

Views of Political Parties on Human Rights Situation in 2018

Nepal Communist Party

The year 2018, remains mixed in the perspective of human rights. In some situation, significant achievements were gained however, in other instance, the human rights situation became further challenging. Human Rights situation of Nepal in the view point of Nepal Communist Party is briefly presented as follows:

1. The constitution of Nepal has promoted the guarantee of equality, human dignity, identity and opportunity. It has adopted multi-ethnic, multi-lingual, multi-cultural and diversified geographical specialties by ending all forms of discrimination and in equalities. Nepal has committed to implement the Human Rights provisions that it has approved and accepted. It has already formulated and enforced 18 Acts regarding the implementation of fundamental rights. The process of forming various commissions has begun for the protection and promotion of Human Rights as per the norms of Constitution. Also, the establishment of units in government bodies, that are directly concerned in Human Rights and Social Justice, has been moved forward for its effective implementation.
2. At present, Nepal Communist Party has formed the government with 2/3rd majority in election with the exuber-

ant participation from Nepalese citizens. Similarly, in majority of provincial and local level, NCP elected government is active. This government is active in all three levels being responsible towards its citizens and it is mobilizing all of its mechanisms for the realization of civil and political rights in citizens.

3. The country reached to the accomplishment of civil and political rights through peace process. However, some of the incidents of armed conflict are still continuing of which our party is concerned and believes that it must be solved through a means of dialogue and have formed dialogue committee. But still the nation is facing incidents of explosion, abduction, uses of small arms and killing. The government is continuously working to stop such incidents.
4. The constitution of Nepal has clearly provisioned freedom to commute, freedom of business, freedom of opening organizations, right to peaceful assembly and freedom of speech. These rights has provided a great opportunity to its citizens on realization of freedom. In order to make this extra manageable and disciplined, specified places have been determined and prioritized by our party for demonstration so as to protect the rights of others while using democratic practices. For the implementation of this, the

- government has moved some steps.
5. The victims of armed conflict are still waiting for justice and reparation. The party is very serious on the performance of two commissions, TRC and CIEDP, which are not being able to perform its work despite of long time on its formation. In this context, the government is maintaining these two commissions and trying to manage the transitional justice. Our party has consistency on complete use of experience and learnings for the management of Transitional justice.
 6. The management of civil organizations is an important issue in context of constitution guarantying the right to open political parties an organization under fundamental right. This year, one judicial commission is formed in an initiation from the party for an effective implementation of fundamental rights. The report along with the recommendations has been received by the government. In this context, initiation to make new Acts by displacing the old Acts for the management of civil organizations is continuing.
 7. The data shows that there is an inequality and a huge gap between the rich and poor. In this context, our party is seriously trying to adopted the remedies to minimize such inequality in future. Our party is confident that ending of inequality and poverty prevailing in the country should be the minimum condition for the development. In this context, our party stresses that all three levels of government must strive to minimize poverty and in equality. Nepal lies in 72th position in global hunger index, and in this context, our party is active on guarantying the right to food as a fundamental right of people. Our party has reached into the conclusion on minimizing poverty especially prevailing in Dalit, marginalized, endangered, backward community and people from Karnali and far-west considering the sad situation that more than one fourth people under poverty level are still struggling for minimum necessity.
 8. The party has recommended government realizing the need of Education Commission as a new system by transforming policies and programs with a point of view of providing compulsory education up to elementary level and free education up to secondary level as their constitutional rights and based on this the report is recently received from the education commission formed through the government. The party is active on implementing the recommendations included in the report. In this context, the party is working to fill the gap of inequality and discrimination prevalent in schools with the objective of equal access of citizens to education.
 9. The party is actively engaged for the effective implementation on providing health services to the citizens with poor economic status and suffering from serious ailment with the enforcement of Financial Support Fund 2069 and providing up to Rs 1,00,000 treatment cost. The government is giving extra emphasis on health and services to the citizens such as family planning services, abortion services, eradicating infertility, safe mother-hood, security of infant, sexually transmittable disease, children and senior citizens. The program such as free distribution of vaccine and medicine along with the expansion of safe maternity services is operated more effective across the nation to provide citizen's access to health services. The Health Education Bill is recently passed by the parliament with the objective of easy access of health education. The party will

- have especial initiation to implement it as per the citizen's sentiment.
10. There is an unorganized settlement of squatters in various part of the country and the issue of landless citizens remains the same. The number of home-less people have suddenly increased after the devastating earthquake in 2015, April 25 followed by thousands of aftershocks. Until the July last year, the data shows that only 45 percent of private shelter were built which shows poor situation of reconstruction process. In this context, the party has given priority to the reconstruction process which is highly improved. Out of 7,88,990 grant agreement, more than half of them have completed building private shelters. In order to expedite the reconstruction process, the federal government has decided to hand over the reconstruction process to the local government.
 11. The number of youths going to for foreign employment have decreased this year. There may be various reason behind this. Opening of provincial level offices to ease labor approval and enforcement of social security system based on contribution are some positive steps one generating employment environment in Nepal. The remittance is providing important contribution to the country's economy. The party is very serious on making effective changes in the security of foreign laborers, livelihood after their return, security of their family and situation of their children.
 12. The party is sensitive on increasing trend of incidents on women violence. Women are more vulnerable to physical and mental torture, exploitation, trafficking, Chaupadi, sexual violence, abortion and cultural exploitation resulting inferior life. In such situation, it is hard to ensure social justice and equality. The party has especial concern on the rights of women, and doing necessary initiation.
 13. About 1/3rd children are engaged in child labor and more than six lakhs of them are doing risky labor work. In this prevalent situation, party is active on guarantying the rights of children.
 14. Young girls, especially, are vulnerable to killing, violence and ill-practices likes Chaupadi. The Constitution of Nepal has provisioned rights to women. Political participation, equal rights in property, especial provision on service entry, service security are legally enforced provisions and the party is active on practically enforcing these rights.
 15. The constitution has stated that no citizens will be discriminated based on caste and gender. Moreover, there is a special right in constitution for Dalit and in this context, the party has emphasized for its effective implementation. More than 42% of Dalit are under poverty level and the Human Development Index (HDI) of Dalit community is 0.434. In this context, implementing the constitutional rights is the major responsibility of government and all political parties. The party is equally active on ending all forms of discrimination and guarantying the social justice rights of Dalit and inclusive representation of marginalized community.
 16. There is an especial provision in fundamental rights on a people with disability based on the principle of equality and non-discrimination. There is also special education provision for children with disability. The provision of participation of one person from each province with disability or compulsory participation of minority in National Assembly has guaranteed the political participation of people with disability. In this context, party is striving to make disability friendly

infrastructure, especial education, services and creation of opportunity for person with disability.

17. The party is committed on minimizing the corruption prevailing across the country. The corruption index looks alarming than previous year which is a matter of concern for the party. In this context, the party is discouraging the corruption and adopting the policy of zero tolerance in corruption. The party has initiated some processed improvement, especially to end the corruption and delay in work at Land and Revenue office. By adopting the principle of zero tolerance in corruption, the party has directed the government in all level to work being transparent, accountable and responsible for the people. Party is equally involved to make public transportation and services more people's oriented. The trend of distributing money from the state's fund without any criterion has been discouraged. At the same time the party is actively engaged on guaranteeing good governance through rule of law and formulating necessary regulation.
18. The party is working to end the prevalent situation of non-implementation of court verdict and recommendations of human rights commission. It is very serious on ending impunity in the country. The party has discouraged the political shelter to the person engaged in human rights violation and humanitarian crime.
19. The party is engaged in the proper management of transitional justice in the situation where TRC and CIEDP is seen to be ineffective.
20. There is a prevalence of ill practices such as witchcraft, Chaupadi, Dowry in the society. Women are still being misbehaved and fed with human excrete in witchcraft allegation. Some of them are victims of dowry related

violence. In many instances, women are losing their lives due to the ill practices such as Chaupadi. The party is committed on ending all forms of ill practices and promoting gender equality and social justice in the society.

21. The human responsibility is linked with human rights. It is important that all bodies and a person should practically accept the human rights principle. The issue of Human Rights reconciliation is basically addressed by the state however, civil organizations plays a vital role for its monitoring, protection and promotion. So, in order to address all above challenges, the party stresses on an effective coordination and cooperation between the state, political parties, civil society, private sectors and media.

Krishna Gopal Shrestha
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Along with the establishment of Communist party, grave violation of human rights continued one after other. After the re establishment of democracy in Nepal in 1989, the country gone through decade long armed conflict and many of the incidents of human rights violation were shadowed along with the establishment of Communist government. By damaging the power balance between all three bodies of the state, direct intervention on independent judiciary and other constitutional body began. The state body media, is terrorized by unnecessary intervention by executive.

The activities such as self-recommendation for the appointment Chief Justice of Supreme Court by Prime Minister and rejection for approval was prevalence by making mockery on the dignity of overall judiciary system. Journalist Raju Basnet was arrested by the state showing

intolerance regarding the published news by directly challenging the constitutional provision of right to press freedom. The state was actively engaged on restricting peaceful demonstration, re-locating Dr KC in a kidnaping way, nullifying all political appointment by previous government with extreme prejudice and ill-intention, restricting the right to travel of vice-chancellor Kul Prasad Koirala of Mahendra Sanskrit University and controlling him from the airport in a kidnaping way. The communist government and government-controlled structure were extremely prejudice and vengeance towards Nepali Congress and their supporter. The cadres were chased and seriously beaten inside the party office during a peaceful protest in Surkhet against the nationwide price hike. The fundamental norms of democracy and civil rights were severely suppressed and violated by showing autocracy. Nepali congress had to organize demonstration in all 77 districts across the nation on July 30 against the omnipotent and anti-defendant activities of the government. The suppression of autocratic government continued. Dozens of leaders and cadres in Bidur of Nuwakot were seriously injured in a severe beating during a peaceful protest.

Similarly, four dozen of leaders of Tarun Dal and cadres including chairperson Jit Jung Basnet, Chairperson Madan Bahadur Amatya of Nepali Congress, Lalitpur, general secretary Ajaya Babu of Nepal Press Union were injured after police intervened the peaceful demonstration on July 21 in Kathmandu.

During this period, activities such as, comment from Indian MP Kirti Ajad challenging the sovereignty, national integrity and national self-respect and news related to the involvement of Nepalese ambassador to Australia, in human trafficking has affected the National self-respect and dignity in an international arena.

The irresponsible speech by the executive chief in very serious and responsible issue, controversial speech from the minister affecting the dignity of Nepalese students studying Medical education in Bangladesh was condemnable.

The country faced killing, violence and incidents of bomb explosion during this period. A bomb was detonated on August 11 targeting the office of mayor Bhim Parajuli of Biratnagar Metropolis, elected from Nepali Congress. Similarly, Rohit Pun, chairperson of Nepal Tarun Dal of Rolpa Liwang City Committee was heinously shot dead on September 9. On November 21, Fida Hussain of Duhabi Municipality-9 was shot dead.

The incident of killing of 13 years old Nirmala Pant after rape was condemned in an international level but still, the government is unable to arrest the person involved in this heinous crime. When asking a justice for Nirmala, Sunny Khuna, 17 was killed in a police firing. Citizens are suppressed when demanding a justice for Nirmala, they are charged with batons and fired with bullet when demanding action against the guilt. A series of arresting girls in a kidnaping way and torturing them to forcedly confess the guilt, continued. Person involved in a crime is given political shelter. This incident put shadow to the incident of Namita Sunita case during Panchayat Regime.

The expectation of rule of law, press freedom, judicial freedom, guarantee of civil rights, norms of democratic system, protection and promotion of human right from the communist government, which came into the power from the violent and criminal background is almost impossible as it is heading towards autocracy with arrogance of majority. So, in this context it is irrelevant to comment and analyze the Human Rights situation of the country.

Killing, violence, rape, theft, dacoits and loot is rampant across the

nation. Apart from this, abduction of children, rape, sexual abuse and killing is continuing. Medias are broadcasting and publicizing the news related to criminal activities in a daily basis, highlighting the gruesome situation of the nation.

In overall, after the formation of communist government, the fundamental rights provisioned by the constitution to the Nepali citizen is violated by controlling and directing the freedom and fairness of the constitutional body. The government is directly violating the rights related to UDHR, treaties, covenant and agreement by heading towards single party autocracy. The Human Rights situation of the country at present is in negative index.

Krishna Prasad Paudel
Chief Secretary

Federal Socialist Forum, Nepal

There is no significant progress made in perspective of human rights in 2018. Similar to previous year, the incidents of killing, violence and rape are rampant across the country. The responsibility of the state is to protect, improve and strengthen Human Rights but no such significant steps were made by the state in following and promoting the human rights across the country. Moreover, the state was involved in many incidents of violation. The situation of impunity is in increasing trend due to the unfair behavior and inactiveness from the security body. The real convict is moving freely by involving in un social activities under political protection encouraging the impunity. Citizens can only realize and entertain human rights, when the security body of the state are adopting and prioritizing the norms of human rights. But there is weakness in security body. There is a continuity on giving political shelter to the one charged with human rights violation. The human rights commission is also seen to

be almost un effective during this period.

The country is heading towards the federalism, but instead of being stronger, it is getting weaker, because weak laws and policies are being adopted. The political federalism is being used in administration. There will be no situation of entertaining equal rights among the people, until the exploitation and discrimination are eradicated from the society. Unless and until the law and state fails to adopt the policy to enforce human rights equally in a society, the rule of law will never get ensured. In this context, the present constitution has dozens of such sections having inequality and discrimination. As a result, the exploitation, discrimination and inequality is prevalent in the society. To end this, federal socialist Forum is continuously demanding to amend such discriminatory sections in the constitution. If the major political parties are not serious on these issues and if they denied to amend the constitution, there is a possibility of serious human rights violation in future.

We expect and wish INSEC to perform its work more effectively and efficiently in coming days.

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Rastriya Janta Party (RJP)

Human Rights is the pillar of democracy and no one can be discriminated based on ethnicity, culture, gender, religion, language and race. Human is born equally and each has a right to live freely. Human Rights is a natural right of a person so, United Nation's on its 131th general assembly had issued Universal Declaration of Human Rights (UDHR) in 1948 by understanding the necessity of it. This is the right; that a person carries it by birth. It is the violation of Hu-

man Rights when state discriminates its people based on their language, religion, culture, gender, ethnicity, geography and gender minority. It is the norms of universal human rights that the state must respect the equal participation of its people in every development activities body and mechanism. However, people from Madhesi community, women from indigenous community, Tharu, Dalit, Khas-Arya, minority, Muslim and backward community are not given opportunity to equally participate in development process. The declaration regarding the rights against discrimination in Article 2 has been completely violated. There has been no behavioral change on the way Madhesi citizens are being treated. Resham Chaudhary of Kailali was elected in House of Representative with a majority of vote however, just because of being from Tharu Community, he was charged with false accusation and kept in a jail by the state. The state had falsely accused many of the RJP leaders and cadres from madhesi community during Madhes movement. Right to information is an important right that guarantees the Human rights, however Nepalese citizens have failed to experience it. The state has neglected the madhes victims who fought for their identity and rights during the Madhesi movement. The report presented by the Lal Commission was never made public by the government which shows discrimination by the state to Madhesh and its people which is highly condemnable. This has severely violated the right to information of Madhesi people.

The citizens are not guaranteed on their economic, social, political and cultural rights along with education, health, employment and right to freedom of life. Youths are compelled to go for foreign employment, facing exploitation in foreign land. The rising unemployment among youth has made them involved in extor-

tion, loot, rape and use of contrabanded drugs. If the trend of going abroad continues, there will be only elderly people and infants in the country.

Nepalese citizens are not being able to feel the presence of government and good governance. The killing of Nir-mala Panta of Kanchanpur after rape and the incident of rape on eight years old girl in Mahottari are only exemplarily incidents. There are many such incidents rampant in the nation. The peace and security of the nation is a matter of concern as citizens are being more insecure than ever before.

In Human Rights point of view, the year 2018 is not satisfactory however, it is true that adequate infrastructures to guarantee human rights are being made. This year all tiers of elections were held with the exuberant participation of women. Laws were formulated in provincial level which can be seen as a positive aspect. However, the environment of entertaining the rights of province is dominated by the federal government. The situation of corruption and graft is rampant.

In RJP point of view, the citizens have failed to feel the good governance and rule of law in 2018. We urge government to follow national and international Act for right to freedom. We also strongly demand government to completely follow the Article 17(1) of constitution, Covenant Article of 9(1) of Civil and Political Rights, Section 12 of Civil Rights Act 2012, section 20(1), 20(2) and 21(1) of Muluki Dewani, Article 28 of constitution of Nepal, Article 17 of Civil and Political Rights by ensuring the citizen's freedom.

Lastly, we would like to wish IN-SEC for the successful publication of Human Rights Year Book-2019 and hope this book will be proved as a mile stone in human rights sector.

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