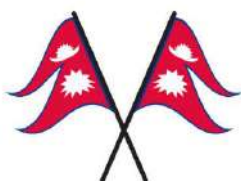


# Human Rights News Letter



Regular Publication of National Human Rights Commission

Year: 1

Vol.1

July-August 2024

## Interaction on Road Safety and Human Rights Guarantee



National Human Rights Commission in coordination with Shared Transportation has conducted an interaction program on road safety and human rights on August 13, 2024. In the interaction program, the speakers expressed their concern that serious challenges have been added to the guarantee of human rights due to the increasing number of road accidents. Chairman of the program,

H'ble member of the Commission, Dr. Surya Dhungel said that the road safety situation is one of the main reasons for the higher number of human rights violation of citizens' lives due to road accidents. He emphasized that the government should be more responsible in this matter, parliament should play an effective role in monitoring and legal

system and there is a need to monitor the concerned parties.



In the program, the H'ble member of the House of Representatives, Amresh Kumar Singh, emphasizing the role of government for the safety roads, informed that he regularly raised issues of road safety law in the parliament. Mrs. Sandhya Sigdel, deputy secretary of the National Disaster Risk Reduction and Management Authority, while informing about the work done by the study team about the Simaltal accident in Chitwan, said that the accident was not only a road accident but also a disaster and that the construction of roads in rural areas without environmental studies is causing disaster incidents. The participants pointed out that there was a huge human loss in the Chitwan Simaltal accident due to the fact that they could not predict and give earlier notice of the disaster. They said that even though they got the news of the accident at 3:30 in the morning, the search and rescue operation was done only after 7:00 am, so the disaster response of the government was weak. They emphasized that since the concerned parties are apathetic in implementing the recommendations of the commission or

committee formed after road or air accidents, such incidents continue until the authorities won't be serious.

The participants had the common opinions that Since road accidents are increasing every year, the rights of life of the citizens are being violated and the concerned persons should take a serious review of the situation of being injured and disabled. Despite the positive contribution of checking for drunkenness, the challenge in road safety has increased as the security measures and the traffic rules have not been strictly implemented in long-distance vehicles. Sushil Pyakurel, the former member of the Commission, Suresh Acharya, a sociologist, Sanad Basnet, the former chief of the Armed Police Force had also put their views on the subject in the program.

### Rescue of a Person with Psychosocial Disabilities



National Human Rights Commission, with the coordination of Nepal Police, a 36-year-old man with psychosocial disabilities has been resqued. On 14th of August, Suman Nepal, who lives in Lalitpur Metropolitan Municipality-20, had lodged a petition in the Commission to take action for security as he

had broken the glasses of the shop by pelting stones at Purnachandi Ganesh Fast Food. Based on the same complaint, the commission requested the Police of Lalitpur to proceed with the necessary work. The police found him and informed the commission. Then, the Commission informed his family members, but it was informed that this situation occurred due to not taking medicine regularly as recommended by the doctor, and the family could not handle it due to poor financial situation.

After this, the Commission took an initiative for his treatment in Patan mental hospital, and also requested Manav Sewa Ashram to make necessary arrangements. Based on this, he has been sent to a rehabilitation home.

### Monitoring on Devasthan Gramthan Land Issue



A team of the Koshi Provincial Office of the Commission has conducted an emergency monitoring from a human rights perspective based on the complaint received by the Commission. The complaint was about the encroachment of the land of 'Devasthan Gramthan, the traditional worship place of the Tharu community in Itahari Sub Metropolitan City ward no. 1 (Aanpgachhi) of

Sunsari district, which was not given the ownership by the local government.

During the monitoring, the team made on-site observations and had discussions as well as the conversations with complainant, Tharu community, local government, people's representatives, local youth club and public. The team has also recommended the Commission for decision based on the facts obtained from the monitoring.

### Monitoring of the Service Delivery



NHRC Provincial Branch Office, Nepalgunj, has conducted an emergency on-site monitoring of the service conditions in different government offices, where there are overcrowding of service users in Banke district.

The team was concentrated in Survey Office, Land Reform and Revenue Office, Transport Management Office, Bheri Hospital and District Administration Office. During the monitoring, the team made on-site observations, discussion and interaction with concerned authorities and staffs as well as the service users. The purpose of monitoring was to make recommendation for addressing service quality measurement, customer's satisfaction, problem identification and



resolution, equality and access assurance, effectiveness, transparency and accountability. Though a citizen's charter was kept in each office, the service users were not able to receive the services accordingly, and no claims were made for compensation. Similarly, although the government has fixed lunch time 1:30 pm to 2:00 pm, it was found that lunch time was fixed from 2:00 pm to 3:00 pm in some offices. As a result, in addition to overcrowding, the customers had to face problems such as having to wait for a long time and not getting services on time.

The service users complained that money was being taken from intermediaries by showing the technological problems in the Survey Office, Land Reform and Revenue Offices. They said that they were forced to take the help of intermediaries and service users are forced until and unless the offices don't address such problems. Based on the facts obtained from the monitoring, the team has also made necessary recommendations to address these kinds of problems and provide agile services.

### Sign in the Agreement



A memorandum of understanding has been signed between the National Human Rights

Commission and the Office of the United Nations High Commissioner for Refugees for the protection of the human rights of refugees. Mr. Murari Prasad Kharel, secretary of National Human Rights Commission and Ms. Carolin Spannuth Verma, representative of the Office of the United Nations High Commissioner for Refugees have signed in the official program held at the Commission on 16th July 2024.

The memorandum of understanding includes various aspects related to the rights of the refugees such as documentation of refugees, legal identity, health services, work permits etc. Similarly, the matter of moving forward with coordination and cooperation between two institutions regarding the issues such as creation of personal account number, inclusion of principles of refugee protection in the existing laws etc. have also been included.

Speaking at the signing program, the H'ble chairperson of the Commission, Tap Bahadur Magar said, "Nepal is not a party to the international convention on the protection of the rights of refugees, but Nepal is proceeding on the basis of moral and humane values as there is no law in this regard". H'ble member of the Commission Dr. Surya Dhungel and signatory on behalf of UNHCR Ms. Carolin Spannuth Verma mentioned that the agreement emphasizes on facilitation for the protection of basic human rights of refugees. H'ble members of the commission, staff of the commission as well as staff of the

UNHCR were present in the program. The program was held under the chairmanship of the h'ble chairperson of the commission.

### Preliminary Discussions in Preparation for an International Conference



National Human Rights Commission is preparing to organize an international conference on climate change and the right to clean air. In this regard, a preliminary meeting was organized in the hall of the Commission on 9th August 2024 for the purpose of discussing with the concerned bodies. The program was chaired by H'ble member of the commission, Dr. Surya Dhungel. H'ble chairperson of the Parliamentary Committee on Agriculture, Cooperatives and Natural Resources, H'ble members of the Commission, Former Judges of the Supreme Court, secretary of the commission, joint secretaries of the Commission and the Ministry of Forests and Environment, representatives and experts from USID FHI 360 Clean Air Project and ICIMOD were participated in the program.

### Discussion on the Mid-Term Evaluation of Sixth Strategic Plan

Under the chairmanship of the H'ble chairperson of the Commission, Mr. Tap Bahadur Magar, the discussion program regarding the mid-term evaluation of the sixth strategic plan of the Commission was completed on 25th July 2024.

In the program, deputy secretary and the head of Policy Research and Planning Division of the Commission, Mr. Santosh Acharya, has made a brief presentation regarding the programs that were implemented and those that could not be implemented during the three-years period of implementation of the plan. The discussion was focused on the work to be prioritized in the future in order to achieve the objectives set by the strategic plan. H'ble members of the Commission, secretaries, heads of departments, divisions, provincial and provincial branch offices were participated physically and virtually in the program.

Likewise, the meeting of the High-Level Directive Committee under the Sixth Strategic Plan of the National Human Rights Commission was completed on 30 July 2024 under the chairmanship of the H'ble chairperson of the Commission, Tap Bahadur Magar. In the context that three years of implementation of the sixth strategic plan passed, the meeting pointed instructions as follows :

- To direct the implementation, monitoring and evaluation committee to proceed with the work by integrating the



performances performed within three years period, and formulating the evaluation form with action plan and calendar for the objective evaluation, and

- To instruct the implementation committee to prepare a list of potential experts for the formation of at least 11-member committee as provisioned in the strategic plan, and present it to the meeting of the steering committee.

Likewise, the meeting of the implementation committee of the Sixth Strategic Plan of the Commission was held on July 31, 2024 under the chairmanship of the secretary of the Commission. The meeting made the following decisions to make the implementation of the strategic plan effective:

- To implement effectively the rest of the planned programs by discussing broadly the Sixth Strategic Plans that have not been implemented,
- To submit a report within seven days after the meeting of the provincial level implementation committees,
- To provide the list of the advisory committee within three days to implement the instructions given by the meeting of the high-level directive committee, and
- To provide the Google form within seven days that is prepared for the objective evaluation of the implementation of the strategic plan.

In addition to this, the meeting of the Sixth Strategic Plan Monitoring and Evaluation

Committee was held on August 5, 2024 under the chairmanship of H'ble member of the Commission, Mihir Thakur. The meeting has decided to collect all data and information of Google forms within 15 days by sending information through emails to the concerned officials. In the meeting, the possible names of the experts who will be in the thematic advisory committee were also discussed.

### Press Release and Press Conference Issued by the Commission

**Press release**

**July 24, 2024**

#### **Do not Appoint Controversial People to Public Positions.**

*National Human Rights Commission has drawn serious attention to the situation of information that the commission received, in which the government of Nepal, the Constitutional Council and various responsible public bodies have recommended and are in the process of appointing people who are socially and morally controversial and are under the process of investigation as per the criminal law to the executive, constitutional bodies and various public bodies.*

*It is a basic belief of democracy, the expectations of a civilized society and a matter of public concern that the persons appointed to the state bodies should have a socially clean image, no controversy, high moral character and not legally convicted of criminal charges. A decree has also been issued by the Supreme Court (N.K.P. 2017 March, Part 58, Decision No. 9710) that the*



*most qualified person should be appointed to the state agencies only after determining the qualifications and abilities according to the official responsibilities on an objective basis. Appointing people who are socially and legally controversial leads to impunity, and is contrary to the rule of law, as well as the trust of the public towards the state agencies.*

*Therefore, the Commission instructs the relevant agencies including the Government of Nepal not to appoint persons who have been in dispute on various issues in public bodies, which is contrary to the spirit of democracy and the essence of the Constitution.*

### Press conference

National Human Rights Commission has organized a press meet program on July 6, 2024 informing about the international conference on gender inclusion that is going to be organized from September 3rd to 5<sup>th</sup> in Nepal. In the program, Mr. Navaraj Sapkota, joint secretary of the Commission gave brief information about the concept, objectives, outcomes and expected achievements of the conference.

*National Human Rights Commission,  
Nepal*

*Informational material prepared for the  
press conference*

*Date: August 6, 2024*

*Venue: Commission Hall, Pulchowk,  
Lalitpur*

*National Human Rights Commission of Nepal in coordination with Asia Pacific Forum (APF) is organizing an 'International Conference on Gender Inclusion in National Human Rights Institutions (NHRIs)' on September 3-5, 2024 in Kathmandu. It is expected that the Government of Nepal, NHRIs of 26 countries affiliated to the Asia-Pacific Forum (APF), Asia-Pacific Forum, Office of the High Commissioner for Human Rights (HCHR), UNDP, UN Women, UNFPA and others will participate in this conference. So far, national human rights institutions from India, Fiji, Indonesia, Iraq, Jordan, Malaysia, Maldives, Mongolia, Oman, Philippines, Qatar, Thailand, and Timor-Leste have committed to participate in the conference.*

*The conference mainly focuses on the Paris Principles, 1993 from a gender perspective, identifying the challenges for maintaining gender equality within the NHRIs, presenting suggestions with solutions and how human rights institutions can strengthen commissions adhering the principles of pluralism and gender mainstreaming. Also, the discussion will be focused on the issue of coordination and cooperation among the government, civil society and NHRIs, the roles of external stakeholders in promoting gender equality in national human rights institutions. Likewise, the conference is expected to*





*identify and address systemic barriers to gender equality in the internal and external functions of these institutions, and discuss and draw conclusions prioritizing gender equality while facing global issues. The conference will guide a strategy to encourage dialogue between human rights institutions, share good practices and advocate for action to promote gender mainstreaming and inclusion within and outside the NHRIs. It is expected that it will eventually help to draw a framework for more inclusive and equal human rights protection, promotion and fulfillment globally. The program will also strongly advocate for climate change and gender justice issues, gender perceptiveness in the efforts of sustainable developments and women's participation in policy-making processes.*

### **Objectives**

- *Taking account of the Paris Principles from a gender perspective and reviewing how national human rights institutions can strengthen the principle of pluralism through gender inclusion.*
- *To review the progress made by national human rights institutions in the implementation of the Amman Declaration, 2012,*
- *To identify the encouraging factors of gender equality in inclusion, identify the obstacles in the internal and external*

*functions of national human rights institutions, and suggest solutions.*

- *To promote dialogue among NHRIs regarding gender justice and climate change impacts.*

### **Outcomes**

- *To strengthen the commitment to gender equality in the structure and operation of national human rights institutions, and*
- *To promote regional cooperation for gender mainstreaming among national human rights institutions in the Asia Pacific region.*

### **Expected achievement**

- *The Kathmandu Manifesto would have been issued as a roadmap for implementation of strategies and action policies for inclusion and gender mainstreaming among the NHRIs.*

H'ble chairperson Tap Bahadur Magar and H'ble member Dr. Lily Thapa emphasized that the role of the media is important to make the international conference a success. The program was chaired by the H'ble chairperson of the Commission, Tap Bahadur Magar. The H'ble member and secretary along with the employees and media persons were present in the program.

### **Editorial Team**

**Kailash Kumar Siwakoti**  
**Durga Pokharel**  
**Netra Bahadur Gautam**  
**Pawan Bhandari**