized on the TRC to be in consistent with the international standards.

On the occasion, the head of German delegation Michael Brand expressed his wishes that the human rights and humanitarian cooperation committee is desirous to work in collaboration with the NHRC for the protection and promotion of human rights in Nepal.

Noting the active engagement of the NHRC in the field of the protection and promotion

of human rights, Mr. Brand commended the NHRC for attaining the achievements despite several challenges lying ahead of it.

At the meeting, NHRC Office bearers, including Justice Ram Nagina Singh, Gauri Pradhan, Dr. Leela Pathak, Dr. K.B. Rokaya and Acting Secretary Bed Prasad Bhattarai were present.

On the occasion, representing the German Bundestag (Parliament), parliamentarians Michael Brand (Head of Delegation), Angelika Graff - MP, Marina Schuster - MP, Catrin Werner - MP and Bundestag Administrative Head Rainer Busher were present.

Clear Definition Stressed for the Rights of Senior Citizens



NHRC Member Justice Ram Nagina Singh addressing a program as a chief guest held on the Rights of Senior Citizens in Myagdi district

MYAGDI: A workshop on the rights of senior citizens concluded on 6 April, 2013 in Myagdi District.

At the program, NHRC Member Ram Nagina Singh presented the paper on the NHRC recommendations for the rights of senior citizens, problems faced by the senior citizens and state obligations. Similarly, NHRC director Subarna Karmacharya presented the paper regarding the respect, obligation and provisions enshrined in civil code. Similarly, NHRC Regional Director of Pokhara Yagya Prasad Adhikari presented his paper on the rights and the provisions included in Senior Citizens Act 2006. He also clarified about the role of the state and family towards

the rights of senior citizens practiced in the international level.

At the program, CDO Chandra Bahadur Karki praised the initiatives taken by the NHRC for the overall rights of the senior citizens and also committed his full support from the side of the state for the development of Shivalaya Development Trust. Likewise district court Justice Binod Sharma lauded serious concern expressed by the NHRC and the program organized for the betterment of rights of the senior citizens.

During the program, the participants also expressed their dissatisfaction over the

inconsistency in the definition of the senior citizens. Raising their concern unanimously, they sought the constitution to be inclusive of the provisions regarding free health service, social security, rights to life including respect. They also urged human rights defenders and media to play crucial role for the protection and implementation of the rights of the senior citizens.

At the program, the participants also stressed that the Commission organize various programs in collaboration with different local level NGOs, INGOs and civil society. They also emphasized that young generations can take huge benefits from the guidance, experiences and advice from the senior citizens.

CDO Chandra Bahadur Karki, District Judge of Myagdi Binod Sharma, Local Development Officer Bishnu Prasad Sharma, President of Galeshwor Shivalaya Area Development Trust and President of Myagdi Senior Citizens Rudra Bahadur K.C., General Secretary of senior citizens Federation Chhatra Pradhan expressed their views about the responsibilities of state towards the senior citizens including the allowance provided by the Government of Nepal.

Advocacy for Justice to Conflict Affected Victims and Accountability



Participant providing signature during a campaign held in Baglung

BAGLUNG: Satkarma Nepal and Conflict Affected Victim Society in collaboration with NHRC organized the advocacy program coinciding the auspicious Chaitra Asthami Fete – 2013.

Expressing solidarity, commitment and support were extended from different organizations like Local Peace Committee, Informal Sector Service Center (INSEC), Amnesty International Nepal, Network of Woman Human Rights Defenders, Human Rights

and Peace Society, Nepal Human Rights Organization and Aama Milan Center for mounting pressure for accountability of the government and other state actors for transitional justice.

The objective of the signature campaign was to advocate on public accountability, timely justice for the victims, reparation, identity card for the victims, implementation of policy for victims, formation of Truth and Reconciliation Commission and Commission on Inquiry of Disappeared Persons, blanket amnesty and giving an end to the culture of impunity.

Civil Society and Stakeholders visited the stalls where heart touching pictures of Conflict Affected Victims were displayed. During the advocacy campaign, fifteen thousand signatures were collected.

Interim Human Rights Action Plan must be Parallel to the MDGs

KAVRE: Presenting the paper on National and International Legal Mechanisms concerning the Right to Food and its Challenges, Shree Ram Adhikari, Human Rights Officer elucidated on the provisions of International Covenant of the Economic Social and Cultural Rights (ICESCR) and recommendations made by UN Committee of the Economic Social and Cultural Rights including General Comments of the Committee.

During the presentation, also explored were the underlying legal and constitutional challenges that have emerged as obstacles for the protection and promotion of the right to food in Nepal.

This was followed by the presentation on NHRC's work relating to monitoring and investigation on the right to food and also way forward presented to the National Planning Commission of Nepal (NPC) for incorporating

in new Interim Human Rights Action Plan (IHRAP).

He added that the NPC must draft the plan for the right to food in parallel with the Millennium Development Goal and meet the obligation laid out by the UNICESCR including the recommendation made by Committee of ICESCR upon Concluding Observation to the state party Nepal.

Joint Secretary of the Office of the Prime Minister and Council of Ministers Mr. Kesab Prasad Bastola, Consumer Rights Activist Advocate Mr. Jyoti Baniya and other representatives of the Government provided their comments at the program.

During the workshop, Joint Secretary of the Office of the Prime Minister and Council of Ministers Mr. Ramesh Dhakal presented paper on Government purposed the plan to protect rights of the food.

Monitoring: Hunger Strike



Monitoring team from NHRC Janakpur Office monitoring hunger strike against fund swindling at government offices.

SAPTARI: The NHRC team deployed by the Sub Regional Office, Janakpur conducted monitoring on the hunger strike organized by Bikash Tiwari, the Chair of Nepal Sadbhavana Party (Gajendra faction) at the premises of Shiva Temple in Rajbiraj, Saptari district. Mr. Tiwari has been on hunger strike with his 10 – point demands placed forth since March 28, 2013.

According to the monitoring report, Police in plain cloth took Mr Tiwari under control at around 9 PM on April 8, 2013 for the health check up in B.P. Hospital Dharan. On the way to the hospital, the supporters of Mr. Tiwari allegedly stopped the ambulance and took him to one of their houses.

Federal Democratic Republic, establishment of regional offices of the public service commission in Terai region, publicizing of the financial report of government offices such as public health office, district education office, district agricultural office, Rajbiraj municipality etc. are some of the demands raised by Mr. Tiwari who has been on hunger strike for the last couple of days.

Yet another demand is the departmental action to be taken against officials involved in swindling of the advance amount drawn from the government offices. He has been in protest against this scandal and demanding immediate action for the reimbursement of the amount from the officials reportedly involved in the scandal.

Proposal Writing Training



Resource Person RC Lamichhane and the participants at a training held of Proposal Writing in Janakpur.

News in Brief

Custodial Death

DHANUSHA: NHRC Regional Office Janakpur has monitored the incident of custodial death of 40-year-old Jit Bahadur Ghising who was found dead on April 11, 2013 at the detention in Siraha district.

In the course of monitoring, the team met with the concerned persons including Police Inspector Dipak Neupane and collected essential information. Also, the monitoring team inspected the custody where Mr Ghising was found dead.



NHRC Regional Head of Janakpur Buddha Narayan monitoring on the incident of custodial death in Janakpur

Scuffle in District Prison

DHANUSHA: Likewise, the team carried out monitoring on the incident of scuffle that emerged out of feud among the inmates in Rajbiraj Jail, Saptari on April 2, 2013.

The team led by the Regional Head Buddha Narayan Sahani carried out the two days monitoring beginning 6th April, 2013 and met with the jailor Pramod Kumar Jha of Saptari District Prison, SSP Sanjay Singh Basnet and also with the injured inmates Bidur Bhattarai, Rajeshwor Limbu, Gyanu Rai, Rabin Tamang, Bishnu Dhama, and Rajendra Lama. Upon obtaining the information about the unprecedented clash, the team suggested for the dialogue for the settlement of the dispute.

It was learnt that the scuffle resulted in injury of seven inmates.

DHANUSHA: NHRC Regional Office Janakpur has organized a proposal writing training.

The four-day training was facilitated by Ramchandra Lamichhane, Chair of Eastern Research of Positive Science Nepal and Buddha Narayan Sahani, Head of NHRC Regional Office Janakpur. The training sessions included various features of contemporary proposal writing in practice. The participants gained the skills and knowledge on how the proposal can be

EU Envoy at NHRC



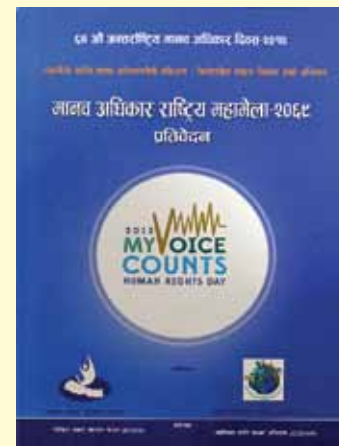
Chairperson Upadhyay and Ms Jean Lambert, Chair of the European Parliament Delegation of Relations with South Asia at a meeting held at NHRC

LALITPUR: The Chair of the European Parliament Delegation for Relations with South Asia Ms Jean Lambert called on the NHRC during her goodwill visit to Nepal.

During her visit at NHRC, Ms Lambert discussed about the current developments in human rights situation, the peace process, Transitional Justice including upcoming Election of Constituent Assembly and the role of NHRC.

NHRC Chair Justice Kedar Nath Upadhyay and Member Gauri Pradhan responded to her queries. The discussion took place with regard to the EU's interest for further cooperation with NHRC and the areas of priority in Nepal in the days ahead.

NHRC Recent Publication



written in accurate and lucid way as opposed to the outmoded conventional methodology.

NHRC staff, journalists and human rights defenders participated in the training.

National Human Rights Commission

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